



STATUTES

European Music Managers Alliance (EMMA)

Revised 29.9.2021

Name and domicile

1. The European Music Managers Alliance (EMMA) is a European organisation, to which music managers and equivalent representative organisations from all countries may affiliate.
2. The domicile of EMMA shall be the place where the Secretariat is established, as determined and approved by the Board. It may be transferred by decision of the Board.

Object and Purpose

3. The object of EMMA shall be to bring together Artist Managers with the purpose of making sure that the Artist is properly and fairly recompensed for their creative work and that their work reaches the widest possible audience. EMMA will also work to protect and elevate the economic, social and artistic status and interests of featured Artists in Europe, with national governments, and beyond.
4. EMMA intends to achieve its objective by:
 - a. Bringing together managers to discuss matters related to Artists rights and recompense.
 - b. Networking with managers from Europe and beyond to discuss international best practice.
 - c. Taking into account the diverse interests of the different European territories and how they fit into a global structure.
 - d. Promoting appropriate international legislation to protect the rights of Artists.
 - e. Providing support for other managers to enhance the status and recognition of the importance of the Artist manager.
 - f. Providing training and education opportunities for managers.
 - g. Providing opportunities for members to benefit from pan-European commercial deals, showcases and other opportunities.

Membership

5. All Artist Manager organisations (i.e. MMF or equivalent) which agree to abide by the rules and other regulations of EMMA may apply for membership of EMMA. Admission shall be effected according to Art.6, 7 and 8, subject to the following

exception: an Artist Manager organisation comprising less than 5 members may be admitted only at the discretion of the Board.

6. While local Artist Manager organisations are entitled to set their own membership fees, EMMA requires all its member organisations to charge their own members an annual membership fee of not less than €10 per annum.

7. Application for admission shall be sent in writing to the Secretariat. Included with the application, the applicant organisation shall provide a copy of its Rules/Constitution and information regarding the organisation's jurisdiction and number of members, as well as its fee structure. Notice of such application shall be sent to all affiliated Artist Manager organisations by the Secretariat who shall also provide an opinion regarding the appropriateness of the application.

8. Artist Managers should work locally to convince their national Artist Manager organisation to join EMMA. In the event their national Artist Manager association chooses not to do so, and in the event said Artist Manager wishes to affiliate with EMMA, a pan-European group will be established by EMMA to represent all such European Artist Managers. Those managers will comprise one group of equal status to any other National group of similar membership size and be entitled to representation by the same number of delegates as if they were a national Artist Manager organisation. EMMA's Board will set the membership fee to EMMA for members of this pan-European group.

9. Should no objections be raised within six weeks, the admission of the applicant Artist Manager organisation shall be effected by the Secretariat. However, an objection to the admission of a new Artist Manager organisation may be raised by any member Artist Manager organisation and shall be submitted to the Secretariat by email within four weeks after receipt of the notification of the application for admission. The objection shall include in detail the arguments and reasons of the objecting party to the admittance of the applicant Artist Manager organisation to EMMA.

10. If an objection is raised, the Board shall decide for or against the acceptance of the application.

11. An admission may be revoked by decision of the Board if it should appear that:

- a. the admission was effected only as a result of deception by the applicant Artist Manager organisation, or
- b. a member Artist Manager organisation was unable in due time to raise a well-founded objection for the sole reason only that the member did not receive, or did not receive in due time, knowledge of the application for admission.

Termination of Membership

12. Membership may be terminated by:

- a. resignation;
- b. expulsion.



13. Any member Artist Manager organisation that has completely fulfilled its financial obligations may resign from membership on 31st December or 30th June by giving six months' prior notice to the Secretariat by email.

14. Expulsion may be ordered by the Board for contravention of the rules. Such expulsion shall take effect on the date decided by the Board.

15. EMMA promotes democracy, transparency, diversity, and good governance as essential values. EMMA member organisations as well as applicant organisations declare that they endorse and agree to abide by these principles, as do all members of the pan-European group.

16. The Board may suspend from membership any member Artist Manager organisation which is not in compliance with its obligations or which has breached EMMA rules. A member Artist Manager organisation suspended from membership in accordance with this Article shall retain all obligations of membership but exercise no rights of membership including attendance at Board meetings and participating in votes conducted by the Board or general membership.

17. Unless otherwise decided by the Board, a member Artist Manager organisation that has not complied with its financial obligations for 2 years will be suspended. This Artist Manager organisation will remain suspended until those obligations are fulfilled.

