

# Bylaws of the association smusi

## I. General provisions

### Art. 1. Name and affiliation

1. The student association named “Studenti di medicina dell’USI” (hereinafter referred to as smusi) is governed by Art. 60ff of the Swiss Civil Code, Art. 14 of the Bylaws of the Università della Svizzera italiana (USI) and the directives of USI on student associations and these bylaws.
2. smusi is a member of the “Swiss Medical Students' Association” (swimsa).
3. The Executive Board (EB) is responsible for recruiting the delegates who take part in the swimsa delegates' assembly and who represent smusi in other swimsa committees (e.g. Ausbildungskommission/ Commission de la formation).

### Art. 2. Office

1. smusi is based at the USI campus west, via G. Buffi 13, Lugano.

### Art. 3. Nature and purpose

1. smusi is non-profit, independent, non-denominational, and for an indefinite period of time.
2. Its purpose is to animate and enrich student life, to facilitate and optimize medical studies and to safeguard the interests of students towards the authorities and institutions of the state, swimsa and other organizations.
3. Its purpose is pursued through:
  - a. promotion of social and other events;
  - b. representation in university committees;
  - c. representation in committees of student organizations, e.g. swimsa;
  - d. giving advice on study questions and provision of study aids for students.

### Art. 4. Benefits for USI communities

1. smusi is mainly aimed at medical students at USI.
2. smusi can propose projects or organize events that are open to all the students and aimed to promote the social life and cohesion of and with other faculties, in accordance with vision and goals of the Student Corporation.

### Art. 5. Activities

1. In order to achieve the defined goals, smusi provides activities such as:
  - a. events, for example career events, swimsa events, social events;
  - b. organization of exam preparation courses;
  - c. facilitation of collective orders of instruments, books etc;

- d. coordination with partner universities, students and student bodies.
2. The official language of smusi's activities is chosen by its members and not defined by the bylaws. However, official documents and communications will be redacted in English and preferably also in Italian.

## **Art. 6. Financial resources**

1. smusi is funded mainly through:
  - a. financial support from the Student Corporation (project-based and according to their terms);
  - b. sponsorship agreements;
  - c. other sources of income (such as event tickets or similar).
2. smusi does not require any membership fees. However, it is in the power of the GA to change this article and introduce a registration fee in the future for certain categories, should it ever be necessary.
3. The financing is understood to be non-profit-making, in accordance with the nature of smusi. Any surplus must be fully reinvested in the activities of smusi.
4. smusi can independently tap additional sources of income. For maintaining the "acknowledged" by USI status, these additional sources must comply with USI's provisions and directives regarding student associations, as well as comply with the non-profit character of the association.

## **II. Members**

### **Art. 7. Terms of membership**

1. Students registered at USI, alumni of USI, future medical students of USI that will join from other universities, members of the academic body and members of USI's administrative staff who share its aims, may all become members of smusi.
2. Students of other universities or educational institutions, and any other person who shares smusi aims may become members of smusi upon request.
3. In order to maintain the "acknowledged by USI" status, students enrolled at USI have to be the majority of smusi members; in any case, students enrolled at USI have to be a significant portion of smusi members.
4. smusi is required to communicate any necessary requirements for admission as a member.
5. Students regularly enrolled in the Master of Medicine curriculum at USI are automatically part of smusi.
6. Members share the nature and purpose of smusi and commit themselves to respect these bylaws and any other regulatory provisions respectively determined by the Student Corporation and USI.
7. All natural persons who have made a substantial contribution to the success of smusi or Master of Medicine at USI may become honorary members.

8. Admission of honorary members is subject to approval by the GA, with a two-thirds majority of the voting members present.
9. Honorary members have no voting or election rights.

#### **Art. 8. Registration**

1. smusi commits to keep, to the extent of its limits, an updated list an up-to-date register of its members, with their name, surname, e-mail, status (student, academic staff, ...) and university of origin.
2. smusi is obliged to communicate to all its members the present bylaws, any other regulatory provisions and the rights and duties of each member.
3. Each member is free to leave smusi at any time, therefore renouncing all the benefits of membership, communicating their will to the EB.

#### **Art. 9. Exclusion and end of membership**

1. The exclusion of a member from smusi may occur as a result of:
  - a. violation of the provisions of these bylaws;
  - b. violation of any other regulatory provisions of smusi;
  - c. actions that compromise the identity and image of smusi.
2. The GA has the last word on the exclusion of a member.
3. The GA can exclude a member with a two-thirds majority of all eligible voters present.
4. The membership expires without further notice in the event of death.

## III. Organs

### Art. 10. Organs

The organs of smusi are:

- A. General Assembly (GA);
- B. Executive Board (EB);
  - a. Presidium,
  - b. Treasurer,
  - c. General secretary,
  - d. Other roles and Delegates, as specified in Art. 12.1,
- C. Commissions;
- D. Revisors.

