

AUTORIDADE PARA OS PARTIDOS POLÍTICOS EUROPEUS E AS FUNDAÇÕES POLÍTICAS EUROPEIAS

Decisão da Autoridade para os Partidos Políticos Europeus e as Fundações Políticas Europeias de 31 de agosto de 2017 de registar o Movimento Político Cristão Europeu (Apenas faz fé o texto na língua inglesa) (2018/C 34/10)

A AUTORIDADE PARA OS PARTIDOS POLÍTICOS EUROPEUS E AS FUNDAÇÕES POLÍTICAS EUROPEIAS,

Tendo em conta o Tratado sobre o Funcionamento da União Europeia,

Tendo em conta o Regulamento (UE, Euratom) n.º 1141/2014 do Parlamento Europeu e do Conselho, de 22 de outubro de 2014, relativo ao estatuto e ao financiamento dos partidos políticos europeus e das fundações políticas europeias ⁽¹⁾, nomeadamente o artigo 9.º,

Tendo em conta o pedido apresentado pelo Movimento Político Cristão Europeu,

Considerando o seguinte:

- (1) Em 11 de julho de 2017, a Autoridade para os Partidos Políticos Europeus e as Fundações Políticas Europeias («Autoridade») recebeu um pedido de registo como partido político europeu, em conformidade com o disposto no artigo 8.º, n.º 1, do Regulamento (UE, Euratom) n.º 1141/2014, da parte do Movimento Político Cristão Europeu («o requerente»).
- (2) Nos termos do artigo 9.º, n.º 2, terceiro parágrafo, do Regulamento (UE, Euratom) n.º 1141/2014, em 8 de agosto de 2017 a Autoridade solicitou ao requerente que apresentasse informações adicionais para completar o pedido.
- (3) O requerente apresentou versões revistas de partes do pedido em 15 de agosto de 2017, 22 de agosto de 2017, 24 de agosto de 2017 e 29 de agosto de 2017.
- (4) O requerente apresentou os documentos comprovativos de que preenche as condições estabelecidas no artigo 3.º do Regulamento (UE, Euratom) n.º 1141/2014, e, em particular, da sua representação em, pelo menos, um quarto dos Estados-Membros por, pelo menos, os seguintes deputados ao Parlamento Europeu, dos parlamentos nacionais ou regionais ou de assembleias regionais: Hrvoje Zekanović (Hrvatski rast, Croácia), Franck Margain (Parti chrétien-démocrate, França), Ivars Brīvers (Kristīgi demokrātiskā savienība, Letónia), Bastiaan Belder (Staatkundig Gereformeerde Partij, Países Baixos), Marek Jurek (Prawica Rzeczypospolitej, Polónia) e Petronela-Mihaela Csokany (Uniunea Bulgară din Banat, Roménia), membros dos partidos do requerente, e Branislav Škripek (Eslováquia), membro do próprio requerente.
- (5) O requerente apresentou a declaração de acordo com o modelo previsto no anexo do Regulamento (UE, Euratom) n.º 1141/2014, bem como os seus estatutos, contendo as disposições requeridas pelo artigo 4.º do supracitado regulamento.
- (6) O requerente apresentou documentos adicionais, em conformidade com o disposto nos artigos 1.º e 2.º do Regulamento Delegado (UE, Euratom) 2015/2401 da Comissão ⁽²⁾.
- (7) Nos termos do artigo 9.º do Regulamento (UE, Euratom) n.º 1141/2014, a Autoridade analisou o pedido e os documentos comprovativos e considera que o requerente preenche as condições de registo previstas no artigo 3.º do regulamento e que os estatutos incluem as disposições requeridas pelo artigo 4.º do regulamento em apreço,

⁽¹⁾ JO L 317 de 4.11.2014, p. 1.

⁽²⁾ Regulamento Delegado da Comissão (UE, Euratom) 2015/2401, de 2 de outubro de 2015, sobre o conteúdo e o funcionamento do registo dos partidos políticos europeus e das fundações políticas europeias (JO L 333 de 19.12.2015, p. 50).

ADOTOU A SEGUINTE DECISÃO:

Artigo 1.º

O Movimento Político Cristão Europeu é, por este meio, registado como partido político europeu.

Adquire personalidade jurídica a partir da data de publicação da presente decisão no *Jornal Oficial da União Europeia*.

