

EAMI Constitution change proposals

EAMI Board

2020-08-15

EAMI constitution change proposals - background

The existing constitution has been questioned by several committee members and others. This prompted the Board of EAMI to initiate a review of the existing constitution, which has been carried out during the last nine months with substantial input from committee members along with external judicial input from a Danish lawyer with expertise on international associations. The review identified a number of areas for improvement which the Board categorized as follows:

- a) Substantial changes that influence the organisational dynamic of the Association
- b) Less substantial changes that we believe facilitate the daily operational flow
- c) Minor clarifications and improvements in language.
- d) A reorganisation of some of the articles for clarity and readability.

Recommended organisation of voting

It is the recommendation of the Board that the vote on the changes is split into a separate vote on each of the changes in categories a and b, while all changes in category c and the reorganisation (d) is decided upon by one vote for each category only. The result, if all proposals are accepted, of the reorganisation and the language changes can be reviewed in the attached draft constitution. Please refer to this for context when reading the following. The old constitution can be found in the members section on our website.

A few changes require an early vote:

Some proposed changes concern the management of the general assembly (GA) and require an early vote in order for these changes to be in effect at the upcoming ordinary GA. This can be done either by conducting an extra-ordinary GA just before the ordinary GA or it can be done by performing an electronic vote amongst the membership, as is permitted by the current constitution. The Board recommends the second option because it allows us all to gain experience with the voting system that we expect to use at the GA, to mitigate challenges in order to have an as smooth as possible experience at the GA; it allows a more relaxed schedule at the GA and it allows us to plan for the authorised scenario following this vote instead of having to prepare for two completely different scenarios unfolding at the GA. These two changes will be detailed at the end of the present document.

Reorganisation of articles

In order to read the proposed changes in connection with the old constitution it is necessary to grasp how the articles have been reorganised. Articles 1-4 remain as of today and article 4 'Membership' is now proposed to be followed by article 5 'The general assembly' which is the expression of the membership and the highest authority of the Association, followed by 6. 'The Extraordinary general assembly' and 7. 'Amendments to the Constitution' that can only be decided upon by the membership at a general assembly. For clarity everything relating to the Board will be assembled under article 8, followed by the last three short articles 9. 'indemnity', 10. 'dissolution' and 11. 'date of taking effect' as usual.

Categories a) and b) will be enumerated in the following pages.

Substantial changes that influence the organisational dynamic of the organisation or members status (category a)

Changes to 4.c (and ethical guidelines), 4.d and 4.e (EAMI or AMI), two alternatives for 4.f and a new subclause 4.g-ii:

4. Membership

- c) Members will be bound by the rules and ethical guidelines of the Association.
- d) Fees will be determined by the Board, reviewed biennially and any changes voted on at the general assembly.
- e) A senior fee reduction of fifty percent is offered to members who are retired from all work and with limited financial resources.
- f) There are five categories of membership:
 - i. Alternative one:
 1. EAMI Registered therapist - members who have completed trainings approved by the EAMI or have completed the EAMI transition process for AMI fellows.
 2. Professional membership - members who have completed an approved course of study in GIM and who meet the requirements of a training programme which has been endorsed by a major GIM association.
 3. Student membership - open to persons enrolled in GIM trainings endorsed by EAMI or AMI.
 4. Honorary membership may be conferred by the Board in recognition of service and/or substantial contribution to Music and Imagery. Honorary membership is not subject to membership fees.
 5. Associate membership is open to all persons in good standing with the Association. Associate membership does not including voting rights.
 - ii. Alternative two:
 1. Professional membership - members who have completed trainings approved by the EAMI or have completed the EAMI transition process for AMI fellows.
 2. membership - members who have completed an approved course of study in GIM and who meet the requirements of a training programme which has been endorsed by a major GIM association.
 3. Student membership - open to persons enrolled in GIM trainings endorsed by EAMI or AMI.
 4. Honorary membership may be conferred by the Board in recognition of service and/or substantial contribution to Music and Imagery. Honorary membership is not subject to membership fees.
 5. Associate membership is open to all persons in good standing with the Association. Associate membership does not including voting rights.
- g) Termination of Membership
 - ii. Membership may be terminated by the Board if upon due processes involving relevant committees a member is deemed to be in breach of the rules of the Association. It is effectuated by written notification by the secretary.

New subarticles 6.b and 6.c adjusting and specifying conditions:

6. Extraordinary General Assembly

- b) In such cases, the general assembly must be held no later than ten weeks after the request has been notified to the chair.
- c) Otherwise the rules for the ordinary general assembly apply.

New subarticles 7.b and 7.c adjusting conditions to realistic timeframes:

7. Amendments to the Constitution

- a) (See the last page regarding early voting)
- b) Amendments may be proposed by any member and must be sent to the Board no less than twelve weeks before the general assembly.
- c) Members must be notified of the proposed amendment(s) six weeks in advance of the biennial general assembly or the extraordinary general assembly.

