

Statute of the Association  
**“Dzogchen Community of Meri Gar”**

Registered Name - Office  
Art. 1

The Association named “Dzogchen Community of Meri Gar” is hereby formed, hereinafter referred to as Dzogchen Community of Meri Gar.

The Association is headquartered in Merigar, Arcidosso, Podere Nuovo.

The Board has the power to change the headquarter's address within the municipality of Arcidosso and to establish and/or abolish secondary offices, on Italian territory and abroad.

The Association, by means of the willingness of its members, intends to observe the objectives, the principles and guidelines expressed by the “**International Dzogchen Community**” abbreviated to **IDC** with its headquarters in Arcidosso (Gr).

Therefore the association completely accepts the “*regulations/Protocol of agreement*” drawn up by the International Association. A lack of compliance to its contents will entail the immediate suspension of the membership to the above with loss of the right of using the name, logo and trademarks given to the Dzogchen Community of Merigar by IDC, subject to recognition of potential damage created by the lack of compliance to the regulations decreed by the above association. Therefore, the association unconditionally accepts to comply with the objectives, principles, regulations and guidelines of the **International Dzogchen Community** Association.

DEFINITION, MISSION and PURPOSE  
Art.2

The Dzogchen Community of Merigar is a non-profit association that identifies itself with the International Dzogchen Community's objectives and principles and is placed within its organizational structure while maintaining its own administrative autonomy. It recognizes itself as one of the main organized structures (Gars) of the International Dzogchen Community and as a reference point for those local branches (Lings) of the IDC that, according to their geographical location, are related to it.

It brings together people who are committed to study and practice the Dzogchen Ati Teaching under the guidance of a Master possessing authentic knowledge of the state of Dzogchen. It supports the evolution of individuals and promotes social aims.

It is non-political and non-sectarian. It is founded on the principles of the Dzogchen teaching as it has been transmitted by Prahevajra and by the uninterrupted lineage of the

Masters within the Buddhist and Bon traditions down to Chögyal Namkhai Norbu, founder and spiritual master of the International Dzogchen Community.

The Association recognizes the Four Noble Truths, taught by the Buddha Gautama Siddhartha Shakyamuni (5th century B.C.), in his sermon at Sarnath, as an integral part of the basic principles of Dzogchen teaching, which indicates in the recognition of the Path, the essence of refuge in the Three Jewels: Buddha, Dharma, Sangha.

The Association promotes respect for the world's cultural and spiritual diversity through exchange and comparison without any prejudice.

The mission of the Association is to support the transmission of the Dzogchen Teaching, as transmitted within Chögyal Namkhai Norbu's lineage and to safeguard its authenticity.

The basic purpose of the Association is to support the evolution of individuals through respect for the dignity and individual dimension of each person, refraining at the same time from any proselytism and sectarianism.

The Dzogchen Community of Merigar also has the task of running the specific Gar of the International Dzogchen Community it takes its name from. The Gar's main function is to support the Dzogchen teaching and make sure that the benefits of the Teaching can be enjoyed by all members of the International Dzogchen Community. In this sense the Gar represents a nucleus around which the transmission of the Teaching develops.

The Dzogchen Community of Merigar therefore has the responsibility of developing and maintaining the structures and infrastructures present on its territories located in Merigar, Podere Nuovo, Arcidosso (GR) so as to be able to offer all required services to the members of the International Dzogchen Community and to the Lings who refer to Merigar.

The Dzogchen Community of Merigar intends to:

- a) support the transmission and the continuation of the three series of Dzogchen Semde, Longde and Mangagde teachings under the guidance of the Spiritual Master and founder of the Community by organizing workshops, seminars, conferences, and retreats;
- b) support the transmission of the Longsal Cycle, the collection of Chogyal Namkhai Norbu's rediscovered teachings;
- c) support the development and continuation of the Santi Maha Sangha Training that embraces nine levels of study and practice of the three series of Dzogchen Semde, Longde and Mangagde;
- d) support and facilitate the teaching activity of the Spiritual Master of the Dzogchen Community and of the instructors by him designated to explain specific methods or aspects of the teachings;
- e) support the transmission and improve public knowledge of Yantra Yoga, with the aim of increasing awareness of the interdependence between body, speech and mind;
- f) support the transmission of the Vajra Dance and other dances related to the Dzogchen teachings;
- g) retrieve and document the traditional knowledge relevant to the Dzogchen and Buddhist teachings;
- h) promote initiatives for supporting Tibetan culture and spreading its knowledge;