Artigo 2.º

A presente decisão produz efeitos no dia da sua notificação.

Artigo 3.º

O destinatário da presente decisão é:

Movimento Político Cristão Europeu
Bergstraat 33
3811 NG Amersfoort
PAÍSES BAIXOS

Feito em Bruxelas, em 31 de agosto de 2017.

*Pela Autoridade para os Partidos Políticos Europeus e as
Fundações Políticas Europeias*

O Diretor

M. ADAM

*ANEXO**Article 1***Name and logo**

1. The name of the association is European Christian Political Movement (EPCM).
2. The logo exists out of the letters E, C, P, M, in blue and green.

*Article 2***Registered office**

The registered office of the Association is located at The Hague, The Netherlands (Chamber of Commerce, Koninginnegracht 13, 2514 AA Den Haag). The ECPM head office is at the Bergstraat 33, 3811 NG, Amersfoort, The Netherlands.

*Article 3***Objects**

1. The objects of the association are to reinforce Christian politics on a European, national, regional and local level, as expressed in the basic programme of the association.
2. The association may pursue its objects with all legal means, including in particular by:
 - a. promoting mutual contacts among political parties endorsing the association's objects;
 - b. promoting and exchanging knowledge and experience that may contribute to achieving the association's objects;
 - c. organizing trainings in order to increase the knowledge and skills of the members and their officers;
 - d. promoting the further shaping of Christian politics in Europe;
 - e. promoting concrete legislation to conform to the basic programme of the association;
 - f. participating in European elections.
3. The organisation does not pursue profit goals.

*Article 4***Members**

Members may be:

- a. Political parties in Europe endorsing the basic programme, as mentioned in article 3;
- b. politicians who qualify for Article 3(1)(b) of Regulation (EC) No 2004/2003 (including amendments from Regulation (EC) No 1524/2007) of the European Parliament and of the Council of the fourth day of November two thousand and three on the regulations governing political parties at European level and the rules regarding their funding and who are also endorsing the basic programme, as mentioned in article 3 and members of national parliaments from nations which have full membership in the Council of Europe.
- c. The association with limited legal competence: European Christian Political Youth (ECPYouth) with its registered office in the Hague, the Netherlands.

*Article 5***Associated Bodies**

1. Associated bodies are organizations or individual members of the European Parliament that (can) support the association's work, either financially or by contributing expertise or otherwise.
2. Associated bodies do not have any rights and obligations other than those conferred and imposed on them by or pursuant to this charter.

*Article 6***Admission**

1. The board shall decide on the admission of members and associated bodies.
2. In the event of non-admission as a member, the general assembly may still decide to admit the relevant party or individual.

*Article 7***Termination of membership**

1. The membership shall end:
 - a. by the member's notice of termination;
 - b. by notice of termination by or on behalf of the association, which may be given if a member has ceased to meet the requirements for membership as set in this charter, if the member fails to perform its obligations vis-à-vis the association, as well as if the association cannot reasonably be required to continue the membership;
 - c. by disqualification, which may be pronounced only if a member acts contrary to the association's charter, the regulations or the resolutions, or prejudices the association.
2. Notice of termination on behalf of the association shall be given by the board.
3. Notice of termination of the membership by the member may be given only with effect from the end of the association year and with due observance of a four-week notice period. The membership may, however, be terminated with immediate effect if the association or the member cannot reasonably be required to continue the membership.
4. Notice of termination contrary to the provisions of the foregoing paragraph shall result in termination as per the earliest possible time following the effective date of termination stated in the notice.
5. A member shall not be authorized by means of notice of termination of its membership to exclude vis-à-vis itself a resolution imposing more stringent financial obligations on the members.
6. Disqualification from the membership shall be effectuated by then board.
7. The person involved may lodge an appeal against a resolution of the association to terminate the membership based on the argument that the association cannot reasonably be required to continue the membership, and against a resolution to disqualify a member from membership within one month of receipt of the notice of the resolution at the general assembly. The person involved shall be notified of the resolution in writing, stating the reasons, as soon as possible. During the appeal period and pending the appeal, the member will be suspended.
8. In the event of termination of the membership in the course of any association year, the annual contribution shall, nevertheless, remain due in full.

