



MENTAL HEALTH EUROPE – SANTE MENTALE EUROPE aisbl
Boulevard Clovis 7, B-1000 Brussels
Tel +32 2 280 04 68 - Fax +32 2 280 16 04
E-Mail: info@mhe-sme.org
www.mhe-sme.org

MHE INTERNAL RULES

Approved at the MHE General Assembly, Brussels, 13 June 2009

I. INTRODUCTION

Art. 1 – Purpose of the Internal Rules

These “Internal Rules” are supplementary and subordinate to the Statutes of the International non-profit organisation Mental Health Europe-Santé Mentale Europe (hereafter the Association).

In case of a contradiction between the Internal Rules and the Statutes of MHE-SME, the latter shall prevail.

Amendments to the Internal Rules shall be made in accordance with the Statutes.

II. MEMBERSHIP

Art. 2 – Membership

Membership is open to all organisations and individuals based in Europe that are active or interested in the field of mental health and underwrite the Statutes and Internal Rules of the Association.

The Association has 3 membership categories:

- Full members
- Associate members
- Individual members

Art. 3 – Full Members

3.1. Criteria as defined in art.3 of the Statutes

- Any European, national, regional or local organisation that is active in the mental health field;
- and have legal status, conform to the existing laws and customs of the country.

3.2. Procedure

- Written membership application to be sent to the Secretariat, accompanied by the Statutes/Constitution, annual report and accounts, and other supporting documents of the organisation.

- All applications will be submitted to the Membership and Accreditation Committee which will make recommendations to the Board.
- 3.3. Rights
- Full voting rights at the General Assembly through representation by an appointed official delegate;
 - To stand for elections in the Board and the Executive Committee if elected to the Board;
 - To be invited to participate in meetings, seminars, projects, etc.;
 - To be informed and consulted on an ongoing basis on MHE activities;
 - To participate in setting the policies, guidelines and priorities for MHE
 - To have their interests and positions fully taken into account and supported.
- 3.4. Obligations
- To commit to MHE's aims and objectives;
 - To underwrite MHE's Statutes and Internal Rules;
 - To appoint a representative to be the contact person with MHE. He/she will have the power to commit the Full Member he/she represents;
 - To inform MHE in case of the change of identity of the official representative;
 - To participate actively in MHE's activities, programmes, meetings, conferences, campaigns, etc.;
 - To disseminate information on MHE and its activities, programmes, meetings, conferences within his/her organisation;
 - To contribute an annual membership fee, which if it is not paid, will lead to the suspension of participation in the General Assembly and Board until payment of the amount due.

Art. 4 – Associate Members

- 4.1. Criteria (as defined in Article 5 of the Statutes)
- Any organisation (national, regional or local) active or interested in the field of mental health in Europe;
 - and have legal status conform to the laws and customs in their country.
- 4.2. Procedure
- Written membership application to be sent to the Secretariat, accompanied by the Statutes/Constitution, annual report and accounts, and other supporting documents.
 - All applications will be submitted to the Membership and Accreditation Committee that will make recommendations to be Board.
- 4.3. Rights
- May attend the General Assembly, can take part in the discussions but have no voting rights;
 - To be informed about MHE's activities and receive the Newsletter and other information;
 - They cannot stand for election to the Board.
- 4.4. Obligations
- To commit to MHE aims and objectives;
 - To respect the Statutes and Internal Rules;
 - To appoint a representative to be the contact person with MHE and the member organisation;
 - To contribute an annual fee;
 - To contribute to MHE's activities, campaigns, etc.

Art. 5 – Individual Members

- 5.1. Criteria (as defined in Article 6 of the Statutes)
 - Any individual active, or interested in mental health and resident in Europe.
- 5.2. Procedure
 - Written membership application to be sent to the Secretariat who will submit to the Membership and the Accreditation Committee.
- 5.3. Rights
 - To receive the Newsletter of MHE-SME and information on conferences;
 - Can attend the General Assembly and can take part in the discussions but have no voting rights;
 - Can participate in the election of individual member representatives to the General Assembly. These elected individual members are called "Voting Individual Member" (VIM). The VIMs have the right to stand for election and have voting rights at the General Assembly.
- 5.4. Obligations
 - Pay the appropriate annual membership fee.