- i) set up libraries and documentation centres
- j) support and promote the translation and publication of original literature on the Dzogchen and Buddhist teachings and on Tibetan culture in general;
- k) promote conferences, seminars and courses;
- l) give scholarships and grants to individuals, associations and institutions who contribute to the furthering of the aims of the Dzogchen Community;
- m) contribute to the development of the Association's international network;
- n) develop a network of relationships, activities and initiatives at local and international level with and amongst communities, formed of all the people and entities interested in the development of spiritual knowledge;
- o) promote, organize, manage and participate in educational activities, including within schools and universities, through research projects, coordination, training and refresher courses, aimed at contributing to human evolution and to the understanding of one's individual nature;
- p) support, directly or through other organizations founded for this specific purpose, projects of international cooperation aimed at the protection of traditional knowledge and the support of local communities, particularly in the areas inhabited by Tibetan ethnic groups and in general in the developing countries;
- q) encourage public dialogue on themes such as the preservation of traditional knowledge and medical traditions;
- r) promote the work of people inside or outside of the Association who have contributed to the furthering of these aims, by awarding prizes, supplying grants, disseminating and publicizing their achievements and other appropriate means;
- s) support and promote publishing initiatives relevant to the mission of the Association;
- t) publish bulletins, reviews, informative material, periodicals on the activities of the Dzogchen Community;
- u) divulge, through the activity of legally recognized physicians, application of the techniques of oriental medicine, Tibetan in particular, and to arrange for the packaging of necessary medicines, in conformity with regulations currently in force;
- v) promote the commercial, artisanal and working activities of members of the Association;
- w) manage, on behalf of IDC, the trade marks, logos and brands belonging to the International Dzogchen Community and other trade marks, logos and brands, if any;
- x) manage, on behalf of IDC, all the web domains relevant to the mission and activities of the Association.

The Association's aims are pursued through the commitment of its members to study and apply the knowledge contained in the Tantras, the Lungs and the Upadeshas of Dzogchen. The members of the Dzogchen Community, recognize themselves as Vajra Brothers and Sisters, and harmoniously collaborate with each other, in the spirit of the Dzogchen teachings and on a voluntary basis.

Its organizational structure, its activities, and cooperation amongst its members are all inspired and guided by the understanding of the principles of the Dzogchen Teaching.

The relations amongst its members and the relations of the Association with other individual and institutions are ruled by the understanding of the principle of the specific commitments called *samaya* as they are explained in the framework of Vajrayana

Buddhism and the Dzogchen teachings.

To achieve its primary objectives, the Association, besides the specific activities listed above, may undertake any activity, including commercial, providing it is related and/or accessory to those listed above, and perform all acts and conclude any transaction whatsoever concerning personal or real estate property and financing that may be necessary or useful for the achievement of the aims of the association and with reference to the purpose of the association.

The Association may collaborate with other entities for the development of initiatives compatible with its own institutional ends. It shall, however, remain completely independent of government bodies, public and private enterprises and all other bodies.

Accounting Year

Art. 3

The accounting year starts on 1<sup>st</sup> January and ends on 31<sup>st</sup> December.

Members

Art.4

Membership to the association is voluntary.

Members of the Dzogchen Community of Merigar are people interested in learning and practicing the Dzogchen Teaching who intend to share its objectives indicated in art.2 and to collaborate for their achievement; who apply for a membership card and whose membership is accepted by the Board of Directors; they must also abide by the rules of this Statute and all attached documents of the Association and the statute of the IDC.

The process for requesting a membership card and payment of the membership fee, any variations in the membership fee, information on which of the Association's bodies are concerned with the acceptance or refusal of an application and the means of that refusal, as well as every other condition relative to membership, are specified in the International Dzogchen Community Membership Regulations.

The founding members, ordinary members, supporting members and honorary members are part of the association.

Founding members are those members who founded the Association.

