

**THE STATUTES
OF THE
ENGLISH SPEAKING
ROMAN CATHOLIC
COMMUNITY
OF BERN**

20th November 2012

The original German version of the text is authoritative should any uncertainty or questions of interpretation arise. An English translation exists and is a part of the Statutes. In every place where a person is designated in the Statutes, the language should be read as applying to both the masculine and feminine forms of the term.

1. Name and Purpose

- 1.1. The **English Speaking Roman Catholic Community of Bern** is the name of the Community which these Statutes concern. Henceforth, it will be referred to only as to "the Community," abbreviated **EC**.
- 1.2. The Community is a **part of the Roman Catholic Parish of Bruder-Klaus in Bern**. Since the Community includes persons outside the Parish, it is organised according to CIC 298 § 1 as an association of English speaking faithful. The head of Bruder Klaus Parish of Bern is the head of the Community.
- 1.3. **The purpose of the Community** is to make possible that English-speaking Catholics of the Canton of Bern would have one central place to live their **religious and spiritual life in the English language**.

This takes place through the common celebration of the Sacraments, especially in the celebration of Holy Mass, through religious education, through the promotion of community building, and through engaging in charitable works.

2. Financing

- 2.1. The Community shall be financed by a contribution from the Roman Catholic Church of the Canton of Bern (*Landeskirche*), from the collections and revenue from the Community's events, as well as from allowances from the Parish Social Service or from the Social Work Department of the Association of Roman Catholic Parishes (*Gesamtkirchegemeinde*) of Bern and Surroundings (FASA).

The Roman Catholic Church of the Canton of Bern (*Landeskirche*) finances well-defined activities, which are governed by the Financing Commitment for the English Speaking Roman Catholic Community of Bern:

Appendix I of the Statutes: Letter from the Roman Catholic Church of the Canton of Bern (*Landeskirche*) dated July 4th, 2012. The contributions are to be used for the purposes defined in § 1.3.

The details are governed by the Working Contract, which belongs to the Statutes as an **Appendix II**.

- 2.2.** The Working Contract shall be concluded between the Church Council of the Roman Catholic Community of Bruder Klaus Bern, Bruder Klaus Parish of Bern, and the English Speaking Roman Catholic Community of Bern. It shall govern what is to be provided by the EC, by the Parish, and by the Church Community, with respect to everyday activities, and how these institutions cooperate.

The Working Contract is valid for a period of one calendar year. It shall be discussed anew and agreed upon every year. It shall be revised by the leadership of the Bruder Klaus Church Council (KGR) in a way so that it can be voted upon and signed by the Church Council at its November meeting, at the latest.

It shall be signed immediately afterwards by the other partners, and carried out to the best of its knowledge and belief. In case of serious difficulties, the EC, the head of the Parish, and the Bruder Klaus Church Council are to be informed at the same time and without delay.

- 2.3.** The annual budget shall be drawn up together by the English Speaking Community Council (§ 6) and the head of the Bruder Klaus Parish Bern. It consists of two parts: the first concerns the Roman Catholic Church of the Canton of Bern (*Landeskirche*), and the second concerns matters internal to the Community.

It shall state which portion of the budget will be financed by the Roman Catholic Church of the Canton of Bern (*Landeskirche*) and which portion will be financed by the Community itself.

The activities of the Parish Social Service, of the FASA, and of other internal or external suppliers of services, are not to be budgeted separately by the EC.

The Church Council of the Roman Catholic Community of Bruder Klaus Bern approves the two-part budget, provided that the Roman Catholic Church of the Canton of Bern (*Landeskirche*) approves it with respect to the part of the budget that concerns it.

- 2.4.** An Accounting is carried out by the English Speaking Roman Catholic Community of Bern in close cooperation with Bruder Klaus Parish. The book-keepers are assisted by a professional appointed by the Bruder Klaus Church Council.

Henceforth, this professional will be referred to as the financial expert.

- 2.5.** An Audit is carried out by the financial expert mentioned in Art. 2.4. He will be also referred to as an auditor in what follows.

The Roman Catholic Church of the Canton of Bern (*Landeskirche*) retains the right to conduct a special audit of the account that concerns it.

