

Bylaws of Res Iudicata – Judges for Social Awareness Association

Based on the provisions of Act V of 2013 on the Civil Code (Ptk.) and Act CLXXV of 2011 On The Freedom Of Association, Public Benefit Status, And On The Operation Of And Subsidy For Non-Governmental Organisations (Ectv.), the members adopt the Bylaws of the organisation with the following content, in a consolidated structure with the amendments adopted at the General Meeting held on 1 February 2021:

1.

Details of the Association

- 1.1. Name of the Association: “Res Iudicata – Bírák a Társadalmi Tudatosságért Egyesület”
- 1.2. Abbreviated name of the Association: “Res Iudicata Egyesület”
- 1.3. The English equivalent of the Hungarian name of the Association: “Res Iudicata – Judges for Social Awareness Association”
- 1.4. Headquarters of the Association: 8074 Csókakő, Vértesi út 16.
- 1.5. A list of members including the names and places of residence of the founding members of the Association is attached as Annex 1 to the Bylaws.
- 1.6. Address of the Association's website: www.resiudicata.hu

2.

Objectives and activities of the Association

21. The objective of the Association is to raise legal awareness and acceptance of the values of the rule of law in society, to deepen the recognition of the judicial profession and to promote public confidence in the judiciary through professional outreach and educational activities.
22. Activities of the Association:
 - a) organising professional meetings to support dialogue between the professional communities involved in the judiciary
 - b) organising professional presentations, conferences and discussion forums
 - c) creating events to inform and raise legal awareness in civil society
 - d) editing professional publications
 - e) operating a website and social media profile

f) cooperation with other national and international professional, scientific, cultural and advocacy organisations, in particular judges' associations

2.3. In order to achieve its objectives and ensure its economic viability, the Association may also engage in business and economic activities directly related to these objectives, which must not, however, jeopardise the achievement of the Association's basic objective. The Association may not distribute its profits earned in the course of its business, may not allocate profits to its members, but may use them for the activities set out in the Association's objectives.

2.5. The Association may make any of its benefits for a specific purpose subject to a competitive application. The application must not include conditions which, in the light of all the circumstances of the case, indicate that there is a predetermined winner (sham application). A sham application may not be used as a basis for the benefit intended.

2.7. The Association may only accept donations that do not jeopardise the achievement of its objectives and the independent and impartial exercise of the judicial profession by its members.

2.8. The Association does not engage in direct political activity, its organisation is independent of political parties and does not provide any financial support to or accept the same from them.

3.

Duration of the Association' operation

3.1. The duration of operation of the Association is indefinite.

4.

Membership fees and financial contribution

4.1. Members of the Association pay a monthly membership fee as a financial contribution by transfer to the Association's bank account. The amount of the membership fee is set annually by the General Meeting. Starting from the month of admission, new members must pay their pro rata share of the membership fee for the month in question within 15 days of being admitted.

4.2. In case of termination of membership, membership fees already paid cannot be reclaimed, but in case of expulsion of a member, the membership fee due for the month in which the decision becomes legally binding is no longer payable and the pro rata share of the membership fee paid for that month shall be returned.

4.3. The Board of Presidents decides on the acceptance of the donations offered. If, after the donation has been made, the Board of Presidents decides to refuse the donation, the amount shall be repaid to the donor without delay, or, if the identity of the donor cannot be established, the donation shall be deposited with a competent court.

5.

Membership

5.1 Membership of the Association is open to any natural person who

- (a) is a Hungarian citizen,
- (b) declares their intention to join (application for membership),
- (c) agrees with the objectives of the Association and accepts the provisions of the Bylaws, and
- (d) is in judicial service pursuant to Act CLXXII of 2011 on the Legal Status and Remuneration of Judges, or whose judicial service has ended due to retirement or reaching the general retirement age.

6.

Creation of membership

6.1. Membership of the Association is created upon establishment by registration of the Association, and after the establishment of the Association, membership is created upon acceptance of the application for membership.