Ordinary members are the persons committed to pay the annual fee established by the Board of Directors, for the entire term of their permanence with the association.

Honorary members are the persons, entities and institutions who have made a decisive contribution, either through their work or their support to the significant development of the Association or the Association's institutional activities: honorary members hold permanent office and are exonerated from paying annual fees.

Persons who intend to become members of the association must make a request by signing and forwarding a specific "*membership application*" as established in the International Membership Regulations.

The membership application must include:

- The member's full personal data;
- Acceptance of the Statute and Regulations of the Dzogchen Community of Merigar Association and of the International Dzogchen Community Association;
- The sharing of the aims proposed by the Association and the commitment to observe its Statute and Regulations, if adopted.
- Acceptance of his or her immediate registration with the International Dzogchen Community;
- Consent to the treatment of his/her own personal data for institutional and administrative ends;
- The member's obligation to pay the annual fees;

The member will be entered in the Register of Members of the Dzogchen Association of Merigar and in the Register of Members of the International Dzogchen Community Association.

Other associations or entities that share the same aims as those of the Association can join the Association as affiliates, by the means established in the International Membership Regulations. In this case, affiliation is subordinated to resolution of the International Gakyil, in conformity with the procedure set forth in the Membership Regulations. They will have the right to participate in the activities of the Association, expressly excluding the right to vote.

The IDC's Board of Directors can decide to create other categories of membership, such as sustaining, sponsors, meritorious, characterized according to the contribution they choose to give the Association. All categories of members, however, have the same rights and obligations within the association. Members' obligations and rights, within any category, are strictly personal and cannot be given or transferred under any circumstances.

Any limitation of the associative relationship is excluded due to the temporary nature of participation in community life. Membership in the Association is free and voluntary, but its adherents pledge to respect the resolutions taken by its representative bodies in accordance with statutory responsibilities.

Membership in the Association entails payment of an annual fee, the amount of which is fixed by the IDC's Board of Directors in consultation with the Board of the International Dzogchen Community of Merigar Association.

Members are required to pay the annual membership fees.

All members have equal rights and obligations within the association, first of which is the right to vote. All members have the right/obligation to know the statute's clauses so they can accept the rules that regulate the life of the association they are members of.

Members are in no way entitled to the association's assets, neither in case of the latter's dissolution nor in case of interruption of the associative relationship.

Temporary members cannot be accepted.

Membership fees or contributions are not transferable even in case of death and cannot be re-evaluated.

Members cease to be members of the association for the following reasons:

Death

Voluntary resignation: the member must communicate in writing to the Board of

Directors his/her resignation that will be effective as of the month following the communication

Exclusion: The Board of Directors by absolute majority of its members decides the member's exclusion if his/her behavior is observed to be contrary to the spirit of the association. The exclusion will have immediate effect.

Forfeit: The Board of Directors decides the forfeiture of membership if the member fails to comply with an obligation or when the lack of one of the requirements for admission is observed. A member who does not pay the membership fee for over a year no longer exercises any right and his/her membership is considered forfeit.

In no case may the member ask for a refund of the fees he/she has paid.

Annulment, which may happen at any time, takes place when a member notifies the Board of Directors of his/her wish to withdraw from the group of members; annulment will be effective from the beginning of the month following that in which the Board of Directors receives notification of the member's intention to withdraw.

## REFERENCE ASSOCIATION - AFFILIATION

### Art. 5

The association is formed as a main organizational structure - Gar - affiliated with the International Dzogchen Community association (also referred to as IDC) with its legal headquarters in Arcidosso (Gr) committed to completely abiding by its Statute and International Regulations so that membership for a single member in the Association Dzogchen Community of Merigar automatically implies membership in the IDC.

Members of the Association Dzogchen Community of Merigar have all the rights, within the IDC, of ordinary members, **including** the right to vote.

Members of the IDC, who are not registered directly with the Association Dzogchen Community of Merigar, have all the rights, within the Association, of the Dzogchen Community of Merigar members, **excluding** the right to vote.

