

,APPROVED'

at ,GENDERDOC-M' Information Centre  
Incorporation Meeting  
on 10 April 1998  
Minutes No. 1

AMENDMENTS WERE APPROVED  
at the General Meeting of Founders  
on 19 November 2002  
Minutes No. 2

NEW VERSION APPROVED  
at the General Meeting of Members  
on 23 December 2017  
Minutes No. 1

,REGISTERED'

with the Ministry of Justice  
of the Republic of Moldova  
on 08 May 1998  
under No. 0522

,REGISTERED'  
with the Ministry of Justice  
of the Republic of Moldova  
on 20 December 2002

REGISTERED  
with the Ministry of Justice  
of the Republic of Moldova

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STATUTE  
OF  
THE PUBLIC ASSOCIATION  
,GENDERDOC-M' INFORMATION CENTRE

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## INTRODUCTION

,GENDERDOC-M' Information Centre is a public non-governmental organization with legal personality, which has an independent balance sheet, accounts with banking institutions, including in foreign currency, a stamp, a seal, blanks with own name and other symbols. It carries out its activity in compliance with the Law of the Republic of Moldova ,On Public Associations' No. 837-XIII of 17.05.96, the Constitution of the Republic of Moldova and international acts to which the Republic of Moldova is a party.

## CHAPTER 1. GENERAL PROVISIONS

- 1.1. The legal form of organization of ,GENDERDOC-M' Information Centre is Public Association (hereinafter referred to as the ,Organization') established under the decision of the General Meeting of Founders dated 10 April 1998 (Minutes No.1) and registered with the Ministry of Justice of the Republic Moldova with No. 0522 on 08 May 1998, for the purpose of providing organizational, informational, legal and psychological services, representing LGBTI people's interests in courts, so as to meet the interests of members of the Organization and achieve the statutory purposes.
- 1.2. ,GENDERDOC-M' Public Association is a republican, non-governmental, non-political, independent, non-commercial Organization (acting throughout the Republic of Moldova) set out based on the free will of the persons who associated in pursuing the goals defined herein.
- 1.3. Full name of the organization – ,Public Association Information Centre „GENDERDOC-M”’.
- 1.4. The Organization was founded and carries out its activity in accordance with the Constitution of the Republic of Moldova, the Law of the Republic of Moldova on Public Associations and other domestic acts and international agreements in force in the Republic of Moldova and this Statute.
- 1.5. The Organization unites individuals and legal entities with any sexual orientation, gender identity and sexual characteristics that recognize the Statute of the Organization and share the goals/values of the Organization.
- 1.6. The Organization acts as a legal entity since registration of its Statute, it can establish its own local structural subdivisions: branches, representative offices, divisions, and has all the rights and obligations assumed by legal entities by law.
- 1.7. The Organization collaborates, on a contractual basis, with state, public and other institutions in the country and abroad, in order to achieve the statutory goals of the Organization.
- 1.8. The legal address of the Organization is: 72/1 Valeriu Cupcea str., Chisinau mun., MD-2021, Republic of Moldova.
- 1.9. The Organization will have a stamp bearing its full name in the official language. It will have its own logo. The Organization will have an organizational acronym - GDM.
- 1.10. The duration of the Organization's activity is unlimited, however the General Meeting is the only body empowered to adopt the decision on termination of its activity under this Statute and in compliance with provisions of the legislation in force.
- 1.11. The structure of the Organization includes the General Meeting, the collegial body - the Senate - which reports to the General Meeting, and the executive body – the Staff.
- 1.12. The Organization works based on volunteers and paid staff.

## CHAPTER 2. THE GOAL, OBJECTIVES AND ACTIVITIES OF THE ORGANIZATION

2.1. The Organization has the following goal: to contribute to creation of a legislatively, legally and socially friendly environment in the society for lesbian, gay, bisexual, transgender and intersex persons,

through information, development of the LGBTI community, promotion of rights, service delivery and expansion of organizational capacities.

