



# **BY-LAWS**

11 January 1991  
with amendments until 02.03.2006

## **INTERNAL GOVERNANCE**

(Article 39 of the By-Laws)  
25 January 1992  
with amendments until 15.06.02

### **ASILS**

ASSOCIATION OF SCHOOLS OF ITALIAN AS A SECOND LANGUAGE National Secretary's Office Tel.  
+39.041.241.07.02 • Fax +39.041.528.56.28 info@asils.it • www.asils.it



**BY-LAWS**

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## **Section 1**

### **General Provisions**

#### **Article 1**

1. An Association of Schools of Italian as a Second Language is established and it shall be called A.S.I.L.S.
2. The Registered Office of the Association is C/O Donatella Tomassini, Via R. Fiore 8, 00163 Rome

#### **Article 2**

The Association is a non-profit organisation. In compliance with its aims, the Association can join other bodies or associations, public or private, provided it always retains its independence.

#### **Article 3**

By ruling of an absolute majority of its members, the Association can approve a change of registered office without this constituting an amendment to these by-laws.

For the establishment of secondary offices, on a regional or national basis, a simple majority of the members attending the meeting shall be sufficient.

#### **Article 4**

The bodies set up within the Association are:

- the General Meeting
- the Executive Committee
- the Chairman
- the Board of Auditors
- the Scientific Committee

#### **Article 5**

The Association, with a resolution voted upon by the meeting, may also avail itself of the consultancy of one or more professional figures external to the Association and determine the fees and duties for this.

## **Section II**

### **Purpose**



## Article 6

The purposes of the Association are:

- a) to represent schools of Italian as a second language vis-à-vis national and international institutions and in the framework of trade union negotiations;
- b) to research a common quality standard for the professional figure of the teacher in the absence of suitable regulation;
- c) to develop the spread and knowledge of the Italian language abroad;
- d) to undertake research in the field of teaching Italian as a second language and the certification of language skills;
- e) to promote the social and cultural image of Italy in the international field and qualified contexts;
- f) to foster, institute and coordinate initiatives and projects for vocational training, education (all orders and levels), information and vocational training for the young and adults, for companies and for the teaching staff in public and private schools as well as the related activities (organisation, vocational training, human resource development, tutoring and monitoring);
- g) ASILS can resort to financing from the state, the European Social Fund and international bodies in order to meet its purposes;
- h) to offer its members common organisational, informational and consultancy support for their business needs.

## Article 7

To meet its purposes the Association can:

- a) belong to trade union organisations with similar purposes;
- b) promote or attend demonstrations;
- c) provide grants for publications and studies;
- d) receive financing based on research initiatives and programmes;
- e) set up a category list for schools of Italian as a second language;
- f) carry out examinations for the issue of testimonials, certificates and diplomas, also for other institutions and associations.

## Section III

### Assets

## Article 8



The association' assets comprise:

- a) the annual association fees;
- b) voluntary contributions, bequests and donations;
- c) fees for providing services to members or third parties;
- d) grants and financing from national and international institutions and bodies for initiatives of the association which comply with its statutory purposes;
- e) any other revenue that may increase the association's assets.

### **Article 9**

Fees for membership of the association are set annually at approval of the budget and at the beginning of each fiscal year.



## **Section IV**

### **Members**

#### **Article 10**

Any school possessing the following requirements may be a member:

- a) for schools open at least 9 months a year, didactic activity of teaching Italian as a second language for at least two consecutive years;
- b) for schools open seasonally, at least 4 months a year, didactic activity of teaching Italian as a second language for at least four consecutive years.

At least 75% of the didactic activity hours must regard teaching of Italian as a second language.

Teaching Italian, as a corporate purpose, must be in the articles of incorporation.

#### **Article 11**

The term "School" means any body, whatever be its legal constitution, which practises in a stable form, within Italy or abroad, the activity of teaching Italian as a second language through the employment of staff trained and qualified for that specific activity.

#### **Article 12**

Schools that were present at the signing of the Association's articles of association or paid the association fees before 11 January 1991 are called Founder Members. Schools joining subsequently are called Ordinary Members.