Art. 6 – Membership fees

All fees are paid for 1 calendar year (1 January – 31 December).

Individuals or organisations for which the paying of fees can cause problems and who want to participate in MHE-SME activities can ask the Membership and Accreditation Committee to consider reduction or waiving of the annual membership fee.

Art. 7 – Change of membership category - Resignation - Exclusion

- 7.1. Any member may terminate membership at any time, by notice of resignation to the Board of Mental Health Europe.
- 7.2. If the Board is of the opinion that a member should be excluded from the Association, it shall make a written recommendation to the General Assembly. This written recommendation must include the reasons for the proposed exclusion and be adopted by the majority. The member shall receive a copy of the statement.
Any member who is denied membership can appeal to the General Assembly whose decision is final.
- 7.3. Members may at any time request a change in the category of their membership, following the rules set out for admission to the relevant category. Applications for changes in membership category shall be treated in the same way as applications for membership.

III. STRUCTURE

Art. 8 – MHE-SME shall have the following organisational structures:

- the General Assembly
- the Board
- the Executive Committee

- the Membership and Accreditation Committee

They are assisted in their work by the Secretariat of the Association.

8.1. The General Assembly

8.1.1. Composition.

The General Assembly is composed of the official representatives of all the full members and the duly elected Voting Individual Members (VIM). The number of VIM will be decided each year by the General Assembly and shall normally be not more than 1/5th of the number of full voting members. All other individual members and associate members may attend the General Assembly but have no voting rights.

In order to have voting rights all the full or individual voting members (VIM) must have paid their membership fee by the 31th December of the preceding year.

Observers can be allowed to attend the General Assembly by agreement. They will have no voting rights.

8.1.2. Election of the Voting Individual Members to the General Assembly

All individual members are entitled to take part in the election of their representatives to the General Assembly.

Every individual member can be a candidate for the election of representatives to the General Assembly. The maximum number of voting individual members will be decided based on the number of Full Members per 1 January of the current year.

The Membership and Accreditation Committee will send nomination forms to all individual members. Individual members have 4 weeks to nominate, starting from the date that the nomination forms have been sent out. Each candidate can give an outline of his/her nomination, within a maximum of three hundred words.

All nomination forms have to be returned to the Membership and Accreditation Committee by a deadline to be set by the Membership and Accreditation Committee. Nomination forms postmarked later than the date of the deadline will not be valid. Nomination forms sent before the deadline by fax or e-mail will be accepted, but must be confirmed by a signed hard copy sent by postal mail within the deadline.

Within two weeks after the deadline for nomination, the Membership and Accreditation Committee will send a numbered voting form to all individual members, in which all the valid candidates are listed in alphabetical order.

The Membership and Accreditation Committee is responsible for handling the returned election forms. The candidates with the highest number of votes are chosen as Voting Individual Members for the General Assembly.

If, however, more than one elected member comes from the same country, the candidate with the highest number of votes will be elected, in order to ensure that only one member from one particular country is elected.

In the event of an elected Individual Board Member lapsing for any reason, the candidate with the next highest number of votes at the previous election will fill the vacancy until the next election.

The Membership and Accreditation Committee will notify the candidates before any other member of MHE-SME is informed of the election results.

8.1.3. Deliberations

- The President, and in his or her absence the Vice President shall preside the General Assembly. If neither of them is present the meeting shall be presided by the Secretary-General.
- The person presiding the General Assembly shall declare the opening and closing of the meeting, direct the discussions, ensure observance of the rules, accord the right to speak and announce the decisions taken.
- Voting by proxy is allowed and proxies can only be given to another member. A voting member can only have 2 proxies.
- Voting will be secret when a vote concerns an individual person or an exclusion, or at the request of a member.
- Decisions shall normally be taken by majority voting.
- In the event of equal voting the President will have the casting vote.
- In order to calculate the majority obtained in accordance with the Statutes, the abstentions shall not be taken into account.
- The decisions concerning the membership fees shall be taken by the General Assembly on proposal of the Board.