The association unconditionally and without any reserve accepts to adopt and conform to the aims, principles, rules and guidelines sanctioned by the IDC. It commits to accepting any possible disciplinary action resulting from inspections that the IDC may carry out to verify the correct pursuit of ethical and moral objectives that characterize the philosophy of belonging to the IDC and with it the principles established in its statute and in the International Regulations. The IDC can periodically take organizational decisions related to the Association's activity.

The Association Dzogchen Community of Merigar unconditionally and without any reserve accepts the principle of non-transferability of obligations of any nature accepted by its Board of Directors (Gakyil) to the International Association, except for specific exceptions documented in writing decided by initiative of the International Gakyil.

All the rules envisaged and established by the IDC Statute, by their Inner Regulations and by the regulations specifically referring to affiliations, also regarding the organization of affiliations and economic relationships between them, in reference to institutional activity carried out by a non profit body, are an integral part of this statute.

## BASIC ORGANIZATIONAL STRUCTURES (LINGS)

### Art.6

The Association Dzogchen Community of Merigar, on the suggestion of the IDC, can accept as an **affiliated structure** those basic organizational structures of the International Dzogchen Community called **Lings**, officially approved by the IDC's President and Board of Directors.

The prerequisites for founding a Ling, its objectives, the procedure to follow for its foundation and for its affiliation are explained in the IDC statute and in the International Members' Regulations.

The Ling's statute must anyway expressly ensure:

- the Ling's exact nature as a local organized structure of the international Dzogchen Community, so that membership at the Ling automatically implies membership in the International Association (IDC) and in the Association Dzogchen Community of Merigar;
- the non-transference to the International Association and to the Association Dzogchen Community of Merigar of obligations of any nature accepted by the Ling's Gakyil, apart from specific exceptions documented in writing and established on the initiative of the International Gakyil.

Members of the Ling affiliated with the Association Dzogchen Community of Merigar, automatically become members of the Association International Dzogchen Community and of the Association Dzogchen Community of Merigar at the time of their registration at the Ling: they therefore have all the rights of other members of the above-mentioned Associations, **including** the right to vote.

The percentage of the annual membership fee paid by the Ling's members that will be allocated respectively to the IDC, to the Association Dzogchen Community of Merigar and to the Ling itself, shall be defined by the International Gakyil in consultation with the Gakyil of Merigar and the Gakyil of the Ling according to the terms and conditions found in the Membership Regulations of the International Dzogchen Community.

The Association International Dzogchen Community of Merigar will have the power to give mandate to the affiliated Sections or Lings to carry out particular activities that are the competence of the Association itself.

For procedures of affiliation, renewal and activities of oversight regarding conformity to the statute and program of autonomous and/or delegated initiatives, and for relationship with the Association, reference should be made to the rules envisaged in the Regulations and memorandums of understanding kept in the files of the association.

## ASSOCIATION'S DURATION

### Art. 7

The duration of the association is open-ended, except in case of dissolution by resolution of the members' extraordinary assembly.

## BODIES OF THE ASSOCIATION

### Art. 8

The association's bodies are:

- The Assembly of members;
- the Honorary President;
- the Vice-President
- the Board of Directors or Gakyil;
- the Executive Director (where nominated)
- the College of Auditors (where nominated);
- the Board of Arbitrators (where nominated).

## THE ASSEMBLY

### Art. 9

The members' assembly is the highest body of the Association.

The members' assembly can be ordinary or extraordinary and it can also be convened outside the main headquarters, both in Italy and abroad.

All members, of legal age, up to date with payment of their membership fees, who have been registered in the membership book at least five days before the assembly, have the right to vote.

Every member, irrespective of the category he/she belongs to, except members who are not of legal age, has the right to only one vote. Every member can be represented by another member by giving them a written proxy. A member cannot hold more than 10 (ten) proxies.

The members' assembly must be convened by the Board of Directors at least once a year within 4 months of the closing of the fiscal year for approval of the annual budget and financial statement, or within 6 months in cases of justified necessity.

The assembly is also convened by the Board of Directors every time the latter deems it suitable and necessary, without delay, when there is a written request by at least 60% of members with the right to vote or the whole college of auditors.

The assembly is regularly convened when this has been communicated to members through:

- a convocation letter with the attached agenda through ordinary mail or email;
- a notice posted on the noticeboard of the association's headquarters at least 15 days before the day of the meeting;
- and/or publication on the association's website on the internet;
- and/or publication in a national newspaper at least 30 days prior to the date envisaged for the meeting.



