

Bylaws

Name, office and purpose

Art. 1 Name and official languages

- ¹ swimsa (The Swiss Medical Students' Association) is an association in accordance with Art. 60 et seqq. of the Swiss Civil Code. The association may also be referred to as:
 - a. Verband Schweizer Medizinstudierender;
 - b. Association Suisse des Étudiant-e-s en Médecine;
 - c. Associazione Studenti di Medicina Svizzeri.
- ² The official languages used are German, French, Italian, and English. The purposes of the official languages are the following:
 - a. swimsa encourages the use of these languages and recommends their use in communication with members, medical students, and external partners.
 - b. A list of the documents which must be available in the official languages is included in appendix D regulations. The bylaws must exist in every official language defined by swimsa.
- ³ swimsa and its organs are party political and confessionally neutral.

Art. 2 Office

The office is located at Bern, BE.

Art. 3 Vision and purposes

- ¹ The purposes of the association are the following:
 - a. To represent Swiss medical students at a local, national and international level;
 - b. To create networking among Swiss medical students on a national and global scale;
 - c. To enable Swiss Medical Students to pursue high-quality training and advocate for public health;
- ² swimsa has a vision of a society in which Swiss medical students are connected to each other on a national and global scale and feel empowered to advocate high-quality education and public health.
- ³ swimsa does not pursue any commercial goals and does not seek profit. Any profit made shall be used exclusively for the implementation of the purposes of the association.

Membership

Art. 4 Members

- ¹ swimsa distinguishes the following types of membership:
 - a. Full members
 - i. Full members represent and act on behalf of the medical students of a medical faculty of a Swiss university.
 - ii. Full members must be representatives of a medical faculty recognized by the Swiss Confederation.
 - iii. A recognized medical faculty must not be represented by more than one full member.
 - b. Associate members
 - i. Associate members act on behalf of health promotion, the promotion of a modern and holistically medical education or the delivery of humanitarian aid.
 - ii. Associate members will initially join as candidate members for the duration of one year.
- ² Intent and purpose of members must be consistent with the bylaws of swimsa.

Art. 5 Admission of members

- ¹ The executive board ensures that potential new members are given the opportunity to stand for election at an upcoming DV/AD. The membership application as well as a recommendation will be provided by the board.
- ² The Delegates' Assembly shall decide upon the admission of a member. An application can be refused without reasons being given. A new member shall receive a notification of admission enclosed with the bylaws.
- ³ Candidate members retain their status until the Delegates' Assembly one year after their admission as candidate members. At the Delegates' Assembly, the objectives achieved during the past twelve months must be presented. The Delegates' Assembly decides upon the final admission of candidate members by means of a second election.
- ⁴ The decision on the acceptance of a new candidate member or the definitive acceptance requires a 2/3 (two thirds) majority of the present electorate.

Art. 6 Resignation of members

- ¹ Membership can only be terminated as of August 31 of every fiscal year of the Association, following a notification at the Delegates' Assembly in spring and an email to the Secretary General until the 17th of August respectively. The termination shall be deemed completed if and when all obligations towards swimsa are fulfilled.
- ² In the event of the dissolution of a member, the executive board shall be informed immediately. The membership is therewith terminated automatically. The executive board shall communicate the dissolution at the following Delegates' Assembly.

Art. 7 Exclusion of members

- ¹ Upon reasoned submission by the executive board, the Delegates' Assembly may hold a ballot on the exclusion of members.
- ² This requires a $\frac{2}{3}$ majority of the attendees.
- ³ If candidate members have not been definitively admitted as associate members one year after admission, automatic termination shall follow.
- ⁴ If a member fails to submit the required Impact-Measurement report three semesters in a row, automatic termination shall follow.
- ⁵ Following two successive failures to submit the Impact-Measurement report, the Vice-President for Internal Affairs shall contact the member.

Art. 8 Rights of members

- ¹ Full members and associate members have the right to speak and propose at the Delegates' Assembly, as well as voting and election rights if the requirements laid out in Art. 9 are fulfilled.
- ² Candidate members have the right to speak and propose at the Delegates' Assembly.
- ³ In the event of lack of fulfillment of the obligations in accordance with article 9, the member loses the right to vote for the duration of the following Delegates' Assembly.

Art. 9 Obligations of members

- ¹ Full members shall
 - a. report at least one official contact person to the Vice-President for Internal Affairs;
 - b. lodge their currently valid bylaws with swimsa;

- c. hand in a report conforming to standards concerning the activities and members for the attention of Vice-President for Internal Affairs for the purpose of Impact Measurement;
 - d. pay annual membership dues;
 - e. Participate at the Presidents' Meeting, unless excused by the Vice-President for Internal Affairs;
 - f. fulfill their duties as laid down in sections a to e by no later than two weeks prior to the Delegates' Assembly.

² Associate members shall

- a. report at least one official contact person to the Vice-President for Internal Affairs;
- b. lodge their currently valid bylaws with swimsa;
- c. hand in a report conforming to standards concerning the activities and members for the attention of Vice-President for Internal Affairs for the purpose of Impact Measurement;
- d. Participate at the Projects' Meeting, unless excused by the Vice-President for Internal Affairs;
- e. fulfill their duties as laid down in sections a to d by no later than two weeks prior to the Delegates' Assembly.

³ Candidate members shall

- a. report at least one official contact person to the Vice-President for Internal Affairs;
- b. lodge their currently valid bylaws with swimsa;
- c. hand in a report conforming to standards concerning the activities and members for the attention of Vice-President for Internal Affairs for the purpose of Impact Measurement;
- d. fulfill their duties as laid down in sections a to c by no later than two weeks prior to the Delegates' Assembly.

