



Constitution and Statutes - Momentum TizenX Association

I. GENERAL STATEMENTS

1. § General Statements

(1) The Momentum TizenX Association (“Association”) is an educational and political association, that is publicly organised, independent from any party, and conducts no party like activities, according to the Polgári Törvénykönyvről szóló 2013. évi V. törvény (“Ptk.”- Hungarian Civil law) and the 2011. évi CLXXV. Törvény („Civil law”). It conducts activities to promote the civil societies’ public activity, its democratic and responsible role as citizens, and its awareness regarding political issues.

(2) Name of the Organisation: Momentum TizenX Association

(3) The registered office of the Organization: 1077-HU Budapest, Rózsa utca 22

(4) The Association is founded for an indefinite time.

II. THE PURPOSE AND ACTIVITIES OF THE ASSOCIATION

2. § Az Egyesület céljai és alapértékei The purpose and core values of the association

(1) The purpose of the Association is to promote the self-organization of the Hungarian civil society, its participation in public life, its political awareness, and to help the education of responsible and democratic citizens.

(2) The purpose of the Association is to form it’s own political opinion, strategy and identity. The goal of the Association is to organize a community of interest which can accomplish the purpose of the Association.

(3) In order to achieve its goals, the Association aims to build a country which is based on the liberty and consensus of its citizens and communities, is democratic and ruled by law, is transparent and corruption free. To accomplish that, the Association will form opinions on a wide range of public affairs and will participate in public activities.

(4) The Association believes in the social benefits of advocating plurality, and the efficiency of a performance-based market economy. At the same time, the Association professes that a fair outcome may only be achieved by providing equal opportunities and granting social mobility. The Association promotes the personal responsibility in society and believes that the values and aims of the society must be supported by reciprocity.

(5) While acknowledging the democratic bodies founded during the change of the regime (transformation into a constitutional and democratic state in 1990), the association condemns the selfish behaviour of the political elite, with special regard to the political activity aiming to divide people and generate social conflict. It condemns the use of power for self-interest or against democratic values and castigates creating opportunities for corruption. Hence the association wants to achieve its goals without cooperating with the establishment of the political elite, and requires its members to be independent of these political groups.

(6) The association does not serve business purposes and does not conduct direct political activity conducted in 2. § 22 on of the Civil law.

3. § Activities of the association

(1) The main activity of the Association is TEÁOR 9492 - Political activity and TEÁOR 9499 - Community and social services, and others not listed elsewhere

(2) Among the main activities of the association, the following tasks are emphasized:

a) Implementing the core values of the association;

b) Sharing legal, political and cultural knowledge;

c) Organising debates, lectures, and workshops;

d) Research activity;

e) Planning and executing political and professional programmes, projects and strategies (consisting of public health conceptions, charity, lawful protest and marches);

f) Production and distribution of professional publications, video and audio recordings;

g) The organisation of exhibitions and consultations;

h) Team building within the association (such as sport and cultural activities);

i) Forming strategy, opinion and the association's political identity;

j) Handling relations with both national and international political organisations, professional and non-partisan political organisations and the media;

k) Making the youth more active in politics and public affairs with seminars and lectures;

l) Planning the financial management of the association;

m) Protecting it's member's rights in connection with its political activity, especially on free speech and equal treatment, according to the section 3 of Act CXXV. of 2003 on equal treatment and opportunities.

III. MEMBERSHIP OF THE ASSOCIATION, THEIR RIGHTS AND OBLIGATIONS

4. § **The membership of the association**

(1) A member of the association ("Member") can be any Hungarian citizen with no criminal record, who

a) has attained the age of 18 years,

b) has attained the age of 14 years and has the approval of his or her authorized representative, and accepts this constitution as binding.

(2) The Member cannot be a member of another party or other organisation with political activity, particularly the youth organizations of parties, except for Momentum Mozgalom, and it's legal successor.

