

In accordance with Article of the _____, this Constitutional Assembly in XX, on xXX, has adopted

THE STATUTE

OF SMALL-SCALE FISHERMAN

I. GENERAL PROVISIONS

Article 1.

This Statute shall regulate the following:

- Provisions about the name, registered office and field of action of the Association
- Appearance of the stamp
- Authorized representatives of the Association
- Objectives of the Association
- Activities for the realization of goal of the Association
- Methods of ensuring publicity of Association's work
- Conditions and procedures of membership and termination of membership, rights, obligations and responsibilities and disciplinary responsibilities of the members, and the manner of keeping the list of members
- Internal organization and bodies of the Association, and their composition of powers
- Manner of convening sessions, manner of their election, recall and their powers
- Decision making, terms of office and the manner of convening the Assembly in case of the expiry of their term,
- Joining coalitions of communities of associations
- Joining international associations
- Election and recall of the liquidator of the Association
- Assets and property of the Association
- Disposition of possible revenues
- Dissolution of the Association
- Disposition of assets and property in case of the termination of the Association
- Transitional and final provisions and other questions of importance for the Association in accordance with the applicable law

Article 2.

XXX Is a voluntary Association of small-scale coastal fisherman united with the purpose of protecting and promoting their common ecological, economical, information, professional, cultural, scientific and other interests and for promoting

the sector of small-scale coastal fisheries in the territory of XXX without intending to achieve profit.

Article 3.

Association XXX is a non-governmental and non-profit entity with the status of a legal entity, and is registered in the Registry of Associations with the competent administrative bodies of the Republic of Croatia.

Article 4.

Association XXX may only carry out the activities and actions prescribed by this Statute.

II. NAME, SEAT, SEAL AND SIGN OF THE ASSOCIATION

Article 5.

Name of the association: XXX

Besides the official name in Croatian, the following name of the Association in English shall be used: XXX

The abbreviated name in Croatian: XXX

The abbreviated name in English is: XXX

The registered office of the Association is in XXX.

Association XXX acts in the small-scale coastal fisheries sector in Area XXX

The decision on the change of the address of the registered office shall be adopted by the Assembly.

Article 6.

XXX is a Association registered with XXX (competent administrative body). XXX is a non-profit legal entity.

Article 7.

Association has a logo. The logo is comprised of XXX. Association XXX has a stamp. The stamp is XX shape, dimensions XX, and has an inscribed writing XXX, and a graphical logo in its centre. The stamp and the seal are kept and entitled to use by

legal representatives of the Association, members of the Governing Bodies and other members with given authorization.

III. PURPOSE OF ESTABLISHMENT AND OBJECTIVES OF THE ASSOCIATION

Article 8.

The purpose for the establishment of the Association XXX is to promote, develop and conserve the sector of small-scale coastal fisheries through the implementation of programs and plans for the long-term management and exploitation of fish stocks, and the protection and conservation of the marine ecosystem and marine biological resources.

Article 9.

The objectives of associating and organizing into an XX are as follows:

1. Promotion of responsible fishing and fisheries activities with the purpose of conservation of fishery resources, their long-term sustainable management and exploitation/utilization and the development of small-scale coastal fisheries on the territory of Republic of Croatia
2. Promotion of cooperative management of the northern Adriatic basin (FAO Geographic Subarea GSA 17), where exploitation of linked and shared fishery resources requires joint management programs
3. Adhere to and promote the principles and international standards of the United Nations Food and Agriculture (FAO, 1995) Code of Conduct for Responsible Fisheries, and in particular, encourage the linking of small-scale coastal fishermen with representatives of the public, private, educational and scientific sectors for the purpose of:
 - Improving technical, financial and other cooperation in the conservation of fish stocks and in the management and development of fisheries
 - Improving the contribution of fisheries to food security and food quality, especially at the local level
 - Improving the protection of living aquatic resources, their environment and the coastal areas
 - Promotion of trade of fish and fishery product in conformity with relevant national and international rules
 - promoting research in fisheries and ecology
 - ensuring and establishing standards of conduct for all persons involved in small-scale coastal fisheries sector.
4. Strengthening the competitiveness and excellence of entrepreneurs and craftsmen in the small-scale coastal fisheries sector

5. More favorable positioning of small-scale artisanal fishermen on the market
6. Manufacturing products with higher added value through various forms of certification
7. Job creation in the sector and consequent economic and demographic recovery of rural coastal and island communities.