Organization

Art. 10 Organs

- A. Delegates' Assembly
- B. Executive Board
- C. AK/CoFo
- D. Exchanges
- E. Supervising Council (SVC)
- F. Auditors

G. External secretary's office

All organs but the external secretary's office and the auditors less expenses are maintained on a voluntary basis.

Delegates' Assembly (DV/AD)

Art. 11 Miscellaneous

- ¹ The Delegates' Assembly is the supreme organ of swimsa.
- ² The ordinary Delegates' Assembly takes place once every semester.
- ³ The formal structure of the Delegates' Assembly is governed by the provisions of the Delegates' Assembly (appendix B).
- ⁴ The Delegates' Assembly is open to Swiss medical students and members of member organizations.
- ⁵ The Delegates' Assembly constitutes a quorum consisting of all delegates present.
- ⁶ The delegates will exercise the voting right of the full members and the associate members. Each delegate shall have one vote. Voting rights cannot be accumulated.
- ⁷ Invitations to the Delegates' Assembly shall be dispatched no later than four weeks prior to the date of the meeting.

Art. 12 Composition

- ¹ The Delegates' Assembly is composed of the full members' delegates, the associate members' delegates, and the candidate members' delegates.
- ² Each full member shall in principle be entitled to two delegates. Furthermore, full members exceeding the number of 500 members shall be entitled to one additional delegate, one more additional delegate shall the number exceed 1000, a further three delegates if exceeding 1500 members and from 2000 members onwards four additional delegates.
- ³ Each associate member shall in principle be entitled to one delegate.
- ⁴ Each candidate member shall in principle be entitled to one delegate.

Art. 13 Designation of delegates

- ¹ Delegates shall be designated by the executive organ of a member and reported to the Secretary General.
- ² Delegates shall report the names of potential representatives to the Secretary General prior to the Delegates' Assembly.

Art. 14 Extraordinary Delegates' Assembly

- ¹ In the event of an urgent matter at the request of either the executive board, two full members, five associate members, the

Supervising Council (SVC), the AK/CoFo, or Exchanges, an extraordinary Delegates' Assembly may be convened stating notice of reasons.

- ² An extraordinary Delegates' Assembly shall be scheduled within three months by the executive board with the assistance of the convened organ(s) or members.
- ³ An extraordinary Delegates' Assembly constitutes a quorum if at least one third of member organizations with at least one delegate are present.

Art. 15 Duties of the Delegates' Assembly

- ¹ The Delegates' Assembly shall have the following duties:
 - a. Adoption of the protocol of the previous Delegates' Assembly;
 - b. Election of the session's presidency and tellers;
 - c. Adoption of the board's report;
 - d. Adoption of the Supervising Council's report;
 - e. Amendment of the bylaws;
 - f. Admission and exclusion of members;
 - g. Resolution regarding the collaboration with other organizations; This may also take place by means of circular resolution, see article 18.
 - h. Resolution regarding joining of and withdrawal from other organizations;
 - i. Voting on motions;
 - j. Adoption of swimsa's official logo and slogan;
 - k. Liquidation of swimsa;
 - l. Granting a mandate in accordance with article 17.
- ² In addition, the Delegates' Assembly of the spring term shall discuss the following agenda items:
 - a. Election of all board members;
 - b. Election of auditors;
 - c. Election of the members of the Supervising Council;
 - d. Election of the National Officers;
 - e. Adoption of the annual budget.
- ³ In addition, the Delegates' Assembly of the fall term shall discuss the following agenda items:
 - a. Discharge of the executive board of the previous term of office;
 - b. Acceptance of the annual financial statement and auditor's report.

- c. If need be, election of the positions listed in article 15.2.

Art. 16 Votes

- 1 Where not specified differently in the bylaws, the Delegates' Assembly shall pass a resolution by a simple majority.
- 2 Resolutions to amend the bylaws, admit and exclude a full member, an associate member or a candidate member, and to liquidate the association require a $\frac{2}{3}$ majority.
- 3 In the event of a tie, the President of swimsa shall have the casting vote. In case no President has been elected, the Executive Board chooses a replacement from the Executive Board members and presents this choice to the Delegates' Assembly for election.
- 4 The votes shall be cast by means of voting cards or the use of online tools.
- 5 At the request of a delegate or the session's presidency, a secret ballot shall be conducted.

Art. 17 Mandate

- 1 The Delegates' Assembly may grant the Mandate to the executive board as a motion;
- 2 The mandate shall be submitted by at least one member of swimsa and accepted by the simple majority;
- 3 The mandate shall include clear duties as well as a termination date.
- 4 The executive board presents the Delegates' Assembly with a report. This report may be accepted with a simple majority which effects the termination of the mandate.
- 5 Mandates with a duration of more than one year shall be extended annually by the Delegates' Assembly.

Art. 18 Circular Resolution

- 1 In the event of an urgent matter, a circular resolution may be conducted. It may be introduced by any member and organ of swimsa and shall be approved by the executive board.
- 2 The time limit for circular resolutions is at least two weeks.
- 3 A circular resolution is subject to the same quorum as an extraordinary Delegates' Assembly.
- 4 Two full members or three associate members may, stating reasons, demand to

adjourn the circular resolution until the following Delegates' Assembly.

- 5 The collaboration with other organizations may be voted on by means of a circular resolution.