*Article 8***Termination of the rights and obligations of associated bodies**

An associated body's rights and obligations may at all times mutually be terminated by giving notice, provided that a financial contribution for the current association year promised shall remain due in full.

Article 9

Notice of termination on behalf of the association shall be given by the board.

*Article 10***Annual contributions**

1. The members shall pay an annual contribution to be determined by the general assembly.
2. Under special circumstances the board may grant a full or partial exemption from the obligation to pay a contribution.

*Article 11***Board**

1. The board shall consist of at least four private individuals who are either a:
 - a. member;
 - b. member of a member-party or;
 - c. member or staff member of an associate or an individual member, and who are to be elected by the general assembly.
2. The number of board members shall be determined by the general assembly based on a motion of the board.
3. Board members will be appointed by the general assembly.
4. The standing orders may give further regulations on the appointment of board members.

*Article 12***Termination of board membership - Periodic membership - Suspension**

1. Every board member shall retire ultimately four years after appointment. The retiring board member shall be eligible for reappointment once
2. Every board member, even if appointed for a limited period of time, may at all times be dismissed or suspended by the general assembly. Any suspension not followed by a dismissal resolution within three months shall end by expiry of such term. The retiring board member shall be eligible for reappointment. A person appointed to fill a temporary vacancy shall take the place of his predecessor in the rotation schedule.
3. Furthermore, a board membership shall end:
 - a. by termination of a member's membership of the association;
 - b. by resignation.

*Article 13***Board offices - Board decision - Making process**

1. The chairman shall be appointed to office by the general assembly. The other offices shall be divided among the board members in mutual consultation, provided that the board may also assign the duties of the secretary and the treasurer to non-board members.
2. Standing orders may set additional regulations in respect of the meetings and decision-making process of the board.

*Article 14***Board duties - Representation**

1. Save as restricted in this charter, the board shall be responsible for the management of the association.
2. In the event of vacancies on the board, the board shall retain its powers. It shall, however, convene a general assembly as soon as possible to discuss the filling of the vacancy or vacancies.
3. The board shall be authorized to have committees to be appointed by the board perform certain parts of the board's duties under the responsibility of the board.
4. The board shall be authorized to enter into agreements to purchase, alienate or encumber property subject to public registration, to enter into agreements in which the association binds itself as a guarantor or as joint and several debtor, warrants performance by third parties, or binds itself as security for a third-party debt.

5. The association shall be represented both in and out of court either by the board or by the chairman acting jointly together with another board member.
6. With regard to daily management, the association is validly represented by the General Director.

Article 15

Financial management, annual report and reporting

1. The General Director is responsible for the daily financial management, including expenditure and fundraising and is fully authorized with regard to bank matters and loans below €25.000. In consultation with the Board, the General Director appoints an independent administrator to conduct the administration. The administrator can transfer funds only with written approval of the General Director. The General Director will inform the Board of the financial developments and reports on all transfers over €1.000. The independent administrator prepares the accounts after which they are adopted by the General Director and verified by the Board. The Board will be fully transparent to its members and the European Parliament regarding donations and the financial accounts while maintaining the protection of personal data and privacy as long as this does not conflict with any ruling in this charter.
2. The General Director will sign off spending which will be recorded by the administrator. All expenditure will be conducted in accordance with the rules and guidelines for expenditure concerning European political parties. Other staff members can only do expenditure within an established limit and with the sole purpose of arranging travel and stay and meeting rooms.
3. The board remains the final administrative and financial representation of the association and shall keep records of the association's financial position, so as to show its rights and obligations at all times.
4. The board shall issue its annual report at a congress within six months of the end of the association year - save an extension of such term by the general assembly -, reporting on its management as conducted over the past financial year, under simultaneous submission of a balance sheet and a statement of income and expenditure. After expiry of the said term any member may demand in court that the board report in accordance with the foregoing sentence.
5. The European Parliament appoints the auditor. The General Director and administrator will cooperate with the auditor to establish the annual accounts. These accounts will be submitted to the Board and General Assembly for approval.
6. The association year shall run from the first day of January until the thirty-first day of December. (change of order, was article 15.1)