IV. FIELD OF ACTION AND ACTIVITIES FOR THE PURPOSE OF ACHIEVING THE OBJECTIVES

Article 10.

Association XXX may only carry out activities and actions that achieve its objectives set out in this Statute, in accordance with the Association Act and other relevant regulations of the Republic of Croatia.

Article 11.

Association XXX is independent in achieving its objectives set out in this Statute.

Article 12.

Association XXX is not allowed to carry on its activities for the sake of profit for its members. Any attained profit shall be used for purposes of performing and promoting of the activities of the Association, which achieve the objectives set out in this Statute.

Article 13.

The basic objectives are achieved by the following activities of the Association:

1. Collaboration with governmental bodies, bodies of regional and local self-government, social communities and scientific organizations on promoting the protection of marine ecosystem biodiversity through measures for the long-term conservation and sustainable management and exploitation of fishery resources
2. Promoting public awareness of the need to protect and manage coastal resources
3. Promoting awareness of the importance of responsible fisheries through education and practice
4. Promoting the protection of traditional fishing practices and local fishing communities
5. Encouraging the use of fish for human consumption
6. Ethical fishing, marketing and processing of fishery products in accordance with national and internationally accepted standards and regulations

7. Specialization of its members and advancement of expertise in fishing
8. Promoting training programs or professional qualifications in accordance with international standards and guidelines
9. Promoting the protection of the interests of small-scale coastal fisherman in the use of coastal areas and the integration of fishery conservation strategies in the coastal zone
10. Preparation of development projects in terms of strengthening entrepreneurial infrastructure and joint competitiveness of members
11. Development and implementation of strategic projects aimed at improving the competitiveness of the sector
12. Collaboration with communities and scientific organizations in the development and implementation of the communication strategy from the small-scale coastal fisheries sector
13. Co-operation with competent state administration bodies in drafting laws and other regulations, which govern small-scale coastal fisheries as well as regional and local government regulations.
14. Encourage co-operation at appropriate administrative levels in addressing questions concerning fishery resource users and other coastal zone users
15. Utilization of available funding sources as well as grants and EU funds
16. Identifying the needs for new investments within the sector
17. Collaboration with related associations, federations and institutions at home and abroad to achieve the basic objectives of the sector at local, national and interstate level
18. Encouraging the establishment of a bilateral, subregional or regional fisheries organization
19. Promoting international cooperation and coordination, as well as the exchange of knowledge and experience in the small-scale coastal fisheries sector
20. Cross-sector integration of production, processing, and trade
21. Encouraging the increase of fish stocks, apropos fishing opportunities through the implementation of artificial reefs and fish aggregation devices
22. Encouraging the development of a strategy, i.e. systematic management of artificial reefs and fish aggregation devices
23. Encouraging the creation of protected areas and areas intended for small-scale coastal fishing
24. Encouraging the application of selective and environmentally safe fishing gear, practices and techniques
25. Promoting the development of fishing gear, practices and techniques that increase survival rates of escaping fish but also minimize waste, discards, and catch of non-target fish species and other species
26. Promoting certification of fish caught by selective fishing gear
27. Branding of fishery products from small-scale coastal fishery
28. Developing fishing tourism in its area of activity

29. Other activities that contribute to the achievement of the objectives set out in this Statute

Article 14.

Starting from the objectives and activities of the Association XXX, laid down in Articles 9 and 13 of this Statute, and the needs and rights of its membership, the regular activities of the Association are as follows:

1. Coordinating the activities of its members, providing them with professional assistance in their work, caring for more favorable positions of members and their legal protection
2. Design, implementation, issuance, sale and dissemination of documents or plans of bio-resource management
3. Organization of seminars, counseling, training and study visits
4. Representation of the Association and its members at fairs, exhibitions, professional and scientific conferences in the country and abroad
5. Achieving lasting material and financial independence of the association

On behalf of the objectives of the Association, XXX will pursue these actions and activities on the basis of its own program and work plans, independently or in cooperation with other legal entities from home and abroad.

Article 15.

In order to achieve the objectives and activities of the Association laid down in Articles 9, 13 and 14 of this Statute, XXX may establish companies pursuant to the Companies Act. Association may affiliate with or join international organizations and other organizations.

Article 16.

The activities of the Association XXX shall be based on and pursuant with the adopted national, county, city and municipal development strategies and programs as well as regulations and laws of the Republic of Croatia.

V. PUBLICITY OF THE WORK

Article 17.