Art. 19 Referendum

Unless otherwise indicated, the adoption of and changes to regulations and statements is subject to an optional referendum as follows:

- 1 After the executive board has dispatched the documents, members shall be entitled to call for a referendum within two weeks.
- 2 This requires a written appeal against the document at hand to the Secretary General by two full members or three associate members.
- 3 In the event of statements from the committees, the referendum can also be called for by the executive board.
- 4 In this case, the document remains invalid. The subsequent Delegates' assembly or a circular resolution can decide on its acceptance.

Art. 20 Policy Paper

- 1 A policy paper reflects the opinion of swimsa about a specific topic. This opinion shall be consistent with the vision and goals of swimsa and is subject to their bylaws.
- 2 Everyone with the right to propose a motion as well as the AK/CoFo can propose a policy paper.
- 3 The DV/AD shall make its decision on the papers by means of an absolute majority vote.
- 4 A policy paper must be available in every official language of swimsa within six months after its acceptance.
- 5 Policy papers expire after 5 years, unless they are revised and put to a vote again by the DV/AD as soon as the due date is reached.
- 6 Policy papers of the IFMSA or VSS/UNES/USU may be adopted as position papers of swimsa, provided that they are proposed by one of swimsa's members or organs and accepted by the Delegates' Assembly as stated in subsection 3.

Art. 21 Statements

- 1 swimsa's organs may issue statements on topics concerning their respective areas of responsibility.

- 2 Statements are in principle subject to the referendum in accordance with article 19.
- 3 Statements based on a valid position paper of swimsa are excluded from the referendum.
- 4 The EB is granted the authority to release an urgent statement in the name of the swimsa EB addressing exigent matters; however, such communication is subject to a mandatory 72-hour referendum period, in accordance with art 19.2.
- 5 Whether or not a statement is based on a valid position paper of swimsa is subject to the executive board's verdict.
- 6 Statements must exist in English. Every other official language of swimsa may be chosen in addition.

Art. 22 Elections

- 1 Elections are subject to the absolute majority.
- 2 The votes shall be cast by means of voting cards or the use of online tools.
- 3 Students of full members or associate members may be elected. Solely students of full members may be elected for a board position. This does not apply to the Supervising Council, which is subject to the regulations in accordance with article 38.
- 4 At the request of a delegate or the session's presidency, a secret election shall be conducted.
- 5 The board members shall be elected individually.
- 6 Reelection is possible.
- 7 If an ordinary election takes place at the Delegates' Assembly in spring, the term of office lasts one year. It commences September 1 and ends August 31.
- 8 The period between the Delegates' Assembly in spring and assumption of office shall be dedicated to the handing over of office. If an election takes place at another, regular, or extraordinary Delegates' Assembly, the term of office ends August 31 as well.
- 9 In the event that a position remains vacant, the executive board can elect persons ad interim. Members of the Supervising Council or audit are excluded from this and shall be elected by means of circular resolution.

Executive Board

Art. 23 Composition

- 1 The executive board is elected at the Delegates' Assembly in spring, as well as vacant positions at the following Delegates' Assembly.
- 2 The executive board is represented by the following areas:
 - a. The President
 - b. The Vice-President for Medical Education
 - c. The Vice-President for External Affairs
 - d. The Vice-President for Communication
 - e. The Vice-President for Internal Affairs
 - f. The Vice-President for Exchanges
 - g. The Vice-President for Global Affairs
 - h. The Treasurer
 - i. The Secretary General
- 3 A member of the EB needs to be enrolled as a medical student in a Swiss university during the majority of the elected period.

Art. 24 General Duties

- 1 The executive board conducts the affairs of the association and represents it to the outside world. The executive board:
 - a. Securing contact and communication among members;
 - b. Organization and execution of the Swiss Medical Students' Convention and the Delegates' Assembly. The board shall contact the host of the Swiss Medical Students' Convention in due time;
 - c. Securing membership with IFMSA;
 - d. Managing the contact database and archive;
 - e. Fulfills its duties in accordance with the guidelines and updates those regularly;
 - f. Is concurrently the executive board of section 555 and LO-VSAO/ASMAC. Section 555 includes all medical students who are members of the LO-VSAO/ASMAC;
 - g. Decision on the selection of the Swiss delegation at international congresses in accordance with guidelines;
 - h. May issue position papers and statements;
 - i. In the event of a vacant position, appoints a person ad interim.
- 2 Members of the executive board who are appointed ad interim shall exercise the

same rights and duties as members who are elected regularly.

³ Members of the executive board of the previous term of office shall be at the disposal of the current members of the board for matters which have not been completed until their discharge by the DV/AD.

⁴ Each member of the board is authorized to sign for their respective area.

Art. 25 Regulations

¹ Each member of the board can issue regulations concerning their respective area.

² Regulations are binding.

³ In the event that a referendum is lodged in accordance with article 19, regulations shall not be implemented until their acceptance by the Delegates' Assembly.

⁴ A list including the title and date of the regulations' entry into force shall be attached to the bylaws.

⁵ Regulations shall be provided either in all official languages of swimsa or at least in English, as defined in appendix D. Regulations.

Art. 26 Additional Duties

The additional duties of the board members are described in the job booklet.

Art. 27 Board Meetings

¹ The board shall meet as often as business requires.

² Resolutions made by circular letter, including email, shall be valid, provided that no member of the board demands oral deliberation.

Art. 28 The Executive Board's Coordinators

The executive board may transfer duties to coordinators.