### Art. 11. General Assembly

1. The GA is the highest decision-making body of smusi. It carries out all tasks which are not explicitly the responsibility of another organ of smusi.
2. It is in its powers to:
  - a. elect the EB;
  - b. approve the planning of activities prepared by the EB;
  - c. approve the proposals for amendments to these bylaws and any other regulatory provisions;
  - d. approve the budget of the association;
  - e. vote on the items submitted to it by the EB.
3. Ordinary General Assembly
  - a. The ordinary GA takes place once per semester.
  - b. The invitation will be sent at least fourteen days before the General Meeting by email.
  - c. The agenda and all relevant documents for the members have to be made public at least three days before the GA by publication on the homepage and optionally by email.
4. Extraordinary General Assembly
  - a. The EB convenes an extraordinary GA upon request of:
    - i. The EB majority,
    - ii. At least one tenth of all members,
    - iii. USI or the Student Council of USI Students Corporation,
    - iv. The Revisors.
  - b. The application for an extraordinary GA must be submitted to the board in writing.
  - c. The invitation will be sent at least ten days before the extraordinary GA by email to all members and by publication on the homepage. A provisional agenda is published together with the invitation.
5. Applications, Requests and Amendments can be submitted by any member to the board at latest four days before the GA.
6. Amendments to individual items on the agenda can be submitted directly to the board at

- the GA by each member and are communicated to the GA orally.
7. The exact procedure of the GA is defined in Appendix A to these bylaws.
  8. The GA performs following crucial tasks:
    - a. Approval of the minutes of previous GA;
    - b. Approval of the reports of the EB (annual);
    - c. Acceptance of invoices and revision reports;
    - d. Issue of décharge;
    - e. Decision on the budget (annual);
    - f. Election of the board members for a term of one year;
    - g. Admission of honorary members;
    - h. Changes to the bylaws;
    - i. Handling requests from the EB and members;
    - j. Provisions in the general rules of procedure are reserved.

## **Art. 12 The Executive Board**

1. The EB is composed of:
  - a. Presidium (President and Vice-President, or Co-Presidency);
  - b. Treasurer;
  - c. General secretary;
  - d. Event supervisor;
  - e. IT-supervisor / Webmaster;
  - f. Sponsoring and Merchandise manager;
  - g. Marketing and social media manager;
  - h. Delegates to Swimsa;
  - i. Delegates to swimsa's Ausbildungskommission/Commission de Formation;
  - j. Liaison officers.
2. The Presidium members should be students enrolled at USI, in any case at least one person among Presidium and Treasurer must always be enrolled at USI.
3. The EB is limited to a maximum of fifteen members. If necessary and not otherwise specified, any role can be filled by two people, as long as the maximum limit of EB members is not exceeded.
4. The board can appoint up to three members to the EB ad interim. Until they are elected by the next ordinary GA they can exert their role without having voting rights.
5. The EB represents smusi externally and conducts the day-to-day business.
6. Tasks and compensation
  - a. The EB acts in the sense of smusi's purpose. It heads the association, manages the business, implements the decisions of the GA and presents it with an annual report. In addition, the EB ensures smooth integration and cooperation with the Student Council, swimsa and others. The board is also obliged to inform all members of news and events.
  - b. The members of the EB work on a voluntary basis and are only entitled to compensation for effectively incurred expenses and out-of-pocket expenses.
7. EB meetings

- a. The EB holds at least two meetings during a semester. Any EB member can call for a meeting by notifying all EB members. These are managed by the Presidium. The EB members report to the Presidium on their activities since the last meeting.
- b. A list of items on the agenda must be given to all EB members by the evening before the meeting.
- c. The EB is quorate if at least half of the board members with voting rights are present. The simple majority decides. In the event of a tie, the chairperson has the deciding vote.
- d. Unless a member of the board requests oral deliberation, resolutions are valid by circular letter (including e-mail).
- e. In the event of a long-term absence known and approved by the Presidium, the EB member concerned loses their voting right, but not their EB post. They must be informed accordingly.
- f. In principle, every member of smusi can attend board meetings. Members who do not belong to the EB have no voting rights.
- g. At the request of an EB member, individual matters discussed at a meeting can also be dealt with in a closed setting. This person would have to declare this at the beginning of the meeting at the latest, whereupon every board member present can veto. In the event of a veto, the session is automatically conducted openly.