(3) The legal relationship of the Member starts with the acceptance of their application by the Board as stated in the 5. §.

(4) The legal relationship of the Member ends in the cases stated in the 7 §, including exclusion as written in 7. § (4)-(9).

(5) The Member may exercise his rights and fulfil his obligations personally. Another Member may represent the Member if she/he sends (on paper or via email) a verifying notarized deed or private document providing conclusive evidence to the Board. The power of attorney is valid for a year, and the representing Member may only represent one member at a time.

(6) The association will keep records of the Members, which includes their name, date of birth, address, email address and telephone numbers.

(7) The association may elect honorary members (hereinafter “Honorary Member”) who abide by the rules written in the 5. §.

5. § Start of the membership

(1) The Members legal relationship starts with the acceptance of the Board after the application process (2)-(4).

(2) The person requesting membership must submit his application to the Board, on the form made by the association. In this request, the applicant declares that there is no conflict of interest, and accepts the constitution of the association as binding.

(3) The Board will inspect the application of the candidate, and forms an opinion within 3 days of the submission. During the process, the conformity with the goals and values of the association is considered, as well as the recommendation of the local leader and the leader of the work team. The Board will make the decision on the approval or denial within 10 days and communicates it towards the applicant. The Member can exercise his rights and fulfil his obligations from the moment of the declaration of his membership.

(4) In the case of denial, the applicant can ask the Board to justify their decision, which they are obliged to do. In the case of denial, the applicant may start the application process after a 6 months cooling-off period.

6. § Rights and obligations of the members

(1) The Member has the right to:

a) Participate, vote, and speak in the General Assembly (according to the rules of the Assembly);

b) Hold office in the association in the case of his election;

c) Initiate the convocation of the general assembly (with a schedule) with the support of 25% of the members. In this case, the President is obliged to call an Assembly within 3 days of the initiation, on a date within 14 days;

d) Make proposals and remarks to the Assembly and the Board;

e) Participate in the debate of the proposals;

f) Initiate the revocation of the President and the Board Members;

g) Participate in the programmes and events of the association;

h) Work in the work teams, or to found a new work team in agreement with the Executive Directors;

i) Ask for information about any matter in the association's range of activities;

(2) The Member is obliged to:

a) Follow the Constitution of the association, and to respect the resolutions and recommendations of the association when making decisions;

b) Refrain from endangering the goals, activities and values of the association;

c) Participate in the work of the association;

d) Grant information necessary for the work of the association, while not violating other's rights and confidential business information;

e) Protect the confidential business information and the know-how of the association;

7. § The End of the Member's legal relationship

(1) The Members legal relationship ends when the Member reaches the age of 24, furthermore with:

a) The secession of the Member;

b) The termination of the legal relationship by the association;

c) The exclusion of the Member;

d) The death of the Member.

(2) The member can end his legal relationship with the association in a written declaration without assigning any reason. This declaration must be sent to the Board.

(3) If the association finds a conflict of interest (as stated in the 4. § (1)), from that moment, the Member has 30 days to resolve this conflict, else the Board can denounce the membership with 30 days notice. The General Assembly decides about the denunciation.

(4) Repeated or serious violation (or a suspected violation) of the law, the Constitution, the core values, the goals of the Association, and the resolutions of the General Assembly may result in the initiation of an exclusion process. This process may be initialized by 10 members or the Board, and carried out by the General Assembly.

(5) The justified exclusive motion must be sent (in written form or in email) to the Ethics Committee.

(6) The Ethics Committee must form a written opinion on the motion and inform the affected person via email. It must call a General Assembly within 3 days of the submission of the motion, and the Assembly must be carried out within 14 days. The debate is moderated by the Ethics Committee.

(7) At the General Assembly, one of the initiating members or the Board presents the cause of the exclusion process. An E-Mail containing information about all legal consequences of the exclusion process must be sent to all Members before.