Art. 9 – The Board

The Board shall consist of 15 members: 12 representatives of Full member organisations and 3 Voting Individual Members.

Board members will be elected for a 3 years term of office. They may stand for re-election.

The Membership and Accreditation Committee will be responsible for handling the election procedure. The nomination and election procedure of the Membership and Accreditation Committee will be decided in article 13.

9.1. Election of the three Voting Individual Members from the General Assembly to the Board

All Voting Individual Members are entitled to take part in the election of their representatives on the Board.

Each Voting Individual Member can nominate him/herself or any other Voting Individual Member of the General Assembly.

The Membership and Accreditation Committee will send nomination forms to all Voting Individual Members. The Voting Individual Members will have at least 4 weeks to submit a nomination. Each candidate can give an outline of his/her nomination, within a maximum of three hundred words.

All nomination forms have to be returned to the Secretary of the Membership and Accreditation Committee before the deadline set by the Committee. Nomination forms postmarked later than the data of the deadline will not be valid. Nomination forms sent before the deadline by fax or e-mail will be accepted, but must be confirmed by a signed hard copy sent by postal mail within the deadline.

Within 2 weeks after the deadline for nomination, the Membership and Accreditation Committee will send a numbered voting form to all Voting Individual Members of the General Assembly, which will list all the valid candidates in alphabetical order.

The Membership and Accreditation Committee is responsible for handling the returned election forms. The candidates with the highest number of votes are chosen as Voting Individual Members for the Board.

A VIM will not be elected as Board member, if a representative of the same organisation is elected to the Board. In that case a new VIM with the highest vote will be chosen as board member.

9.2. Election of 12 Full Members from the General Assembly to the Board

All Full Member organisation are entitled to take part in the election of their representatives on the Board.

A nomination from a Full Member organisation will require at least the endorsement of 2 other Full Member organisations from different countries.

The Membership and Accreditation Committee (MAC) will send nomination forms to all Full Member organisations in order to enable them to be candidate. Full Member organisations will have at least 4 weeks to offer their nominations. Each nominee can give an outline of his/her nomination, within maximum three hundred words.

All nomination forms have to be returned to the Secretary of the Membership and Accreditation Committee before the deadline set by the MAC. Nomination forms postmarked later than the date of the deadline will not be valid. Nomination forms sent before the deadline by fax or e-mail will be accepted, but must be confirmed by a signed hard copy sent by postal mail within the deadline.

Within 2 weeks after the deadline for nomination the MAC. will send a numbered voting form to all Full Members, in which all valid candidates are listed in alphabetical order. The first name on the list will be decided by chance.

The MAC is responsible for handling the returned election forms. The 12 Full Member organisations with the highest number of votes are chosen as Board Members.

If, however, more than 2 elected Full Member organisations come from the same country, only the 2 Full Member organisations with the highest number of votes will be elected.

9.3. When a Board member is no longer representing his/her organisation, he/she can only be replaced validly at the next General Assembly. A provisional replacement from the same full member organisation – without voting rights – is possible.

If a member (full member organisation or voting individual member) does not pay in time its/his/her membership fee, its/his/her voting rights at the General Assembly and Board will be suspended until the payment of all the amounts due.

A Board member representing a full member organisation that stops to be MHE member during the 3-year term of his/her Board membership, will be obliged to withdraw. A new Board member will then be elected at the next General Assembly.

9.4. Procedure

The Board shall meet at least twice a year, normally during a European conference, seminar or workshop.

According to Article 10 of the Statutes, no member of the Board shall receive remuneration for acting in the capacity of Board member. The Board members may

receive reimbursement of expenses incurred on approved business of MHE-SME, according to the MHE-SME Guidelines.

The agenda for the Board meeting shall be prepared by the Executive Committee and sent to the Board members one month in advance.

Board members may request items to be included in the agenda. These requests must be sent in writing to the MHE Secretariat at least one week before the Board meeting. They shall support this request with an explanatory statement.

