

# AMICALE REVIEW PROJECT – INTRODUCTION TO CLUB REPRESENTATIVES

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# 1. ISSUES WITH CURRENT AMICALE GOVERNANCE SETUP (1)

One of the main goals of the “Amicale Review Project” is to strengthen AMICALE’s **governance & legal certainty, and reducing liabilities and risks** for EPO and staff

## Key issues identified regarding AMICALE clubs:

- The legal status of the clubs is **not regulated** in EPO’s internal legal framework and their status within and the relationship with the Office is unclear
- Clubs feature **many different setups** regarding legal personality, statutes, financial governance and means, membership rules, etc.

## 1. ISSUES WITH CURRENT AMICALE GOVERNANCE SETUP (2)

- Clubs **appear as a part of the EPO**, while simultaneously they exist from a national law perspective as informal or sometimes even formal registered associations.
- This “hybrid” situation leads to a **lack of legal clarity** and causes ambiguities
- It raised questions on the **applicable data protection framework** (EPO DPR vs GDPR)
- And whether club activities/events are covered by **Office’s liability insurance**

**To address the identified shortcomings a new legal framework and AMICALE structure will be introduced**

## 2. NEW AMICALE GOVERNANCE MODEL (1)

### New legal framework:

- **Decision** of the President laying down rules for the AMICALE, its Branches and Clubs & **Agreement** between the President and the Branches of the AMICALE
  - *“A Club is an association set up at one of the Office's sites by employees in their private capacity for a specific social, cultural or sportive interest”*
- Clubs: subject to **national law** (incl. GDPR)

### New structure:

- AMICALE is as a body of a social nature, consisting of the four AMICALE branches, an AMICALE Central Committee and **complemented with the AMICALE clubs**
- AMICALE branches are integrated in the Office. **AMICALE clubs are established under national law as (non-registered) or (registered) associations.** A Central unit in the Office will support the AMICALE branches.

## 2. NEW AMICALE GOVERNANCE MODEL (2)

Office	Office Support Unit / Coordinating Unit (HR)				
Office	Committee	Central AMICALE Committee			
Office	Organisational sub entities	AMICALE Munich	AMICALE The Hague	AMICALE Berlin	AMICALE Vienna
		Local AMICALE committee	Local AMICALE committee	Local AMICALE committee	Local AMICALE committee
External	Associations under national law	Clubs Executive boards	Clubs Executive boards	Clubs Executive boards	Clubs Executive boards

### 3. LEGAL PERSONALITY OF AMICALE CLUBS

To protect Club members, Clubs shall have legal personality (as an “eingetragener Verein” in DE, a “Vereniging” in TN, and a “Verein” in Austria), subject to national law, if at least one of the following conditions applies:

- If the Club receives any form of income in addition to its membership fees or the subsidy it receives from the Office.
- If the Club holds and controls assets that require insurance.
- If the Club intends to enter into contracts which could result in unreasonable personal liability when concluded by an individual person.
- If the Club conducts activities which are not covered by the Office’s liability insurance.

Where none of these criteria apply, Clubs are not required to obtain legal personality for recognition by the AMICALE

## 4. RECOGNITION OF CLUBS

To be eligible for recognition by the AMICALE, a Club shall fulfil the following conditions:

- It shall have at least 7 members, of which 50% are Office employees in active employment.
- It shall have an elected committee consisting of active staff, and at a minimum a Chairperson, a Secretary and a Treasurer.
- It shall have a founding instrument containing operational and governance regulations.
- Its name shall comply with Article 4(1) of the Agreement.
- It shall hold at least one inaugural General Assembly.
- It shall provide a minimum set of information to be published on the Office's intranet.