#### **Article 13**

Founder Members and Ordinary Members are obliged to pay the annual association fee, which is determined in accordance with Article 14.

The annual fees must be paid within 60 days of the association fee being approved.

In the event of late payment interest will be applied to the amount due and this is set annually by the meeting during approval of the budget.

#### **Article 14**

The annual fee is determined at the beginning of each financial year depending on the programmed activity and the state of implementation of the association's purposes.



The amount of the first membership fee is set in the Articles of Association.

The financial year is from 1 January to 31 December each year.

### **Article 15**

Applications for membership and supporting documents must be submitted for approval by the competent bodies set up within the Association.

An applicant which has been refused and not admitted has right of appeal to the competent governing bodies during the first general meeting convened subsequent to the refusal decision.

### **Article 16**

Bodies and people whose activity is judged to be in compliance with the statutory purposes or who may be able to contribute to increasing the work of the Association may become Honorary Members, if proposed and seconded by at least two members.

### **Article 17**

Founder Members and Ordinary Members attend the ordinary and extraordinary general meetings with the right to intervene and vote and must abide by the resolutions for the association's governance approved at those meetings.

Honorary Members, if called upon, attend the general meeting solely in a consultative role.



## **Section V**

### **Withdrawal and expulsion of members**

#### **Article 18**

Causes of withdrawal and expulsion of a member from the Association are:

- a) violation of the provisions of article 17;
- b) the lack, either originally or at a later date, of the legal, organisational and structural requirements as of article 10;
- c) carrying out activities in opposition to or in competition with those of the Association so as to cause unfair damage to the Association or the non-compliance with the statutory provisions or the regulations or the meeting's resolutions.

Expulsion of a member is decided by the General Meeting at the request of the Chairman, the Board of Auditors or the Executive Committee with a vote of at least 2/3 of the members in favour. The Executive Committee, after hearing the member, can order further checks for the presence of the structural and technical requirements in the manner provided for by the regulation. The expulsion resolution must be communicated to the member declared defunct, who can resort to the meeting by sending a registered letter to the Chairman of the Association within thirty days of receiving that communication.



## **Section VI**

### **General Meeting**

#### **Article 19**

The Ordinary General Meeting makes all decisions concerning the life, activity and governance of the Association. It is convened, at the request of the Executive Committee, at least once a year – before 31 March – to approve the budget and the final balance sheet. It must also be convened, when the need is recognised or when a least one tenth of the members request it, for any update to the governance and to resolve all issues entered in the agenda.

The call to meeting, to be sent by registered post at least 30 days before the scheduled date, must show the date, the time and place of the meeting as well as the agenda.

The meeting becomes quorate with at least half of the members either present or represented and resolution is by majority vote.

#### **Article 20**

An Extraordinary General Meeting can be convened at the request of at least a third of the members or a third of the Board of Auditors for the particular cases shown in Article 23 below and for any extraordinary management need.

#### **Article 21**

All members with the right to vote and who have paid the annual subscription fee have the right to intervene and vote in the meeting.

Proxy is permitted but each member present cannot hold more than two proxies.

#### **Article 22**

The meeting is chaired by the Chairman of the Executive Committee and at the beginning of the session elects a Secretary who has the task of drawing up the minutes for the session. The minutes must then be signed by the Chairman and the Secretary.



### **Article 23**

The Meeting passes all resolutions by a simple majority vote of the members who are present or represented except for the following cases:

- a) early dissolution of the Association;
- b) changes to the statement of assets and liabilities that are not included in the budget.

In these cases 3/4 of the members must vote in favour.

- c) changes to the by-laws;
- d) removal of the Executive Committee;
- e) expulsion of a member

In these cases a qualified majority of 2/3 of members is required.

### **Article 24**

The General Meeting must elect the members of the Executive Committee and the Board of Auditors no later than three months before the expiry of the previous term of office.

