



## **ESSF HR**

September 2020

In front of you is the HR of the Eindhoven Student Sport Federation (ESSF), which was written in 2020 and was put up for voting during the General Members Meeting (GMM) on September 1st, 2020.

The HR complements and clarifies the Statutes. What is not explicitly stated in the Statutes, is stated in the HR or other internal regulations.



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## Article 1. Terms and abbreviations

A number of terms and abbreviations will recur more often in this HR.

A description follows to clarify this.

- association: unless stated otherwise, this refers to the Eindhoven Student Sports Federation (ESSF).
- board: unless stated otherwise, this refers to the board of the ESSF.
- SSA: the abbreviation for a Student Sports Association. The plural will be referred to as SSAs. In this document, unless stated otherwise, SSA means an Eindhoven Student Sports Association.
- Member: unless stated otherwise, this means a member of the ESSF (to clarify: an SSA affiliated to the ESSF). The plural is referred to as members.
- GMM: the abbreviation of the general members meeting of the ESSF.
- SSCE: the abbreviation for the Student Sports Center Eindhoven.
- RvA: the abbreviation for the Advisory Council of the ESSF.
- SSN: the abbreviation of Studentensport Nederland: a nationally recognised body that represents student interests in the field of sport at the national level.

## Article 2. Goals ESSF

(Compare Article 2 of the Statutes)

### Section 2.01 Goal of the ESSF

The formal goal of the ESSF, as defined in the Statutes, is “het doen beoefenen en bevorderen van de studentensport door het coördineren en stimuleren van sportbeoefening door studenten”.

From this goal, the ESSF has defined its Mission Statement, as can be viewed as an appendix to this document. In the Mission Statement, the main goal of the ESSF is defined as being the student and SSA representative of student sports in Eindhoven. This goal is defined using three main pillars:

- **Representation:** the ESSF is the connecting bridge in representation between students, SSAs and local and national parties.
- **Connections:** the ESSF connects students to SSAs, SSAs to the local and national level and SSAs with each other.
- **Organization:** the ESSF helps the SSAs prosper by providing them with organizational support, both with advice as well as financially.

### Section 2.02 The ESSF seeks to achieve its goal by

- a) Representing the interests of those in the target group, as defined in Section 2.03, both to the SSCE, TU/e, Fontys and local parties in Eindhoven, as well as on the municipal and national level.
- b) Recognizing and supporting the SSAs, both legally, organizationally and financially.
- c) Supporting, complementing and advising the SSCE in areas where its services affect the interests of students, such as, but not limited to, sports card prices or changes in accommodation policy.
- d) Offering options, or events and activities, aimed to increase the visibility of student sports among target groups, as mentioned in Section 2.03.
- e) Maintaining structural contact with its SSAs and thus promoting the sharing of knowledge between them.



## **Section 2.03 Target groups of the ESSF are**

- a. All (prospective) students who are a (potential) holder of a valid sports card issued by the SSCE.
- b. The members of the ESSF
- c. Potential SSAs wishing to become a member of the ESSF.

## **Article 3. Membership**

(Compare Articles 4 and 5 of the Statutes)

### **Section 3.01 Members**

Members are those associations which have joined the ESSF with the approval of the board and without objection from the GMM (according to the procedure described in Section 3.04i). The board admits members according to a set of general criteria (see Section 3.02).

Active Members are those associations that organize at least two sports activities per year. Other members are considered Dormant Members. Training is considered a sports activity. If a member does not comply with this requirement but wishes to continue its membership, it will step down as an active member and is seen as a dormant member. This will be announced on the next GMM. Sections 3.04b and 3.05b will then be replaced with 3.04c for this member.

