

Meyrin, 31 March 2023

Dear Madam/Sir, Dear Members

You were invited to participate in an Extraordinary General Meeting (EGM) on 28 March 2023 at 16:00 at CERN; the purpose of this EGM, convened by the Committee, was to propose and present a revision of the GAC-EPA Rules, in accordance with Article 33 of the Rules in force. According to Article 32 of these Rules, and following the EGM, any revision of the Rules requires a written vote of the members of the Group.

Therefore, you will find attached the minutes of the EGM as well as **a voting ballot to express your agreement or your refusal of the revised Rules. This ballot must be returned by mail or electronically in accordance with the detailed procedures on the ballot.**

We draw your attention to the fact that, following the exchanges during the EGM, the Committee decided at its meeting on 31 March 2023 to add a sentence to Article 4. The second part of that article now reads as follows:

"In addition, the Committee may accept on request the Group membership of an individual who is not a beneficiary of the Pension Fund, if this individual, at retirement time was employed by one of the Organizations. The surviving spouse of a Group member who is not a beneficiary of the Pension Fund may also request membership of the Group. *Such non-beneficiaries of the Pension Fund are not eligible to the Group Committee.* »

The rest of the document is identical to the one presented at the EGM.

The GAC-EPA Secretariat will do the count on 15 June 2023. The results will be published on our website as well as in the Autumn 2023 Bulletin.

Looking forward to your many replies, receive, Madam, Sir, Dear Member, our cordial greetings,

Enrico Chiaveri, President of GAC-EPA



Enclosed:
Minutes of the Extraordinary General Meeting
Voting ballot

Minutes of the Extraordinary General Meeting (EGM)

Preamble

The Rules in force date from 2012. The draft revised Rules are the result of more than two years of work within the Committee, which began in 2020 and was completed in December 2022. The Rules submitted for approval are compatible with the Statutes of the CERN Staff Association, which approved them.

The full text of the revised Rules and a presentation about the amendments to the existing Rules can be consulted in full on the website of the Extraordinary General Meeting <https://indico.cern.ch/event/1234545/>.

This report presents the proposed revisions and the discussion that followed the presentation.

Presentation

Michel Baboulaz presented the proposed amendments. These amendments mainly concern:

- clarifications of certain functions of our bodies,
- adaptations necessitated by changes in the environment (e.g., more frequent use of e-mail due to sharp increases in printing and postal costs),
- relaxation of some of our operating rules; these relaxations were particularly inspired by the experience of the COVID19 health crisis,
- openings to some non-beneficiaries of the Pension Fund.

The *clarifications* concern:

- the indefinite duration of the Group (Preamble),
- the aims which now include protecting the economic interests [of the beneficiaries] and promoting any social progress regarding them (Article 1),
- the specification that the members of the Committee act on a pro-bono basis (Article 13),
- the functions open to the representative of ESO (Article 15) and the rules for his/her election (Article 20),
- the timetable to be followed for the removal from the membership list in the event of non-payment of the contribution (Article 28).

The *adaptations* concern the possibility:

- of organizing a correspondence voting procedure (Article 9),
- of using electronic communication for the Call for Candidates for elections of the Committee members or the Auditors,
- of proceeding to tacit elections if the number of candidates for the Committee and/or for the Auditors is less than or equal to the number of posts to be filled (Article 19).

The *flexibilities* mainly relate to:

- the place and date of the Ordinary General Meeting, which no longer must take place at CERN in the first three months of the year but as early as possible in the year after the closure of the accounts, normally in the first half of the year (Article 7), in a place left to the choice of the Committee,

- the abolition of a minimum number of 16 Committee members (Article 12),
- the abolition of a statutory frequency for the publication of the Bulletin (Article 17).

Regarding the rules of operation, it is proposed:

- to give a casting vote to the Chairman of the Committee in the event of a tie vote in the Committee (Article 23),
- to limit the functions of the co-opted members of the Committee by specifying that they are not eligible for executive functions (Article 14),
- to remove the possibility of challenging decisions of the Ordinary General Meeting decisions by a quorum of 20% of the members (Article 9 of the 2012 Rules).

Finally, it is proposed to *extend the possibility of joining the association* after approval of the Committee (Article 4):

- to an individual who is not a beneficiary of the Pension Fund if this individual, at the time of retirement was employed by one of the Organizations (CERN or ESO).
- to the surviving spouse of a Group member who is not a beneficiary of the Pension Fund.

Questions and Comments

Jean-Pol Matheys asked about the enlargement of membership provided for in Article 4. He wondered what the candidate's interest and/or the GAC-EPA's interest could be for this membership. He also wondered about the criteria that would be used by the Committee to validate or not such a request (decisions can't be arbitrary). He therefore suggested either delaying the approval of that amendment or asking for a separated vote for this article.

Gertjan Bossen replied that this clause had been introduced for the sake of inclusiveness and that requests had been received in particular from ESO.

Michel Baboulaz and Enrico Chiaveri mentioned that for practical reasons, the approval of the modified Rules must be global¹.

Gertjan Bossen expressed his disagreement with the removal of the possibility of challenging the decisions of the Ordinary General Meeting by means of a written complaint by one fifth of the members (Article 9 of the 2012 Statutes). He recalled that because of their geographical distance, state of health or old age, many members cannot attend the General Meeting and that from his point of view the abolition of this possibility is a democratic regression.

In response, Michel Baboulaz recalls that this challenge can be exercised by the same number of members by requesting, for example, to hold an Extraordinary General Meeting, possibly followed by a written vote; thus, all the members of the Group will be consulted and will be able to position themselves.

Conclusions

In conclusion, the Chairman thanked the Committee for its work and recalled that the comments would of course be an integral part of the minutes, but that the *members of the GAC-EPA will be asked to vote on the global text*.

The meeting was adjourned at 16:44.

¹ Concerning the final version of Article 4, please see the introductory letter to these minutes.

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Voting Ballot
for the revised GAC-EPA Rules
presented at the Extraordinary General Meeting of 28 March 2023

		YES	NO	ABSTENTION
	I approve the revised GAC-EPA Rules presented at the EGM of 28 March 2023			

How to fill in the ballot paper and modalities for returning the form.

- Use either the English or the French version of the ballot – NOT both!
- Vote by putting a cross in one of the boxes marked (YES, NO, ABSTENTION) of the rows presenting the documents.
- Place the ballot paper in an envelope addressed to GAC-EPA. On the back of this sealed envelope, write your surname, first name, and address before sending it.
- Alternatively, you can return the ballot as attachment to an email with subject EGM2023 to office.secretariat@gac-epa.org, mentioning your surname, first name and postal address.

Ballots must arrive at the GAC-EPA office
on 15 June 2023 at the latest