(8) The Association deletes the former member from its Membership.

8. § Honorary members of the Association

(1) The Association may accept great contributors to the public life as an Honorary Member, but they are not considered Member as stated in the Constitution.

(2) Honorary Members are elected by the members of the association on the General Assembly. To form the Honorary membership, the elected person must give his written consent.

(3) The Honorary Members must pass the criteria stated in the 4. § (1)-(2) and there must not be a conflict of interest.

(4) The Honorary Member has the right to:

a) Participate in the General Assembly with a right to consult.

b) Participate in the events and programmes of the association.

(5) The Honorary Member is obliged to:

a) Abide by the Constitution of the association, and to take the advice and resolutions of the association into consideration.

b) Refrain from endangering the goals, activities and values of the association;

c) Protect the secret information and the know-how of the association.

(6) Honorary Members do not have the right to vote or to be elected.

(7) The membership is ceased if the Honorary Member states his intention to the Board in written form.

IV. AZ EGYESÜLET SZERVEI

9.§ General Assembly

(1) The General Assembly is the decision-making body of the Association, consisting of all Members. Members may exercise their due rights in decision making during meetings of the General Assembly.

(2) The General Assembly makes their decisions by holding meetings.

(3) The General Assembly must be convened as often as required, but at least 4 times a year. The quarterly meetings are held in February, May, August and November.

(4) The venue of the General Assembly is specified by the Board before each event.

(5) Meetings of the General Assembly are not open, only Members, Honorary Members and guests invited by the Board may participate. The General Assembly may decide to hold an open meeting.

(6) The General Assembly is convened by the Board by means of sending an invitation.

(7) The invitation must contain:

a) the name and seat of the association

b) the time and location of the meeting of the General Assembly

c) the schedule of the meeting of the general assembly. The schedule must be displayed in the invitation in a level of detail that allows the Members eligible to vote to develop their opinion regarding the topics to be disputed.

(8) The invitation to the meeting of the general assembly and the proposed schedule must be sent to the Members either by certified mail or by email, in such a way that they receive them at least 14 days prior to the day of the meeting of the general assembly.

(9) Members and the bodies of the association may request the Board to supplement the schedule within 10 days of the delivery of the invitation to the meeting of the general assembly and the proposed schedule, with the justification of the supplementation.

(10) The Board is entitled to decide upon the issues regarding the supplementation of the schedule. If the Board does not decide upon or refuses the supplementation of the schedule, the general assembly separately decides upon the supplementation of the schedule before the issuance of the resolution regarding the acceptance of the schedule. Members eligible to vote are informed of the items of the schedule and the proposals to be disputed by means of certified mail or confirmation email.

(11) During a meeting of the General Assembly, a decision is to be made only upon duly published issues that are included in the schedule except if all Members are present and unanimously support the disputation of an issue not included in the schedule.

(12) If the meeting of the General Assembly has not been duly convened, a meeting may be held only if all Members are present and support unanimously the holding of the meeting.

(13) The note taker, two attestors and two vote counters are elected by the Assembly. The Chairman of the General Assembly is the President of the association, in the case that they are not available, the Vice-President of the association. Should both of them be unavailable, the Chairman of the General Assembly is elected by the Assembly, in this case, the elected Chairman is responsible for the proclamation of the resolutions. A protocol has to be made of the General Assembly and it has to be signed by the Chairman of the General Assembly, the note taker and two attestors.

(14) The General Assembly has a quorum if 50% of all Members are present in person or represented in accordance with the rulings regarding representation laid out in paragraph 4. § (5).

(15) The General Assembly takes decisions by means of the open ballot, the show of hands with a single majority of the Members.