### **Section 3.02 General criteria for joining the ESSF**

Those wishing to join the ESSF as members:

- a. Must submit a written policy plan to the ESSF, stating the goals of the joining association.
- b. Must submit the composition of the SSA board to the ESSF. The SSA board must consist of at least three natural persons. All individual board members must be in possession of a valid student sports card, as specified in the Sports Card Agreement. The positions of Chairman, Secretary and Treasurer are required within the SSA board and the position of Chairman and Treasurer cannot be held by the same person.
- c. Must have Statutes drawn up by notarial deed or preliminary Statutes at the discretion of the ESSF board. A copy of the Statutes or otherwise the proposal must be submitted to the ESSF together with a potential HR. Updates for these documents should also be submitted to the ESSF in the future.
- d. Must submit a list of at least twenty association members, who are in possession of a valid student sports card, as specified in the Sports Card Agreement. Members on this list have to remain a member for at least a year and pay the corresponding membership fee. The ESSF reserves the right to check this.
- e. Must present themselves at the next GMM. During this presentation, the plans and the goal of the joining association must be presented.

### **Section 3.03 Accession to the ESSF**

Those wishing to join the ESSF as members shall be admitted if they (1) meet the criteria set out in Section 3.02, (2) the ESSF Board decides so and (3) the GMM does not object. Membership shall be for an indefinite period of time.

### **Section 3.04a Members have the right to**

- a. Be represented in their interests by the ESSF to third parties, as stated in Section 2.02



- b. Attend, speak and vote at the GMM.
- c. Convene the GMM jointly with at least one-tenth of the members entitled to vote.
- d. Access the Statutes, regulations, decisions and resolutions of the ESSF.
- e. Submit proposals at the GMM, as well as amendments to those things proposed at a GMM, by both other members as well as the board.
- f. Appeal decisions of the board at the GMM, if this decision relates to the functioning of the SSA.
- g. Participate in the vote of the accession of new members, as described in Section 3.02.

### **Section 3.04b Active Members have the additional rights to**

- a. Make use of the facilities offered by the ESSF to its active member associations, subject to the conditions and terms associated with these facilities by the ESSF board. This includes facilities offered by the SSCE on request of the ESSF.
- b. Participate in ESSF events organised for its members.

### **Section 3.04c Dormant Members have the additional rights to**

- a. Make use of the facilities offered by the ESSF to its dormant member associations, subject to the conditions for dormant associations by the ESSF board.
- b. Have their association's logo displayed in the SSCE canteens up until a year after becoming a Dormant Member. After one year, the logo will be removed.
- c. Have their association's logo displayed on the website of the ESSF.
- d. If applicable, store the association's belonging on the property of the SSCE up until three years after becoming a Dormant Member. After three years, the belongings need to be removed.

### **Section 3.05a Members are obliged to**

- a. Behave in accordance with the Statutes, the HR and the decisions of the ESSF, unless (and until) they have been appealed and rejected by the GMM.
- b. Abide by the decisions of the GMM.
- c. Supervise the actions of its SSA members and guests, insofar as these fall within the member's activities, in accordance with the Code of Conduct of the ESSF.
- d. Ensure that its SSA members who use the facilities of the SSCE are in possession of a valid sports card, as specified in the Sports Card Agreement.
- e. Respect the rights of sports card holders, as determined by the SSCE. Sports card holders have the right to become members of any SSA. This means that if SSAs wish to establish an SSA membership stop, they must do so in consultation with the ESSF board and only after approval by the SSCE.

If the member fails to comply with its obligations, the ESSF may, after informing the member in writing, suspend its obligations to the member for an indefinite period of time. In addition, the ESSF may advise the SSCE not to offer certain facilities to the member.

### **Section 3.05b Active Members are additionally obliged to**

- a. Comply with the conditions set out in Section 3.02, including the composition of the SSA board, the member requirement and the submitting of the described documents and the board composition to the ESSF Board, at all times.
- b. Supervise the actions of its SSA members and guests, insofar as these fall within the member's activities, unless otherwise arranged in the member's HR.
- c. Contribute to the Emergency Plan as approved by the GMM, as attached to this document.