Article 16

The General Assembly

1. The general assembly is the general meeting by law. All powers in the association not conferred on the board by law or in this charter shall vest in the General Assembly.
2. Ultimately six months after the end of each association year, a congress – the annual meeting - shall be held to discuss, inter alia:
 - a. the annual report and the report as referred to in article 15, as well as the report of the committee referred to in such article;
 - b. the appointment of the committee referred to in article 15 for the following association year;
 - c. the filling of vacancies, if any;
 - d. motions submitted by the board or by the members, if any, as announced in the notice convening the meeting.
3. Any other assemblies shall be held as often as the board deems appropriate.
4. Furthermore, on the written request of at least such number of members as are entitled to cast one tenth of the votes, the board shall convene a congress within a maximum term of four weeks. If the request is not complied with within fourteen days, the requesting members may convene the meeting themselves by giving notice in accordance with article 20 or by placing an advertisement in a daily newspaper at least widely read in the place where the association has its registered office.

*Article 17***Access and voting right**

1. In compliance with article 20, the general assembly shall be open to members of the association, board members, representatives of the associated bodies and invited guests. Suspended members and suspended board members shall not have access to the congress.
2. Other than those referred to in paragraph 1 have admission to the general assembly, unless *casu quo* the general assembly decides to meet *in camera*.
3. Every member of the association who is not suspended shall have the right to cast a vote.
4. Every associated body has a right to cast a vote on subjects concerning: political content.
5. In the general assembly each member party has three votes and every individual member has one vote. Every associate body has one vote. The number of votes by individual members and associates can only make up for forty-nine percent (49 %) of the total votes. If the votes of individual members exceed forty-nine percent (49 %) of the total votes then the chairman of the association (or his substitute) is allowed to determine an alternative division of the votes that ensures that the individual members will receive forty-nine percent (49 %) of the total votes.
6. A memberparty may cast his vote only through a representative having power of attorney to the satisfaction of the chairman of the meeting.

*Article 18***Chair - Minutes**

1. The general assembly shall be chaired by the chairman of the association or his deputy. In the absence of the chairman and his deputy, one of the other board members to be designated by the board shall act as chairman. If the chair is not filled according to this procedure either, the meeting shall appoint its own chairman.
2. The secretary or another person designated for such purpose by the chairman shall keep minutes of the proceedings at each meeting, to be adopted and signed by the chairman and the person keeping the minutes.

*Article 19***Congress decision - Making process**

1. The decision pronounced at the general assembly by the chairman to the effect that a resolution has been adopted shall be decisive. The same shall be true for the substance of a resolution adopted to the extent that a vote was taken on a motion not set forth in writing.
2. If, however, immediately after the decision referred to in paragraph 1 is pronounced, the correctness thereof is challenged, a new vote shall be taken if the majority of the meeting or, if the original vote was not taken by roll-call or by ballot, a person entitled to vote so requires. Such new vote shall supersede the legal consequences of the original vote.
3. To the extent not provided otherwise by law or in this charter, all resolutions of the general assembly shall be adopted by an absolute majority of the votes cast.
4. Blank votes shall be deemed not to have been cast.
5. If, in an election of persons, none of the candidates has obtained an absolute majority of the votes, a second vote or, in the event of a binding nomination, a second vote between the nominated candidates, shall be held. If in such second vote none of the candidates has obtained an absolute majority either, revotes shall be taken until either one person has obtained an absolute majority of the votes or a vote held between two persons ends in a tie. Such revotes (not including the second vote) shall at all times be held between the persons between whom the preceding vote had been held, with the exception of the person who had obtained the least votes during such preceding vote. If during the preceding vote the least votes had been obtained by more than one person, a drawing of lots shall decide who of such persons can no longer be voted for in the new vote. In the event that a vote between two persons ends in a tie, a drawing of lots shall decide who of such two persons is elected.
6. In the event that a vote on a motion other than on an election of persons ends in a tie, the motion shall be deemed to have been rejected.

7. All votes shall be taken orally, unless the chairman deems a vote by ballot appropriate or if any of the persons entitled to vote so requires prior to the vote. Written votes shall be taken by secret, unsigned ballot. Resolutions may be adopted by acclamation, unless any of the persons entitled to vote requires a vote by roll-call.
8. A unanimous resolution of all members, even outside a meeting, shall have the same force as a resolution of the congress of the general assembly, provided adopted with the prior knowledge of the board.
9. As long as all members are present or represented at a general assembly, valid resolutions may be adopted, provided unanimously, with respect to all items to be discussed - thus, including a motion to amend this charter or to dissolve the association - even if no notice convening a congress has been sent or has been sent in accordance with the requirements in that respect or any other requirements with respect to convening and holding meetings, or any related formalities, have not been observed.
10. Decisions are only valid if at least one quarter of the members are present during the meeting.