The notice should indicate the date, place and time of the meeting, as well as a possible second convocation, and the business to be discussed. It is not possible to add points to the assembly's agenda other than those communicated in these ways.

The members' ordinary assembly resolves matters such as:

- approval of general guidelines for programming activities for the next financial year;
- approval of the annual financial statement and budget;
- approval of the technical, moral and financial report presented by the Board of Directors regarding the past financial year;
- nomination and revocation of the administrative and supervising bodies envisaged by the Statute;
- approval of possible regulations of the association;
- any other matter not related to the competence of the other associative bodies and not expressly reserved for the competence of the extraordinary assembly.

The members' extraordinary assembly resolves matters related to:

- statutory changes;
  - incorporation, fusion or secession of the association with other analogous associative structures and complying with the regulations in force;
  - dissolution of the association, nomination of liquidators and destination of the association's assets;

The assembly is chaired by the association's Honorary President or by the Vice President or, in his/her absence, by his/her delegate assisted by a secretary nominated by the assembly. The president of the assembly is in charge of verifying members' admittance to vote, calculating proxies, verifying the regularity of the constitution of the meetings, and management of the work.

The minutes of the meeting are drawn up by the secretary, who could be a non-member, and, if deemed necessary, also by two tellers.

The assembly normally votes by show of hands.

In first call the assembly, whether ordinary or extraordinary, is regularly constituted with the presence of half plus one of members with the right to vote, and it regularly passes resolutions with the absolute majority of votes of members present with the right to vote, on all matters found on the agenda;

In second call the assembly, whether ordinary or extraordinary, is regularly constituted no matter how many members are present and it regularly passes resolutions with the absolute majority of votes of the members present with the right to vote, on all matters

found on the agenda.

Resolutions related to changes in the statute must be passed with the majority envisaged for the extraordinary assembly notwithstanding article 21, comma 2 of the Civil Code, hence with absolute majority of those present.

All statutory changes must previously be approved by the association of reference IDC.

Resolutions related to the Association's dissolution and allocation of assets must be passed with the majority of 3/4 (three quarters) of members with the right to vote.

## **II PRESIDENTE ONORARIO**

### **Art. 10**

The Honorary President of the Association Dzogchen Community of Merigar is the President of the Association International Dzogchen Community, who at the moment is the Master Chögyal Namkhai Norbu, and remains in office for an indefinite period of time.

The Honorary President is in charge of the community members' spiritual guidance and the transmission of the Dzogchen teaching, he or she ensures the association's unity of intent and management and he or she may participate, with the right to vote and veto, in the decisions of all of the association's bodies.

Each President may express an opinion regarding the nomination of his or her successor who will anyway have to be a recognized Master of the Dzogchen teaching.

The Honorary President may resolve and relinquish even specific activities or controls regarding the Association International Dzogchen Community (IDC).

## **THE GAR'S VICE-PRESIDENT**

### **Art.11**

The Gar's Vice-President is the Association's legal representative with regards to third parties and in court for any resolution of ordinary or extraordinary administration established by the Gar's Gakyil and has all the related powers of signature.

In case of the Vice-President's absence or impediment his or her functions will be carried out by the most senior councilor.

In case of urgent need, the Vice-President can wield the powers of the Gar's Gakyil, to be ratified at the first Gakyil meeting.

The Vice-President's powers and limitations on his or her actions, in particular regarding extraordinary administration, are established by the Gakyil of the Gar through a Procedure.

The Vice-President is nominated by the members of the Gakyil of the Gar. The Vice-President's revocation may be decided at any moment by the Honorary President and/or

on request through a motion voted by the majority of the Gakyil members of the Gar ratified by the Honorary President.

The Board of Directors, with a specific resolution, can confer on the Vice-President special powers that go beyond ordinary administration.

Upon approval by the Board of Directors, the Vice-President can appoint voluntary representatives (even extraneous to the Board) to carry out single actions or categories of actions.

