

Romanian Forest Certification Scheme 2017 – Annex 06

PEFC-RO DST 8006:2017



**Statutes**  
PEFC Romania

March 2017

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## Content

Content .....	3
Statutes PEFC Romania .....	4
1. Name .....	4
2. Place of Business .....	4
3. Objectives and Goals.....	4
4. Membership.....	4
5. Organs .....	5
6. Resolutions.....	7
7. Secretariat.....	7
8. Financing: .....	8
9. Subsidiary Clause .....	8
10. Dissolution and Liquidation .....	8

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**1. Name**

## **Statutes PEFC Romania**

### **1. Name**

PEFC Romania is established, as a non-governmental, non-profit, non-political association, operating in accordance with provisions of GO no. 26/2000, as amended and supplemented. PEFC Romania - Programme for the Endorsement of Forest Certification Schemes Association Romania, which will be designated **PEFC Romania** in the following.

### **2. Place of Business**

PEFC Romania has its place of business in Voineasa, Romania.

### **3. Objectives and Goals**

PEFC Romania has the following purpose and goals:

- supporting sustainable forestry
- promoting the use of wood as a renewable resource
- organizing and implementing the introduction of the Pan-European forest certification framework
- setting up and revise Romanian certification scheme
- developing guidelines, procedures and standards for wood certification, and their implementation and further development, as well as establishing an arbitration body, if required, for complaints regarding the above
- providing information and consulting for wood certification
- making and maintaining contact with regional, national or international certification schemes, and
- organizing cooperation with the International certification organization PEFC-C (Programme for the Endorsement of Forest Certification Council)

### **4. Membership**

Founding Members of PEFC Romania are:

## 5. Organs

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- National Association for Mountain Rural Development “ROMONTANA”
- OPENFIELDS Foundation
- CONSILVA Confederation,
- SILVA Federation of Forestry Syndicates
- The Association of Companies for Forest Management and Planning
- NOSTRA SILVA – Federation of Forest and Pasture Owners of Romania,

Members are – founding members, active members, supporting members and honorary members.

Further members can be admitted upon request following a resolution by the Managing Board. PEFC Romania it had been established for an indefinite period of time.

Membership in PEFC Romania can be terminated by request, via registered letter, or by loss of membership due un-respected statute provisions, with the obligation of membership fee payment at the end of the year; this does not affect the continued existence of PEFC Romania.

## 5. Organs

a). The General Assembly is comprised of representatives of all members and is responsible for passing resolutions on all basic issues concerning PEFC Romania. a) establishing the strategy and general objectives of PEFC Romania;

- establishing the number of members of the Managing Council, number not lower than the number of founding members;
- election and dismissal, at any time, of the President of PEFC Romania and Members of the Managing Council;
- election of censors;
- approves or rejects proposals for amending the Statute of PEFC Romania;
- approval of the report of the Managing Council, President, of the report of the censors, execution of income and expenses budget, balance sheet, the annual work program of PEFC Romania and budget of the of income and expenses proposed by the Managing Council;
- validation of organizational measures necessary for the development of the PEFC Romania;
- approval of the reorganization of PEFC Romania;
- examines how the Managing Council conducted the program previously adopted;
- any other duties prescribed by law or Statute.

b). Between meetings, the governing body is the Managing Board, which meets usually twice a year, or whenever necessary

- determines the number and composition of specialized committees;

## 5. Organs

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- takes decisions about how to act to protect the rights and interests of members in dealing with administrative, legislative, judicial bodies or government;
- approves the budget of PEFC Romania and budget execution;
- makes decisions and positions between two General Assemblies in matters not covered by exclusive jurisdiction of the General Assembly and that cannot be delayed. Must report to General Assembly on the first session and request validation of decision;
- approves the rules of organization and functioning of the Managing Council;
- approves the existence of a position of director;
- decides on the editing of publications (newsletters, periodicals, pamphlets, etc.);
- proposes to amend or supplement the Statute of PEFC Romania;
- establishing, for each calendar year the fee for registration in PEFC Romania;
- establishes wages of management staff;
- approves the organization of symposia, conferences, trade fairs, exhibitions and other similar actions in the country and abroad, of the composition of delegations and the amount of the related expenditures;
- approval of PEFC Romania office change;
- approval of the acquisition of property;
- approval of loans;
- performs any duties established by Statute or General Assembly.