6.2. The application for membership must be submitted to the Association in writing or by filling in a form on the Association's website.

6.3. The Board of Presidents shall decide on the acceptance of the application for membership within 8 days of its receipt at the latest. The decision to accept or reject the application for membership shall be sent in writing by the Board of Presidents to the applicant.

6.4. If the application for membership is submitted with the recommendation of a member of the Association, the Board of Presidents may refuse to accept the application for membership only if the applicant does not meet the conditions for membership of the Association as laid down in point 5.1.

6.5. The person applying for membership may appeal to the General Meeting against the decision of the Board of Presidents within 15 days of its notification. In the event of an appeal, the Board of Presidents shall immediately convene a General Meeting, which shall decide on the appeal by open vote.

7.

Termination of membership

7.1. Membership is terminated:

- a) by the member's withdrawal,
- b) by the member's death,
- c) by the member's expulsion, and
- d) membership of the Association shall be terminated even if the member's judicial status has been terminated for a reason other than that described in point 5.1. d).

7.2. A member of the Association may terminate their membership at any time, without providing a reason, by written declaration addressed to the Board of Presidents or by verbal declaration at the General Meeting. The verbal declaration of withdrawal made at the General Meeting shall be recorded in the minutes of the General Meeting. Membership shall be terminated on the date of receipt of the declaration by the Board of Presidents or on the date of the General Assembly.

7.3. The Board of Presidents may expel a member who fails to comply with the conditions set out in point 5.1, endangers the objectives of the Association, seriously or repeatedly violates the provisions of the Bylaws or the decisions of the General Meeting, and who has not paid the membership fee for six months from the due date. A member may be expelled for non-payment of the membership fee only if the Board of Presidents has requested the member in writing, in a verifiable manner, to pay the arrears, setting a grace period of at least 15 days and warning of the legal consequences, i.e. expulsion, but the reminder has not been effective within the grace period.

7.4. The Board of Presidents shall conduct the expulsion proceedings at the initiative of any member. The Board of Presidents shall inform the Association's members of the initiation of an expulsion procedure and the reasons for such procedure in the usual manner and shall set a deadline for the Association's members to express their opinions on the initiative. Once the time limit has expired, the Board of Presidents shall give the member concerned the opportunity to be heard at its session, but the member's absence shall not prevent the meeting from being held and a decision from being taken. The member concerned should be given the opportunity to defend themselves at the meeting.

7.5. The decision to expel a member shall be in writing and shall state the grounds for the decision. The statement of grounds must include the facts and evidence on which the expulsion is based and information on the right of legal remedy. The Board of Presidents shall take the decision of expulsion within 60 days of the initiation of the expulsion procedure and shall notify the member concerned within 8 days in a verifiable manner.

7.6. The expelled member may appeal to the General Meeting against the decision of the Board of Presidents declaring expulsion within 15 days of the date of notification. In the event of an appeal, the Board of Presidents shall immediately convene a General Meeting, which shall decide on the appeal by open vote. The member concerned may be present at the General Meeting, may address it, but may not exercise their right to vote, and their absence shall not prevent the General Meeting from taking a decision. The General Meeting may confirm the exclusion of a member by a two-thirds majority of the members present, otherwise the General Meeting shall declare that the decision of the Board of Presidents has been annulled. The General Meeting's decision, which does not include a statement of grounds, must be communicated to the person concerned in writing within 8 days in a verifiable manner.

8.

Rights and obligations of members

8.1. A member of the Association is entitled to:

- a) participate in the Association's events,

- b) hold an office in the Association,
- c) participate in the General Meeting, in person or by proxy, with the right to vote,

d) address questions about the Association's functioning to the Association's officers and receive a reply within 15 days.

8.2. A member of the Association must:

- a) pay the membership fee;
- b) notify any change of their address or e-mail address;
- c) comply with the provisions of the Bylaws and the decisions of the General Meeting and the Board of Presidents;
- d) participate actively in the activities and achievement of objectives of the Association as far as possible, perform the tasks and safeguard the Association's assets assigned to them.