(16) For the modification of the following points, the concurrent vote of at least $\frac{3}{4}$ of the Members present and at least 60% of all Members is needed.

a) the modification of the constitution

b) the merger or demerger of the association with another association

c) the decision of the dissolution of the association without legal successor

d) any other issue specified by the General Assembly

(17) At the taking of the decision one must not vote if,

a) they are exempted from any obligations or liabilities at the expense of the association by the resolution;

b) a contract (agreement) is to be signed with them according to the resolution;

c) a lawsuit must be brought against them according to the resolution;

d) they have any relatives with interests in the decision who are not affiliated with the association;

e) they are in a position that enables them a majority in the decision making of any organisation with interests in the decision;

f) they have personal interests in the decision;

If a Member may not vote in a certain issue, they must be ignored when assessing whether the quorum is met in the given issue.

(18) In the absence of a quorum, the Chairman of the General Assembly immediately convenes a repeated Assembly for a given time within 14 days. The repeated Assembly has a quorum concerning the issues of the original schedule regardless of the number of Members present. The invitation for the Assembly must contain a notice regarding this. Members who did not appear at the original meeting of the Assembly must be duly notified of the time of the repeated Assembly.

(19) The Board - in accordance with the rules of the General Assembly - must convene an extraordinary assembly to perform the necessary measures if

(a) the assets of the association do not cover the due liabilities;

(b) the association is expected not to be able to cover liabilities at their maturity, or

(c) the association is in danger of not being able to reach its goal.

At such an extraordinary Assembly the Members are obliged to either act in order to terminate the circumstances responsible for the convocation of the Assembly or decide to dissolve the Association.

(20) The assembly has an exclusive right to decide upon the following issues:

a) the ascertainment and modification of the constitution of the association;

b) the acceptance of the annual budget and the accounting report of the previous year;

c) the acceptance of the semiannual report of the Board;

d) the merger or demerger of the association with another association, membership in another association;

e) the dissolution of the association;

f) the election or recall of the President and the Board Members;

g) the exclusion of Members;

h) the approval of signing a contract with a Member of the association or with a relative of a Member of the association;

i) the decision upon former or present Members' claim for damages against other bodies of the association;

j) the appointment of a liquidator.

(21) The decisions of the assembly are promulgated by the Chairman of the Assembly. The Board is to send the report containing the decisions of the assembly to the Members by email within 10 days of the day of the assembly.

10. § Board

(1) The Board is the administrating and representing organ of the association.

(2) The Board consists of 4 members ("Board Members"), and the president ("President"), who get elected for a term of one year. The Board Members and the President are the executive heads of the association.

(3) The Board Members can only be elected from the Association Members. The Board Members can be reelected.

(4) The Board Members and the President are personally obliged to fulfil their executive duties.

(5) A Board Member and the President can only be a person of age, whose capacity to act, in the field of his or her duties is not limited.

(6) A legally binding imprisonment sentence precludes a person from being a Board Member or the President until he or she is exempted from all adverse legal consequences attached to his criminal record.

(7) The legally binding prohibition to fulfil the profession as an executive officer precludes a person from being a Board Member or the President. (Somebody, who is under an interdiction to a professional activity by a judicial verdict)

(8) During the duration of the prohibition decree, that prohibits the fulfilling of the profession as an executive officer, the interdicted person must not be a Board member or President.

(9) The Board Member Candidates give in their application to the Ethics Committee 7 days prior to the elections and the list of the Board Member Candidates must be published for the Association Members 5 days prior to the elections by the Ethics Committee. The application must contain the Board Member Candidate's Curriculum Vitae, his or her letter of motivation and his or her program for the following term.

(10) The Board Member Candidates get presented to the Association Members by the Ethics Committee on the Congress and the Board Member Candidates present the reasons of their application and their program for the following term.

(11) For the election of the Board Members, more than half of the present Association Member's votes are needed. The candidates with the most votes must be considered as elected. If the election is not successful, within 14 days a new election must be held. If the last Board Member cannot be determined, because more Board Member Candidates get an equal amount of votes, than a new election between these Board Member Candidates has to be held.