If decided by the Executive Committee or requested by one third of the Board members, an extraordinary Board meeting will be organised. The information related to venue and date should also be sent one month prior to the meeting.

In exceptional cases, the Board may take decisions by a written procedure. To that effect the Executive Committee shall send, by all means of communication, the proposal for decision to all Board members.

The decisions shall be adopted within 10 working days if the number of responses meets the quorum set forth in the Statutes.

The Board of MHE-SME shall be responsible for the formulation of MHE-SME policy. The Board can delegate the implementation to the Director, but remains responsible.

The Board can install Committees, Sub-Committees and Working Groups, which will report to the Board.

The Board shall deliberate validly only when a majority of its members is present.

The Board shall make every effort to decide by consensus. Should this not be possible, they shall decide by absolute majority of members present.

In the event of equal voting, the President shall exercise a second and casting vote. Board meetings are chaired by the President. In case of absence, the Vice-President, followed by the Secretary, followed by the Treasurer will take the Chair.

The Board will elect the members of the Executive Committee.

Art. 10 – The Executive Committee

The Executive Committee will be composed of the President, Vice-President, Treasurer, Secretary and the 5th member without portfolio.

They are elected for 3 years and meet at least 3 times a year. The Executive Committee is accountable to the Board.

10.1. Elections

After the election of the Board, each Board member can nominate him/herself as President.

The Board will elect the President of the Board by secret ballot. If two or more persons are candidate(s), the one with the highest number of votes will become President.

The position of President shall normally alternate between a man and a woman.

Each Board member can nominate himself for Vice-President, Treasurer and/or Secretary, and a 5th member without portfolio. The voting procedure will be the same as for the President.

The Executive Committee shall be responsible for preparation of the Board meetings and implementation of the decisions taken by the Board, when required decisions are taken by written procedure.

10.2. Written Procedure

In case of an emergency, the President can call an emergency meeting of the Executive Committee while consulting Board members by mail/fax/electronic mail as appropriate. The deadline for response shall be one day prior to the Executive Committee meeting.

The Executive Committee shall take a decision on the basis of the comments expressed within the deadline and in writing by a majority of the Board members. The President or Executive Committee member in charge of that area of work shall report back to the Board at its next meeting and request approval for the decision taken.

If the President is unable to call an emergency Executive Committee meeting, because of a deadline, she/he shall consult the other Executive Committee members by mail/fax/electronic mail, giving as long a deadline as possible for reply. The President shall take a decision based on the comments expressed within the deadline and in writing by the majority of the Executive Committee members. The President/Officer(s) responsible for overseeing this area of work shall report back to the Board at its next meeting and request Board approval for the decision taken.

10.3. Duties of the President

- Represent MHE-SME in external relations and political work;
- Represent MHE-SME in WFMH and act as Regional Vice-President;
- Draw up the Agenda for the meetings of the Board and General Assembly, in consultation with the Vice-President and the Director;
- Chair all meetings of Executive Committee, Board and General Assembly;
- Delegate specific tasks to other Executive Committee members;
- Support and review the work of the Director;
- Ensure that the organisation engages in short/medium/long term planning and policy;
- Promote MHE-SME, together with the Director and other Executive Committee members to a wider audience;
- Ensure that relevant matters are discussed and that appropriate decisions are made.

10.4. Duties of the Vice-President

- Stand in for the President at any occasion that is requested

10.5. Duties of the Secretary

- Support the President by ensuring a smooth functioning of meetings;
- Support the Director by:
 - o ensuring that the administrative duties are performed timely and effectively;
 - o ensuring a correct recording and filing of correspondence;
 - o ensuring that the Annual Report is prepared;
 - o ensuring the safe keeping of all important documents etc.;
 - o ensuring that the membership list is kept up-to-date;

- o overseeing the Minutes of the meetings.
- Deal with the media as appropriate;
- Sit on appraisal, recruitment and disciplinary panels as required.