The AK/CoFo

Art. 29 Purpose of the AK/CoFo

¹ The AK/CoFo is the democratic organ of swimsa and defines swimsa's positions on matters of medical education.

² The AK/CoFo quickly and efficiently takes a stance on current matters. For this purpose, it may adopt statements on behalf of the AK/CoFo. These statements may be put to a vote at the DV/AD if need be.

³ The AK/CoFo's sessions and protocols shall in principle be public.

⁴ Sessions and protocols may be declared confidential. In this case, the executive board shall control access on the

suggestion of the Vice-President for Medical Education.

⁵ The official representatives' duties are laid down in the guidelines.

Art. 30 Members of the AK/CoFo

¹ Each full member delegates one and no more than two official representatives to the AK/CoFo.

² The full members report their official representatives and their deputies in the AK/CoFo to the Vice-President for Medical Education at the beginning of each semester.

³ The representatives of the full members have a voting right in the AK/CoFo. Voting rights cannot be accumulated.

⁴ Invited associate members and partner organisations are members of the AK/CoFo without voting rights. Exceptions to this are:

a. SCS (Swiss Chiropractic Students) with 1 voting right

⁵ swimsa's Liaison Officers, National Officers and members of the board are members of the AK/CoFo without voting rights and are not eligible to represent full members with voting rights.

⁶ The AK/CoFo is presided by the Vice-President for Medical Education (VPA). The VPA has the casting vote in the event of a tie.

⁷ The AK/CoFo constitutes a quorum if at least five members with voting rights are present

Art. 31 Statements of the AK/CoFo

¹ After expiry of the referendum period in accordance with article 19, the statements of the AK/CoFo shall be deemed the official opinion of swimsa regarding the respective matters until the AK/CoFo or the DV/AD nullify the statement.

² Statements may be issued on the basis of swimsa's position papers, swimsa's vision, or the IFMSA's policy papers.

³ Statements may be passed within the AK/CoFo by means of circular resolution.

Art. 32 Other provisions

The AK/CoFo may establish provisions concerning their internal organization.

Liaison Officers

Art. 33 Liaison Officers

¹ A Liaison Officer represents swimsa in a committee and, if not otherwise agreed, drafts a report after every committee

meeting on behalf of the Vice-President for Medical Education, the President, and the Vice-President for External Affairs.

² The Liaison Officers are elected by the executive board.

³ The following Liaison Officers are appointed for one year after the Delegates' Assembly in spring: FMH (1 seat), LO-FOPH (1 seat), and VSS (1 seat).

⁴ The LO-MEBEKO and LO-PH are normally appointed after the Delegates' Assembly in fall. The term of office commences January 1 of the year following the election and lasts two years.

⁵ The LO-VSAO/ASMAC is appointed in fall. The term of office commences January 1 of the year following the appointment and lasts two years. The election is confirmed by the central executive committee of the VSAO/ASMAC.

⁶ The two seats in the SMIFK are occupied by the President and the Vice-President for Medical Education.

⁷ Attendance fees of the Liaison Officers are charged to the income of swimsa.

National Officers

Art. 34 National Officers

¹ The National Officers are elected by the Delegates' Assembly in spring, as well as vacant positions at the following Delegates' Assembly.

² The following positions are represented as National Officers:

- a. National Officer on Sexual and Reproductive Health and Rights including HIV and AIDS (NORA)
- b. National Exchange Officer for Incomings (NEO-In)
- c. National Exchange Officer for Outgoings (NEO-Out)
- d. National Officer on Research Exchange (NORE)
- e. National Officer for Capacity Building (NOCB)
- f. National Public Health Officer (NPO)
- g. National Officer on Human Rights and Peace (NORP)
- h. National Officer for Medical Education (NOME)

³ General duties

- a. The National Officers are responsible for swimsa's exercise of voting rights in the Standing

Committee Sessions of the IFMSA's meetings.

b. The National Officers coordinate swimsa and their members' work in their designated areas.

c. More detailed duties are laid down in the guidelines.

d. The National Officers draft a yearly report.

Pilot Projects

Art. 35 Pilot projects

¹ The EB may create new NO and LO positions as a pilot project.

² A pilot project has a minimum duration of one year and a maximum duration of two years. After successful implementation of a pilot project, a report shall be presented to the delegates' assembly and the position shall be added to the bylaws.

³ The EB appoints people to a pilot project position.

Exchanges

Art. 36 Purpose of Exchanges

⁴ The purpose is the organization and execution of international IFMSA exchange programs (SCOPE and SCORE) for medical students who are enrolled in a medical faculty in Switzerland.

⁵ Exchanges coordinates the exchange program with the medical faculties, teaching hospitals of the universities, and the relevant authorities.

⁶ Exchanges exercises swimsa's right to vote in the SCOPE/SCORE Sessions of the IFMSA's meetings.

⁷ Exchanges supports students from third countries in the obtainment of an entry and work permit by means of a transfer confirmation.

Art. 37 Composition of Exchanges

¹ The members of Exchanges are the following:

- a. Vice-President for Exchanges (VPX)
- b. National Exchange Officer for Incomings (NEO-In)
- c. National Exchange Officer for Outgoings (NEO-Out)
- d. National Officer on Research Exchange (NORE)
- e. Assistants of National Exchange Officer's (NEO-In & NEO-Out/NORE assistant)
- f. National Exchanges Treasurer (NET)

- g. Third-State Coordinator (TSC)
- h. Local Exchange Officers (LEOs)
- i. Local Officers on Research Exchange (LOREs)
- j. Contact Person (CPs)

² Exchanges is presided over by the Vice-President for Exchanges.