### **Article 25**

Voting by fax, teleconference, videoconference and correspondence is provided for. This can be of a consultative or binding nature. The nature of the vote must be explicitly expressed at time of the request by the Executive Committee and the Chairman. “Consultative” or “binding” votes can be requested in the terms provided for by the by-laws. The expiration of the terms for the vote must always be explicitly expressed at the time of the request for the vote and can never be less than 10 days before that time. Both in the case of the consultative vote and the binding vote these voting options must always be shown: “for”, “against” and “abstain”.

The vote is valid with a majority of the members.

Binding telematic voting cannot take place on the following subjects:

- a) changes to the by-laws;
- b) changes to the statement of assets and liabilities and the financial statements;
- c) dissolution of the Association;
- d) removal of the Executive Committee;
- e) election of Auditors, the Executive Committee and the Chairman.



## **Executive Committee**

### **Article 26**

The Executive Committee is invested with all the powers of ordinary and extraordinary administration concerning the management of the Association with the exception of those that the law and the by-laws reserve for the Meeting.

In particular, the task of the Committee is:

- a) to oversee the execution of the Meeting's resolutions;
- b) to draw up the budget, the final balance sheet and the attached reports for submission to the Meeting's approval before 15 January each year;
- c) to set the amount for the annual membership fees;
- d) to establish the methods for finding the funds needed for the ordinary and extraordinary running expenses;
- e) to convene the General Meeting;
- f) to make judgements on new membership applications and withdrawal procedures;
- g) to coordinate the Association's business and initiatives and its relations with third parties;
- h) to appoint the Vice-Chairman, the Treasurer and members of the Scientific Committee.

### **Article 27**

The Chairman and the other four members of the Executive Committee are elected by the General Meeting. They hold office for 2 years and can be re-elected. The components of the first executive committee are shown in the Association's articles of association.

Should one or more members of the Executive Committee be missing, the Executive Committee shall co-opt other members to replace the missing members; if the co-opted members accept, they shall be in office until the first meeting, which can confirm their office up to the date when the office of the Executive Committee that co-opted them expires.

The Executive Committee has the right to appoint Scientific Committees and any other organisation it deems necessary for the Association's activities, establishing their duties and any remuneration and taking into consideration the provisions of Letter e), Section 6, Article 10, of Legislative Decree No. 460 of 04.12.97.

The Executive Committee can draw up a regulation to govern and organise the Association's activities and this must be submitted to the Meeting for approval. The Executive Committee resolves by an absolute majority of its members; it is convened by the Chairman or a third of its members.



The Executive Committee is convened no later than eight days before the meeting by written communication sent by registered post and/or fax.

### **Article 28**

The Committee appoints the Vice-Chairman and Treasurer from within its ranks. In the event of the Chairman being absent or unable to attend, that office is covered by the Vice-Chairman.

### **Article 29**

The Executive Committee's sessions are quorate with at least THREE members. In the event of tied voting, the Chairman has the casting vote.

Written minutes are drawn up at the end of each meeting.

### **Article 30**

It is the Treasurer's duty to manage the ordinary administrative activity with powers to sign. This function can in part be carried out by a person appointed outside the Association through a written proxy signed by the Chairman

## **Chairman**

### **Article 31**

The Chairman, and in his absence or impediment, the Vice-Chairman, is the legal representative of the Association vis-à-vis third parties and in litigation and executes the resolutions of the Executive Committee.

It is the Chairman's duty to be the Association's legal representative with power to sign in every national and international context and vis-à-vis all institutional interlocutors, just as against judicial and administrative authorities.

## **Board of Auditors**

### **Article 32**

The Board of Auditors is elected by the General Meeting, comprises THREE members and is in office for TWO years. The components of the first Board of Auditors are shown in the Articles of Association. Members of the Board of Auditors cannot belong to the Executive Committee.

### **Article 33**



The Board of Auditors has the function of checking and supervising the Association's activities, the compliance of the latter with statutory purposes and internal governance, the Executive Committee's operations in implementing the meeting's resolutions and the practices for members' admission and withdrawal. In the event of irregularity in the management of the Association's activities by the Executive Committee being ascertained, the Board of Auditors can decide by a majority to call a an Extraordinary General Meeting to check that activity.

