

Statutes of the association "Swiss Medical Oath" (ASMO)

1. Name und Seat

- 1.1. Under the name "Association of the Swiss Medical Oath" or ASMO, an association is established in accordance with articles 60 of the Swiss Civil Code, with its seat in 1788 Praz (Vully). The association is politically and religiously independent and is not linked to any political or other institution/organization/society.

2. Objective and purpose

- 2.1. The purpose of the Association is the widespread implementation of the Swiss Medical Oath among physicians, dentists and (dental) medical students with a Bachelor's degree in Switzerland and abroad. (Important: In the following text of the statutes, the terms "physicians, medical staff, medical members, etc." are understood to include also all colleagues in dentistry. The same applies to medical students, which also includes dental students). The oath is intended to strengthen the ethos of these professional groups for the benefit of patients, while at the same time counteracting the increasing economization in the health care sector. The aim of the association is to establish the "Swiss Medical Oath" within the medical profession. In particular, young and future doctors must be informed, motivated and won over to this movement.
- 2.2. The association does not pursue commercial goals and does not seek to make profits.

3. Activities

- 3.1. The association has the following activities:
 - Management of its own independent website (in several national languages - the reference language is GERMAN), entitled "Swiss Medical Oath - Solemn Pledge for Doctors", in order to achieve its objective/purpose.
 - Information and support for (future) doctors as well as universities / institutions / organizations in the planning and execution of the oath.
 - Networking within members having taken the oath.
 - Networking with institutions/organizations with similar objectives in Switzerland and abroad.
 - Participation in events with similar objectives.
 - Organization of events to achieve its objectives.
 - Active media work to disseminate the oath.

4. Finances

4.1. To pursue its objective, the association generates financial resources through:

- Active members' and patronages dues
- Proceeds from its own targeted events
- Grants
- Donations and contributions of all kinds (reservation: donations and patronage contributions are only accepted on condition that the donors and patrons can neither influence nor determine the content of the activities mentioned in point 3).

4.2. For all financial resources received, the association undertakes to respect the principle of transparency and in principle makes public its financial income and its origin (with the exception of the names of donors or patrons who explicitly do not wish to be named).

4.3. The annual fees for active members (CHF 50.00 at the time of the foundation) and patrons (CHF 2,000.00 at the time of the foundation) are set by the General Assembly. The amounts of donations are variable and, unless otherwise requested, are published on the website with the indication of the donor, the amount of the donation and the year of the donation.

4.4. Passive members (in principle all doctors and medical students with a bachelor's degree having taken the oath) are exempt from paying membership fees.

4.5. Honorary members are exempt from paying membership fees.

4.6. The accounting year is the calendar year.

4.7. The financial means are used in accordance with their destination, in particular for:

- Maintenance of the website, Internet, etc.
- Communication with members
- Communication with the press
- Events (room rentals, announcements, publications, advertising, etc.)
- Procedures taking the oath organized by the association
- Diplomas (personal) for all persons taking the oath
- Diplomas for health institutions, hospitals, medical practices (condition: taking the oath in > 95% of the doctors employed by the institution. In addition, the oath must be taken by all new collaborators.).
- Compensation of the secretariat (secretarial work, translations, etc.)
- Possible travel expenses of the committee members
- Compensation of external collaborators

5. Affiliation

- 5.1. Active members of category A (with full voting rights) are all physicians and medical students who have completed their bachelor studies, who have taken the Swiss Medical Oath and who pay the annual membership fee.
- 5.2. Active members of category B (with voting rights according to Art. 9.11) may also be non-sworn natural persons without a medical degree, provided that they actively support the Swiss Medical Oath (e.g. work in the committee or special tasks to fulfil the objectives of the oath) and pay the annual fee.
- 5.3. Passive members (without voting rights) are all physicians and medical students who have completed their bachelor studies and who have taken the oath without paying membership fees.
- 5.4. Honorary members (without voting rights) are elected by the general assembly on the proposal of the committee. The condition is to have been an active member before and to have rendered special services to the association (e.g. prolonged work in the committee, special tasks, etc.).
- 5.5. All natural and legal persons may become patrons of the association (without voting rights), provided that they support the association and its objectives morally and financially by paying an annual patronage fee determined by the general assembly. The patrons receive an invoice for the patronage fee each year.
- 5.6. All active (A and B) and passive members can become members of the committee if they are elected by the general assembly. All members of the committee are or become active members, two thirds (2/3) of the committee must be active members of category A. In the event of a vacancy on the committee, active and passive members may apply in writing to the committee or shall be nominated by the committee with the consent of the candidate. All active members of the committee have the right to vote, with certain restrictions (art. 9.13, 9.14, 9.15).
- 5.7. All persons are welcome to join the association and are admitted as long as they meet the conditions mentioned above (taking the oath for active and passive members who are physicians, membership fees for active members who are physicians and non-physicians, sponsorship fees). Applications for admission or affiliation (oral or written) must be addressed to the secretariat.
- 5.8. The assistance and the procedure for taking the oath are free of charge, as well as the obtaining of the personal diploma of the persons having taken the oath, who thus automatically become passive members. Individuals may take the oath directly and free of charge at the secretariat; for larger oath ceremonies (e.g. for entire clinics or even larger institutions such as group practices or hospitals), assistance and financial support may be requested from the association.
- 5.9. All members, as active physician members, active non-physician members, passive members, committee members, honorary members and patrons, are listed by name on the website (unless explicitly prohibited from publication) with their place of origin or nationality (except for legal entities) and, if applicable, the date of their oath.