18. Unless otherwise decided by the Board, a suspension for over 2 years will result in the member's affiliation being terminated.

Rights and Obligations of Members

19. Member Artist Manager organisations shall have autonomy in respect to their organisation, administration and finance, and full freedom of action in respect to their national issues, but in all matters of international importance shall observe a common policy.

20. Member Artist Manager organisations shall accept the obligation to carry out the decisions of the Board by all means at their disposal.

21. Member Artist Manager organisations shall bring their rules into conformity so far as is practicable with the rules of EMMA.

22. Each member Artist Manager organisation shall send an annual report to the Secretariat on important developments in its own country, by e-mail where possible. In addition, any matters of interest to other members shall be reported to the Secretariat. Member Artist Manager organisations shall provide such information as may be requested by the Secretariat.

23. Financial obligations of member Artist Member organisations to EMMA are paid by member Artist Member organisations as follows:

- a. entrance fee on admission;
- b. annual membership fees at the beginning of each business year;
- c. any other fees as and when decided by the Board.

24. The Board shall have the authority to grant exceptional reductions of the fees and contributions due to EMMA to those member Artist Manager organisations that are unable to comply with their standard financial obligations. It may in particular authorise the payment by such Artist Manager organisations of a reduced contribution for a specified period of time, renewable at the discretion of the Board.

25. Special arrangements for payment may be granted at the discretion of the Administrative and Executive Bodies of EMMA.

26. The governing and executive bodies of EMMA shall be:

- a. The Executive Committee (composed of elected Officers)
- b. The Board
- c. The Secretariat as determined by the Board.

The Executive Committee

27. EMMA shall at all times be served by an Executive Committee comprising the following Officers: 1 Chair, a minimum of 2 and a maximum of 4 Vice Chairs. The number of Vice Chairs will be decided by the Board prior to the election.

28. . Each member of the Executive Committee shall be directly elected by the Board for a term of 3 years, subject to annual confirmation. Every member Artist Manager organisation shall have the right to put forward nominations. Voting shall be by secret ballot if so requested at the meeting. No more than one Officer shall be appointed from each member organisation.

29. In the event that an Officer wishes to stand for re-election, such person shall be eligible to put their name forward for a further term of 3 years. At the end of the 6 year period, the Board may decide by two-thirds majority to allow a further extension of the Officer's mandate for an additional 3 years. No Officer shall serve EMMA for a period longer than 9 consecutive years.

30. The Executive Committee is responsible for the execution of the decisions taken by the Board and maintain an overview of policy and strategic direction. They are especially responsible for the task of providing vision for the overall strategy and responsible for the financial and legal accountability of EMMA. The Executive Committee shall report annually to the Board on the financial situation and present the draft budget and accounts for approval. The Executive Committee shall instruct and supervise the Executive Director as well as provide him/her with policy support as required. The Executive Committee may delegate specific tasks to one of the members and/or to the Executive Director. They may equally delegate special powers to other persons in the form of specific tasks.

31. The Executive Committee shall meet on a regular basis and shall be convened by the Chair on his/her own initiative or on the basis of a request submitted jointly by two Officers. The Executive Director shall attend the meetings and act as Secretary. The Officers shall have equal voting rights. In the event of a split vote, the Chair shall have the casting vote.

32. Decisions may only be taken if at least the majority of the Officers are present at the meeting. For all questions submitted to a vote, the Executive Committee shall decide by simple majority. In the event of a split vote, the Chair shall have the casting vote.

33. In the event that an Officer resigns or is persistently unavailable to fulfil his/her duties, the remaining Officers shall call for an election at the first Board Meeting following the start of such unavailability, in order to appoint a replacement. When the vacant seat is that of the Chair, the Board shall normally appoint one of the Vice Chairs as interim Chair.

34. The Officers can be dismissed at any time and with immediate effect by the Board which decides independently and without any other reason.

The Board

35. The Board shall be the highest authority of EMMA, elected by the membership, and shall determine the general policy and activities of EMMA, approve its rules, determine the amount of entrance fees and membership fees and, as the final court, shall decide complaints and appeals of member Artist Manager organisations. It shall elect the Chair, Vice-Chair and Operations Manager, and appoint and dismiss the Executive Director who will be responsible for the operation of the Secretariat, as well as set appropriate compensation for the Executive Director and any other members of the Secretariat.