- d. Give an explanation for the reason to decide to not contribute to activities of the ESSF, which ESSF has organized for its members.
- e. Attend mandatory meetings for association boards as announced by the ESSF or SSCE. This includes participation in the GMM, to which one should send one or more delegates to each GMM or unsubscribe in writing, at the latest one day before the start of the GMM, to the ESSF. In the event of absence without timely cancellation, the member shall pay a penalty of €20 to the ESSF.

## **Section 3.06 Termination of membership**

(Compare Article 5 of the Statutes)

A membership can be terminated by the ESSF or the member itself.

- a. Termination of membership by the member must be effected in writing to the board at least four weeks before the end of the ESSF financial year.
- b. Termination of membership by the ESSF must be notified in writing to the member at least four weeks before the end of the ESSF financial year, stating the reasons for the termination.

A member is allowed to be a dormant member for up to three years. After three years, the membership is terminated. This will be announced at the next GMM.

A member may be suspended by the association if it acts in violation of the Statutes, regulations or decisions of the association. During the appeal period and pending the appeal, she shall be suspended and shall not have the right to vote.

## **Article 4. Donors**

(Compare Article 6 of the Statutes)

- a. The monetary contribution, as mentioned in the Statutes, should be at least €25 per year.
- b. Donors have the right to attend the GMM and have the right to speak at the GMM. Donors do not have the right to vote at the GMM.

## **Article 5. Contribution**

(Compare Article 7 of the Statutes)

All Active Members pay an annual membership fee of €3. The ESSF will send a payment request before December 1st of the financial year of the ESSF and the contribution must be received by the ESSF before January 1st of the financial year of the ESSF. In the event of payment as from the first of January, a member shall pay, in addition to the contribution, a penalty of the same amount as the contribution.

## **Article 6. Board**

(Compare Article 8 of the Statutes)

### **Section 6.01 Composition of the board**

- a. The board consists of at least three people.



- b. All individual board members must be in possession of a student sports card. The positions of chairman, secretary and treasurer, or any possible combination of (some of) them, cannot be held by a single person and are required within the board.
- c. A board member may hold more than one position, subject to the exception in Section 6.01b.
- d. A vice-chairman must be appointed to replace the chairman when necessary. This can take place either as a position or as a board decision. The chairman may not be vice-chairman as well.

## **Section 6.02 Appointment of the board**

The candidate board members are nominated by the incumbent board or by at least five members with voting rights. The nomination by five voting members must be communicated in writing to the incumbent board at least five working days before the board switch GMM.

The board as a whole is elected by the GMM. The board members resign in accordance with the following procedure: the incumbent board resigns for each position, after which the incumbent chairperson passes on his function to the future chairperson in a hammer blow. The chairman appoints the rest of the board successively.

## **Section 6.03 Decision-making by the board**

- a. The board holds a board meeting when required, which is approximately once a week with the exceptions of holiday periods. The board meeting is not public.
- b. Minutes are made of each board meeting, which are not public.
- c. The board reserves the right to make decisions at any time.
- d. The board shall draw up a list of decisions relating to its members. This list is updated monthly and is freely available, upon request, to all members.

## **Section 6.04 Tasks of the board**

The board should at least take care of:

- a. Management of the association.
- b. Implementation of the policy.
- c. Representation of the interests of the association.
- d. Representation of the interests of the members and student sports card holders.
- e. Planning and organizing the GMM.
- f. Executing the decisions of the GMM.
- g. Issuing an annual report and a statement of accounts at the end of the board year.
- h. Searching for, nominating, and training a new board.

## **Section 6.05 Authorizations of the board**

The board is authorized to:

- a. Hold member meetings and GMMs.
- b. Take measures, binding for the members until the next GMM.
- c. Exercise all other rights granted by law, statutes and this HR.

## **Section 6.06 Accountability of the board**

- a. The board is accountable to the GMM.
- b. At the end of its term of office, the board shall present a statement of account to its members at the board switch GMM for approval. The board may only pass along their functions after the statement has been approved by the GMM.