The work of the Association is public.

The publicity of their work shall be accomplished by informing its members and other interested bodies and organizations, or the public, with the programs, decisions, guidelines and conclusions of the Association XXX, and in other ways established by this Statute.

Article 18.

Work of the Association can be notified via:

- Regular and special reports and other announcements and decisions from the sessions of the General Assembly and other bodies of the Association
- Public insights into the Statute and regulations of the association
- Through the Association website
- Via the Association newsletter, if the Association issues it
- Occasional analysis, studies and other appropriate means
- Where necessary, through daily and other press, radio, television and other media.

Article 19.

XXX does not allow any form of discrimination (racial, national, ethnic, sexual, religious, political, etc.) and the prevention of the freedoms and rights of man and citizen.

VI. MEMBERSHIP

Article 20.

Members of the Association can be natural or legal (legally capable) persons, that is, a citizen of the Republic of Croatia and a legal entity with its seat in the Republic of Croatia as well as any legally capable citizen of the European Union and legal person with a seat in the EU, who:

1. Performs activities within the scope of the small-scale coastal fisheries sector in the field of action of the Association referred to in article 13. of this Statute, including processing, trade and transport, production of fishing gear, etc.
2. Accepts the provisions of this Statute and regularly pays membership fees and other obligations

The representative of the legal person in the Association and its deputy shall be appointed by the person authorized to represent the legal person.

Membership in the Association shall be voluntary.

Article 21.

Persons without legal capacity or with limited legal capacity may be members of the Association without the right to participate in the work of Bodies of the Association – Nominal members.

Article 22.

Any legally capable citizen of the Republic of Croatia and any legally capable foreign citizen who actively supports the work of the Association in accordance with the principles and objectives of the Association may become a honorary member. An honorary member of the Association is exempted from paying the membership fee. The Assembly of the Association decides on the honorary membership based on the proposal of any member of the Association.

Article 23.

Membership shall begin upon the completion of the application form containing a statement of knowledge and acceptance of the Statute and other documents adopted by the General Assembly. The General Assembly approves the membership, which becomes valid upon payment of the membership fee. Members are obliged to enter in the membership register and receive the membership card of the Association. The Membership Register is kept by the Secretary of the Association.

Article 24.

The General Assembly of the Association determines the annual amount of the membership fee and the method of its payment.

VII. RIGHTS AND OBLIGATIONS OF MEMBERS OF THE ASSOCIATION

Article 25.

The rights of members of the Association are:

- To elect and be elected to the governing bodies of the association,
- Participate in all activities and actions of the Association in accordance with their expertise and interest,
- Use all the benefits that the Association acquires
- To be informed of the work of the Association and its governing bodies.

Article 26.

Obligations of members of the Association are:

- To comply with this Statute and the provisions of the Association and the decisions of its governing bodies,
- Adhere to the adopted national and international regulations and standards,
- Actively participate, to the best of its ability, in activities organized by the Association,
- Duly pay the membership fee and fulfill the assumed obligations,
- Safeguarding and enhancing the reputation of the Association
- Keeping tangible goods and fulfilling commitments
- Engaging in the activities of the Association
- Participation in managing the affairs of the Association
- Safeguarding and raising the reputation of the Association

Article 27.

Members of the Association who unconscionably carry out their commitments, violate the provisions of this Statute, abuse their authority and use the activities of the Association for their own political publicity or the publicity of any political party, are subject to disciplinary responsibility.

Disciplinary proceedings for determining the responsibility of members of the Association are initiated by the President of the Association at his own request or at the request of the General Assembly.

Disciplinary proceedings are conducted by a Disciplinary Committee consisting of a president and two members, elected by the Assembly from the members' work for a term of XXX years.

Disciplinary Committee operates on the basis of the Rules of Procedure of the Disciplinary Committee adopted by the General Assembly.

In its work, the Disciplinary Board adheres to the general rules on disciplinary responsibility, in accordance with this Statute and other regulations. Upon termination of the proceedings, the Disciplinary Board shall submit a report with the evidence obtained during the proceedings to the President of the Association.

Article 28.

Depending on the gravity of the act and the damage caused to the Association, the President may decide:

1. That the member against whom the disciplinary proceedings are conducted compensate the material damage to the Association

2. To issue a disciplinary measure of warning against expulsion from the Association
3. To initiate the recall procedure
4. To exclude a member from the Association.