#### **Article 34**

The Board of Auditors is invited to attend the Executive Committee's meetings, at which there must in any case be at least one auditor present.

### **Scientific Committee**

#### **Article 35**

The Scientific Committee is appointed by the Executive Committee and is coordinated by a member of that committee. It comprises at least FOUR members and is in office for TWO years.

#### **Article 36**

The Scientific Committee is entrusted with the management and direction of the Association's activities as regards meeting the purposes shown in points c) and d) of Article 8 of these by-laws.

#### **Article 37**

In line with the provisions of Article 36 above, the Committee can have the use of a financial appropriation in the Association's budget. In order to determine the size of this allocation, the Committee must draw up a budget programme to be submitted to the Executive Committee no later than a month before the close of the financial year prior to that for which the appropriation is intended.

#### **Article 38**

At the General Meeting the Chairman may call upon a representative of the Scientific Committee to illustrate the initiatives and activities in the Committee's remit.

#### **Article 39**

The Scientific Committee, after consultation with the Executive Committee, may also invite non-members of the association to attend its meetings and commission them to do studies and research.



## **Section VII**

### **Causes of Termination and Dissolution**

#### **Article 40**

The Association is terminated in compliance with Article 27 of the Italian Civil Code:

- a) when assets become insufficient for the purposes;
- b) for other causes as per Article 27 of the Italian Civil Code

In the event of the Association being dissolved, for whatever reason, the assets are transferred to another non-profit or public service organisation, after consultation with the supervisory body as of section 190, Article 3 of Law No. 662 of 23 December 1996, with the exception of a different destination established by law in force at the time of dissolution.

## **Section VIII**

### **Brand**

#### **Article 41**

All members acquire the right to affix, next to their own name and brand, the words “Member of A.S.I.L.S.” and the related brand

## **Section IX**

### **Final provisions**

#### **Article 42**

The Association’s activity not contained in these by-laws is organised by internal governance, which is prepared by a commission specially delegated by the Meeting.

#### **Article 43**

The provisions of the Italian Civil Code are valid for what is not covered in these by-laws. The ruling court is the Court of Rome.

*Approved by ASILS Constitutional Convention on 11 January 1991 in Florence  
Amended by ASILS General Meeting on 26.03.93, 01.04.2000, 20.10.2001, 06.04.2002,  
14.06.2003 and 02.03.2006*





# INTERNAL GOVERNANCE

(as of Article 42 of the by-laws; 15.06.2002)

## Introduction

This code of ethics is based on the need to protect the member schools' image of seriousness and professional competence as well as to guarantee a high level of teaching imparted.

Members must therefore adhere to the following regulations that have been laid down regarding the quality of study, other services offered and the organisational and managerial structure for the courses.

## 1. Registered Offices

The Association's members are divided into:

- **Head Office:** Schools with their own legal entity. The "Head Office" has the right to vote;
- **Branch Office:** Schools without their own legal entity and which depend on a head office (same corporate name) but have a permanent structure. The "Branch Office" does not have the right to vote;
- **Destination:** Offices for courses held in independent non-member third-party structures

It is mandatory for all affiliated members and for schools requesting membership of the Association to affiliate both all the other branch offices and/or seasonal offices that may in any way be referred to the head office.

Moreover, in the case where a school or group of schools promote several schools/institutes/partners with different aims (courses in ceramics, fashion, English, etc.) in their brochures, it is mandatory to specify clearly the membership of ASILS member and the non-member offices.

The "head office" is bound to pay the "head office subscription" set yearly by the Members' Meeting and the "branch office subscription", which is also set in the General Meeting.

At inspection time the head office must simply show the technical documentation required by internal inspection scheme for the branch office(s).

Branch offices and destinations do not have the right to vote at meetings nor in distance consultative or binding votes.

## **2. School Structure**

The school must carry out its activities in permanent premises equipped with suitable operational, didactic, administrative and secretarial structures.

The premises must also be suitable for school use according to current legislation. Suitability for school use according to current legislation must be backed-up by proper documentation.