## 8. Presidium

- a. The Presidium consists of at least two members, preferably a president and a vice president.
- b. However, there is the option of carrying it out as a co-presidium. In that case, the responsibilities and duties listed under e. and f. are freely divided between the two co-presidents.
- c. The Presidium represents the association internally and externally. The aim is to clearly define and communicate who is assigned which areas of responsibility.
- d. The Presidium has the right to inspect all accounts.
- e. The President:
  - i. is responsible for the activities and work of smusi's relevant bodies;
  - ii. legally represents smusi (right of signature);
  - iii. elaborates on smusi plan of action;
  - iv. convenes the GA;
  - v. represents smusi in the Student Associations Committee of USI;
  - vi. manages the official email address "smusi@usi.ch".
- f. The Vice-president:
  - i. is a substitute for the president regarding their functions and responsibilities;
  - ii. can legally represent the association (right of signature);
  - iii. works together with the President on the plan of action of smusi.

## 9. Treasurer

- a. The Treasurer does the accounting and draws up the budget.
- b. At the end of the accounting period, they have to close the association's accounts and prepare the balance sheet.
- c. They revise the accounts of smusi and maintain the legally binding individual signature for all smusi accounts.

## 10. General Secretary

- a. The General Secretary keeps minutes of all meetings, namely meetings of the GA and board meetings.
- b. They maintain the archive and, together with the IT manager, also handle the file share. Public and official documents must be uploaded to the file share. The internal documents are stored in a structured manner on the corresponding platform.

## 11. Event Supervisor

- a. The Event Supervisor will take care of all matters relating to events of smusi.
- b. They can put together a team of members who will take care of the organization, registration, implementation and coordination of events.
- c. They act as the primary contact person for all smusi events, regardless of the management of the respective event.
- d. All activities are always carried out in consultation with the Presidium and the Treasurer.

## 12. IT-supervisor/Webmaster

- a. They maintain the online presence of smusi and take care of its website and all contact channels, apart from the official email.
- b. They are responsible for smusi's internal management system and platforms of choice;
- c. They try to keep everything available, secure and up to date at all times, adhering to common data-security practices.

## 13. Sponsoring- and Merchandise-manager

- a. They are the contact person for interested sponsors and are also required to recruit them in consultation with the Presidium and the Treasurer.
- b. The sponsorship regulations of USI, swimsa and other partners are reserved.
- c. They are responsible for ordering merchandise products at least once per semester.

## 14. Marketing- and Social Media-manager

- a. They are responsible for taking care of smusi's external image and appearance through social media and advertising campaigns for events and the such.
- b. They closely coordinate with the event supervisor and sponsoring.
- c. They can take responsibility for merchandise, alternatively to the sponsoring manager.

## 15. Delegates to the Ausbildungskommission/Commission de Formation of swimsa

- a. Two Delegates represent smusi and its interests in the meetings of the Ausbildungskommission/Commission de formation of swimsa. They exercise their voting rights in this body conscientiously and consult with the EB of smusi.
- b. They deal with questions that affect the training of medical students in general and are committed to advocate quality education throughout Switzerland in accordance with the Ausbildungskommission/Commission de formation-vision.
- c. According to their duties, they maintain contact with representatives from other universities.

## 16. Delegates to Swimsa

- a. Two swimsa delegates represent smusi at the assembly of delegates and in other matters related to swimsa. Usually the role is filled by default by the Presidium.
- b. They hold regular consultations with the buddy appointed to smusi by swimsa.

- c. They keep all members and primarily the EB up to date on swimsa related subjects.

#### 17. Liaison Officers

- a. They are the link between smusi and other key associations, and their task is to update the EB about what is happening on the side of their association. They have no voting rights.
- b. They can be members of smusi and/or of the partner association, and are appointed by the EB without having to be confirmed by the GA.
- c. Updates are to be held at the official EB meeting, where they are convened to discuss the updates, after which they are free to go.
- d. Delegate to asmact
  - i. A delegate represents smusi in the executive board of asmact (associazione medici assistenti e capiclinica Ticino), and in all the asmact or vsao related subjects.
  - ii. They have to be appointed by asmact's GA and exist according to asmact bylaws.
  - iii. They hold regular consultations with the Presidium and always keep the EB up to date.

18. With the exmatriculation from the Faculty of Biomedical Sciences of USI, a member of the EB automatically steps down from the EB at the next GA.

#### 19. Financial powers and liability

- a. The Presidium and the Treasurer can carry out transactions with both their signatures within the budget and reserve of up to CHF 1,000. An EB decision is required for all other transactions.
- b. A reserve amount must be earmarked in the budget for extraordinary transactions affecting regular smusi activities. The total amount of funds for these extraordinary transactions in an accounting period may not exceed that amount.
- c. The smusi assets are exclusively liable for the obligations of the association. Personal liability of the members is excluded.

20. The EB convenes in a manner and regularity agreed between its members.

### **Art. 13. Revisors**

1. The Revisors control the accounting of the association. They submit a revision report with recommendations to the GA.
2. The revision is carried out by at least one and a maximum of three people.
3. Revisors cannot belong to other association organs at the same time.
4. The auditors can consult a trained accountant, who can be financially compensated by smusi.