2.2. To achieve its goal, the Organization works in the following fields:

- a) collects, processes and disseminates the most authoritative, complete and operative information on how to address the problems of any person with any gender identity, sexual orientation and sexual characteristics in the past and the present;
- b) forms, stores and processes the fund of documents on informational media;
- c) offers the possibility to use the fund and to benefit from services of legal entities, irrespective of their legal forms of organization, and individuals without restrictions as to the level of education and specialty, political and religious beliefs, which share the mission and the goal of the organization;
- d) organizes the information service of users in conditions of possible comfort for them;
- e) organizes international meetings, exhibitions, presentations, fairs-auctions;
- f) organizes cultural and sporting, tourism events, scientific and teaching activities, creation meetings with information users, festivals (parades of dignity), competitions and lotteries;
- g) carries out scientific research activities;
- h) develops, edits and disseminates informative publications;
- i) organizes conferences, seminars, roundtables, meetings;
- j) collaborates with scientific, educational, informational and cultural institutions, exchanges information and specialists with organizations concerned;
- k) performs training and improvement of employees of centres, volunteers and other members of the Organization;
- l) performs cultural propaganda activities, developing various forms of communication and association of citizens by interests;
- m) establishes relations with public opinion, supports public, scientific and cultural initiatives;
- n) organizes consultancy and editing activities, information editions and advertising activities;
- o) unites forces of its members for organizational development of own Organization and for strengthening of the LGBTI movement in Moldova;
- p) promotes the rights of individuals of any sexual orientation, gender identity and sexual characteristics at both national and international levels;
- q) monitors the national legislation, makes proposals to amend it so that equal rights and opportunities can be acquired in the country for persons of any sexual orientation, gender identity and sexual characteristics and, if necessary, supports competent bodies in drafting and adopting anti-discrimination national legislation;
- r) provides legal assistance to persons who have been discriminated against on grounds of gender identity, gender expression and/or sexual characteristics;
- s) provides psychological assistance to persons who need it on grounds of gender identity, gender expression and/or sexual characteristics;
- t) provides sexual and reproductive health assistance and/or services to persons of any sexual orientation, gender identity and sexual characteristics;
- u) collaborates with other organizations abroad;
- v) carries out production, economic, establishes enterprises, including joint ventures, and organizations with rights of legal entity;
- w) carries out other activities not prohibited by the Moldovan legislation in force.

### CHAPTER 3. LEGAL STATUS OF THE ORGANIZATION

3.1. In order to achieve the proposed goals, the Organization is entitled:

- a) to represent the interests of members of the Organization in state bodies and other organizations;

- b) to conclude contracts on their own behalf, to obtain personal proprietary and non-proprietary rights and to sell the property in accordance with the statutory purposes;
  - c) to enter into bilateral and multilateral cooperation agreements with individuals and legal entities, in technical, scientific, economic, financial and production areas, on performance of works and provision of services, aimed at achieving the statutory goals and objectives;
  - d) to establish its own media and to use the state media in the established manner;
  - e) to obtain from public authorities the information necessary for carrying out the statutory activity;
  - f) to carry out economic activity of production and other entrepreneurial activity, which contribute to achievement of the statutory goals;
  - g) to establish enterprises and other organizations with legal personality; to acquire movable and immovable goods necessary for carrying out the activity and ensuring the proper functioning of the Organization.
- 3.2. The Organization may be member of unions, associations, consortia and other associations and organizations, in accordance with the legislation of the Republic of Moldova.
- 3.3. The Organization may open and manage its own bank accounts in Moldovan lei and foreign currency, which can be used according to the double signing principle, and may deliver goods and services for sustainable development to domestic and foreign consumers for a fee, within the limits allowed by the legislation of the Republic of Moldova.
- 3.4. The Organization may hire and make available staff on a contractual basis and on other grounds in accordance with the legislation of the Republic of Moldova.

#### CHAPTER 4. STRUCTURE AND MANAGING BODIES OF THE ORGANIZATION

- 4.1. The structure of the Organization, the managing bodies and their membership are determined by this Statute.
- 4.2. The managing bodies of the Organization are: the General Meeting, the Senate and the Staff.
- 4.3. The Auditing Committee is a body that controls the financial discipline.
- 4.4. The General Meeting is the supreme managing body.
- 4.5. The General Meeting and the Auditing Committee are made up of members of the Organization, and the Senate is composed of members of the Organization and persons who recognize this Statute, its goals and program objectives.
- 4.6. Honorary members and associate members of the Organization can participate in the General Meeting.
- 4.7. The General Meeting has the following prerogatives:
- a) defining the main directions of activity of the Organization, approving the strategic development programs;
  - b) adoption of decisions on approval, completion and amendment of the Statute of the Organization;
  - c) election and dismissal of members of the Senate and the Auditing Committee, the President of the Organization;
  - d) approval of reports of the Senate and the Auditing Committee of the Organization;
  - e) approval of the Senate regulation;
  - f) adoption of decision on reorganization or winding-up of the Organization;
  - g) settlement of disputes, which the Senate failed to solve;
  - h) receiving and excluding from membership the honorary members of the Organization.
- 4.8. The Ordinary General Meetings are convened at least once a year, and those for report and election - at least once every two years. The General Meeting is convened by the Senate, which shall serve on the members of the Organization a notice at least 10 days in advance, the agenda, the date and venue of the meeting.
- 4.9. The Senate convenes the Extraordinary General Meeting on its own initiative in the event of force majeure and at the request of at least 30% of the total number of members of the Organization.