Article 20

Convening the General Assembly

1. The general assembly shall be convened by the board. The notice convening the general assembly shall be sent to the addresses of the members according to the membership register as referred to in article 4. The term for convening a congress shall be at least seven days.
2. The notice convening the general assembly shall state the items to be discussed, without prejudice to the provisions of article 21. In the notice convening the general assembly, the board can indicate some items that shall exclusively be discussed by the members. Items mentioned in article 17.4 can never be indicated by the board as to be discussed exclusively.

Article 21

Amendment of the Charter

1. This charter of the association may be amended only by a resolution of the general assembly, the notice convening such meeting stating that a motion to amend the charter shall be discussed at such meeting.
2. Those who had convened the congress of the general assembly to discuss a motion to amend the charter shall deposit a copy of such motion in which the proposed amendment is quoted verbatim, at a suitable location, for inspection by the members, at least five days prior to the meeting until the end of the day of the meeting. Furthermore, a copy as referred to above shall be sent to all members.
3. A resolution to amend the charter shall require at least two thirds of the votes cast in a meeting at which at least two thirds of the members are present or represented. If two thirds of the members are not present or represented, a second meeting shall be convened and held within four weeks thereafter, in which a resolution may be passed on the motion as discussed in the previous meeting, irrespective of the number of members present or represented, provided by a majority of at least two thirds of the votes cast.
4. An amendment of the charter shall not take effect until after having been set forth in an instrument executed before a civil-law notary. Every board member shall be authorized to have the instrument executed, in accordance with the of the general assembly.

Article 22

Dissolution

1. The association may be dissolved by a resolution of the general assembly. The provisions of paragraphs 1, 2 and 3 of the foregoing article shall apply mutatis mutandis.
2. The appropriation of any credit balance after liquidation shall be determined by the general assembly in the resolution to dissolve the association.

*Article 23***Standing orders**

1. The general assembly may adopt standing orders.
2. The standing orders may not be contrary to the law, even where nonmandatory, or with this charter.

*Article 24***Affiliated foundation**

Sallux is the foundation affiliated to ECPM and will function as its sole European political foundation in accordance with the Regulation (EC) No 1141/2014 of the European Parliament and of the Council on the regulations governing political foundations and the rules regarding their funding.

Annex I

List of Members of the European Christian Political Movement on June 1, 2017

| Full name | English translation | Acronym | Type of membership | Member state |
|---|---------------------------------------|-----------|--------------------|-----------------|
| Hayastani Qristonea-Demokratakan Miowt'yown | Christian Democratic Union of Armenia | HQDM | Full membership | Armenia |
| Hrvatski rast | Croatian Growth | HRAST | Full membership | Croatia |
| Eesti Kristlikud Demokraadid | Estonian Christian Democrats | EKD | Full membership | Estonia |
| Parti Chrétien-Démocrate | Christian Democratic Party | PCD | Full membership | France |
| Christian Democratic People's party | | CDPP | Full membership | Georgia |
| Bündnis C – Christen für Deutschland | Alliance C – Christians for Germany | Bundnis-C | Full membership | Germany |
| Kristīgi Demokratiska Savienība | Christian Democratic Union | KDS | Full membership | Latvia |
| Partidul Popular Crestin Democrat | Christian Democratic People's party | PPCD | Full membership | Moldova |
| ChristenUnie | Christian Union | CU | Full membership | The Netherlands |
| Staatkundig Gereformeerde Partij | Politically Reformed Party | SGP | Full membership | The Netherlands |
| Prawica Rzeczypospolitej | Right Wing of the Republic | PR | Full membership | Poland |
| Uniunea Bulgara din Banat | Bulgarian Union in Banat | UBB | Full membership | Romania |
| Evangelische Volkspartei | Evangelical People's Party | EVP | Full membership | Switzerland |
| Khrystiyansko Demokratichnyj Soyuz | Christian-Democratic Union | KDS | Full membership | Ukraine |
| Christian Peoples Alliance | | CPA | Full membership | United Kingdom |