A member who has been expelled pursuant to point (4) shall have the right to appeal to the General Assembly of the Association within 30 days from the date of delivery of the decision on exclusion. The decision of the General Assembly is final.

Article 29.

Membership in the Association ceases in the following cases:

- Voluntary resignation of a member from the Association without specific explanation
- Failure to pay membership fees by 31st of March of the current business year
- Exclusion from Association in accordance with Article 28 of this Statute
- Death of a natural person or dissolution of a legal entity for whatever reason
- With the termination of the Association

A member of the Association will be deleted from the Register of Members without a special decision if he/she does not pay the membership fee for the current year by the end of the year.

The decision to exclude a member from the Association is made by the President. The expelled member has the right to file an appeal to the General Assembly of the Association within fifteen (15) days, counting from the day of delivery of the decision. The General Assembly is obliged to resolve the appeal at the first subsequent session upon receipt of the appeal. The decision of the General Assembly on exclusion is final.

VIII. MERGERS, AFFILIATIONS AND ORGANIZATIONAL FORMS OF THE ASSOCIATION

Article 30.

In order to achieve the objectives and activities of the Association referred to in Articles 8, 9, 13 and 14 of this Statute, the Association may establish companies or cooperatives in accordance with the Companies Act and Cooperative Act and to affiliate with or join international associations and other organizations.

Article 31.

The Association may form and join national and international alliances, communities or unions of associations. The Association may become members of international associations and institutions. The decision on joining such coalitions shall be adopted by the General Assembly on the proposal of _____.

The Association shall act in cooperation and participate in joint activities with related associations inside and outside the Republic of Croatia. The Association can join up similar international associations or organizations by decision of the General Assembly. The Association cooperates with related organizations and institutions at national and international level to achieve the objectives of the Association.

IX. REPRESENTATION AND GOVERNING BODIES OF THE ASSOCIATION

Article 32.

The Association is represented by the President and Vice-President of the Association and the Secretary. The General Assembly may authorize other persons to represent the Association.

Article 33.

The governing bodies of the Association are:

- General Assembly
- President
- Vice President
- Secretary

General Assembly

Article 34.

The General Assembly is the highest governing and decision-making body of the Association and is comprised of all members of the Association who are legal capable. The General Assembly meets as needed, and at least once a year, when adopting the budget and annual accounts of the Association, work report and the work program for the coming year. All members of the General Assembly shall have equal voting rights.

Article 35.

The sessions of the General Assembly may be regular, elective and extraordinary. The General Assembly meets regularly once a year, while an election session is held every

four years. The sessions of the General Assembly are convened by the President of the Association on his own initiative. In the decision to convene the General Assembly, the President shall determine the agenda of the session and the date and place of the session. The President is obliged to convene a session of the Assembly when requested by at least 1/3 of the members of the Association. In their request for convening the General Assembly, proponents are obliged to propose the agenda of the session.

Article 36.

The General Assembly is chaired by the President of the Association. In the absence of the President, the Vice-President will chair the session. In the absence of both, President and Vice-President, the General Assembly shall, at the beginning of the session, determine by public vote the person who will chair the session. Minutes shall be kept of the work of the session, which shall be stored in the archives of the Association. The decisions of the General Assembly shall be published on the information board and/or the Association bulletin, and may also be published through the media.

Article 37.

The General Assembly makes valid decisions if a majority of all members of the General Assembly is present, and makes decisions by a majority vote of the members present, unless a special majority is determined by the Statute.

Article 38.

The General Assembly of the Association:

- Determines the development policy of the Association
- Adopts the Statute and amendments to the Statute
- Adopts the Rules of Procedure of the General Assembly
- Adopts financial plan and final account
- Adopts other acts and decisions related to the work of the Association
- Selects and dismisses members of the Disciplinary Tribunal
- Selects and dismisses the President, Vice-President and the Secretary of the Associations
- Confirms the admission of newly formed professional and regional associations, working bodies and honorary members to the membership
- Considers and approves reports on the work of the Association
- Provides guidelines for the work of the Association
- Considers and approves forming and/or joining national and international alliances, communities or unions of associations
- Decides on appeals of members to decisions on expulsion from the Association

- Decies on the termination of the Association
- Performs other tasks specified by law of this Statute.

President

Article 39.

Executive functions and other tasks specified in this Statute shall be performed by the President of the Association. The President of the Association is elected by the General Assembly of the Association for a term of XX years, and for it's work is directly responsible to the General Assembly of the Association.

Article 40.