Art. 38 Definition of NExT

¹ The National Exchanges Team is the executive organ of Exchanges. Its responsibilities include:

- a. The organization of the Exchanges' finances. The EB can, after discussion with the NExT, change the NExT's decisions if there are possible implications of these decisions for the swimsa budget.
- b. The organization of Exchanges events.
- c. It may issue statements about topics concerning exchange programs, analogous to the statements by the AK/CoFo. Furthermore, position papers may be presented at the Delegates' Assembly.
- d. It may establish provisions concerning their internal organization.

² The National Exchanges Team (NExT) consists of:

- a. Vice-President for Exchanges (VPX)
- b. National Exchange Officer for Incomings (NEO-In)
- c. National Exchange Officer for Outgoings (NEO-Out)
- d. National Officer on Research Exchange (NORE)
- e. Assistants of National Exchange Officer's (NEO-In & NEO-Out/NORE assistant)
- f. National Exchanges Treasurer (NET)
- g. Third-State Coordinator (TSC)

Art. 39 Other provisions

- ¹ Detailed duties of the NExT are described in the Job-Booklet.
- ² The National Officers are discussed within Exchanges and recommended for election at the Delegates' Assembly in spring. In the event that a candidate is nominated by the audience, the NExT is given 10 minutes to confer before stating a recommendation.
- ³ The members of the Exchange team are subject to IFMSA's SCOPE and SCORE regulations.

Supervising Council (SVC)

Art. 40 Composition and duties

The Supervising Council (SVC)

- a. is composed of at least one person elected by the Delegates' Assembly but no more than three people;
- b. may be composed of students and/or former students, provided that they are not occupying a position at swimsa elected by the Delegates' Assembly or the executive board, or an official position at swimsa;
- c. assists the executive board in an advisory capacity;
- d. shall receive access to the executive board's exchange platform for documents;
- e. investigates potential violations of the bylaws or other grievances within swimsa upon request by any Swiss medical student or members of member organizations;
- f. Everyone who is active in one of swimsa's positions elected by the Delegates' Assembly or the executive board is obliged to disclose one's activities upon request by the SVC;
- g. presents the Delegates' Assembly with a report.

Auditors

Art. 41 Composition and duties

- ¹ The EB is seeking an external auditor.
- ² The external auditors shall be recommended to and elected by the Delegates Assembly.
- ³ The external auditors shall prepare an annual written audit report on the financial statements of swimsa and submit it to the Delegates Assembly for approval.
- ⁴ The external auditors cannot be appointed ad interim by the EB.

External secretary's office

Art. 42 Composition and duties

- ¹ The swimsa has an external secretary's office to assist the executive board and other elected positions. This serves professionalization and continuity.
- ² The external secretary's office may be delegated duties. However, the respective person within swimsa remains responsible for the execution of those duties.
- ³ The external secretary's areas of activity shall be settled contractually.

Legal Counsel

Art. 43 Legal Counsel

- ¹ The swimsa has a Legal Counsel. It gets appointed by the executive board and is subordinate to it in organizational terms.
- ² The following duties are essentially attributed to the Legal Counsel:
 - a. Counseling of the executive board on any legal matter. Upon consultation of the executive board the consultancy of the Legal counsel is at the disposal of the members according to Art. 4.
 - b. Declaration in case of disagreement concerning the interpretation of the bylaws. The definitive decision on the interpretation of the bylaws is in the hands of the Supervising Council (SVC).
 - c. Declaration and control of planned changes in the bylaws.
 - d. Further duties following instruction by the executive board.

Finances

Art. 44 Sources of income

swimsa's sources of income are the following:

- a. membership fees of full members;
- b. attendance fees of the committees;
- c. sponsorship money;
- d. faculty funds.

Art. 45 Membership fee

The membership fee is 10 rappen (CHF 0.10) per member of a full member per year.

Art. 46 Liability

swimsa shall be liable only to the extent of the Association's funds. Members or individuals are in no way liable.

Expenses

Art. 47 Attendance Fees

Attendance fees will not be charged.

Art. 48 Clawback of expenses

Clawback of expenses is effected pursuant to regulations.

swimsa Fund

Art. 49 swimsa Fund

- ¹ The swimsa fund provides financial support for its members.
- ² The source of income for the swimsa fund are the following:
 - a. Annual budgeted contribution by swimsa
 - b. Excess SMSC reserves
 - c. Extraordinary contributions

³ The procedure is subject to the respective regulations.

⁴ The swimsa fund is managed by the treasurer. The executive board is the decision-making body.

IFMSA (International Federation of Medical Students' Associations)

Art. 50 IFMSA Membership

- ¹ swimsa is the official Swiss member of the IFMSA and therefore pays for membership fees.
- ² Vice-President for Global Affairs holds the responsibility to perform the duties required for the retention of full membership in the IFMSA including the right to vote and elect in the General Assembly. They are supported by the executive board as well as the Head of the Delegation team.
- ³ In the event that swimsa is unable to take the necessary precautions to secure membership in the IFMSA, this task shall be transferred to a full member.

Art. 51 Attending events of the IFMSA

The executive board elects the delegation based on a selection procedure defined by the board, as laid down in the respective guidelines.

