

# BYLAWS for THE SYNDICATE OF COLLECTIVE AND ALTERNATIVE OWNERSHIP (SKAB)

## PREAMBLE

*The idea of the Syndicate of Collective and Alternative Ownership (hereafter SKAB) is to future-proof collective properties by counteracting incentives in the property market that make it difficult to maintain sustainable collective ownership in the long term.*

*Over time, the collective property will increase in value due to improvements (the result of many people's people's labor), possible loan repayments and general price increases. With the accumulated value, the incentive and temptation to liquidate the collective property also increases. In this sense the oldest and most resourceful collectives are also the most vulnerable.*

*With SKAB, on the other hand, we want to support the capacity of the collective movement by ensuring the ownership form of the member collectives against speculation and private gain from sales.*

*SKAB endeavors to be as democratic, open and transparent as possible. We trust that through democratic reciprocity, we can hold each other firmly to the common values of the member collectives values remain in common hands.*

# BYLAWS

## Article 1: NAME AND REGISTERED OFFICE OF THE ASSOCIATION

- (a) The name of the Association is: Syndikatet af Kollektive og Alternative Besiddelser (SKAB) (hereinafter the Association).
- (b) The Association's registered office is located in the municipality where most members (collectives) are located. If there are equal numbers in several municipalities, a draw is made.

## Article 2: THE ASSOCIATION'S PURPOSE AND ACTIVITIES

- (a) The purpose of the association is to promote collectives, including by ensuring the continued existence of collectives.
- (b) Including by:
  - 1. securing the future of existing collectives that are members of the association by avoiding speculation in connection with the sale of properties owned by the collectives
  - 2. And in other ways contribute to promoting long-term security and conditions for collectives.
- (c) In these articles of association, collectives are defined as housing communities, housing collectives and other social housing forms; production collectives and other collectively owned and operated facilities and properties.

## Article 3: MEMBERSHIP AND MEMBERSHIP FEES

- (a) Collectives can become members if they meet the following criteria:
  - Have a democratic form of ownership where the residents or members of the collective are the highest authority,
  - have articles of association stating that SKAB has a decisive influence on the sale of collective property, as well as a decisive influence on changes to the collective's articles of association regarding sale and dissolution,
  - can be approved by the general assembly and
  - who can endorse the purpose and articles of association of the association.
- (b) It is the collectives themselves, and thus not individuals, who are members.
- (c) Membership fees are fixed for one year at a time by the assembly meeting, cf. also § 5.

(d) Resignation must be made in writing to the treasurer. Rights that the collective has transferred to the association do not lapse upon resignation. Paid membership fees are not refunded upon resignation.

Arrears are not canceled upon resignation.

(e) The members of the Association are obliged to comply with the Association's articles of association and other decisions made at the general assembly. The general assembly can never interfere in internal matters concerning the members' operation of their own collectives unless the members have explicitly and in writing transferred the authority to do so to the association.

## **Article 4: EXCLUSION**

(a) Decisions on expulsion are made by the general assembly. Exclusion requires that all members present in addition to the member concerned by the exclusion vote in favour.

(b) Exclusion may be initiated if a member significantly works against the purpose of the Association, violates the Association's Articles of Association or fails to rectify arrears after having been requested to do so in writing. Furthermore, a member may be expelled if the member repeatedly disregards the instructions of the general meeting or otherwise damages the reputation of the Association.

(c) Rights that the collective has transferred to the association do not lapse in the event of expulsion

## **Article 5: GENERAL ASSEMBLY**

(a) The general assembly is the highest authority of the association and is convened as required. At the general assembly, all residents or members of collectives who are members of the association can participate with the right to speak. Each collective has one vote and must internally clarify how they wish to vote.

(b) The annual general assembly is held every year before 15 May.

(c) The ordinary general assembly is convened by the treasurer by email to all members with at least 6 weeks' notice. The notice must state the agenda. Members who are not currently in arrears with their membership fee have access to the general assembly. Proposals to be considered at the annual general assembly must be submitted in writing no later than 4 weeks before the general assembly. The board will send the proposals to the members no later than 3 weeks before the general assembly.