### **III. Final provisions**

#### **Art. 14. Adoption and amendment of the bylaws**

1. These bylaws shall be adopted in the first instance after approval by USI.
2. Amendments to these bylaws must be approved by the GA and must then be communicated to each member, as well as to USI. In order to maintain the “acknowledged” by USI status, the amendments must comply with USI's provisions and directives regarding student associations.

#### **Art. 15. Dissolution of the Association**

1. The dissolution of smusi can be decided at any time by the GA with a two-thirds majority. The communication of the possible dissolution must reach each member and USI (associazioni-studentesche@usi.ch).
2. In the event of dissolution, smusi's assets must be allocated to USI or to charity.
3. The withdrawal from smusi of its "acknowledged" by USI status can be decided *ex auctoritate* by USI on the basis of provisions and directives regarding student associations.

#### **Art. 16. Applicable provisions**

1. The provisions of the Swiss Civil Code and USI's provisions and directives on student associations shall apply to all matters not provided for in these bylaws.

#### **Art. 17. Entry in force**

1. The present statute was approved by the GA and by USI on 30.09.2020.
2. They came into force on the date of their approval by USI.
3. The first revision was accepted by the GA on 27.11.2023 and went into effect immediately.

For the Executive Board: Stefan Morais (copresident)

The redactor: Emanuele Mobiglia (copresident)

*Lugano, 27.11.2023*

## Appendix A: Rules of procedure for the GA of smusi

### 1. General provisions

- a. At the beginning of the GA, the Presidium appoints a chairperson for the entire duration of the GA. However, by resolution of the GA with an absolute majority, the chairmanship can be delegated to another member at any time.
- b. Non-members may attend GA as guests upon invitation by the EB but are neither entitled to vote nor to elect.
- c. Minutes are kept of all decisions. They must be signed by the Presidium and the General Secretary and published on the website no later than thirty days after the GA. They must be presented to the next GA for approval
- d. The approved minutes are to be made publicly available.

### 2. Election and voting procedures

- a. Every properly convened ordinary GA is quorate.
- b. Every properly convened extraordinary general meeting is quorate if at least ten members are present who do not simultaneously serve on the board.
- c. Voting
  - i. The absolute majority decides in elections.
  - ii. Voting takes place by hand-lifting or by electronic voting online.
  - iii. At the request of a member, individual elections are to be held secretly.
  - iv. The board has the possibility to group elections in blocks (list election). For example, this could save time in renewal elections. However, should a member request a single, separate election they are to be carried out that way automatically.
  - v. Resolutions are made by the absolute majority, unless the statutes provide for a different voting mode
- d. Candidacy
  - i. Candidates are published with the other documents relevant to the GA.
  - ii. The election of a candidate is only possible if they are personally present at the GA or are represented by some other member.
  - iii. Spontaneous candidates, which are announced at the GA itself, are also valid candidates.
- e. Majorities
  - i. For an option to achieve a simple majority, more votes than all other proposals together must be cast in favour of that option. Abstentions are not taken into account and are not counted as votes against. The chair decides in the event of a tie by a casting vote.
  - ii. The absolute majority is achieved with the next higher whole number of those present with voting rights divided by two. Abstentions and invalid votes are counted like a no.
  - iii. A two thirds majority is achieved with the next higher whole number of the number of those present who are divided by two thirds. Abstentions and invalid votes are counted like a no.
- f. Requests to change the electoral or voting procedure can be made. Here too, the absolute majority decides.

### 3. Agenda

- a. The agenda shows the course of the GA. According to Art. 11 para. 9 of the bylaws at least the following agenda items are to be included:
  - i. Greeting and reference to the rules of procedure;
  - ii. Determination of the vote counters;
  - iii. Approval of the agenda;
  - iv. Approval of the protocol from the last AGM;
  - v. Approval of the President's Report;
  - vi. Approval of the budget and the auditor's report;
  - vii. Presentation of the semester program;
  - viii. Elections and substitute elections of the association organs;
  - ix. Statute changes;
  - x. Further requests from members;
  - xi. Further communications from members.

### 4. Vote counting

- a. The chairperson of the GA appoints two vote counters for the entire duration of the GA. They are confirmed in their office by clapping of those present.
- b. The votes are deemed definitely counted when both of them arrive at the same result independently of each other.
- c. Elections are always counted and the numbers are recorded in the minutes, otherwise counting of the votes can be waived if the result is obvious to the naked eye.
- d. At the request of a member, the counting is automatically made mandatory, with a corresponding note in the minutes.

### 5. Budget

- a. In general, the submitted draft budget must correspond to the provisional draft budget (published with the announcement of the GA).
- b. Members may table amendments to each item.