8.3. The members of the Association shall have equal rights and obligations, except that the Bylaws shall only specify different rights and obligations for patron members.

9.

Patron membership

91. Any natural person who agrees with the objectives of the Association, accepts the provisions of the Statutes and declares their intention to become a member of the Association may become a patron member. A patron member may participate in the activities of the Association only by making financial contributions.

92 Applications for patron membership must be submitted to the Association in writing or by filling in a form on the Association's website.

93 The Board of Presidents shall decide on the application within 8 days of its receipt at the latest. The decision to accept or reject the application shall be sent in writing by the Board of Presidents to the applicant. The Board of Presidents may refuse to accept the application only if the person wishing to become a patron member does not meet the conditions for membership of the Association as laid down in point 5.1. There is no right of remedy against the rejection of the application.

94 The legal status of a patron member may be terminated in accordance with Title 7.

95 A patron member shall comply with the provisions of the Bylaws and the resolutions of the General Meeting and the Board of Presidents and shall pay the membership fee set by the General Meeting.

10.

The General Meeting

10.1. The General Meeting, composed of the members of the Association, is the main decision-making body of said Association.

10.2. The General Meeting decides:

- a) on the amendment of the Bylaws;
- b) on the decision to dissolve, merge or split up the Association;
- c) on the election and recall of executive officers;

- d) on the adoption of the annual budget and the setting of the membership fee;
- e) on the approval of the annual report;
- f) on the exercise of the rights of an employer over the executive officer, if that officer is employed by the Association;
- g) on the approval of any contract concluded by the Association with its own members, executive officers or their relatives;
- h) on the enforcement of claims for damages against members and executive officers of the association;
- i) on any further matters which are referred to its competence by law or by the Bylaws.

10.3. The General Meeting shall be held at least once a year.

10.4. The General Meeting shall be convened by the Board of Presidents in writing by means of a verifiable invitation sent at least 15 days before the date of the session. The invitation to the General Meeting shall include the name of the Association, its headquarters, the place and time of the General Meeting and the proposed agenda items. The items on the agenda shall be specified in the invitation at least in such detail as to enable the members entitled to vote to take a position. The invitation shall also state the place and date of the reconvened General Meeting in the event of a lack of quorum, and shall state that the reconvened General Meeting will constitute a quorum for the original agenda items, regardless of the number of participants. The invitation to the General Meeting must also be posted on the Association's website 15 days before the meeting.

10.5. Within 3 days from the date of service or publication of the invitation, the members and the bodies of the Association may request the Board of Presidents to add items to the agenda by means of a reasoned proposal. The Board of Presidents shall decide on the addition to the agenda within 2 days of receipt of the request. The Board of Presidents may, by reasoned decision, refuse to add items to the agenda or may grant the request, and shall notify its decision and, if the request is accepted, the items added to the agenda to the members in writing and in a verifiable manner within 2 days of the decision being taken. If the Board of Presidents rejects the request to add an item to the agenda or fails to take a decision on the item within the prescribed time limit, the General Meeting shall decide separately on the addition to the agenda before deciding on the adoption of the agenda.

10.6. At a General Meeting not duly convened or on a matter not duly placed on the agenda, the General Meeting may take a decision if at least three-quarters of those entitled to attend are present and unanimously agree to discuss the matter not on the agenda.

10.7. The Presidium must immediately convene the General Meeting in order to take the necessary measures if the Association's assets do not cover the debts due or are not expected to cover such debts when they fall due, or if the achievement of the Association's objectives is in jeopardy. In such a case, at the convened General Meeting, the members are obliged to take the necessary measures to remedy the circumstance giving rise to convening the meeting or to decide on the termination of the Association.

10.8. At the written request of one third of the members, indicating the agenda, the Board of Presidents shall convene the General Meeting within 15 days of the date of receipt of the request.