## **Section 6.07 Suspension and dismissal of the board**

- a. A board member may be suspended by a unanimous decision of the rest of the board or by the GMM. The suspending party may suspend board members in their function due to acts contrary to the interests of the association, up to a maximum duration of three months.
- b. In case of suspension, the suspending party shall inform the board member concerned in writing, stating the reason and duration of the suspension and the rights in which the board member is suspended. The decision to suspend shall be made public.
- c. The GMM must decide on dismissal within the period of suspension.
- d. A suspension of a board member, which is not followed by a decision to dismiss within three months, ends with the expiry of the suspension.
- e. The GMM may dismiss board members if after the period of suspension there are no sufficiently visible improvements regarding the functioning of the board member.

## **Article 7. General Members Meeting (GMM)**

(Compare Article 11 to 15 of the Statutes)

### **Section 7.01 Tasks of the GMM**

- a. Adopting the Status and the HR of the association.
- b. Checking the board.

### **Section 7.02 Convening the GMM**

- a. The GMM is convened at least twice a year by the board and as often as the board or the members deem desirable.
- b. A written request from at least one-tenth of the members entitled to vote obliges the board to convene a GMM.
- c. Members may submit agenda items and/or proposals in writing to the board. If these are in the possession of the board at least 15 working days prior to the commencement of the GMM, the board is obliged to state these agenda items and/or proposals in the notice convening the GMM.
- d. A written invitation to the GMM with attached agenda must be sent to the voting members at least ten working days prior to the GMM. The notice convening the GMM must state the following:
  - i. the place, date and time of the GMM.
  - ii. the subjects to be discussed, possibly with an explanation.
  - iii. in the event of an election, the names of the candidates nominated by the board, barring exceptional cases.
  - iv. in the case of a proposal to amend the Statutes or the HR, a copy of that proposal, in which the proposed amendment is included verbatim.

### **Section 7.03 Access to the GMM**

- a. Admission shall be granted to all persons entitled to vote (see Section 7.05), the donors, the ESSF board, committee members of the ESSF, as well as those invited by the board and/or the GMM. Without objection from the board, the director of the SSCE and the RvA are invited to the mid-term GMM.
- b. Suspended members shall only have access to the GMM dealing with the decision to suspend.

### **Section 7.04 Right to speak**

- a. Everyone who has access to the GMM has the right to speak, except if the board decides to suspend that right due to disruptive behaviour.



## **Section 7.05 Right to vote**

- a. Each member who is not suspended has one vote. This vote can only be cast by board members of the SSA in question.
- b. Each voting member may give their voting power to a delegate who is a student member of the SSA in question, or another voting association, to cast their vote. A voting member may act as a proxy for a maximum of two members per GMM. This delegation must be submitted to the secretary of the ESSF before the GMM or during a suspension of the GMM.

## **Section 7.06 Decision-making power of the GMM**

- a. A proposal for a decision or an election shall be voted on by the members entitled to vote represented at the GMM.
- b. Decisions may also be taken by acclamation if none of those present and entitled to vote object.
- c. The board shall make a list of resolutions of the GMM, which shall be made public.
- d. Resolutions of the GMM shall be passed by an absolute majority of the votes cast unless the Statutes or the law prescribe a larger majority.
- e. A decision may also be taken without a meeting of the GMM. A unanimous decision of all members entitled to vote, provided it is taken with the prior knowledge of the board, shall have the same power as a decision of the GMM. This decision must be made in writing.
- f. Votes on matters shall be taken orally, unless the chairman deems a written vote necessary. Members with voting rights may submit a request for a written vote to the chairman.
- g. Votes on persons shall be, without objection of the GMM, taken orally.
- h. A candidate shall not be installed in his or her position until he or she has accepted his or her appointment.
- i. An oral vote during the GMM shall take place as follows. The Chairman of the meeting shall clearly indicate what is to be voted on. After this, all members entitled to vote shall be asked to vote by raising one hand for one of the following choices: in favour, against, blank or abstain, which shall be dealt with in this respective order. The votes are counted by the Secretary or by a person appointed by the Chairman. The proxy votes will be counted separately in a subsequent voting round. Two hands can be raised if a proxy holder is authorized twice.
- j. A written vote during the GMM shall be held as follows. The Chairman of the meeting clearly indicates what is to be voted on. After this, each member entitled to vote will vote by means of anonymous closed ballot papers. Proxies shall sign an additional ballot paper by proxy. The ballot papers will be collected by a board member appointed by the Chairman.
- k. Invalid votes will be considered as not been cast and will not count towards the total number of votes.
- l. Blank votes are considered to have been cast and therefore count towards the quorum. Abstentions shall be considered as not having been cast and shall therefore not count towards the quorum.