4.10. The General Meeting is deliberative provided at least ½ of plenipotentiary members are present. Every plenipotentiary and honorary member has one vote. Decisions are to be adopted with 50 percent of votes plus 1 (one) vote. Associate members have consultative voting rights. Decisions are adopted by means of open or secret vote by most of those present, except for decisions on amending and completing the Statute and those on winding-up and reorganization of the Organization, - decisions adopted by absolute majority of votes (2/3) of plenipotentiary and honorary members of the Organization.

4.11. Participation in, and voting at, the General Meeting can be online.

4.12. Procedures at the General Meetings are recorded in a minutes specifying the date of the meeting, the participants, the agenda, the brief content of speeches, the issues put to vote and the voting results. The minutes are drawn up and signed by the Secretary and approved by the Chairperson of the General Meeting. The Chairperson of the Senate presides over the General Meeting and the discussions, according to the regulation approved by the General Meeting. In the absence of the Chairperson, the General Meeting is headed by the Deputy Chairperson of the Senate. Any decision of the General Meeting shall enter into force within the period specified in this Decision.

4.13. The Senate manages the work of the Organization in the period between the General Meetings, applying the provisions of the Statute and the decisions of the General Meeting, and reports to the General Meeting.

4.14. The Senate has the following obligations:

- a) ensures performance of decisions of the General Meeting;
- b) approves the annual budget of the Organization;
- c) approves the financing of branches of the Organization in the country and abroad;
- d) adopts the decision on purchase of immovable property;
- e) establishes the seat of the Organization;
- f) approves the membership of the Organization in national and international organizations;
- g) participates in development of the strategic plan and work programs of the Organization;
- h) adopts decisions on establishment and winding-up of local structural subdivisions, on participation as founder in non-governmental organizations, on membership of unions, associations, consortia and other associations;
- i) adopts decisions on establishment of organizations and/or enterprises with legal personality;
- j) submits reports to the General Meeting on the work of the Senate;
- k) approves the work programs of the Organization;
- l) establishes and approves the duties of the Chief Executive Officer, the job list and the labour payment criteria for paid employees;
- m) employs the Chief Executive Officer, concludes contracts with him/her/they;
- n) approves the bylaws of the Organization;
- o) participates with the Chief Executive Officer in fundraising of the Organization;
- p) approves execution and financial reports of the Organization;
- q) assists the Chief Executive Officer in managing the Organization, assesses efficiency of the work of the Chief Executive Officer;
- r) proposes potential members of the Senate;
- s) assesses the work of special commissions;
- t) proposes the structure of the Senate;
- u) contributes to building the positive image of the Organization;
- v) participates with the Staff in formulation of the mission, vision and culture of the Organization;
- w) contributes to the ethical integrity and transparency of the Organization;
- x) solves the problems that the Staff of the Organization failed to solve.

4.15. The Senate is elected for a term of 2 years in the number of 7 persons, of whom 50% + 1 are elected from among members of the Organization. Sessions of the Senate are deliberative provided 50% + 1 of the total members of the Senate are present: decisions are adopted by simple majority of votes. Sessions

of the Senate are convened by the Chairperson of the Senate or at the request of 1/3 of members of the Senate, or at the request of the Chief Executive Officer. The President of the Senate jointly with the Chief Executive Officer determines the time and venue of session of the Senate as necessary, but not less than once every 3 months.

4.16. The President of the Senate manages the work of the Organization between sessions of the Senate in compliance with provisions of the Statute. The Chairperson of the Senate is the President of the Organization.