President:

- Represents the Association
- Convenes the General Assembly of the Association
- Manages the work of the General Assembly of the Association
- Determines the proposal of the work program and the Statute, which are submitted to the General Assembly for consideration and adoption
- Determines the proposals for the activity programs and work plans
- Takes care of the implementation of the adopted program of work and implementation of decisions of the General Assembly of the Association
- Manages the assets of the Association
- Submits the report on the work of the Association to the General Assembly of the Association
- Appoints committees and similar bodies as necessary and assigns them tasks
- Takes care of publicizing the work of the General Assembly of the Association
- Supervises the material and financial operations of the Association
- Decides on the expulsion of a member from the Association
- Performs other tasks envisaged by this Statute and other general acts of the Association

Article 41.

The President is responsible for his work to the General Assembly of the Association.

The President shall submit to the General Assembly of the Association an annual report on his work.

In the absence or obstruction, the President shall be replaced in all matters by the Vice President. The term of office of the Vice President shall be XX years.

Vice President

Article 42.

The Vice President assists the President in his work, replaces him in case of obstruction or absence, and performs other tasks entrusted to him by the General Assembly or the President.

The Vice President is elected by the General Assembly for the period of XX years or until revocation.

The candidate for Vice President may be nominated by the President of 1/3 of the total number of members of the General Assembly.

Secretary

Article 43.

The Secretary of the Association is elected and appointed by the General Assembly for a term of XX years for performing professional-administrative tasks in the Association.

The Secretary of the Association:

- Maintains a register, i.e. record of members
- Performs administrative and technical tasks
- Follows laws and regulations related to the work of the Association
- Keeps notes from meeting
- Is in charge of preparing and drafting of the general acts
- Keeps the archive of the Association
- Performs other tasks authorized by the General Assembly and the President

The Secretary is accountable to the General Assembly and to the President for his work.

Article 44.

For work in certain areas of activity of the Association, the General Assembly or the President may establish standing and ad hoc commissions or other working bodies.

The decision on the establishment of a commission or working bodies shall determine their composition, their tasks, the time period for which they are established and their responsibility for carrying out their tasks.

X. PROPERTY AND METHOD OF ACQUISITION OF PROPERTY

Article 45.

The assets of the Association are:

- Funds
- Movable property
- Immovable property
- Other property rights
- Rights and obligations arising from the establishment and operation of companies in accordance with Article 15. of this Statute

Article 46.

The assets of the Association shall be managed by the persons representing the Association referred to in Article 40. of this Statute.

Article 47.

The revenues of the Association consist of:

- Membership fees
- Income from local, regional, national and international funds for associations and NGO's
- Voluntary contributions and gifts from members and thrid parties
- From budget grants
- Income from regular activities of the Association referred to in this Statute
- Other sources in accordance with the law.

Article 48.

In the case of profit, the provisions of Article XX of this Statute shall be complied with.

Article 49.

The President of the Association submits a report on material and financial operations to the General Assembly for consideration and approval.

XI. TERMINATION AND LIQUIDATION PROCEDURE

Article 50.

The Association ceases to operate:

- Based on a Decision on termination of the Association by the General Assembly by two-thirds majority vote of the total number of members of the General Assembly of the Association.
- When the circumstances provided for in Article 48 of the Association Act arise.

Article 51.

The liquidation procedure is carried out by the liquidator. The liquidator is a member of the Association, elected until revocation. The liquidator is proposed by the President and appointed and recalled by the General Assembly by a majority vote of the members with the right to vote present.

Article 52.

In the event of termination of the Association, the remaining assets will fall to XXXXX.

XII. TRANSITIONAL AND FINAL PROVISIONS

Article 53.

The Statute of the Association shall be adopted by the General Assembly by a majority vote of the total number of members of the Association after the discussion has taken place.

Amendments to the Statute of the Association may be proposed to the General Assembly by the President or at least 1/3 of the total number of voting members of the General Assembly. The General Assembly adopts all amendments to the Statute by a two-thirds (2/3) majority of the vote of the members with the right to vote.

Article 54.

The General Assembly of the Association shall interpret the provisions of this Statute.

The President of the Association gives an interpretation of other acts of the Association.

For any issues not regulated by this Statute or by other Acts of the Association, the provisions of the Associations Act and other applicable and relevant laws shall apply.

Article 55.

This Statute shall enter into force on the day of its adoption and shall apply from the day of the registration of the Association in the Register of Associations.

In _____, _____ year.

President

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