## **Section 7.07 Proposals, motions and amendments**

- a. Proposals that are not mentioned in the announcement of the GMM or that are directly related to it may, at the request of the board and/or the GMM, be retained until the next GMM.
- b. When two proposals have been tabled, the number of votes shall be increased until one of the proposals has received the most votes "in favour". That proposal shall then be put to the vote in accordance with the provisions of Section 7.06. If no result is obtained in this way, lots shall be drawn to decide which proposal shall be put to the vote first in accordance with Section 7.06.



- c. If more than two proposals have been put to the vote, a number of rounds of voting shall follow, with the proposal receiving the lowest number of votes being cast after each round. In case two proposals remain, the procedure set out in Section 7.07b shall be followed.
- d. If two or more proposals are tabled, the Chairman shall determine the order in which they are to be considered.
- e. Motions are proposals, originating from the GMM, for a ruling on a matter not submitted directly to the GMM. Motions may be submitted at any time, provided they do not lead to a decision being taken.
- f. Each member has the right of amendment. Amendments will be voted on first. It shall be dealt with under that item on the agenda to which it relates or under 'whatever else comes up for discussion'. If desired, the Chairman shall suspend the meeting before an amendment is tabled.
- g. In cases provided for by the Statutes or HR, the board is authorised to draw up proposals of a binding nature.
- h. Any nomination may be deprived of its binding character by a decision of the GMM taken by vote.

## **Section 7.08 Minutes**

- a. Minutes shall be taken during the GMM by the Secretary of the ESSF, or by a person designated by the Chairman of the GMM if the Secretary is prevented from attending.
- b. The minutes shall be submitted to the next GMM for approval. The minutes shall be adopted and signed by the Chairman and the person taking the minutes.
- c. The agenda and minutes of the GMM shall be public.
- d. The minutes of the GMM shall be made public at least within one month after the end of the GMM and shall be sent together with the agenda of the next GMM.

## **Section 7.09 The financial year**

The financial year of the ESSF shall run from September 1st to August 31st of the following calendar year.

## **Article 8. Committees**

The board is authorised to appoint committees to support its activities. The board shall advise and monitor the committees. The board is also authorised to discharge the committees, with the exception of the KCC. The board shall be responsible for the activities of the committees to the extent that these activities fall within the scope of the activities of the ESSF.

### **Section 8.01 Advisory Council (RvA)**

- a. The RvA is a special committee of ESSF with the following tasks:
  - Advising the board on current issues and decisions, both solicited and unsolicited.
  - Stabilizing and monitoring the long term policy of the ESSF
  - Ensuring the continuity and quality of the ESSF, as an organization, and its tasks
  - Allowing for the utilization of knowledge of past generations of ESSF board members and other knowledgeable parties
- b. The RvA consists of a minimum of three persons and at most 10 persons, whereby it is desirable that at least one member of the most recently resigned board takes a seat. The other seats may be taken by other former ESSF board members or those whom the emerging board deems suitable for this position, provided they were in possession of a valid student sports card, as specified in



the Sports Card Agreement, at the time of their original appointment, provided that the following conditions for the RvA are always met, to make sure that it can perform its tasks:

- At least 51% of the RvA, with a minimum of three members, must consist of ex-ESSF board members.
  - At least one member of the incumbent board must be offered a seat, which they are free to accept or decline.
  - If ex-board members (with no ESSF board experience) of member associations take place in the RvA, one cannot create an imbalance between smaller and larger (150+ members) associations, to make sure all members are represented equally.
  - All members of the RvA have a background as a board or in a relevant management position, such as, but not limited to, in a large committee or a university council.
- c. RvA members remain in the RvA until either the emerging board or the GMM requests their discharge or until they have served in the RvA for a maximum of 5 years after their last year of study. The discharge and appointment of RvA members must take place each year during the board switch GMM and after the change of the boards. The future members of the RvA are nominated by the next emerging board, by publishing a list of nominated RvA members, including current members to the GMM. The RvA is then elected by the GMM, with the former RvA advising on the new composition.
- i. Non ex-ESSF or ex-RvA nominees should be introduced to the GMM before voting.
  - ii. All changed members are voted on individually.
- d. The discharge of an RvA member can only be done by the GMM or the RvA itself.
- i. When members are discharged by vote of the RvA, a written notice has to be sent to the GMM.
  - ii. The member will not be replaced and their seat will become available at the next opportunity to appoint someone.
- e. The RvA will appoint a chairman from their midst after every board switch GMM for a one year term. This chairman is responsible for keeping track of the contact with the board.
- f. Members of the RvA have the right to:
- Request to access all internal and external documents of the association
  - Request transcripts of all meetings and communication held by the board of the association, as well as its committees, with a written notice
  - Speak at a GMM
  - Hold a survey among members of the association
- g. The RvA is bound to keep all information they access secret to all parties, except when a written report is sent to the GMM and the board is notified in advance.
- h. The RvA and board will maintain contact at least:
- Before and/or after, but at most two weeks after, every 'Topoverleg', in which the board of ESSF and the management of the SSCE meet.
  - Before every GMM
  - Every two months

The board will send a written update or meeting request to the RvA, upon which a meeting can be scheduled by one of both parties.

## **Section 8.02 Financial Audit Committee (KCC)**

- a. Each financial year, a KCC, consisting of two or three student sports cardholders, will be appointed by the GMM to audit the accounts for the coming financial year and report its findings to the next board switch GMM after the end of the financial year.



- b. The discharge of a KCC member can only be done by the GMM.
- c. No members of the current board are allowed to take up a position in the KCC. The KCC preferably consists of (former) Treasurers.
- d. The KCC has the power to conduct an interim audit at its own discretion, to advise the board on financial matters and to report to the GMM on a solicited or unsolicited basis.
- e. The KCC can ask for expert help if it deems special accounting knowledge necessary. The costs are at the expense of the association provided that the GMM approves expert assistance.
- f. If a KCC member wishes to withdraw, he or she can only be discharged at a GMM. If the number of committee members drops below two, a new committee member must be appointed during the GMM.

## Article 9. Regulations

### Section 9.01 HR

- a. As far as not contrary to the law or the Statutes, the GMM may grant dispensation from the provisions of this HR. The duration of the dispensation must also be determined.

### Section 9.02 HR amendment

(Compare Article 18 of the Statutes)

- a. Amendments of the HR can only be accepted by a decision of the GMM, which has been called upon by announcing that the amendment of the HR will be proposed there.
- b. The proposal for amendment must be available for inspection by the members at least ten working days before the day of the meeting in a place suitable for that purpose and must remain there until five working days after the end of the meeting.
- c. The provisions of Sections 9.02a and 9.02b do not apply if a proposal for amendment is made at a GMM at which all persons entitled to vote are present or represented and the decision to amend the HR is taken unanimously.

## Article 10. Final provisions

- a. In occasions where the male form is used in the Statutes and the HR in relation to persons, this also refers to the female form.
- b. In all cases in which these regulations do not provide sufficient provision, the board shall decide. The board shall be accountable for this until the next GMM.

## Appendices

The following documents are appendices to this document, and are to be approved upon changes:

- Mission Statement of the ESSF
- Emergency Plan ("Noodplan")

The HR additionally refers to the following agreements, that are outside of the scope of the HR:

- Sports Card Agreement
- Code of Conduct of the ESSF