10.6. Duties of the Treasurer

- Oversee overall financial management of the association, together with and in support of the Director;
- Draw the budget;
- Present strategies concerning budget, accounts, and all financial matters;
- Chair the Fundraising Committee;
- Oversee the evaluation of funding arrangements;
- Oversee all contracts, including staff contracts;
- Assure that appropriate accounting procedures and controls are in place;
- Monitor any investment activity and ensure its consistency with the Association's policies and legal responsibilities;
- Make formal presentation of the accounts at the General Assembly.

Art. 11 – The Secretariat/Director

The Secretariat is composed of the Director and the other staff members, trainees and volunteers.

Without prejudice to the other tasks or powers laid down in the Statutes, the Secretariat shall have the following tasks and powers:

- perform the day-to-day administration;
- co-ordinate and implement the annual work plan of the association;
- co-ordinate and implement the decisions of Executive Committee and Board;
- assist the Executive Committee and in particular the President;
- organise the meetings of the association;
- represent the association for the tasks it is charged with.

The Director shall have full operational and administrative responsibility and shall manage the staff.

He/she shall attend the meetings of the Executive Committee, the Board and the General Assembly, without voting rights.

The Director is responsible for organising, planning and co-ordinating the activities of MHE-SME in liaison with the Executive Committee.

The Director shall validly represent MHE-SME vis-à-vis third parties in activities of the daily management.

IV. THE COMMITTEES

Art. 12 – MHE-SME Committees

The Board of MHE-SME shall be responsible for the formulation of MHE-SME's policy. The Executive Committee and Director shall be responsible for implementing MHE-SME's policy and for reporting actions to the Board of MHE-SME.

Standing Committees and Task Forces will be set up to support the work of MHE-SME.

Formal mandate and terms of reference shall be approved by the Board.

12.1. Establishment of a Committee

Proposals for the formation of a Committee will be submitted in writing for consideration by the Executive Committee and will include the following:

- a) Statement of the aims, scope and purpose
- b) Annual goals (criteria for evaluation)
- c) A strategy for a two-year timetable of activities
- d) Projected financial requirements:
 - i. Detailed budget proposal
 - ii. Proposed source(s) of funding
- e) Proposals for Chair with brief Curriculum Vitae
- f) Proposals for membership with brief Curriculum Vitae

Membership of Committees will normally include persons from at least four European countries and be representatives of member organisations and individual members having proven expertise in the subject. Each Committee will include at least one member of the Board. This Board member will undertake liaison with the Committee.

Committee Chairs will submit a written report at least two months prior to a MHE-SME General Assembly meeting. Committee Chairs will be invited to attend the General Assembly but shall have no voting rights by virtue of that office.

Committee budgets with proposals for funding and accounts will be for approval by the Board and be managed by the Director.

12.2. Standing Committees

Standing Committees are permanent bodies dealing with ongoing business of the association, like finance and membership.

12.3 Task Forces

Task Forces will have a temporary character and deal with specific topics, limited in time, scope and depending on the needs.

The Task Forces can:

- prepare MHE position papers
- gather expertise in certain areas
- prepare proposals for project applications
- support MHE's work on specific issues

Task Forces will be composed of 5-6 experts coming from MHE's broad membership. They would be chaired by a MHE Board member.

Task Forces can make proposals but decisions should be taken by MHE Board

Art. 13 – Membership and Accreditation Committee

13.1. Composition

The Membership and Accreditation Committee shall consist of 5 persons: the Chair and 4 ordinary members.

They shall be elected by the Board of MHE.

13.2. Election procedure

Membership will be open to all the members of MHE-SME who are not candidate for Board membership.

A call for candidates will be done each 3 years at the same time of the Board elections.

The Board will appoint the most suitable candidates taking into consideration the gender, geographical and professional balance. The Board will also nominate the Chair of the Membership and Accreditation Committee.

The term of office is 3 years. Members can stand for re-election. If a member withdraws, the vacancy will be covered at the next General Assembly.

13.3. Role of Membership and Accreditation Committee (MAC)

- to provide advice to the Board on membership applications as well regarding new applications as to applications for change of category
- to review the Statutes and objectives of the membership in order to ensure that they comply with the membership criteria
- to make recommendations for reducing or waiving the membership fee
- The Chair of the MAC will conduct and supervise the election procedures

13.4. Working method

- The MAC will normally meet once a year during the General Assembly
- Consultation in between will be done by postal mail, fax or email
- The MAC is entitled to ask any additional information estimated necessary to issue its recommendation to the Board.