3. Membership

- 3.1.** All English speaking Catholics in the Canton of Bern willing to act under the framework of the Statutes can become members.
- 3.2.** Entitled to vote are all the registered members of the Community who have reached the age of 18 years and who have registered their domicile in the Canton of Bern at the Residents' Registration Office or at the Department for Foreign Affairs of the Confederation.

4. Institutions of the Community

- 4.1.** The Annual General Meeting (AGM)
- 4.2.** The Community Council

5. Annual General Meeting

5.1. The Annual General Meeting (AGM) shall be held, as a rule, on the last Sunday in January, but not later than on the last Sunday in May. The date of the AGM must be announced to the Community members at least four (4) weeks in advance at the Sunday Mass and/or through the Community news-letter.

5.2. Agenda items for the AGM must be submitted to the President of the Community Council in written form (including a name, address and signature) at least fifteen (15) days in advance. Nominations of candidates for the Community Council must contain a supplementary statement of willingness from the candidate. A candidate for the office of President must be able to make himself understood in German.

5.3. The AGM treats the following agenda items:

- The adoption (with possible corrections) of the Minutes of the last AGM;

The Minutes of the last AGM must be made available to the members of the Community who are entitled to vote at least three (3) weeks before the AGM;

- The presentation of the Annual Report of the President;
- The presentation and discussion of the Treasurer's Report,
The presentation of the Auditor's Report,
A discharge vote regarding the Treasurer;

The statement of accounts of the previous year and the Auditor's report must be made available to the members of the Community entitled to vote at least three (3) weeks before the AGM.

- Discharge of the Community Council
- Elections of the President and the members of the Community Council, in the case of the expiration of the term of office or of resignation;
- Treatment and advisory vote on the agenda items;
- The address given by the head of Bruder Klaus Parish Bern.

5.4. A simple majority of members present is decisive for votes and elections. Matters concerning personnel can be voted on by secret ballot. Unless a majority of the members present request otherwise, votes are taken by a show of hands.

5.5. An extraordinary General Meeting of the Community can be convened only in exceptional cases for serious reasons given in writing. An extraordinary General Meeting takes place when it is requested in writing by a simple majority of the elected Council members (for a definition of the elected Council members, see § 6) or by 75% of all registered members entitled to vote.

An extraordinary General Meeting of the Community takes place in case of § 6.6.

6. Community Council

6.1. The Community Council advises the head of Bruder Klaus Parish Bern on important questions regarding the Community. In the following, it will be referred to only as "the Council". The head of Bruder Klaus Parish Bern is a member of the Council.

6.2. The Council ensures the operative management of the Community. The Council consists of at least five (5) and at most eight (8) elected members.

For the functions of President and Treasurer, the AGM elects a properly-qualified deputy. The deputy of the President will be referred to as Vice-President.

The deputies take over the tasks of the principal officials in the case of a long-term absence. In unclear cases concerning a long-term absence of an official, the decision belongs to the head of Bruder Klaus Parish. By regularly informing them, the principal officials shall assure that the deputies are prepared to act.

6.3. The elected Council members have the following tasks :

- **President**
Convocation and chairing of Council Meetings and of the AGM, or of the extraordinary General Assemblies of the Community;

Preparation and distribution of the agenda for Council Meetings and the AGM, or for the extraordinary General Assemblies of the Community;

Representing the EC both internally and externally;

Acting as the principal contact person for the head of Bruder Klaus Parish Bern and the Church Council of Bruder Klaus Bern.

Preparation of the duty roster for the English speaking priests.

- **Secretary**

Taking the Minutes during the Council Meetings and the AGM.

The Council Minutes must contain at least the agenda items, the venue and date of the Session, the names of participants, and the wording of the decisions taken. The Minutes of the Council Meetings are not public.

- **Treasurer**

Bookkeeping and administration of finances

Preparation of the budget and of the annual financial report

- **Remaining Council members**

Participation in the council discussions and votes

Assisting in carrying out council decisions

- **Advisory members** of the Council are:

- the appropriate Social Worker of Bruder Klaus Parish Bern and, if needed,

- additional members designated by the Council.

Up until the next elections, the Council can appoint up to two (2) additional advisory members.