The Vice President:

- Coordinates the work of the Board of Directors (Gakyil)
- oversees the implementation of resolutions;
- is responsible for the membership books being updated correctly;
- oversees, with the Gakyil, the association's correct administrative and economic procedures;
- verifies compliance with the Statute and related regulations;
- manages relationships, together with the Board of Directors, with the IDC association and verifies compliance with the Statute and international Regulations;
- signs the Memorandum of Understanding between the IDC and the Association Dzogchen Community of Merigar through which the use of the name and logo are granted;
- manages relationships between financial Institutions (opening current accounts, investments and similar operations);
- oversees, in agreement with the Yellow Gakyil, the preparation of the profit and loss account, the Financial Statement and the Budget Plan;

## **BOARD OF DIRECTORS (Gakil)**

### **Art.12**

The Association is managed by a Board of Directors also called GAKYIL, elected by the members' Assembly and made up of a minimum of three up to a maximum of nine members.

Councilors remain in office for three years and can be reelected no more than twice in a row; thereafter members cannot be reelected until **six** years after the end of their last office.

Services rendered by all elected councilors are free, apart from reimbursement of proven expenses they have incurred.

Members of the Association who wish to be elected must present a letter of intent with their *curriculum vitae* to the Gakyil in office at least five months prior to the date of the

Sangha Assembly.

Suitability of candidates is assessed, based on their CV and on specific interviews, by a specific committee appointed by the Board of Directors, in consultation with the Board of Directors of the IDC (International Gakyil) and/or the Honorary President.

In case of shortage of a councilor, if the majority of the Board still stands, the other councilors co-opt the missing one until the first convocation of the members' Assembly. If the majority of the Board is lacking, the members who are still in office must convene the assembly so that the missing members can be replaced.

The Board of Directors is given the broadest powers for the Association's ordinary and extraordinary administration except carrying out actions or operations indicated in the present statute for which authorization of the members' Assembly is previously required.

The Board of Directors' mode of functioning, when not provided for by the statute, is referred to the specific internal regulations approved by the members' Assembly.

The Board of Directors may delegate part of its powers to one or more members of the Board determining even temporarily the mandate's scope. It can also give assignments to members or third parties specifying their tasks and possible reimbursements and/or fees.

In observance of the joint nature of the Board of Directors' functioning, the Gakyil is organized into three areas of competence; each area is represented by a colour and should have at least one member:

- **YELLOW:** deals with the administration of the Association's assets and the Community's economic and administrative activities with the function of treasurer of the association;
- **RED:** oversees the development and management of the physical and organizational structures and facilities needed for the implementation of the Association's operations. Oversees the smooth functioning of the Association's operations and consistent implementation of services. Oversees the logistical services and the implementation of internal management and administrative systems and procedures. Oversees the recruitment and management of human resources;
- **BLUE:** deals with cultural and educational activities. Oversees all activities and initiatives aimed at supporting the transmission of the Dzogchen Teaching and related knowledge. Promotes and encourages relevant specific activities of the Association and oversees the Association's publications and communication activities.

Meetings of the Board of Directors and the Gakyil are deemed valid when at least two areas are represented.

The Board of Directors designates the Vice President amongst its components through voting:

For resolutions related to matters expressly indicated in the present statute (for example the Vice President's election) or in the internal regulations, the Board of Directors may hold secret voting.

The Board of Directors suggests to the Assembly the destination of any surplus operating funds on completing operations aimed at pursuing institutional objectives. It is in any case forbidden for the Board of Directors to distribute, even indirectly, profits or surpluses, as well as funds, reserves or capital during the Association's life.

The Board of Directors meets both at the association's head offices and elsewhere every time the Vice-President deems it necessary, and extraordinarily, on request every time the Vice-President or whoever represents him or her convenes it or on motivated request by at least 2/3 of the Board's members.

Notice of the Board's convocation, containing the list of topics on the agenda, must be sent to all members with adequate notice and certification of transmission, also electronic, at least five days before the meeting.

The Board of Directors is chaired by the Vice-President.

The Board's meetings are considered regularly constituted when the majority of members is present.

All resolutions are taken by absolute majority of those present; in case of a tie of votes the resolution approved by the Vice-President prevails.