c). The President is elected by the General Assembly, from the founding or active members, for a term of four years, with the possibility of re-election. The powers and duties of the President of PEFC Romania:

- represents PEFC Romania and is empowered to represent the interests and make decisions on its behalf;
- follows the enforcement decisions of the General Assembly and of the Managing Council;
- takes the actions necessary to perform the duties and powers established by Statute;
- signs contracts and other acts that commit PEFC Romania, under Statute;
- represents PEFC Romania before the judicial authorities, formulates and introduces applications of summons;
- appoints the Executive Manager of PEFC Romania, if the case;
- may delegate some of its powers temporarily to the Executive Manager or another member of the Managing Council;
- appoints representatives of PEFC Romania in the committees attached to local and central public administration authorities;
- appoints advisors in various fields;
- fights for the unity of PEFC Romania and its prestige
- Fulfils all necessary attributions stated by statute for the position of Executive Manager, in case this position is not created or is vacant.

**6. Resolutions**

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- d. The Executive manager has the following responsibilities:
- ensures the current management of PEFC Romania in relations between its members and in relations with other legal and natural persons;
  - shall carry, observing the legal provisions and Statute, the decisions of the General Assembly, the Managing Council and the President;
  - hires and establishes the responsibilities of employers and staff of the functional unit of PEFC Romania, determines individual salaries of staff, with the approval of the President;
  - signs contracts and other acts that commit the association, after consulting the President, approves and decides the expenditures regarding protocol, advertising, publicity, etc., according to the budget, with the approval of the President;
  - should ensure that in the accounting records of the association will be recorded separately the goods purchased or erected with public money;
  - presents to the General Assembly the activity report, the execution of revenue and expenditure, balance sheet, revenue and expenditure of the project next year, a draft work program of PEFC Romania;
  - proposes to the President the level of costs for benefits and publications of PEFC Romania;
  - coordinates economic activities of PEFC Romania and PEFC Romania established companies;
  - initiates and maintains contacts with external partners;
  - other duties for which it received verbal or written delegation from the President.
- e). The internal financial control of PEFC Romania shall be exercised by a board of censors, consisting of three persons. The Commission of Censors is elected by the General Assembly for a period of four years and may be revoked at any time.

**6. Resolutions**

At the General Assembly the quorum is constituted irrespective of the number of members who are present if they have been convened by statute. Each member has one vote. Resolutions are to be adopted preferably unanimously in the General Assembly. A resolution to dissolve PEFC Romania can be made by a simple majority, if two thirds of the members are present.

**7. Secretariat**

**8. Financing:**

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PEFC Romania will establish an office in Romania, location to be announced, to achieve its goals and purpose. This secretariat has its place of business at the headquarters, and the president heads it.

Third parties may also be commissioned with the tasks set by the General Assembly.

**8. Financing:**

The costs incurred by PEFC Romania will be carried in equal parts by the Members if its financial needs are not provided by its own activity. The contributions will be made in form of membership fees and (if necessary) financial support.

**9. Subsidiary Clause**

In as far as nothing to the contrary has been stipulated in these statutes, or by the General Assembly of PEFC Romania, the organizational law of the Romanian Foundations and Associations applies correspondingly.

**10. Dissolution and Liquidation**

PEFC Romania is dissolved in the following circumstances:

a. by right;

- inability to achieve the purpose for which it was established, if within one year of becoming aware of such fact the purposes for which PEFC Romania was established is not accomplished;
- the impossibility to establish the General Assembly or the Managing Board, according to the statute, if this situation lasts for more than one year after the date on which, according to the statute governing bodies must have been established;
- reducing the number of members below the limit set by law, if it has not been completed within 3 months.

b) by court order

In the event of the dissolution of PEFC Romania, the assets of the organization remaining after liquidation are transmitted to legal persons of public or private law with identical or similar purpose.