

**La marque du vrai produit suisse**



**The symbol for genuine Swiss products**

# Statutes

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## **SWISS LABEL**

**Association for the promotion of Swiss products and services  
Société pour la promotion des produits et services suisses**

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## 1. NAME, REGISTERED OFFICE AND MISSION

### Art. 1

SWISS LABEL is the name of an association as defined in Art. 60ff of the Swiss Civil Code with a commitment to promote Swiss products and services under the crossbow trademark. Its registered office is in Bern.

### Art. 2

The mission of SWISS LABEL is:

- a) To certify the origin of Swiss products and services both at home and abroad by means of the crossbow trademark.
- b) To support and promote an awareness of origin and quality amongst purchasers and consumers.
- c) To support and promote Switzerland as a business location.

### Art. 3

To realise this mission, the Executive Committee of SWISS LABEL applies terms and conditions for the protection, utilisation fees, release, use and monitoring of the crossbow trademark (User Contract).

## 2. MEMBERSHIP

### Art. 4

SWISS LABEL comprises:

- a) Active members with voting and user rights, i.e. companies, professional and branch organisations (and their members) which have concluded a User Contract with the Association and identify with the goals of SWISS LABEL;
- b) Patron members without voting and user rights, i.e. companies, organisations, authorities and individual persons who sympathetic to the mission of SWISS LABEL.

### Art. 5

Applications for membership are to be submitted in writing. The Executive Committee decides upon the acceptance of new members. It may deny acceptance without giving reasons.

Members receive a certificate with their confirmation of acceptance.

### Art. 6

Membership may be terminated at the end of a calendar year with a six-month notice period.

Termination will only come into effect when all current obligations have been fulfilled. Cancellation of membership negates any entitlement to use the crossbow trademark.

### Art. 7

The Executive Committee may exclude any member who infringes against the terms and conditions of the User Contract or the general interests of SWISS LABEL. An appeal may be to the Arbitration Tribunal within 30 days to contest exclusion.

### **3. ORGANISATION**

#### **Art. 8**

The organs of SWISS LABEL include:

- a) The General Meeting
- b) The Executive Committee
- c) The Office
- d) The Audit Board.

#### **a) The General Meeting**

#### **Art. 9**

The General Meeting is the highest organ of the Association. It takes place once a year, usually during the first term of the calendar year.

Extraordinary General Meetings may be called by the Executive Committee at any time if at least one fifth of the membership requests such a meeting upon submission of a justification.

Invitations to General Meetings must be sent out together with an agenda at least 14 days before the meeting takes place.

#### **Art. 10**

Two persons per member may participate at the General Meeting.

#### **Art. 11**

The agendas for the General Meeting must be distributed when the meeting is convened. No decisions may be taken on any other matters; excluded from this, however, is a decision proposed at a General Meeting to call an Extraordinary General Meeting.

Other proposals must be submitted by members in writing at least 30 days before the General Meeting.

#### **Art. 12**

Every active member present has a vote.

#### **Art. 13**

The General Meeting has the following competencies:

- a) To accept the Annual Report
- b) To accept of the Annual Accounts and Balance Sheet
- c) To fix contributions and fees
- d) To approve the budget
- e) To appoint members of the Executive Committee and the President
- f) To appoint the Audit Board
- g) To pass the resolutions proposed by the Executive Board and members
- h) To amend the Statutes
- i) To pass a resolution calling for the dissolution of the Association.

#### **Art. 14**

The General Meeting will constitute a quorum regardless of the number of members present. Where votes are equal, the Chairman will have the casting vote. Ballots and elections will be open and carried by simple majority.

A secret ballot may be held if requested by one third of the members present.

Resolutions to amend or extend the statutes of SWISS LABEL are carried by a majority of two thirds of the members present.

## **b) The Executive Committee**

### **Art. 15**

The Executive Committee comprises 5 to 9 members. The period of office lasts for four years, but a maximum of 16 years. With the exception of the appointment of the President, the Executive Committee constitutes itself and appoints one or two Vice-Presidents from its own members.

### **Art. 16**

The Chairman also votes on decisions taken by the Executive Committee. If votes are tied, he will have the casting vote.

Resolutions may also be decided by the Executive Committee by correspondence.

### **Art. 17**

The Executive Committee lays down the guidelines for the activities of SWISS LABEL and is specifically responsible for the following business:

- a) Appointment of the Chief Executive
- b) The release and monitoring of the User Contract
- c) Preparation of all business which falls under the jurisdiction of the General Meeting
- d) Decisions to accept and/or exclude members.

The Executive Committee may adopt an organisational and business regulation.

### **Art. 18**

The President and Vice-President / the two Vice-Presidents monitor the activities of the office.

### **Art. 19**

The President or, in his absence, the authorised Vice-President may represent the Executive Committee before Third Parties. The signatures of the President or the authorised Vice-President together with the Chief Executive are collectively legally binding. Routine business requires the sole signature of the Chief Executive.

## **c) The Office**

### **Art. 20**

The Chief Executive manages office employees and routine business in accordance with the instructions of the competent organs and on his own initiative.

#### **d) The Audit Board**

##### **Art. 21**

The Audit Board comprises two Auditors and a Reserve Auditor. It is appointed by the General Meeting for a term of two years. The Audit Board checks the annual accounts and balance sheet; submits a written report to the General Meeting and files any resolutions as necessary.

#### **4. FINANCE**

##### **Art. 22**

The income of SWISS LABEL comprises:

- a) Utilisation fees
- b) Patrons' contributions
- c) Other contributions
- d) Internally raised funds.

##### **Art. 23**

Active members pay an annual utilisation fee based on their turnovers.

Patron members pay a voluntary contribution. The minimum contribution is specified by the General Meeting.

Utilisation fees are automatically adjusted every three years in line with inflation. The starting basis for the calculation of inflation is the national index of consumer prices at the time the present statutes come into force.

##### **Art. 24**

Liability is limited exclusively to the Association's funds. The personal liability of individual members is excluded.

##### **Art. 25**

The financial year is taken to be the calendar year.

#### **5. DISSOLUTION OF THE ASSOCIATION**

##### **Art. 26**

The dissolution of the Association will be carried by a two-thirds majority of all members with voting rights.

The President will dissolve the Association. Once all commitments have been met, the use of any surplus will be decided by the General Meeting.

## **6. ARBITRATION TRIBUNAL**

### **Art. 27**

Disputes arising from the application and interpretation of these Statutes and the User Contract will be decided by an independent Arbitration Tribunal.

### **Art. 28**

The Arbitration Tribunal will be convened as individual cases arise. Each party will appoint an Arbitrator. These Arbitrators will then jointly and freely elect a Third Arbitrator. If the Arbitrators cannot agree upon a Third Arbitrator, he will be appointed by the President of the Commercial Court in Bern.

The process of arbitration is subject to the inter-cantonal Concordat 27. March, 1969, relating to arbitration. Under Art. 24, Paragraph 1 of the same, the Parties agree that the process will be carried out in accordance with the rules of the Bernese Code of Civil Procedure, namely as a fair and proper process with exchange of signatures. The Arbitration Tribunal is domiciled in Bern.

## **7. TEMPORARY PROVISIONS**

### **Art. 29**

The new User Contract will apply to existing members who joined within three years after the present Statutes came into force.

Bern, 15. June 2005

## **SWISS LABEL**

The President:

Bruno Zuppiger  
National Council

The Chief Executive:

Dr. Rudolf Horber