The Board of Directors' main duties are:

- a) overseeing the implementation of the resolutions of the International Sangha Assembly and the decisions of the International Gakyil to guarantee harmonious development of the Association in the relevant geographical area;
- b) coordinating and organizing local activities in accord with single local Statutes and

defining the procedure for becoming members in agreement with the International Gakyil and in accord with the Regulations for Members of the International Dzogchen Community;

c) supporting the development of the international Association through its own financial resources;

d) establishing relationships and collaboration with public authorities, associations, non-governmental organizations, and with means of information functional to the Association's objectives;

e) keeping the affiliated Lings informed about the Association's strategic objectives, the main initiatives and the Gar's campaigns;

f) authorizing, by specific mandate of the IDC's Board of Directors, the establishment of new Lings and determining the closure of inactive Lings or a Ling's dissolution for just cause;

g) modifying the provisions in the Gar's Statute that regulate the association's functioning and administration in conformity with the international Statute;

h) preparing and presenting yearly work plans and relative budgets to the International Gakyil;

i) evaluating and approving the budget, the financial statement and the balance sheet prepared by the Vice-President or by the Director (if present) to be then submitted to the general assembly (the financial statements of the financial year and the budget of the following year must be submitted at least a month before the date established for the general Assembly of the Gar's Sangha)

j) sending the International Gakyil the data about all new members and every new Ling at least every three months;

k) checking the use of trademarks, logos and the International Dzogchen Community's name in their area of competence and immediately informing the International Gakyil in case of inappropriate use;

l) nominating, amongst Gakyil members, the Vice-President who is the Association's legal representative;

m) nominating representatives within the International Coordination Committee of the IDC and in other committees or work groups created by the Association itself;

n) preparing the acts to be submitted to the general Assembly;

o) formalizing and implementing the Regulations and all proposals for managing the association;

p) determining, in agreement with the International Gakyil, the annual and extraordinary membership fees;

q) assigning the title of Honorary member, if proposed by a tenth of members or by a member of the Board;

r) suggesting to the International Gakyil the actions of exclusion of members, if necessary;

Acts of extraordinary administration are definitively resolved after receiving the opinions of the College of Auditors (if present) and of the Honorary President.

Board meeting minutes are written up in a specific Book, and will then be signed by the President of the meeting and by the Secretary.

## **EXECUTIVE DIRECTOR**

### **Art. 13**

If necessary, the Gar's Gakyil can entrust the management of the Association to an Executive Director. The nomination of the Gar's Executive Director is proposed by the Gar's Gakyil and ratified by the Honorary President and/or by the International Gakyil. The Executive Director will be in charge of the general management of activities carried out by the Association, referring to and relating to the Gar's Gakyil, and in particular: of staff supervision, monitoring programs and economic-property aspects, by issuing directives, advising and submitting reports to the Gar's Gakyil about the Association's general activities.

The Gar's Executive Director can be assigned the authority by the Honorary President or at the request of the Gar's Gakyil and the International Gakyil to represent the Association in relation to specific subjects.

## **THE COLLEGE OF AUDITORS or AUDITOR OF ACCOUNTS**

### **Art. 14**

The College of Auditors is constituted by one qualified as Auditor or by three members also from outside the association.

Its members are elected by the assembly, they remain in office until the approval of the balance sheet for the third year following their nomination and may be re-elected.

Auditors are required to have a specific competence and for the position the provisions of ineligibility and relinquishment in art. 2399 comma 1 of c.c. apply, and in particular amongst members there must be no spouses, relatives or in-laws of members of the Board of Directors and/or the Honorary President within the fourth degree.

The College elects its President and it has the authority to participate in the Board meetings without the right to vote.

The Auditors of accounts monitor the association's economic and financial management expressing their opinion and certification regarding the association's final balance or financial statement.

## **THE COLLEGE OF ARBITRATORS**

### **Art. 15**

The College of Arbitrators is made up of three members, who have been members of the association for at least seven years, elected by the general Assembly outside the Board of Directors. The College is elected for the same period of office as the Board of Directors.

Any possible controversy amongst members and the Association or its bodies shall be submitted, excluding any other jurisdiction, to the competence of the College of Arbitrators.

The arbitrators will judge equitably with no procedural formalities and their decision will be final and binding.