6. Termination of Membership

6.1. Membership terminates:

- 6.1.1. For natural persons, by resignation. Deceased active, passive and honorary members continue to be listed on the website (with the corresponding mention †), unless they have opposed it in writing to the committee during their lifetime.
- 6.1.2. For legal entities, by resignation, exclusion or dissolution of the legal entity.

7. Resignation and exclusion

- 7.1. All members can leave the association at any time; for active, passive and honorary sworn members, it is sufficient to send a letter to the committee or the secretariat. For active members, the full membership fee must be paid for the current year.
- 7.2. Active members, patrons and honorary non-physician members must resign from the association by sending a letter of resignation to the committee at least four weeks before the end of the association year. The full membership fee must be paid for the current year.
- 7.3. Sworn members of the committee who resign automatically become passive members or remain active members by paying the annual fee. They can be proposed to the general assembly as honorary members.
- 7.4. Outgoing non-physician members of the committee are in principle proposed to the general assembly as honorary members.
- 7.5. A member (passive member and active physician member, patron, honorary member) can be excluded from the association at any time without justification for violation of the statutes and in particular for violation of the principles of the oath.
- 7.6. The committee takes the decision to exclude somebody. No appeal can be made to the general assembly.
- 7.7. In case of exclusion or resignation, no member is entitled to the assets of the association (or to a part thereof).
- 7.8. If an active member (physician or non-physician) or a patron still owes the membership fee despite a reminder, the committee will automatically transfer him/her to a passive member (active physician member) or exclude him/her from the association (active non-physician member or patron).

8. Organs of the association

8.1. The organs of the association are:

- The General Assembly
- The Committee
- The Auditors

9. The General Assembly

9.1. The supreme organ of the association is the General Assembly.

9.2. An ordinary General Assembly shall be held each year (if possible in the first half of the year). It will be announced early (at least eight weeks before) on the website.

9.3. All active members are invited to the General Assembly at least ten days in advance by e-mail, with indication of the agenda.

9.4. Passive members, patrons and honorary members are invited to the General Assembly by means of an announcement on the website.

9.5. Proposals for the agenda of the General Assembly (only from active members of category A) must be sent in writing to the committee or the secretariat by letter or e-mail at the latest four weeks before the meeting.

9.6. The General Assembly may be held in person or by video conference (e.g. ZOOM, TEAMS, WEBEX, etc.). Passive, honorary and supporting members (without voting rights) may attend and speak at the meeting.

9.7. The place of the General Assembly or the video link to the assembly is published on the website of the Swiss Medical Association two weeks before the event.

9.8. In the case of voting by video conference, members who are not entitled to vote are excluded from the vote. In case of complicated technical procedures, the committee may decide on a written vote and determine the modalities.

9.9. The committee or 1/5 of the members entitled to vote may at any time request that an extraordinary General Assembly be convened, stating the purpose of the event. The General Assembly must be held no later than twelve weeks after receipt of the request.

9.10. The General Assembly has the following tasks and competencies (business):

- a) Approval of the agenda.
- b) Election of the scrutineers (except in the case of video-conferencing, where the counting is done numerically).
- c) Approval of the report of the decisions of the last General Assembly.