(12). If the position of a Board Member or the President gets vacant during his term, because of any reason, a new election must be held for the open position.

(13) The assignment of a Board Member and a President, elected during the term, lasts until the regular election of officers at the annual Congress.

(14) If an Association Member's legal relationship ceases, the Association Member's position as Board Member and President also ceases.

(15) The Board has complete meetings. The Board has meetings as required, but at least once a week. The President calls the Board meeting. In case of the President's hindrance, the vice president is responsible for calling the Board meeting.

(16) An invitation for the Board meeting and its proposed agenda must be sent to the Board Members - via e-mail, that they can confirm, or via certified mail - so it comes to hand at least 2 days prior to the meeting.

(17) Valid decisions can only be made regarding issues that are on the agenda, that has been published according to the rules, except if everybody entitled to participate is present, and unanimously agrees on it.

(18) The Association Members and the organs of the Association can ask the Board to supplement the proposed agenda, together with an argumentation for the supplementation, within 1 day after the handing over of the invitation and the proposed agenda.

(19) The Board makes a separate decision on the supplementation of the proposal before passing the resolution for the ratification of the agenda.

(20) A protocol of the Board meeting has to be made and signed by the President, the transcript writer and 2 attestors.

(21) The proceedings of the Board Meeting are valid, if the President and at least two Board Members are present. Resolutions can be passed with a simple majority of the present participants.

(22) The Board makes decisions regarding every important question, that is not categorised under the authority of the General Assembly by the Statutes.

(23) The Board's duties are the following:

a) controls the activities of the Association, creates a strategy based on the Manifesto to achieve the Associations purposes;

b) is responsible for the organizations online and offline publications and the content on its own platforms through the Directors;

c) decides matters in its scope of authority, and makes the decisions public to the Associate Members together with the protocol of the Board Meeting;

d) between the Assembly meetings the Board exercises the rights of the Assembly, aside from the rights under the exclusive authority of the Assembly;

e) controls the execution of the Assembly's resolutions;

f) controls the activities of the President and the working groups ;

g) controls and inspects the Association's asset management and finances;

h) Decides on the new Member inquiries;

i) approve the annual work plan;

j) Creates a plan for the budget and annual financial report and provides them to the General Assembly;

k) Registers the new Association Members and deletes the old Associaton Members.

l) sets up the Association Organ's elections

m) calls and sets up the General Assembly

n) defines the Assembly's agenda

o) takes protocol of the Association's resolutions, organisational papers and other...

p) keeps the documents connected to the Associations function

q) reports every half a year about its activities on the General Assembly

r) is controlling the existence of a reason for the Association's dissolution and takes measures according to the Ptk. (Hungarian Civil law) in case of its occurrence.

(24) The Board Members and the President are obliged to participate at the Assembly, to answer questions concerning the Association at the Assembly and to make a report on the Association's activities and financial situation.

(25) The Board is authorized to give away a degree with honours to Members of the Association, who made an extraordinary effort in the means of the Association or contributed in an extraordinary way to the achievement of the Association's goals.

(26). One-third of the Members can hand in a censure motion against the Board's Members in form of an E-Mail or a writing.

(27) If the Assembly supports the censure motion, it expresses, that it no longer has confidence in the Board Member.

(28) If the Assembly does not accept the report of the Board's Member's, the Assembly expresses, that it no longer has confidence and has to make a decision on the removal of the Board Member.

(29) Members of the Board :

Name; Adress

1. Károly Nagy; 1181-HU Budapest, Batthyány Lajos utca 116.

2. Réka Kovács; 1172-HU Budapest, Tarcack utca 10.

3. Kálmán Kelemen; 1028-HU Budapest, Rákóczi utca 8.

4. Péter Béres; 1111-HU Budapest, Lágymányosi utca 17/a.

5. Dávid Bereczki; 7400-HU Kaposvár, Zaranyi Lpt. 19/b.

11. § The President

(1) A President is elected by the Assembly from the Members of the association, who is the first leading official and representative of the association. The President may be reelected.