## **THE ASSOCIATION'S ASSETS**

### **Art. 16**

The association's assets and economic resources are made up of: membership fees;

- chattels and real estate that will become property of the Association;
- estates, donations, inheritances and legacies both in money and in kind;
- contributions or donations made by members or third parties;
- income deriving from the organization of the association's activities, also commercial, connected to the institutional activity;
- income deriving from occasional public fund-raising, also as a result of offerings of goods or services of moderate value, if offered in concurrence with celebrations, anniversaries or campaigns for raising awareness;
- all other income that may contribute in favour of the association for accomplishing the association's objectives;
- contributions of any nature given also by Members and aimed at specific and documented programs and projects carried out within the association's objectives.

All or some of the aforementioned proceeds can be ascribed to increasing the Association's assets.

The Board of Directors can at any time refuse any donation that is meant to condition the Association's activity.

If there is any surplus in the running costs, once an amount is detracted for setting up the reserve fund, it must be allocated to initiatives aimed at the Association's field of interest or charitable objectives.

The distribution, whether direct or indirect, of the surpluses of management, funds, reserves of running surpluses or capital during the life of the Association is forbidden, unless in cases where allocation or distribution is required by law.

The association's fund is made up of the contribution made by the founding members when founding the Association.

Every year the international association IDC establishes the annual membership fee that must be paid by those who want to join or renew membership to the IDC through the association. They will also determine the percentage of contribution of the annual



membership fee that may be withheld by the Association Dzogchen Community of Merigar for accomplishing its objectives and the percentage of membership fees of the Lings' members that may be attributed to the Association Dzogchen Community of Merigar.

Such payments will not be repayable and so should be intended as contribution to income.

Payment of the membership fee may not be revalued, and does not give the right of participation in the association's assets and, more specifically, does not create undivided shares transferable to third parties, neither by way of particular rights of inheritance nor by universal rights of inheritance.

## **FINANCIAL BALANCE AND STATEMENT**

### **Art. 17**

The accounting period ends on 31<sup>st</sup> December every year.

The Board of Directors has the obligation to draw up the financial balance and statement that will have to be submitted to the members' Assembly for approval by 30<sup>th</sup> April or in case of motivated necessity by 30<sup>th</sup> June together with the specific report prepared by the auditors of accounts.

## **MEMBERS' SERVICES**

### **Art. 18**

Members may work within the Association, in compliance with the current labour laws and regulations. The Board of Directors must establish the remuneration for services rendered by members for particular tasks deemed necessary, keeping in mind the pursuit of institutional objectives.

## **TRADE MARKS, LOGOS AND BRANDS**

### **Art.19**

The Association's name, trademarks and logos and other trademarks and logos relevant to the Association, with the related web domains are given in use by the IDC to the Association Dzogchen Community of Merigar through a specific protocol of agreement. They can be used exclusively in conformity with the procedures listed in the aforementioned protocol and in the attached Code of Use for the International Dzogchen Community Trademarks, Logos and Brands.

## **DISSOLUTION**

### **Art. 20**

In case of cessation of activities, for causes envisaged by the civil code and by the association's Statute, dissolution is resolved by the members' Assembly with the majorities established in article 9 of the present statute, that will nominate one or more receivers determining their powers and possible payments.

In case of the Association's dissolution, for whatever cause, all its assets must be devolved to another Association with similar aims or for aims of public benefit, after hearing the auditing body, if there is one, and if the law does not impose a different destination.

## **PROTECTION OF PERSONAL DATA**

### **Art. 21**

The Association guarantees protection of personal data of all members, even confidential data, in its possession, ensuring to arrange for all security measures established by D.Lgs. 196/2003 and considered necessary for the protection of its associates' privacy.

## **INTERNAL REGULATIONS**

### **Art. 22**

In order to regulate better the work of the association's bodies and offices and to improve the accomplishment of the association's aims and objectives, the assembly will see to approving the internal regulations that all members are bound to observe.

## **DEFERRAL**

### **Art. 23**

Anything that is not expressly established in the present Statute shall be regulated by the rules contained in the civil code and by existing laws.

The Statute of the present Association has been updated and completed according to art. of D.M. 200/2012.

Arcidosso, .....

The Board of Directors

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