- d) Approval of the annual report of the committee.
 - e) Receipt of the auditors' reports and approval of the annual accounts.
 - f) Discharge of the committee.
 - g) Election or dismissal of the committee members.
 - h) Election of the auditors for a period of two years.
 - i) Consideration of the annual budget.
 - j) Consideration of the future program of activities.
 - k) Consideration of changes (resignations/exclusions) of members.
 - l) Decisions on proposals on the agenda of the committee and voting members (only active members of category A)
 - m) Fixing the fees for active members and sponsorships (active members of category A only).
 - n) Modifications of the statutes (active members of category A only).
 - o) Decision on the dissolution of the association and the use of the proceeds of liquidation (active members of category A only).
- 9.11. Active members of category B do not have the right to vote on the matters (art. 9.10. duties and competencies) mentioned in letters l - o.
- 9.12. Any duly convened General Assembly may take decisions, regardless of the number of members present who are entitled to vote.
- 9.13. The members of the committee are, as active members, members with voting rights, except for the tasks and competencies mentioned above, letters b - f (art. 9.10).
- 9.14. Similarly, a voting member shall recuse himself/herself in case of a conflict of interest.
- 9.15. All decisions of the members shall be taken by a simple majority of those present and entitled to vote. In the event of a tie, the President shall have a deciding vote; except in the case of re-election or absence, when the Alternate (Vice President) shall have a deciding vote.
- 9.16. Modifications of the statutes require a 2/3 majority of the voters present (active members of category A).
- 9.17. For special matters, even at special times (pandemic, etc.), voting by postal or electronic mail is allowed.
- 9.18. Decisions made must be recorded in a report of decision. The keeping of the reporting is determined by the committee.

10. The Committee

- 10.1. The founding committee is composed of the former members of the Swiss Medical Oath Commission (Dialog Ethik Institute) present at the constitutive assembly.
- 10.2. The committee consists of a minimum of 5 active members and a maximum of 15 active members.
- 10.3. Active members (category A and B) and passive members can apply for the position of committee member.
- 10.4. At least 2/3 of the elected active members of the committee must belong to category A of active members. All other members of the committee may be from Active Member Category B.
- 10.5. All committee members are elected by the General Assembly.
- 10.6. The candidates for the committee must be present at the election (also possible by video conference - e.g. to introduce themselves and then accept the election orally)
- 10.7. The duration of the mandate of the committee members is two years. Re-election is possible.
- 10.8. The committee manages the day-to-day business and represents the association externally. It issues regulations (oath procedures, etc.). It can set up working groups (specialized groups). It can delegate tasks to third parties.
- 10.9. Other duties and competencies of the Committee:
 - 10.9.1. The Committee shall have all competencies not assigned to any other organ by law or by these statutes.
 - 10.9.2. The committee constitutes itself (functions and tasks) and appoints the president and vice-president accordingly.
 - 10.9.3. The committee meets as often as business requires. Committee meetings may be held in person or by video conference.
 - 10.9.4. Any member of the Committee may request a meeting of the Committee, stating the reasons for the request. If no committee member requests an in-person meeting or a video conference, decision-making may also be validated by circular (e-mail or postal) means.
 - 10.9.5. Each member of the committee (active member of category A and B) has full voting rights for decisions that fall within the competencies of the committee. Decisions are made by a simple majority.
 - 10.9.6. The committee works in principle on a voluntary basis, but is entitled to the reimbursement of actual expenses (e.g. travel expenses to the meetings in presence).

11. The auditors

- 11.1. The General Assembly elects the auditors (trustee office or 2 auditors) who check the accounts at least once a year by sampling.
- 11.2. The auditors shall submit a report to the committee for the attention of the general assembly and a proposal for the approval of the annual accounts. The duration of the mandate is two years. They may be re-elected.

12. Right to sign

- 12.1. The Committee shall determine the signing rights.

13. Responsibility

- 13.1. Only the assets of the association are liable for the debts of the association. Any personal liability of the members is excluded.

14. Dissolution of the association

- 14.1. The dissolution of the association can be decided by an ordinary or extraordinary General Assembly, by a two-thirds majority of the votes of all members present and entitled to vote. This must be done by means of a presential meeting.
- 14.2. In the event of dissolution of the association, the assets of the association shall be allocated to an organization pursuing the same or a similar goal. The distribution of the association's assets among the members is excluded.

15. Entry into effect

15.1. These statutes were adopted at the founding assembly in Praz (the founding members are the former members of the Dialog Ethik Institute oath commission present) on 09.09.2022 and came into effect on that date.

16. Amendments to the Statutes

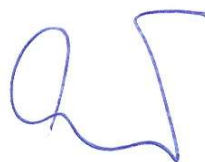
16.1. After the committee decided by a large majority in a consultative vote that dentists may also take the oath and thus join the Association, Bernhard Egger proposed a corresponding amendment to the statutes for the attention of the General Assembly of June 29, 2023. This change of the statutes was accepted by all the voters of the general meeting (active members of category A) and will therefore come into force as of June 29, 2023.

Praz (Vully), September 9, 2022 and by Video conference June 29, 2023

A handwritten signature in blue ink, appearing to read 'JP Wils', with a long horizontal stroke extending to the left.

The President:

Prof. Dr. Jean-Pierre Wils

A handwritten signature in blue ink, appearing to be a stylized 'BE'.

The Vice-President:

Prof. Dr. med. Bernhard Egger