



ECPC – Explanatory note on the compliance of ECPC Statutes with the Belgian Code of Companies and Associations

The Belgian Code of companies and associations came into effect on May 1st, 2019. All existing companies and associations (including ECPC) have until January 1st, 2024 to align the Statutes with the Code.

However, the law imposes that the conformity of the Statutes with the Code occurs when companies or associations proceed to the first amendment of the Statutes after January 1st, 2020. Therefore, since you are amending article 4 of ECPC Statutes at the coming General Assembly, you must, at the same time, align your Statutes with the Code.

As regard to AISBL, the Code only brought few changes. Only the following articles of ECPC Statutes need to be amended in order to comply with the provision of the Code :

- **Art. 1.2. Name and registered office** : the mention of the address of the registered office is no longer needed, only the Region of the registered office is required.
- **Art. 7.12. Board of Directors** : the Code allows the General Assembly meetings to be held remotely. However, it does not provide the same for Board meetings. The Statutes must therefore provide for that possibility for Board meetings. However, virtual Board meetings were already authorised before.
- **Art. 17.5. Amending the Statutes of the Association** : with the adoption of the Code of Companies and Associations, the law of 27 June 1921 (which is referred to in the current version of the Statutes) was abolished. It should therefore no longer be mentioned.

ECPC – Explanatory note on the changes to the ECPC statutes on the ECPC members' requirements

Since the appointment of the current Board in June 2019, the Board is trying to re-organize the members' database and has realized that it is very difficult if not impossible to verify if all current members comply with the ECPC Statutes requirements (Art.4).

The current ECPC membership criteria require that a full member must have the majority of board members cancer patients, and this can only be checked if it is included in the





member's statutes, as ECPC cannot check one by one the health certificates of the board members of all our members. Furthermore, even the definition of board is different country by country.

Given the fact that ECPC needs to make sure that all current members continue to fulfil the criteria for being considered as members, a Working Group on Governance was established. The Working Group presented a proposal to the ECPC Board, which was approved, and it will be presented for a final vote to the General Assembly on 27 November.

The changes can be summarized as follows:

- As ECPC wants to be an inclusive and members-oriented organization, we should broaden the membership base including informal groups and individuals, enlarge the geographical outreach of our full members to geographical Europe, as per the WHO EU region.
- The categories of full and associate members will remain, with full members being umbrella organisations or individual organisations formally established and located in the EU region which are not a member of a national umbrella organisation. Associate members are individual organizations that are a member of a national umbrella organization, informal groups and individuals and those organisations, groups or individuals located outside of the geographical Europe.
- We suggest no longer requiring member organisations to demonstrate that a certain number of their directors have or have had cancer.