10.9. A member may authorise another member in writing to represent them at the General Meeting, including the exercise of voting rights. A member may only represent a maximum of two other members at the same time, and the authorisation may only relate to a specific General Meeting, no general authorisation may be granted.

10.10. In addition to members, patron members and officers, the General Meeting may be attended by persons invited by the Board of Presidents. After opening the General Meeting, the quorum, i.e. the number of members present and entitled to vote in relation to the current number of members, must be established. Prior to the discussion of the agenda items, the General Meeting shall elect by a simple majority of the votes present, by open vote, the acting chairperson, the minute-taker and the two certifiers of the minutes.

10.11. The minutes of the General Meeting shall be recorded and signed by the minute-taker and the two certifiers. The minutes shall contain the name and headquarters of the Association, the place and time of the General Assembly; the names of the acting chairperson of the General Assembly, the minute-taker, the minutes' certifier; the main events and motions of the General Assembly; the proposals for resolutions, the number and content of the resolutions, the votes cast and the number of votes against, the number of abstentions and, in case of roll-call votes, the names of the voters.

10.12. The members shall take their decisions by a majority of the votes taken into account in determining the quorum, but no person may vote on a decision

- a) who is exempted from any obligation or responsibility by the decision or who otherwise benefits from said decision at the expense of the Association;
- b) who is to be contracted under the decision;
- c) against whom legal proceedings are to be brought based on that decision;
- d) whose relative is interested in the decision who is not a member of the Association;
- e) who has a relationship based on majority influence with another organisation interested in the decision;
- f) who otherwise has a personal interest in the decision.

10.13. Unless otherwise provided by the Bylaws or by law, the General Meeting shall take its decisions by a

simple majority of votes in an open vote. The amendment of the Association's Bylaws requires a three-quarters majority vote of the members present, while the decision of the General Meeting to amend the Association's objectives and dissolve the Association requires a three-quarters majority vote of all members with voting rights.

10.14. Decisions shall be announced verbally at the General Assembly by the presiding chairperson and communicated in writing to the parties concerned in a verifiable manner within 15 days of the decision being taken, and shall be published on the Association's website and communicated in the usual manner. The decisions of the General Meeting shall be published in the registry of decisions, from which the number, content, date and scope of the decision and the number of those in favour and those against can be determined.

10.15. Members may exercise their membership rights at the General Meeting by using electronic means of communication instead of attending in person. Such a device can be any communication device (e.g. video call) allowing the simultaneous transmission of video and audio, capable of identifying the caller and providing continuous, reciprocal and unrestricted communication. The invitation must explicitly state if participation by electronic means of communication is not possible due to the lack of technical facilities.

10.16. The Board of Presidents may also convene the General Meeting in such a way that it can only be attended by electronic means of communication. The minutes of and resolutions adopted at the General Meeting shall be subject to the provisions of points 10.11 and 10.14.

11.

The Board of Presidents and executive officers

11.1. The Board of Presidents is the executive body of the Association, which decides on all matters that are not referred to the exclusive competence of the General Meeting by law or the Bylaws.

11.2. The Board of Presidents has three members: the President and two Vice-Presidents. The Vice-President appointed by the Board of Presidents shall act as spokesperson. The members of the Board of Presidents are elected by the General Meeting from among the members of the Association for a fixed term of 2 (two) years.

11.3. The members of the Board of Presidents are executive officers. The General Meeting may also appoint additional officers, who may not, however, be granted general rights of representation.

11.4. Any natural person of full age who is a member of the Association and whose capacity to act has not been limited to the extent necessary for the performance of their duties may be an executive officer. The executive officer shall perform their management duties in person.

11.5. No executive officer may be a person

- a) who has been sentenced to imprisonment by a legally binding sentence for a criminal offence until they have been exonerated from the adverse consequences of their criminal record,
- b) who is under a penalty of prohibition from performing public duties,
- c) who is prohibited from engaging in any occupation related to the activities of the Association or to the exercise of an executive function,
- d) who has been prohibited from acting as a general executive officer.

