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Circular N° 30/2009

To : International Commissioners

October 2009

POLICY ON PAYMENT OF REGISTRATION FEES - PROVISIONAL SUSPENSION OF MEMBERSHIP

Dear Colleague,

- 1) Reference is here made to the document "Policy concerning payment of registration fees", (and more particularly its annexes 1, 2 and 3), circulated with this circular for your information and easy reference.
- 2) I am pleased to inform you that by 30 September 2009 (last day of our fiscal year 2008-2008), only **three (3)** National Scout Organizations (NSOs) had unpaid fees for more than one year.
- 3) However, on 1st October 2009, first day of our new fiscal year 2009-2010, 55 NSOs had unpaid fees for year 2008-2009, for a total amount of CHF 447,937.
- 4) In application of the policy under 1) above, these 55 Member Organisations have been automatically suspended as at 1st October 2009, with **partial application of the sanctions**.
- 5) At the time of writing this circular and following a number of payment received since then, the above number was reduced to the following 45 Member Organizations, globally owing this Office CHF 207,646 :

Argentina, Benin, Bosnia-Herzegovina, Cameroon, Chile, Colombia, Comores Islands, Cyprus, Dominica, Ecuador, Egypt, Grenada, Guinea, Haiti, Hungary, Jamaica, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Mauritania, Montenegro, Morocco, Nicaragua, Nigeria, Palestinian SA, Panama, Peru, Poland, Senegal, Serbia, Sierra Leone, St. Lucia, Swaziland, Syria, Tajikistan, Tanzania, Uganda, Ukraine, Uruguay, Venezuela, Yemen, Zambia.

The immediate practical consequences of this situation for the 45 NSOs concerned are :

- The loss of voting rights at World and / or Regional events organised under the auspices of WOSM;
- The loss or right for individuals of the suspended Member Organization to join committees or stand for election in any organs of WOSM

until and unless their arrears are cleared.

- 6) The situation will be reviewed by the World Scout Committee at its next meeting in March 2010. If, by then, the suspended NSOs have not cleared their situation, their suspension with partial application of the sanctions will be automatically transferred into provisional suspension of membership with **full application of the sanctions.**
- 7) Bearing in mind that certain suspended Member Organizations may have been victim of circumstances beyond their control, which makes it impossible for them to pay their fees, the World Scout Committee has requested the Secretary General and the World Scout Bureau to examine means and ways to assist these Member Organizations in paying their arrears, provided these Organizations ask them to do so and are ready to share the necessary efforts to find a solution to their situation.

For example, the World Scout Bureau makes itself available to contact any national authority or individual that may be in a potential position to support the NSOs concerned. Such action has proven to be successful on several occasions in the past years.

In this spirit, I am asking any Member Organization wishing to help one or several of the suspended Member Organizations to recover their full rights (through any possible scheme: direct payment of fees, twinning of a particular Organization, etc...) to contact me or the Member Organization concerned.

Thanking you for your cooperation,

Yours in Scouting,

Luc Panissod
Secretary General
WOSM

Enclosure : Policy concerning payment of registration fees



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**Policy Concerning Payment of
Registration Fees**

November 2006

Ref.: 2303

1. BACKGROUND

- 1.1.** At its meeting held on 9-10 November 1996 in Kandersteg, Switzerland, the World Scout Committee adopted the "Policy Concerning Payment of Registration Fees" (see *annex 1*). This policy was circulated to all National Scout Organisations with WSB Circular 30/96 in December 1996.

The spirit of this policy is that, with respect to arrears, the Committee will consider exercising its constitutional authority to suspend membership provisionally, due to a Member Organization's failure to fulfill its obligations of payment of the annual fee considering that it no longer meet the requirements of membership, including, inter alia, the requirement to pay registration fees regularly.

Whereas it was agreed that this policy shall not bind the Committee in advance to any particular action with respect to a delinquent Member Organization, **it was indeed the sense of the Committee that, in principle, Member Organizations with arrears should be provisionally suspended from WOSM membership.**

The Committee ruled that while a provisional suspension is in effect, the suspended Member Organization will lose the rights and privileges of WOSM membership (see *annex 2*).

In the implementation of this policy, the Committee was quickly obliged to make the distinction between:

- provisional suspension of membership with WOSM with **partial** application of the sanctions which results "only" **in the loss** for the Member Organization **of the right:**
 - to vote in World Scout Conferences,
 - to vote in Regional Scout Conferences and other regional events, insofar as the Constitution of a Regional Scout Organization requires its members to be members in good standing of WOSM,
 - to have individual members of the suspended Member Organization join committees or stand for election in any organs of WOSM,
 - provisional suspension of membership with WOSM with **full** application of the sanctions which results in the **loss** for the Member Organization of **all rights and privileges** of WOSM membership, including those listed in *annex 2*.
- 1.2.** At its meeting held on 12-13 October 2002 in Geneva, Switzerland, the World Scout Committee completed this policy by taking a decision on the "principle of automatic application" of the policy concerning payment of registration fees – provisional suspension of membership (see *annex 3*) whereby:

- Member Organizations which have registration fee arrears at the opening of any World Scout Bureau fiscal year (1 October), will be **automatically** suspended from membership with WOSM with **partial** application of the sanctions,
- Member Organizations which will not have cleared their registration fee arrears by the date of the Spring meeting (March or April in any year) of the World Scout Committee, will **automatically** see their provisional suspension with **partial** application of the sanctions **transformed** into provisional suspension with **full** application of the sanctions.