U ROCK swimsa Award

Art. 52 U ROCK swimsa Award

- ¹ Exceptional commitment within swimsa and its member organizations is awarded with the U ROCK swimsa Award.
- ² It is awarded biannually during the Swiss Medical Students' Convention.
- ³ The candidates may be recommended by the members, are selected by the executive board, and will stand for election at the Delegates' Assembly.
- ⁴ If the Delegates' Assembly does not take place at the same time as the Swiss Medical Students' Convention, the members may vote with according numbers of votes of the previous Delegates' Assembly for the winners by means of online voting. The online voting shall be opened no later than one week prior to the Swiss Medical Students' Convention.
- ⁵ The winners of the U ROCK swimsa Award will be listed by name and year in appendix C of the bylaws and on the official swimsa website.

Final Provisions

Art. 53 Merger, Liquidation, use of funds and archive

- ¹ In the event that the Delegates' Assembly decides the liquidation of swimsa, the archive shall be transferred to the VSAO, on condition that this archive be used for a potential refoundation of an organization for medical students.
- ² A merger can only take place with another legal entity that is domiciled in Switzerland and has a tax-exempt status due to non-profit or public purpose.
- ³ In the event of dissolution, the profits and funds shall be transferred to another legal

entity domiciled in Switzerland which has a tax-exempt status due to non-profit or public purpose and which pursues the same or a similar purpose. A distribution of the funds between members is impossible. The use of funds in case of liquidation shall be decided upon by the Delegates' Assembly by a $\frac{2}{3}$ majority.

Art. 54 Entry into Force

These bylaws replace all previous versions. In case of ambiguity, the German version of the bylaws is legally binding.

2 Appendix

- A. List of members
- B. Provisions of the Delegates' Assembly
- C. U ROCK swimsa Award
- D. Regulations

A List of members

I. Full members

AEMG	Association des Étudiant-e-s en Médecine de Genève
AEML	Association des Étudiantes en Médecine de Lausanne
ANEM	Association Neuchâteloise des Etudiants en Médecine
FaMBa	Fachschaft Medizin Basel
FaMed	Fachschaft Medizin Fribourg
FluMed	Fachverein Luzerner Medizinstudierender
FSMB	Fachschaft Medizin Bern
FVMed	Fachverein Medizin Zürich
MESa	Health and Technology ETH Zürich - MESa (Medical Student Association)
MUS	Medizinstudierende an der Universität St. Gallen
smusi	Studenti di medicina dell'USI

II. Associate Members

AL	Achtung Liebe Schweiz
AGT	Aufklärung gegen Tabak
ASC	Action Santé Communautaire
ASTiM	Associazione Studenti Ticinesi di Medicina
CCEAM	Committee on Cultural Competence and Ethical Awareness in Medicine
CLASH	Collectif de Lutte contre le Sexisme en milieu Hospitalier
D&D	Doctors and Death
EROS	Education, Relation et Orientation Sexuelles
ESCO	Escolhares
GRUHU	Gruppe für Unterassistentinnen und medizinische Entwicklungsarbeit
H4F	Health for Future
JSEMS	Junior Sports and Exercise Medicine Switzerland
MCH	Marrow Schweiz
MEDIC	Medical Emergency & Disaster Introduction Courses
MedSICS	Med Sana in Corpore Sana
M.E.T.I.S.	Mouvement des Étudiantes Travaillant contre les Inégalités d'accès à la Santé
MS	Medstache
NC WIKI	Numerus Clausus WIKI
POZH	Projekt Organspende Zürich
SCS	Swiss Chiropractic Students
TBS	Teddybärspital Schweiz
UAEM	Universities Allied for Essential Medicines
YS	Young Sonographers

B Provisions of the Delegates' Assembly

I. Introduction

The present provisions in accordance with article 11.3 lay down the formal regulations of the Delegates' Assembly. In the event of divergence, swimsa's bylaws are legally binding.

II. General definitions

¹ Delegates' Assembly

The Delegates' Assembly is the highest decision-making body of swimsa. Its duties are laid down in article 15.

² Participants

The participants of the Delegates' Assembly are defined in the following list. In the event of an accumulation of offices, the participants concerned are entitled to the rights of their first position in the order of the following list.

- a. members of the board (executive board);
 - i. right to speak and propose;
 - ii. President is entitled to the casting vote (article 16.3);
- b. National Officers;
 - i. right to speak and propose;
- c. Session's presidency;
 - i. right to speak and propose;
 - ii. The session's presidency is preferably composed of one or two people, external or members of the SVC, and is preferably bilingual;
 - iii. The session's presidency (following a proposal by the executive board) is elected by the DV/AD at the beginning of the Assembly;
- d. Supervising Council;
 - i. right to speak and propose;
- e. Delegates of full members (article 4);
 - i. right to elect, vote, speak, and propose;
- f. Delegates of associate members (article 4);
 - i. right to elect, vote, speak, and propose;
- g. Delegates of candidate members (article 4);
 - i. right to speak and propose;
- h. Liaison Officers;
 - i. right to speak and propose;
- i. Guests;
 - i. right to speak;
 - ii. A guest list shall be handed in by the executive board to the session's presidency at the beginning of the Delegates' Assembly;
 - iii. By way of exception, the session's presidency may add one person to the guest list;
- j. Candidates;
 - i. right to vote solely during the election procedure (provision 10.c);
- k. Audience;
 - i. right to vote solely to answer a direct question.