## 5. MEMBERSHIP OF A CLUB AND PARTICIPATION TO EVENTS

### Membership of Clubs:

- Employees referred to in Article 1 of the ServRegs
- Family members forming part of their household
- Former employees of the Office as referred to in Article 1(3) of the ServRegs
- SNEs under the Office's SNE policy
- Partners of the SNEs

### Participation in Club events:

- Club members
- Persons eligible for membership (see above)

## 6. EPO SUBSIDIES TO CLUBS

In order to be eligible for receiving subsidies by the Office, a Club shall fulfil the following **conditions**:

- It shall satisfy the recognition criteria and exist as a Club.
- It shall provide minutes of its annual General Assembly including an activity report of the previous year and the planning of activities for the upcoming year.
- It shall provide a financial report on the previous year which gives information on the Club's income, expenditure and existing available means.
- It shall provide a list of all club members, including an indication whether they are in active employment, a family member, etc.
- Its request for a subsidy shall contain detailed information on the expenditure which is envisaged to be carried out with such subsidy and shall be submitted to its Local AMICALE Committee.

Subsidies by the Office may only be transferred to a **bank account** that is being held in the name of

## 7. CLUB MANUALS

**The Decision & Agreement will be complemented with Club Manuals incl. legal manuals** with guidance for registration as an association in Germany, Austria and the Netherlands.

Provide practical guidance to existing or new AMICALE Clubs to

- benefit from recognition by AMICALE and
- comply with national regulations if required to have legal personality

## 8. TIMELINE AND NEXT STEPS

- 4 & 11 Sep:** 2 info meetings with AMICALE Club representatives
- 17 Nov:** GCC consultation
- 1 Jan 2026:** Entry into force and introduction of transitional measures

# ANNEX

## Article 4

### AMICALE Clubs

(1) A Club is an association set up at one of the Office's sites by employees in their private capacity for a specific social, cultural or sportive interest. A club's name shall, in one of the Office's official languages, contain the term "AMICALE" and a reference to the subject matter it is established for.

(2) Clubs shall have legal personality (as an "eingetragener Verein" in Germany, a "Vereniging" in the Netherlands, and a "Verein" in Austria), subject to national law, if at least one of the following conditions applies:

- a) If the Club receives any form of income in addition to its membership fees or the subsidy it receives from the Office.
- b) If the Club holds and controls assets that require insurance.
- c) If the Club intends to enter into contracts which could result in unreasonable personal liability when concluded by an individual person.
- d) If the Club conducts activities which are not covered by the Office's liability insurance.

(3) Where none of the above criteria apply, Clubs are not required to obtain legal personality for recognition by the AMICALE.

(4) Events and activities organised by a Club shall take place at or near one of the Office's sites. Exceptionally, events and activities may take place at a different location where the nature of the event or activity would make it impractical to hold such an event or activity near a site of the Office.

(5) Membership in a Club shall be limited to employees referred to in Article 1 ServRegs, family members forming part of their household, former employees of the Office as referred to in Article 1(3) ServRegs, as well as SNEs under the Office's SNE policy, and their partners. Clubs may charge fees for membership.

(6) Participation in events and activities of a Club shall be reserved to its members and persons eligible for membership under paragraph (5).

(7) Subsidies by the Office may only be transferred to a bank account that is being held in the name of the Club.

(8) To be eligible for recognition by the AMICALE, a Club shall fulfil the following conditions:

- a) It shall have at least 7 members, of which 50% are Office employees in active employment.
- b) It shall have an elected committee consisting of active staff, and at a minimum a Chairperson, a Secretary and a Treasurer.
- c) It shall have a founding instrument containing operational and governance regulations.
- d) Its name shall comply with Article 4(1) of this Agreement.
- e) It shall hold at least one inaugural General Assembly.
- f) It shall provide a minimum set of information to be published on the Office's intranet.



(9) In order to be eligible for receiving subsidies by the Office, a Club shall fulfil the following conditions:

- a) It shall satisfy the recognition criteria and exist as a Club.
- b) It shall provide minutes of its annual General Assembly including an activity report of the previous year and the planning of activities for the upcoming year.
- c) It shall provide a financial report on the previous year which gives information on the Club's income, expenditure and existing available means.
- d) It shall provide an overview of the number of club members in each category (employees, former employees, family members).
- e) Its request for a subsidy shall contain detailed information on the expenditure which is envisaged to be carried out with such subsidy, and shall be submitted to its Local AMICALE Committee.

(10) Where a Club no longer meets the conditions for recognition, it shall remove any reference to the AMICALE in its name and deregister the name.

(11) Clubs shall not engage in profit making activities.