This policy was circulated to all National Scout Organisations with WSB Circular 27/03 in November 2003.

2. CLARIFICATION OF THE SANCTIONS

For the application of this policy, the World Scout Committee further clarified that:

2.1. With regard to the right for a suspended Member Organization to run a Regional or World Scout event organized under the auspices of WOSM

The World Scout Committee decided that a Member Organization, which has been entrusted with the organization of an event organized under the auspices of WOSM through a regular and democratic process of bidding and voting at a World or Regional Scout Conference when that Member Organization was in good standing with WOSM and which is subsequently suspended with partial or full application of the sanctions, still has the right:

- to organize and run that event,
- to have its members, young people and adults, not only to organize and run that event, but also to participate in it.

The World Scout Committee, however, reserves itself the right to ask the concerned NSO to demonstrate the financial viability of such event and that it can bear the financial consequences of organizing and running it.

2.2. With regard to the right for a suspended Member Organization to have its youth members participate in World or Regional events organized by another NSO under the auspices of WOSM

Whereas the World Scout Committee believes that the principle of this sanction should be maintained, it also believes that it should be resituated within a time frame which would make its application less damaging to youth members.

Indeed, contrary to the nomination of a candidate for election to a committee or the bidding to host an event which can be declared null and void without any effect on youth members, such events require a long advance preparation for the young people themselves.

The World Scout Committee considered that it would therefore be very unfair for these young people, who would have been preparing for an event with much anticipation, to be deprived of the right to participate because their Member Organization has been suspended.

The World Scout Committee consequently decided to provide a period of a maximum of twelve (12) months following the date of suspension during which the youth members of a suspended Member Organization can still participate in the event concerned. This disposition will not be applicable to the World Scout Youth Forum to which the regular dispositions of suspension will continue to apply.

2.3. With regard to the right for a suspended Member Organization to have an individual member standing for election in any organs of WOSM

The World Scout Committee decided that nomination for election to World or Regional Committees from an individual belonging to a Member Organization provisionally suspended shall be accepted and circulated within the constitutional delay. The candidature will be declared null and void if the respective Member Organization's suspension has not been revoked latest by the time of the opening date of the World or Regional Conference.

2.4 With regard to the right for a suspended Member Organization to bid for a Regional or World Scout event organized under the auspices of WOSM

By similarity with 2.3. above, the World Scout Committee decided that a bid to host a Regional or World Scout event organized under the auspices of WOSM from a Member Organization provisionally suspended shall be accepted and circulated within the constitutional delay. This bid shall be accompanied by a dossier demonstrating the financial viability of such event and that the NSO concerned can bear the financial consequences of organizing and running it.

The bid will be declared null and void if the respective Member Organization's suspension has not been revoked latest by the time of the opening date of the World or Regional Conference.

2.5. With regard to the right for an individual member of a Member Organization provisionally suspended to join sub-committees, working groups or task forces

The World Scout Committee decided that nomination from a Member Organization provisionally suspended of individuals to join sub-committees, working groups or task forces shall be accepted and circulated within the constitutional or traditional delay, if any. These nominations will be null and void if the respective Member Organization's suspension has not been revoked latest by the time when final invitations to join are circulated.

2.6. With regard to the right for individual members of a Member Organization provisionally suspended to participate in events organised by another NSO

Provided such event is not organized under the auspices of WOSM, in the sense that WOSM has no responsibility, control or involvement even though it is organized by a WOSM Member Organization, and considering the spirit of the regulation under 2.2. above adopted by the World Scout Committee, which is to avoid penalizing young people for actions (or non-actions) of adult leaders, the World Scout Committee decided to consider that the responsibility of the decision as to whether to invite or accept the participation of individuals members of a Member Organization provisionally suspended is of the competence of the organizing NSO, up to it to analyse all the pros and the cons and to decide whether it wants to continue cooperating with a suspended NSO or not.

2.7. With regard to the effect on Committee(s) membership of an individual member of a Member Organization provisionally suspended

On the basis of the principles of anteriority and non-retro activity of the decision of provisional suspension of membership with WOSM, the World Scout Committee confirmed that the membership with any Committee of an individual member of a Member Organization provisionally suspended shall not be affected during the term of the mandate for which this member has been elected or co-opted, prior to the suspension of his/her NSO.