Art. 14 – Finance Committee

14.1. A Finance Committee will be set up by the Board.

The objective of the Finance Committee is to ensure that Mental Health Europe's financial situation is given the necessary attention and to ensure that it is transparent, accountable and timely.

14.2. Tasks and composition

The tasks of the Finance Committee include:

- Monitoring the financial situation of the association, based on the monthly accounts;
- Making proposals to the Executive Committee on financial issues including a.o.: payment of unbudgeted expenses; in cases of disputes about reimbursement of costs; acceptance of donations, grants, legacies or subsidies; financial participation in EU projects
- Preparing the annual budget;
- Prioritisation of spending and scrutinising;
- Making proposals for the membership fees.

The Finance Committee shall have minimum 3 members, including the Treasurer of the association who shall chair the Committee.

The accountant and director shall attend the meetings but have no voting rights.

14.3. Working methods

Decisions shall be taken by simple majority. The final decision shall lay with MHE's Board.

The Finance Committee shall meet at least three times a year, before the General Assembly and Board meetings. In-between consultation shall be done by e-mail.

Art. 15 – Committee on Mental Health and Human Rights (new article)

15.1. Objective:

The objective of the Committee is to ensure that human rights are mainstreamed in all MHE's activities and projects and that appropriate actions are taken where human rights of people with mental health problems are violated.

15.2. Tasks and composition:

The Human Rights Committee shall have 5 to 6 members, preferably persons with expertise in the field of human rights of people with mental health problems.

The tasks of the Human Rights Committee include:

- Monitoring the United Nations declarations and the EU non-discrimination legislation
- Participate in the Human Rights working parties of other ENGOs (Social Platform, EDF)
- Participate on the Council of Europe on social

15.3. Working methods

- The Human Rights Committee will meet once a year at the time of the General Assembly
- During the year, consultation will be done by e-mail.
- The Human Rights Committee can make proposals for actions, publications or further research but all decisions have to be taken by the MHE Board.

V. FINANCES

Art. 16 - Finances

MHE-SME shall raise funds within Europe to carry out its work. Donors shall receive appropriate recognition and be provided with progress reports.

The level of the annual membership fees will be set by the General Assembly for each calendar year. The President and Treasurer shall both have authority to sign payment orders. For all payments above 10,000 EURO authorisation by both shall be necessary.

For the management of the Secretariat, the President or the Treasurer shall give a mandate to the Director to oversee the operational costs of the Secretariat.

For expenses exceeding 2,000 EURO not foreseen in the budget, prior authorisation of the Treasurer or – in case of non availability - another member of the Finance Committee shall be asked.

The Director must provide the Treasurer with regular financial statements. A financial statement shall be sent to the Board members every 3 months. These statements shall be approved by the Board at each of its meetings.

Once a year, the annual accounts shall be submitted to the Board for approval before being submitted to the General Assembly for approval. The Secretariat keeps these documents at the members' disposal for consultation at any time.

The financial year shall run from 1 January to 31 December. The accounts and balance shall be examined by a registered financial auditor.

Board members, Executive Committee members, staff and consultants shall adhere to MHE-SME Expenses Claims Guidelines.

VI. MISCELLANEOUS

Art. 17 - Miscellaneous

17.1. Publications (Reports and Newsletters)

An Annual Report shall be presented to the General Assembly. MHE-SME shall publish a Newsletter and other publications as appropriate.

17.2. Review of the Internal Rules

The Internal Rules shall be reviewed at least every five years. The next review is due in 2011.

17.3 Equal opportunities

A gender balance should be achieved with regard to all aspects of MHE-SME work. This includes the composition of the Governing Bodies, staff, committees and representation of the association. In case of equal qualifications, priority should be given to a candidate with service user experience.

17.4 Notices

Whenever the Statutes or Internal Rules refer to "any means of communication", this shall mean: postal mail, fax or e-mail.