4.17. The competence of the Chairperson of the Senate covers:

- a) coordination of performance of decisions of the General Meeting and the Senate;
- b) promotion of development policy of the Senate in the future;
- c) management of the activity of the Senate, coordination of the activity of the Senate Commissions;
- d) according to the decision of the Senate – performance of functions of the Chief Executive Officer if it is impossible for the Chief Executive Officer to perform his/her own functions;
- e) assisting the Chief Executive Officer in implementing the mission and achieving the objectives of the Organization;
- f) granting an exclusive mandate to the Chief Executive Officer in order to perform the duties stipulated in the Statute.

4.18. The Senate elects the Deputy Chairperson according to the approved regulation of the Senate activity. The functions of the Chairperson shall pass to the Deputy Chairperson if it is temporarily impossible for the Chairperson to perform his/her functions.

4.19. Members of the Senate can not be members of the Staff. In exceptional cases they may receive a cash reward for having performed a specific activity.

4.20. The Auditing Committee is made up of 3 members is elected from among members of the Organization who are not members of the Staff or the Senate, for a period of 2 years. The Auditing Committee has the following obligations:

- a) assists in financial planning of the Organization;
- b) monitors the rationality of the Organization's economic and financial activity by submitting a report on the monitoring results to the General Meeting not less than once a year;
- c) initiates the audit of the economic and financial activity of the Organization;

4.21. The Staff is made up of the Chief Executive Officer and hired employees.

4.22. The Chief Executive Officer shall prepare the Staff structure and submit it for approval to the Senate.

4.23. The Staff members are employed on an open competitive basis.

4.24. The Chief Executive Officer is responsible for the work of the Staff and has the following obligations:

- a) carries out the day-to-day management of the Organization's activity;
- b) implements the decisions of the Senate and the General Meeting;
- c) employs and makes available, solves salary and bonus problems;
- d) submits reports to the Senate, including annual reports;
- e) acts on behalf of the Organization, represents its interests in all organizations, issues orders and directives under the power of attorney of the President of the Organization;
- f) carries out the current planning of the Organization's activity;
- g) raises funds jointly with the Senate;
- h) coordinates and bears responsibility for efficient distribution of material and financial resources;
- i) performs the monitoring and evaluation of the Staff activity;
- j) develops the strategic and financial plans of the Organization;
- k) develops the Senate jointly with the President of the Organization;
- l) participates in development of the activity directions of the Senate and its activity;
- m) creates conditions for the Senate's activity;

- n) settles conflicts within the Staff.
- 4.25. Members of the Senate can not be relatives or partners of the Staff members.

## CHAPTER 5. MEMBERS OF THE ORGANIZATION. THEIR RIGHTS AND OBLIGATIONS

5.1. Membership of the Organization consists of plenipotentiary members, associate members and honorary members.

5.2. Any person who reached the age of majority, as provided for in the legislation of the Republic of Moldova, which corresponds to the conditions specified in Chapter 1, Art. 1.5, may become a member and/or a volunteer of this Organization, regardless of gender, sexual orientation, nationality, race, political and religious beliefs, if he/she/they knows, accepts and is guided by the provisions of the Statute.

5.3. Any individual or legal entity may, at their own discretion, become associate member of the Organization.

5.4. Any associate member of the Organization may become plenipotentiary member of the Organization. The Senate may request the General Meeting to admit (exclude) a person as a plenipotentiary member of the Organization. The candidate's activism and at least 2 recommendations from members of the Organization serve as grounds for request.

5.5. Honorary members of the Organization may be outstanding personalities who have made a considerable contribution to development of the Organization, proposed by the Chief Executive Officer or members of the Senate and approved by the Senate.

5.6. Plenipotentiary members and associate members of the Organization pay membership fees set by the Senate. All members are recorded in the membership register. Lists of members of the Organization may be made public only in cases provided for by the legislation of the Republic of Moldova.

5.7. The plenipotentiary members of the Organization are entitled:

- a) to participate in manifestations, which the Organization carries out for its members;
- b) to elect and be elected to any eligible position of the Organization;
- c) to voluntarily leave the Organization;
- d) to participate in training programs arranged by the Organization;
- e) to submit proposals and written and oral statements;
- f) to have access to the activity reports of the Organization, including the financial ones;
- g) to use the means and services belonging to the Organization in accordance with the established rules and regulations, approved by decision of the managing bodies of the Organization;
- h) to participate personally or through its representatives elected at the General Meetings of the Organization, according to the provisions of the Statute.