## **3. Administration**

Members must show documentation from the Chamber of Commerce or similar institution and produce administrative documents relating to the type of company established.

In order to demonstrate the business's financial reliability, a bank reference from the bank of which it is a customer must be submitted.

The personnel must be regularly employed from a contract point of view.

## **4. Description of the School**

Each school must publish a paper and/or electronic brochure containing a truthful description of the services offered, with particular regard to:

- a) the address of the school, the course premises and the name of the manager;
- b) the description of the courses and levels;
- c) the prices for each single course, specifying the number of lessons and the services included;
- d) the length in minutes of each single lesson;
- e) the start date and duration of the courses;
- f) the maximum number of people per class;
- g) the prices for lodgings found by the school, indicating the maximum amount requested and the services included.

## **5. Advertising**

Forms of advertising for members' courses that do not correspond to the real content or which can generate the direct impression that easy results can be obtained by anyone cannot be adopted.

Advertising must be demonstrably true and must give a description that corresponds to reality in words, pictures and implications.

Moreover, improper or inexact definitions concerning any institutional authorisation or



recognition are not permitted.

## **6. Conditions of Attendance**

The school must inform the students of the regulations governing the following points before enrolment:

- a) payment methods for the course fees;
- b) cancellation of enrolment;
- c) interruption to the course;
- d) minimum admission age;
- e) mid-week holidays;
- f) lodgings, if found by the school.

## **7. Conditions for Welcoming Students**

It is the school's duty to fulfil the following obligations:

- a) inform the students of the services and, if it be the case, the bureaucratic procedures in force, providing practical information to facilitate their stay;
- b) provide insurance cover for carrying out didactic activities inside the school building and for excursions and other out-of-school activities, as well as for determined welcoming services like pick-up and transfer to/from airports and stations.

## **8. Attendance Certificates and Certificates**

Declarations, attendance certificates and certificates issued by the school for any reason whatsoever or of any nature must be an accurate statement of the facts.

## **9. Teaching Staff**

Course must be taught by qualified teachers, with a university qualification or proven professional experience gained over at least five years in the specific sector of Italian as a second language.

They must also possess the necessary didactic ability, seriousness and professional uprightness.

Before they start work, the school must provide adequate induction for learning the teaching method and correct employment of the didactic techniques and materials adopted by the school.

The school must also be capable of evaluating that the didactic programme is being carried out correctly and that the students are learning. The school shall be organised, by monitoring the results, so as to develop the teachers' professionalism.

## **10. Director of Studies**

The director of studies, with the functions of coordination, planning and teacher training, must meet the requirements that highlight his or her professional role.

The director of studies must have qualified experience in the field of teaching Italian as a second language gained over at least 3 years of activity (5 years if he or she does not have a university qualification), a broad knowledge of the methods and techniques for teaching languages, seriousness and a professional breadth suitable for the role. The director of studies prepares the procedures for:

- a) applying mid-course checks on how the programmes are being carried out and the students' progress, also by class reports and class registers.
- b) the training and refreshing of teachers to check the practical application of the teaching, always propositive and directed at training.

The duties of the director of studies also include the development and upgrading of programmes aimed at the pursuit of various certifications.

## **11. Course Programmes**

Teaching must be imparted by language knowledge levels corresponding to several classes comprising groups that are homogeneous by linguistic level.

The course programme for each level must be highlighted, setting the operating objectives in terms of linguistic ability, the course contents and the most suitable method for meeting those objectives.

This knowledge level is determined by an entry test which will have the purpose of highlighting the student's real linguistic and communicative competence.

Finally the techniques for a final check are set, if the issue of a language knowledge certificate is foreseen.

## **12. Lodgings**

If the school deals with searching for lodgings, it must offer solutions chosen to supply an optimal standard for hosting the students.

The school must provide the student with concrete help to integrate better with the hosts and continuing assistance in the event of difficulty.



The school must also:

- a) supply lodgings rules that are valid for the guests and the hosts;
- b) check the quality of the lodgings in advance.

A procedure for any complaints regarding this service must be provided for.