Members	right to speak	right to propose	right to elect	right to vote	casting vote
swimsa executive board	Yes	Yes	No	No	Only President
Delegates of full members	Yes	Yes	Yes	Yes	No
Delegates of associate members	Yes	Yes	Yes	Yes	No
Delegates of candidate members	Yes	Yes	No	No	No
Liaison Officers	Yes	Yes	No	No	No
Meeting's chair	Yes	Yes	No	No	No
Supervising Council (SVC)	Yes	Yes	No	No	No
Guests	Solely if granted by the meeting's chair	No	No	No	No
Candidates	Solely during election procedure	No	No	No	No
Audience	Solely to answer a direct question	No	No	No	No

³ Motions and amendments

Motions are objects, which are voted on by the delegates. Motions can be made in various ways and have to be explicitly defined by the movant.

- a. Motions of resolution: The written motions serve the adoption of an amendment of the bylaws, official statements, the budget, and the annual financial statement, etc. They have to be registered in accordance with provision 7.b.
- b. Procedural motions: These verbal motions (requested by hand signals) serve the amendments of the meeting's structure in accordance with provision 7.e.
- c. Motions of order: These motions are requested by hand signals and serve the regulation of debates in accordance with provision 8.d.
- d. Language motions: These verbal motions are requested by hand signals and serve the elimination of misunderstandings caused by language barriers in accordance with provision 8.f.
- e. Amendments: Amendments are motions of resolution or procedural motions. They are handled in accordance with provision 9. Amendments in the form of motions of resolution shall be explicit and detailed and shall preferably be submitted in written form and in advance.

- f. Spelling errors or obvious syntax errors shall be adopted automatically and are not subject to discussion or voting.

4 **Varia**

- a. List of speakers: In order to regulate the discussion, the session's presidency shall keep a list defining the order of the speakers.
 b. Protocol: The Secretary General of swimsa is responsible for the creation of an adequate protocol of the session. If necessary, the session's presidency may be consulted for accuracy.

III. Structure and procedures

5 **Miscellaneous**

- a. The sessions are public.
 b. The sessions are held in English.
 c. The participants shall enter or leave the room quietly.
 d. During the voting and election procedure, movement shall be limited to the cases defined in provisions 5.e and 10.c-e.
 e. If a delegate leaves the room, the voting card shall be handed to the session presidency. It will be returned once the delegate comes back.
 f. A procedural motion for a secret meeting may be put forward at the end of each intervention for one or more agenda items. These procedural motions shall be voted on immediately. In the event that it is accepted, guests and audience shall leave the room during said agenda items. Candidates with no other roles shall leave the room, except in the cases specified in provisions 10.c-e.
 g. A procedural motion may be made prior to every new agenda item to interrupt the assembly.
 h. A procedural motion may also request adjournment. In the event that the delegates cannot agree on a new date for the Delegates' Assembly, the executive board shall convene an extraordinary Delegates' Assembly in accordance with article 14, or add the remaining agenda items to the agenda of the following ordinary Delegates' Assembly.

6 **Majorities**

- a. In order to reach the simple majority, a motion must represent more votes than all other proposals together. Abstentions shall not be taken into account and will not be counted as votes against.
 b. In order to reach the absolute majority, a motion must represent more than half of the votes cast. If the number of voters is uneven, the absolute majority corresponds to the whole number directly above half. In the event that the number of voters is even, the absolute majority corresponds to half of the votes plus one.
 c. In order to reach the $\frac{2}{3}$ majority, a motion must represent more than $\frac{2}{3}$ of the votes cast (absolute majority of $\frac{2}{3}$). In this case, abstentions shall be counted as votes against.

Vote	Simple majority	$\frac{2}{3}$ Majority	Absolute majority	Casting vote President
Amendment of bylaws		X		
Admission and exclusion of a full member, an associate member, or a candidate member		X		
Liquidation of the Association		X		
Statements / Position papers			X	

Election of people			X	
Procedural Motion	X			
Motions of Resolution	X			
Tie (all but election of people)				X

⁷ **Agenda**

- a. Solely motions of resolution listed on the agenda shall be discussed.
- b. Motions of resolution shall be passed to the Secretary General 10 days prior to the Delegates' Assembly at the latest. Motions shall be delivered in written and coherent form and in accordance with the bylaws. They must be in English. Motions of resolution handed in after the abovementioned deadline will not be considered at the following Delegates' Assembly. swimsa's Secretary General shall dispatch all valid motions of resolution one week prior to the DV/AD at the latest. Proposals for statutory amendments shall be dispatched in all official languages of swimsa.
- c. In the event that the delivered text presents divergences from the bylaws, the movants, the executive board, the session's presidency, or the Supervising Council may add a proposal for statutory amendments to the motions of resolution, which resolves the divergences.
- d. The agenda items shall be voted on by the delegates after the election of the session's presidency and tellers.
- e. Procedural motions may be requested for a new agenda item, in order to remove motions of resolution from the agenda, add discussion points, or change the order of agenda items. Motions of resolution cannot be added after the adoption of an agenda.
- f. Procedural motions shall be presented shortly. They may be amended but not discussed.