(d) The agenda for the annual general assembly must as a minimum include the following:

1. Election of chair and secretary
2. The past year
3. Presentation and approval of the annual accounts

5. Presentation of the budget and setting of membership fees
6. Proposals received
7. Election of treasurer and deputy treasurer
8. Election of 2 authorised signatory members
9. Any other business.

(e) The chair of the meeting shall preside over the proceedings at the general assembly. The chair of the meeting shall decide all questions regarding the handling of matters and the voting procedure.

The chair of the meeting shall announce the result of the vote.

(f) Decisions are made by consensus, except for decisions on exclusion, cf. § 4.

(g) Minutes shall be kept of the proceedings of the general assembly.

At the direction of the chair, significant statements, discussions, etc. may be reproduced in the minutes. The minutes shall be signed by the chair and all members present.

## **Article 6: EXTRAORDINARY GENERAL ASSEMBLY**

(a) An Extraordinary General Assembly is held when:

i) the treasurer or

ii) at least 2 of the Association's members submit a written request to the Treasurer stating the agenda.

(b) 2 In the event of a request pursuant to Article 6(a)(ii), the Treasurer shall send a notice convening an Extraordinary General Assembly no later than one week after receiving the request containing the agenda.

The Extraordinary General Assembly shall be held no earlier than 1 week - and no later than 3 weeks - after forwarding the notice of the meeting. Members may supplement the agenda.

(c) Article 5 shall otherwise apply with the necessary adaptations.

## **Article 7: DAILY OPERATIONS**

(a) The treasurer is responsible for the daily operation of the association. The association's daily operations consist solely of convening and organising general meetings and extraordinary general meetings as required.

(b) If the Treasurer wishes to resign, an extraordinary general meeting is convened where a new Treasurer is elected.

## **Article 8: AUTHORISATION AND LIABILITY**

- (a) The Association is signed by: The Treasurer and two appointed members jointly.
- (b) Only the association's assets are liable for the association's obligations. Members or the treasurer shall not be liable unless they individually and by separate declaration have assumed such an obligation.

## **Article 9: FINANCES AND ACCOUNTS**

- (a) The financial year follows the calendar year.
- (b) No later than 4 weeks before the annual general assembly, the treasurer prepares a draft annual report in accordance with the statutory rules on this subject, an annual report consisting of a management report and annual accounts. The annual report shall be circulated to the members of the association at the same time as the notice convening the general assembly.
- (c) The general assembly may not grant the treasurer or other persons who have a function in the association benefits in the form of remuneration, salary, fees or gifts that exceed what must be considered customary according to the nature and scope of the office.
- (d) Loans to cover liquidity needs and temporary operating deficits, overdraft facilities, etc. must be approved by the general assembly.
- (e) Any asset that the Association owns or acquires in the future must be in the name of the Association and must, as far as possible, be listed as belonging to the Association.

## **Article 10: AMENDMENTS TO THE ARTICLES OF ASSOCIATION AND DISSOLUTION OF THE ASSOCIATION**

- (a) Proposals to amend the Articles of Association can only be adopted at a general assembly where at least 3/4 of the members are present and all vote in favor. If at least 3/4 of the members are not present at the general meeting, but all those present vote in favor of the proposal, a new general assembly can be convened and at this general assembly the proposal can be finally adopted by unanimity, regardless of how many are present.
- (b) Proposals for dissolution can only be adopted at a general assembly where all members are present and all of whom vote in favor.
- (c) Any profits/assets/materials will, upon dissolution of the Association, be donated to a non-profit organisation as recommended by the general assembly.

*Adopted at the association's founding general assembly  
Monday 17 April 2023 in Vester Skerninge*

*by*

*1) Værkstedsfællesskabet Aakilde, 2) De Sydvendste Spande & 3) Kollektivet Myselium*