### **13. Admissions Procedure**

Schools can request admission to the association after two years of activity (pursuant to the regulation in Article 10 of the By-Laws) and must attach the following documents:

- a) Registration with the Chamber of Commerce or the Companies' Register;
- b) Declaration of the availability of premises;
- c) Draughtsman's plan of all the school premises;
- d) Fire prevention certificate or disclaimer;
- e) Law 626 certification;
- f) Certificate of compliance with the ASL provisions for school activity use.
- g) Sworn Appraisal;
- h) School Prospectus (in the various languages);
- i) Course Programmes;
- j) Free-time programme;
- k) Profile of the Director of Studies;
- l) Description of the teaching staff and their organisation;
- m) Description of the organisational, administrative and secretarial structure and the arrangement of the staff;
- n) Description of the teaching and learning quality monitoring procedures;
- o) Letter of bank reference;
- p) Lodging rules.

The new member is bound to pay a one-off admission fee, the amount of which is determined by the Meeting for the budget.

### **14. Inspection**

The Executive Committee evaluates the documentation submitted: if there is insufficient documentation submitted, the prospective member will be asked to supplement it.

The prospective member has 300 days to provide the missing documentation; if the documentation is not supplemented within that period, the membership application is rejected.



If the documentation submitted is sufficient, the Executive Committee prepares an inspection of the prospective member school; all costs for this visit are charged to the school that is applying.

Inspections will also be carried out every 5 years and will be carried out by observers from outside ASILS using inspection manuals prepared by the Association. The same rules as for the first inspection are applied to the subsequent inspections. In the event of inadequacy of documentation or shortfall in the required requisites, the member has a year to adjust to meeting the criteria. After this period extensions can be granted provided that it can be shown that the adjustment procedures have been set in motion.

The choice of external observers is decided by the General Meeting on proposal by the Executive Committee.

The Committee also has the right to inspect member schools if it deems it opportune.

The cost of inspections is totally at the members' expense.

## **15. Sanctions**

In the case of minor breaches of this code of ethics, the Executive Committee can issue warnings to the non-compliant school or give notice of non-compliance of the regulations set out above, with the possibility of setting a time for meeting said regulations.

Serious breach of this code of ethics, incorrect conduct vis-à-vis the other member schools or conduct damaging to the Association's image and serious misconduct contrary to the rule of law by a member school in carrying out its activities will lead to the expulsion of that school from ASILS for unworthy conduct (Article 18 of the By-Laws).

## **16. Disciplinary Procedures**

Each member, as indeed each student in the member schools, can appeal in writing to the Executive Committee, reporting the breach of these regulations by those member schools.

The Executive Committee, after a summary investigation, must notify the school involved in writing of the alleged breaches, assigning a term of no less than 30 days for the related refutation to reach the Executive Committee.

At the request of the member, the Executive Committee must set a meeting of its members for the personal hearing of the member in question or its delegates.

The Executive Committee will then decide by a majority whether to accept the refutation, apply the sanction of a warning or notice or whether to propose the expulsion of the member to the Meeting.



The right of the expelled member to appeal to the next convened General Meeting is recognised and this must be effected by a written request for it to be entered on the agenda reaching the Chairman at least 15 days before that meeting. The General Assembly will then decide definitely by a simple majority vote.

The member will be suspended from any positions it holds in the association whilst disciplinary procedure for unworthiness is pending.

### **17. Publication of ASILS Membership**

To advertise its own membership to ASILS, each member school can have exclusive use of official ASILS documentation or material produced by the Association as well as the brand.

### **18. Obligation of Information**

The member is obliged to send the Association's secretary's office a copy of its brochure and information for the next year relating to the head office and all branch offices and destinations before 30 November each year.

All members are bound to send the annual statistical data before February of the following year. The data should be sent anonymously according to the procedure proposed by the Executive Committee and approved by the Meeting.

*Approved by ASILS General Meeting on 25.01.1992 in Rome*

*Amended by ASILS General Meeting on 01.04.2000 and ASILS General Meeting of 14 and 15.06.2002*