⁸ **Debate**

- a. Permission to speak shall be regulated by the session's presidency by means of a list of speakers. The session's presidency ensures that the speakers are brief and do not digress. Participants who do not abide by provision 7.f or the list of speakers shall be admonished by the session's presidency. In the event of excessive disturbance it may move a procedural motion to a secret meeting.
- b. Subject to provision 7.e, each participant of the Delegates' Assembly has the right to speak. In order to exercise this right, the participant shall raise their voting card or hand and will then be added to the list of speakers. The participant shall then wait to be invited to speak by the session's presidency.
- c. If the comment is a direct question, the session's presidency may give the floor to the person asked after the previous comment has been completed.
- d. A motion of order may be made by every participant who has the right to propose. At the end of the previous comment, the session's presidency offers the movant the chance to explain their motion and then opens a new list of speakers. The motion of order shall then be voted on; in accordance with provision 6a, the simple majority applies. In the event that the motion of order is accepted, the session's presidency invites everyone who wishes to speak to be included in the list of speakers. The list shall then be closed and the discussion resumed.
- e. Until the start of a new agenda item or another amendment, the list of speakers shall remain closed.
- f. In the event of a linguistic misunderstanding, every participant may propose a language motion. The language motion shall be taken up after the previous comment. A language

motion regarding semantics is invalid and the movant will be added to the end of the list of speakers.

⁹ **Vote**

- a. The votes follow a specific pattern.
- b. The session's presidency, the executive board, or the movant briefly present the motion. The executive board may give instructions for votes.
- c. The acceptance of a motion of resolution takes place tacitly by the adoption of the agenda.
- d. The session's presidency then gathers verbal amendments and presents them. These may be accepted directly by the movant.
- e. In the event of an appeal against the motion made by a delegate, or an amendment in accordance with provision 9.d, the motion of resolution shall be discussed and voted on. Otherwise the motion of resolution shall be accepted without opposition or debate.
- f. An amendment may be proposed at any time during discussion by a participant with the right to propose in accordance with provision 3.e.
- g. The vote takes place by means of voting cards or a written or electronic vote (article 16.5).
- h. In the event of several amendments, the amendments shall be evaluated first, and the winning amendment and original motion of resolution second. The simple majority applies.
- i. The final motion of resolution shall be voted on. Its acceptance or refusal takes place in accordance with article 16.
- j. The tellers shall count the votes and present them to the session's presidency and the clerk.
- k. At the request of a delegate, a reflection period of one minute prior to the vote may be granted so that the delegates can discuss the matter at hand.

¹⁰ **Election**

The elections follow different stages.

- a. The session's presidency or the executive board briefly presents the vacancies.
- b. The session's presidency records candidates on a list, which shall then be closed.
- c. The candidates introduce themselves in an order which is defined arbitrarily by the session's presidency. They shall be brief and answer potential questions posed by the participants. They shall leave the room while their opponents introduce themselves and answer questions.
- d. The elections are subject to the absolute majority in consecutive rounds of voting. The candidate with the lowest number of votes shall be excluded, until a candidate reaches absolute majority. This procedure takes place in the absence of the candidates.
- e. In the event of an accumulation of offices between candidates and delegates, the tellers collect the votes of the people concerned prior to each round of voting and in written form. If additional rounds of voting are necessary, the tellers present the results to the candidates outside of the room. The excluded or elected candidates may then reenter the room.
- f. An opportunity for discussion will be offered prior to every round of voting (list of speakers).

IV. Final Provisions

¹¹ **Implementation**

The session's presidency and the Supervising Council are responsible for the adherence to the provisions during the Delegates' Assembly.

¹² **Amendments**

- a. The provisions for the Delegates' Assembly may be amended by means of motion of resolution at the Delegates' Assembly. All amendments are subject to the simple majority.
- b. The executive board may alter the provisions for the Delegates' Assembly without a vote, provided that relevant statutory amendments have been accepted, but shall present

them at the Delegates' Assembly.

- c. Any alterations of provisions for the Delegates' Assembly shall be listed with a date at the end of this document.

¹³ **Entry into force**

- a. In case of ambiguity, the German version of the provisions of the DV/AD is legally binding.

C U ROCK swimsa Award

1	May 2008	Karin Helsing
2	November 2008	David Eisner
3	April 2009	Carla Gürtler
4	November 2009	Patrizia Kündig
5	April 2010	Gaby Moser
6	November 2010	Sergej Stäubli
7	April 2011	Nicola Rüeegsegger
8	November 2011	Alexandra Leuenberger
9	April 2012	Samuel Zweifel
10	November 2012	Roland Fischer
11	April 2013	Alexandre Moser
12	November 2013	Rainer Tan & Samuel Heiniger
13	April 2014	Clara Seiler
14	November 2014	Anna Wang
15	April 2015	Andrea Mauracher
16	November 2015	Noemi Boss & Mirjam Ryter
17	April 2016	Eleonora Frau
18	November 2016	Anna Schmidt
19	April 2017	Dominic Schmid
20	October 2017	Benjamin Magyar
21	April 2018	Grace Corella
22	October 2018	Cédric Fricker
23	March 2019	Federico Mazzola
24	October 2019	Margaux Saudan
25	May 2020	Robin Walter
26	October 2020	Gaia Grigorov
27	March 2021	Simone Temperli
28	October 2021	Stephanie Hauser
29	April 2022	Estelle Delamare
30	October 2022	Lorena Mackinnon Lacasa
31	March 2023	Matias Jacomet
32	October 2023	Rahel Laager
33	April 2024	Aurélia Hepner

D Regulations

1	SMSC Guidelines V13.0	August 2023	English
2	Financing of International Congresses - V2.5	November 2023	English
3	swimsa Fund Regulations - V1.2	February 2021	All official languages
4	Expenses Regulations - V2.1	October 2020	All official languages
5	Delegation Selection Guidelines V.2.1	August 2021	English
6	Corporate Design Guideline V.2.1	August 2021	English
7	Job Booklet - V.5.0	March 2024	English

swimsa Last revision on **May 4th 2024**