World Scout Committee

Policy Concerning Payment of Registration Fees

adopted by the World Scout Committee at its meeting held on
9-10 November 1996
in Kandersteg, Switzerland

Considering that:

- a new registration fee system was unanimously adopted at the 34th World Scout Conference in Oslo, in July 1996,
- the new registration fee system is designed to distribute the burden of fees in the most equitable manner possible, taking into account the size and means of all WOSM Member Organizations,
- a special programme of financial assistance was offered to WOSM Member Organizations to encourage and enable full payment of fee arrears prior to the Oslo Conference,
- regular payment of registration fees is a condition of membership under the WOSM Constitution, Article V. 3(f),
- Scouts Honour and fairness to all require that there be an enforcement policy which will encourage full and timely payment of fees by all WOSM Member Organizations,

The World Scout Committee therefore adopts the following policy:

1. Registration fees are due when invoiced by the World Scout Bureau in October of each year. They become past-due 60 days after the date of the invoice of the annual registration fee, and become arrears (delinquent) on 1st October of the following year.
2. As from 1st October 1997, Member Organizations who pay in full their registration fees for the new budgetary year (1 October to 30 September) within 60 days of invoice date, may claim a discount of 2%.
3. With respect to arrears, the Committee will consider exercising its constitutional authority to suspend membership provisionally, due to a Member Organization's failure to fulfill its obligations. This policy shall not bind the Committee in advance to any particular action with respect to a delinquent Member Organization. However, it is the sense of the Committee that, in principle, Member Organizations with arrears should be provisionally suspended from WOSM membership. **(1)**
4. This policy shall be communicated to all Member Organizations upon its adoption and at least annually thereafter.

(1) Note: The WOSM Constitution provides that the case of a Member Organization provisionally suspended by the World Scout Committee shall be reviewed by the next ensuing World Scout Conference, which has the broadest authority to decide on an appropriate course of action, including expulsion.

World Scout Committee

Provisional Suspension of Membership

The WOSM Constitution, Article VII, §1, gives to the World Scout Committee the authority to provisionally suspend the membership of a Member Organization which, in the Committee's opinion, no longer fulfills the requirements of membership, including, inter alia, the requirement to pay registration fees regularly. If the Committee acts to provisionally suspend a Member Organization and does not subsequently rescind the action, the case will be reviewed by the next ensuing World Scout Conference, which has the broadest authority to decide on an appropriate course of action, including expulsion.

While a provisional suspension is in effect, the suspended Member Organization will lose the rights and privileges of WOSM membership, including:

- the right to receive the services and publications of the World Scout Bureau,
- the right to participate in seminars, training sessions, meetings and other activities organized by the World Scout Bureau. (The suspended Member Organization is constitutionally entitled to make written or oral comments at the next World Scout Conference),
- the right to have proposals for projects or other financial support reviewed and endorsed by the World Scout Bureau,
- the right to have youth members participate in world or regional events under the auspices of WOSM,
- the right to participate and vote in Regional Scout Conferences and other regional events, insofar as the Constitution of a Regional Scout Organization requires its members to be members in good standing of WOSM,
- the right to have individual members of the suspended Member Organization join committees or stand for election in any organs of WOSM.

The loss of the above rights will not excuse the Member Organization from the legal and moral obligation to pay all arrears (delinquent registration fees) owed at the time of provisional suspension.

Throughout this note, the term "Member Organizations" refers to both National Scout Organizations which are a single Scout Association as well as National Scout Organizations which are a Federation of several Scout Associations.

The attention of Federations is drawn to the fact that they are responsible for ensuring that the totality of the Scout Associations comprising them fulfill their financial obligations, otherwise it is the entire Federation which will be subjected to the terms of the policy stated above.

It is therefore highly recommended that payments of fees continue to be made directly by the Federations.

World Scout Committee

Principle of automatic application of the policy concerning payment of registration fees – provisional suspension of membership

Decision taken by the World Scout Committee at its meeting
held on 12-13 October 2002
in Geneva, Switzerland

Decision:

- Member Organizations which have registration fee arrears at the opening of any World Scout Bureau fiscal year (**1 October**), will be **automatically** suspended from membership with WOSM with **partial** application of the sanctions, unless already previously suspended. If such is the case, Member Organizations previously suspended with **partial** application of the sanctions will see their provisional suspension **transformed** into provisional suspension with **full** application of the sanctions.
- Member Organizations already suspended with **full** application of the sanctions, will see their provisional suspension **confirmed**.
- Member Organizations which will not have cleared their registration fee arrears by the date of the Spring meeting (**March or April** in any year) of the World Scout Committee, will **automatically** see their provisional suspension with **partial** application of the sanctions **transformed** into provisional suspension with **full** application of the sanctions.