Changes clarifying the responsibilities of the board and the relation to the committees to 8.a, 8.c and 8.e, new subarticles 8.d and 8.i:

8. The Board of EAMI

- a) Structure: the Board will constitute itself including the following positions: chair, vice-chair, secretary, treasurer and between one and four other members. If eight members are elected, one will serve as a substitute. The substitute member may vote in proxy for an absent member but does not have voting rights him/herself. The Board may invite the substitute member to attend Board meetings.
- b) ...
- c) Board members/officers may not serve in the same position for more than six consecutive years.
- d) The Board shall lead the Association in accordance with the articles of the Association and resolutions of the general assembly.
- e) Election of officers
 - i. Eligibility: The positions of chair, vice-chair and two other members of the Board will be held by EAMI registered therapists. At least one member of the Board must be an EAMI registered trainer. Other positions may be held by current members of the Association.
- f) ..
- g) ..
- h) ..
- i) Appointing committees
 - i. The Board will invite members to serve as officers on two working committees: The Ethics Committee and the Education Committee. No dual roles are permitted. In addition, the Board will invite three members to form an election committee for the purpose of finding new eligible and suitable officers who may be willing to serve on the Board.
 - ii. The Board may establish other committees or working groups as required.
 - iii. The members of the committees are appointed for two years at a time. Members may be re-appointed. The committees are independent of the Board.
 - iv. Committee members will remove themselves from a case where a conflict of interests has been or can be detected.

Less substantial changes that we believe facilitate the daily executive flow (category b)

Changes clarifying the conductance of the general assembly to 5.h and 5.k, added 5.i and 5.j:

5. General Assembly

- h) (See the last page regarding early voting)
- i) (See the last page regarding early voting)
- j) (See the last page regarding early voting)
- k) The agenda for the biennial general assembly shall contain at least the following points:
 1. Choosing vote counters
 2. Presentation and approval of the chair of the general assembly
 3. Determination of quorum
 4. Chairperson's report
 5. Treasurer's report
 6. Reports from the committees
 7. Consideration of proposals received
 8. Budget approval
 9. Election of board members
 10. Presentation and approval of auditors
 11. Any other business

Changes clarifying responsibilities and roles of the members of the board to 8.g and 8.h

8. the Board of EAMI

- g) Responsibilities of the Board include the following
 - iv. Uphold a register of members in compliance with the principles of the GDPR.
 - v. ...
 - vi. ...
 - vii. Collaborate with the conference organising committee.
 - viii. Employ support staff in compliance with statutory employment law.
 - ix. ...
 - x. ...
 - xi. ...
 - xii. ...
 - xiii. ...
 - xiv. ...
 - xv. Submit and present reports at the biennial general assembly.
 - xvi. Seek legal advice when needed.
- h) The role of the chair, vice-chair, secretary and treasurer
 - i. The chair is responsible for leading and structuring the ongoing work of the Board in collaboration with other board members and acting on behalf of the Board in legal matters. The chair shall convene and chair the meetings of the Board.
 - ii. Board meetings are held when the chair deems it necessary, or when at least two members of the Board issue a request for a meeting to the chair. In such cases, the meeting should be held within 2 weeks of the request. Notice is made in writing stating the agenda.
 - iii. The vice-chair shall serve as acting chair when necessary.
 - iv. The secretary will be responsible for keeping all records of the Association, taking minutes of Board meetings and taking minutes of the resolutions of the general assembly. The secretary may delegate another member of the Board to take minutes at meetings of the Board.

Changes requiring an early vote

Changes concerning the management of the general assembly (GA) require an early vote in order to be in effect at the GA this year:

- a) A new clause introducing the option of a virtual general assembly.

5.h) “The Board may decide that a general assembly shall be held as a partial or complete electronic general assembly. The notice convening a full or partial electronic general assembly must contain information on the procedure. It must be clear how to register for electronic participation and where to find information on the procedure for electronic participation. This information must be available to all members no later than 8 business days prior to the general assembly. the Board ensures that the general assembly is convened in a satisfactory manner”.

Justification: This is an obvious need in current covid19 times

- b) Introducing the option of an external chair of the general assembly by changing the old 5.iii

“The chair is responsible for a) presideing over the general assembly”

which is proposed changed to

5.i) The chair of the general assembly is appointed by the board and approved by the general assembly. This can be someone either internal or external to the Association.

Justification: The need for an independent conductor of debates and voting procedures and the need for the chair of the Association to be able to focus on case matters and to take part in debates.

- c) Introducing the rules of procedure for the general assembly and the oversight function of the chair of the general assembly

5.j) The chair of the general assembly oversees and manages the general assembly according to the rules of the constitution and the rules of procedure for the general assembly and subsequently declares whether the general assembly was held accordingly.

Justification: The oversight function is an official requirement (introduced by our lawyer) so that members and third parties have some documentation that requirements have been met. The rules of procedure introduced here (please see separate document) serves as a leveling of expectations, agreement of how the general assembly is conducted and a guide for the chair of the general assembly and is considered a necessary way to avoid prolonged procedural discussions in cases of disagreements. Ideas have been borrowed from several places, one being the danish association of psychologists.

- d) Changing the majority required for constitutional amendments to be of those participating

7.a) Amendments to the constitution, including changes to the purposes, may be recommended by the Board and must be confirmed by a three-quarters majority vote of the members participating (including by proxy or virtual means) either at a biennial general assembly or at an extraordinary general assembly.

Justification: This makes it possible to make changes to the constitution also when the Association grows and most members may not participate in the general assembly