36. The Board shall comprise members from the member Artist Manager organisations in accordance with the following scale:

- a. Artist Manager organisations with 10-49 members = 1 Board member
- b. Artist Manager organisations with 50-99 members = 2 Board members
- c. Artist Manager organisations with 100 or more members = 3 Board members

37. Each Board member shall be appointed directly by the artist manager organisation s/he represents and shall have one vote.

38. The Board shall have the right to disqualify any member Artist Manager organisation who in the Board's 75% majority opinion is "padding" its membership numbers by offering unrealistic enticements or by under-charging membership fees with the purpose of increasing the number of members allowed to be considered to sit on The Board. The Board's decision in such instances shall be final.

39. The Board shall approve the accounts of EMMA for the prior year on an annual basis.

40. It shall be the responsibility of the Officers, together with the Secretariat, to ensure that the Rules, and the decisions of the Board are observed. The Board shall be responsible for determining the policy to be pursued. It shall be the duty of the Board to determine the location of the Secretariat, to appoint the necessary personnel and to supervise the activity of the Secretariat.

Operations

41. Meetings of the Board shall be held as required, but at least four times a year on a quarterly basis. A meeting shall be convened when requested by a simple majority of Board members within 30 days of such request being submitted to The Secretariat. The Chair and the Executive Director shall decide upon the time and place of such a meeting, but in the event of disagreement, the Chair's decision shall be final.

42. The quorum of the Board shall require the presence of at least the majority of member Artist Manager organisations and represented by at least one voting member. Voting members of the Board who cannot be present at the meeting can be represented by other members with proxies. Decisions shall be taken by simple majority of those present or represented unless otherwise indicated.

43. The Board shall determine its own standing orders.

44. The meetings of the Board shall be chaired by the Chair or Vice-Chair.

45. The Board shall appoint an auditor to conduct an annual audit of the books.

46. The expenses of Board meetings, and the travel expenses of the Executive Director and others who may act on instructions of EMMA, shall be borne by EMMA funds where such funds are available.

The Secretariat

47. The Secretariat shall attend to the administration of the Alliance. The Executive Director shall be responsible to the Board for EMMA funds.

48. The Executive Director shall be the executive officer of the Board and shall participate, in an advisory capacity, in meetings of the Board and of the Executive Committee. The Executive Director shall recuse her(his) self from any discussion with regards to the Executive Director's performance and/or compensation.

49. Agreements and other important documents must be signed by the Executive Director and the Chair, or, if this is not possible, by the Executive Director and one Vice-Chair. In financial matters the Executive Director may sign alone up to a limit to be agreed by the Board; beyond that limit the Executive Director must sign off on expenses together with one Officer as determined by the Executive Committee.

50. The Executive Director shall engage the necessary staff after consultation with the Executive Committee which shall determine all terms and conditions of employment as well as any additions to headcount.

51. The official language of the Alliance shall be English.

Honorary Membership

52. Honorary members are natural persons who have been of particular services to EMMA or to the music management sector and whose merits in this field are generally recognised by the membership.

53. To be eligible for honorary membership, the individual shall have made a significant contribution and have a record of active involvement in EMMA. The honorary membership should not be conferred simply as a reward for longevity or organisational activity.

54. Founding members and former Chairs and Vice-Chairs of EMMA shall be considered eligible for honorary membership if no longer actively involved in the organisation.

55. The grant or annulment of honorary membership shall be made by the Board on the initiative of the Chair or any two members.

56. Honorary Members shall hold no voting or election rights. They are not bound to payment of membership contributions.

57. Honorary Members may be invited to attend EMMA meetings, including Board meetings, at the initiative of the Board. Their attendance will be in an advisory capacity only.

Final Provisions

58. EMMA may be dissolved if two thirds of the member Artist Manager organisations agree to such a proposal.

59. In this case, any surplus property shall be distributed to the member Artist Manager organisations in proportion to the numbers of their members.

60. EMMA shall be liable only to the extent of its own property.

61. EMMA recognises that other non-European Artist Manager organisations may wish to align themselves with the objects of EMMA and work with EMMA to achieve similar goals on a more international basis. EMMA shall, at the discretion of The Board, recognise such non-European Artist Manager organisations as Allies. Any such non-European Artist Manager organisation accepted as an Ally will be invited to send one delegate to attend EMMA Board meetings as an Observer but shall not have any voting rights in EMMA.

62. The Board shall determine any matter on which the rules are silent but shall only have power to alter the existing rules if agreed by a two-thirds majority.