- 6.4.** Every Community member entitled to vote, who does not belong to any Community or Mission in another language in Switzerland, can run for election. If at least one Community member entitled to vote so requests, the Council members and the President are elected at the AGM by secret ballot; otherwise, the votes are public.

- 6.5.** The regular term of office for a Council member is two (2) years; the term of the President is three (3) years. Officials may only run for a position for three (3) consecutive terms, unless no other eligible person for the position puts himself forward. The Council Meeting constitutes a quorum if at least three (3) elected members are present.
- 6.6.** Should a vacancy occur in the Council, the Council appoints a replacement member. Should less than half of the ordinary elected Council members remain on the Council, a date for an extraordinary General Meeting must be set where the appointed Council members may be confirmed and/or new Council members elected.
- 6.7.** The Council meets at least four (4) times a year.
Decisions are taken by a simple majority of the members present.
In the case of a tie, the President casts an additional vote.
- 6.8.** If a Council member wants to resign, he must submit his resignation in writing to the President one (1) month in advance. The resigning member is obliged to surrender to the President all the written or electronic documents referring to his work in the Council, as well as other items which given to him in the work of the Council. This surrender will be recorded in detail in written form. A report of the surrender is given to the Leadership of the Community, as well as to the Bruder Klaus Church Council. The resigning person receives a copy of the report.
- 6.9.** Should the President want to resign, he must submit his resignation in writing to the head of Bruder Klaus Parish Bern one (1) month in advance. The resigning President is obliged to surrender to the head of Bruder Klaus Parish Bern all the written or electronic documents referring to his work in the Council, as well as other items given to him in the work of the Council. This surrender will be recorded in detail in written form. A report of the surrender is given to the Leadership of the Community, as well as to the Bruder Klaus Church Council. The resigning person receives a copy of the report.
The head of the Parish appoints a new President from the elected Council members, who acts in office until the next AGM.

7. Liability

- 7.1.** The members of the Community are not personally liable for financial liabilities.
- 7.2.** The liabilities of the Community must not exceed available assets.

8. Modification (Amendments) of the Statutes

Modification of the Statutes requires a two-thirds (2/3) majority of all the members elected to vote who are present at the AGM, and all Church Institutions mentioned in § 11.

9. Dissolution of the Community

- 9.1.** The dissolution of the Community requires a three-quarters (3/4) majority of all the members elected to vote who are present at the AGM.
- 9.2.** By the dissolution of the Community all its assets reverts to the Roman Catholic Church of the Canton of Bern, less existing liabilities.

10. Signature

- 10.1.** The Community is bound by the joint signatures of the President or the Treasurer and the head of Bruder Klaus Parish Bern.
- 10.2.** For the budget, for the annual financial report, for expenditures over 10% of the estimated budget item, for AGM and Council Meeting minutes, a joint signature is strictly required.
For all other functions mentioned in in Art. 6.3, the officials have a single signing authority. As a rule, they inform the Council members about signed documents immediately and in an appropriate form.

11. Coming into force

The Statutes come into force after the approval of the head of Bruder Klaus Parish Bern, of the head of the Pastoral Region and of the Priest-in-charge of the Pastoral Region Bern East, of the Church Council of the Community of Bruder Klaus Bern, and of the Community AGM.

20th November 2012

English Speaking Roman Catholic Community of Bern

Alma Krebs, President

Bern, 25th November 2012

Signature

Bruder Klaus Parish Bern

Parish Priest Georges Schwickerath, Parish head

Bern, 25th November 2012

Signature

Pastoral Region head and the Priest-in-charge of the Pastoral Region Bern

East Pastoral Region head Dr. Bernhard Waldmüller and Priest-in-charge of the Pastoral Region Georges Schwickerath

Date and venue

Signature

Signature

Church Council of the Roman Catholic Community of Bruder Klaus

Dr. Peter Müller-Boschung, President

Bern, 25th November 2012

Signature

Acknowledged by:

Episcopal Vicariate St. Verena of the Diocese of Basel

Gudula Metzger, Regional Responsible

Date and venue

Signature

Council of the Synod the Roman Catholic Regional Church of the Canton Bern (Landeskirche) Josef Wäckerle, President

Date and venue

Signature