5.8. Members of the Organization are obliged:

- a) to comply with provisions of this Statute, decisions of the managing bodies of the Organization;
- b) to support the actions of the Organization and to act in order to achieve their goal;
- c) to actively participate in the work of the Organization, to defend and promote its interests;
- d) to strictly comply with the requirements of the Honour Code and other directive documents of the Organization;
- e) to inform in advance the leadership of the Organization if consultations on special issues will be offered at the request of persons concerned and to do so only as established by the Senate and with its authorization;
- f) to participate in the meetings of the General Meeting personally or online;
- g) to show a dignified and fair attitude towards other members of the Organization and third parties so as not to compromise in any way the authority and prestige of the Organization, to respect the Statute of the Organization and the decisions adopted by its leadership;
- h) to pay the membership fees in due time;

5.9. Members of the Organization have the same rights and obligations as plenipotentiary members, with the exception of the right to vote.



5.10. Members of the Organization may leave the Organization freely, with or without invoking the reason concerned. In order to leave the membership of the Organization, a written application shall be submitted to the Senate of the Organization.

5.11. Members of the Organization may be excluded from the membership for at least one of the following reasons:

- a) they have committed acts incompatible with the Statute or contrary to its provisions;
- b) they missed 2 consecutive General Meetings for no reasons;
- d) they failed to participate in any activity of the Organization for 2 years;
- e) they failed to pay the membership fees for 2 consecutive years.

## CHAPTER 6. PROPERTY AND SOURCES OF FINANCING OF THE ORGANIZATION

6.1. The property of the Organization is made up of:

- a) membership fees that are set in the amount of 15 MDL;
- b) funds obtained from sponsors, and charitable donations of members and/or third parties - individuals and legal entities - from Moldova and from abroad;
- c) sale of own publications and those obtained through exchange in the country and abroad;
- d) payment for performance of works and services exclusively on a contractual basis and on legal grounds;
- e) fees for participation in courses and other forms of training or scientific activities carried out by the Organization (sponsored ones), as well as mixed events;
- f) income from economic activity;
- g) other receipts not prohibited by the legislation in force of the Republic of Moldova.

6.2. The Organization may own buildings, constructions, machinery, means of transport and other goods necessary in order to achieve the purposes set forth in the Statute.

6.3. All property of the Organization, as well as the benefit from the economic activity or the provision of services, shall be used in order to achieve the statutory goals.

6.4. The surplus or budget deficit is carried forward to the next year.

6.5. All agreements, contracts, transfers of funds are to be performed in accordance with the Statute and in strict compliance with the legislation in force.

6.6. Financial transactions, as well as execution of any legal document, shall be made only with the signature of the President of the Organization or of the person empowered as established by the legislation in force.

## CHAPTER 7. APPROVAL OF THE STATUTE, AMENDMENTS TO AND COMPLETIONS OF THE STATUTE

7.1. This Statute is approved by the General Meeting of members of the Organization.

7.2. The Senate submits proposals to the General Meeting to amend and complete this Statute.

7.3. Amendments and additions to the Statute are approved by decision of the General Meeting if 2/3 of the total number of members of the Organization voted for it.

## CHAPTER 8. PROCEDURE FOR REORGANIZATION AND WINDING-UP OF THE ORGANIZATION

8.1. Activity of the Organization shall be terminated on its own initiative or as a result of its winding-up, by decision of the judicial bodies, in the cases provided by the legislation in force of the Republic of Moldova.

8.2. The decision to terminate the activity of the Organization on its own initiative shall be adopted at the General Meeting by  $\frac{3}{4}$  of the votes of plenipotentiary members present at the General Meeting.

8.3. In case of winding-up of the Organization, members of the Organization shall not distribute the property of the Organization.

8.4. In the event of winding-up of the Organization, the property shall be used according to court decision, the legislation in force.

8.5. If the activity of the Organization is terminated on its own initiative, the property shall be used to meet the claims of donor funds and creditors under contracts concluded with them and under the legislation in force of the Republic of Moldova, and the remaining property shall be used for the achievement of the goals and objectives set forth in this Statute.

## CHAPTER 9. VALIDITY OF THE STATUTE

9.1. This Statute is valid throughout the period of the Organization's activity, is amended by the General Meeting in writing, in compliance with the legal provisions related to form and content. By adhering the Organization, members of the Organization recognize the provisions of this Statute.