11.6. The term of office of an executive officer is terminated:

- a) by expiry of the term of the mandate,
- b) by resignation,
- c) by the death of the executive officer,
- d) by limitation of the executive officer's capacity to act to the extent necessary for the performance of their duties,
- e) by recalling the executive officer.

11.7. The General Meeting of the Association must be convened 60 days before the expiry of the term of office or within 15 days of the termination of the term of office of the executive officer for any other reason, in order to elect a new executive officer.

11.8. An executive officer may resign at any time by written declaration addressed to the Association and submitted to the Board of Presidents. The resignation shall take effect upon the election of the new executive officer or, in the absence thereof, at the latest on the 60th day following the date of notification.

11.9. The General Meeting may recall an executive officer from office by a two-thirds vote of the members present. The termination of appointment shall take effect on the date of the decision.

11.10. The Board of President has the competence to:

- a) manage the day-to-day affairs of the Association, take decisions on matters within the competence of the executive management;
- b) prepare the reports and submit them to the General Meeting;
- c) prepare the annual budget and submit it to the General Meeting;
- d) manage the Association's assets, and take and implement decisions concerning the use and investment of the assets which do not fall within the competence of the General Assembly;
- e) prepare the election of officers;
- f) convene the General Meeting, notify the membership and the bodies of the Association;
- g) prepare and implement the decisions of the General Meeting,
- h) respond to questions about the Association;
- i) decide on the admission of a member and register the membership;
- j) maintain the Association's resolutions, organisational documents and other books;
- k) preserve documents relating to the Association's activities;
- l) examine the existence of the grounds for the Association's dissolution and, in the event of such grounds, take the measures required by the Civil Code (Ptk.);
- m) remove a former member from the register of members in the event of termination of membership;
- n) decide on any matter which is referred to its competence by law or by the Bylaws.

11.12. The decisions of the Board of Presidents shall be communicated to the parties concerned in writing and in a verifiable manner within 15 days of the decision being taken, and shall be published on the Association's website and communicated to the membership in the usual manner. The decisions of the Board of Presidents shall be published in the registry of decisions, from which the number, content, date and scope of the decision and the number of those in favour and those against can be determined.

11.13. Any member of the Board of Presidents may legally represent the Association. Scope of exercising the right of representation: general. Method of exercising the right of representation: independent. The documents of the Association are handled by the members of the Board of Presidents.

11.14. The executive officers of the Association shall perform their duties without remuneration, but may claim reimbursement of reasonable and justified costs and expenses incurred in the performance of those duties.

11.15. The Association may employ a member of staff on an honorarium basis to carry out administrative tasks, to be decided by the Board of Presidents.

12.

Closing provisions

12.1. For the purposes of the Bylaws, service shall be deemed to have been effected in writing in a verifiable manner, in particular by registered mail or by return receipt requested, and by delivery to the member's electronic mail address with acknowledgement of receipt (electronic return receipt). If the written legal declaration is sent by post, it is deemed to have been received by the domestic addressee on the date of receipt indicated on the return receipt, or on the fifth working day after posting in the case of registered mail, unless proven otherwise. If the written legal declaration is sent by electronic mail, it shall be deemed to have been received by the addressee on the date of receipt indicated on the electronic confirmation of the delivery result, unless proven otherwise.

12.2. Communication in the usual manner is e.g. publication on a website.

12.3. A relative within the meaning of the Bylaws shall be deemed to be a person listed in Section 8:1 (1) 2 of the Civil Code (Ptk.).

12.5. For matters not regulated in the Bylaws, the provisions of Act V of 2013 on the Civil Code and Act CLXXV of 2011 On The Freedom Of Association, Public Benefit Status, And On The Operation Of And Subsidy For Non-Governmental Organisations shall apply.

Date: Budapest, 1 February 2021.