(2) Presidential candidates present their application to the Ethics Committee 7 days prior to the General Assembly. The application must contain the Curriculum Vitae, the motivation letter and the program for the given year of the presidency of the presidential candidate.

(3) Presidential candidates are introduced at the assembly by the Ethics Committee, then the candidates orally present the reason of their application and their program for the given year of presidency.

(4) The presidential candidate receiving the plurality of the votes is to be considered elected. If the winner may not be determined, because several candidates have received the same number of votes, a new election must be held among these candidates.

(5) The duties of the President are as the following:

a) the convocation of the meetings of the Board, the ascertainment of the agenda;

b) the presidency and guidance of the General Assembly (in that capacity: the Chairman of the General Assembly), the presidency and guidance of the Board and the enunciation of the decisions of the Board and the General Assembly.

c) the representation of the association before third parties, before the courts of justice and other authorities.

d) permission to independently sign on behalf of the Association below the handwritten, typewritten, preprinted or printed name of the association.

e) reporting on their own activities at the annual General Assemblies.

f) the execution of any other tasks delegated by the General Assembly or the Board

(6) The majority of all Members may propose a non-confidence motion against the President by means of email or in writing with the simultaneous suggestion of the person proposed for President.

(7) By supporting the non-confidence motion, the assembly expresses its distrust against the President and at the same time elects President the person proposed for the position of President in the non-confidence motion.

(8) The assembly expresses its distrust by not accepting the report of the President, in this case, the assembly must decide upon the recall of the President. The simple majority of the votes of all Members is needed for a recall.

(9) The President of the Association:

Name; Address:

Károly Nagy; 1181-HU Budapest, Batthyány Lajos utca 116.

12. § The Vice President

(1) The President appoints and recalls the Vice President from the Members of the Board, who is the actual deputy of the President and fulfils the duties of the President, should the President be hindered.

13. § Titkárság

(1) A Titkárság Titkárból, és az Általános Igazgató által meghatározott számú adminisztrátorból áll. A Titkár az Általános Igazgató megbízatása idejére jelöli ki, és hívja vissza az Egyesület tagjai közül. Az adminisztrátorokat megbízatása idejére a Titkár jelöli ki, és hívja vissza az Egyesület tagjai közül.

(2) A Titkárság feladatai az alábbiak:

a) vezeti a tagjegyzéket;

b) vezeti a jogszabályban meghatározott egyéb nyilvántartásokat;

c) gondoskodik az Egyesületi dokumentumok megőrzéséről és archiválásáról;

V. THE ASSOCIATIONS ASSET MANAGEMENT

14.§ The rules of asset management

(1) The Association is entitled to practise business activities directly related to the realization of the goals of the association.

(2) The Association has no regular income. The Association finances itself from donations. The Association can run business activities to contribute to the achievement of its objectives and to secure its financial conditions. The profit, generated by the Association, can only be used to achieve the Association's objectives and cannot be apportioned among the Association Members.

(3) The Association is liable for its liabilities with its own assets. The Association Members are not liable for the liabilities of the Association with their personal assets.

(4) The association may not be created with business or entrepreneurial purpose, these activities may only be performed with an auxiliary nature, in order to facilitate the implementation of its goals.

VI. Final Clause

15. § Final Clause

(1) Control over the Association's activities is practised by the Fővárosi Főügyészség (High Prosecution Office of Budapest) in accordance with the rulings of the law on prosecution office.

(2) Lawsuits brought by any Member of the Association attacking an illegal decision of anybody of the association fall exclusively under the jurisdiction of the Fővárosi Törvényszéknek (Tribunal of Budapest).

(3) All documents of the association are to be prepared in the Hungarian language.

(4) According to this present constitution, any electronic correspondence or equivalent means of communication is to be considered email.