

Statutes of the myclimate foundation - The Climate Protection Partnership

1 Name and registered office

The myclimate foundation - The Climate Protection Partnership - has its registered office in Zurich. With the approval of the supervisory authority, the foundation Board may relocate its registered office to another location in Switzerland.

2 Purpose

The foundation finances and promotes carbon offset projects and measures in Switzerland and abroad in cooperation with suitable partners from science, politics, society and business. In doing so, it observes principles of sustainable development.

It pursues its objective in particular by:

- promoting energy efficiency
- promoting renewable energy sources
- promoting political, economic and financial structures and processes which support the implementation of carbon offset projects.

The foundation is a non-profit organisation and pursues neither commercial nor self-help objectives. It is neutral with regard to party politics and religion.

It may establish representative offices, branch offices or subsidiaries in Switzerland and abroad for the purpose of pursuing the purpose of the foundation, as well as operate a commercial business.

3 Foundation capital

The reported foundation assets amount to CHF 80,000.00.

It can be increased by further contributions from the founders, by donations from third parties and by income from the foundation's assets.

In order to fulfil the purpose of the foundation, the foundation capital and its income or the financial resources are available in accordance with Article 4 of the statutes.

The foundation is responsible for the efficient and effective use of the funds in accordance with the purpose of the foundation.

The foundation shall be exclusively liable for its liabilities with its assets.

4 Financial resources

The financial resources of the foundation come from:

- the sale of services and products, from donations, grants, subsidies and legacies
- investment income
- if applicable, from the income of a commercially managed trade, as well as from subsidiaries, branches and participations at home and abroad

5 Bodies of the foundation

The bodies of the foundation are:

- the foundation board;
- one or more committees of the foundation board, if any
- the management
- the auditors

6 Foundation Board

The foundation board is the supreme body of the foundation. It consists of at least five (5) natural persons or representatives of legal entities who are generally active in an honorary capacity. The foundation board shall be responsible for the overall management of the foundation; it shall have all powers which are not expressly delegated to another body by statute or regulations. The foundation board shall decide on the payment of attendance fees or compensation to members or persons to whom special powers have been delegated.

The foundation board is entitled to delegate individual powers permanently or on a case-by-case basis to its President, individual members or to committees from among its members or to third parties.

The foundation board shall designate the authorised signatories and the type of subscription.

The foundation board issues one or more regulations and specifications in which the organisation, the duties of the organs and other details are regulated. The regulations may be amended by the foundation board, whereby the amendments must be submitted to the supervisory authority again in each case.

The foundation board constitutes itself and designates its successor members.

7 Tasks of the committee and the management

The duties of the committee or committees of the foundation board and the management are described in a set of regulations.

8 Auditor

The foundation conducts a limited audit in accordance with the standards recognised for internationally active non-governmental organisations (NGOs). (Art. 83a and 83b Swiss Civil Code) The foundation board appoints an independent, recognised auditor for the annual audit of accounts.

The auditor reviews the annual financial statements and prepares a written report and proposal to the foundation board on an annual basis. It sends a copy of the audit report to the supervisory authority (Art. 83c Swiss Civil Code).

9 Supervisory authority

The foundation shall be subject to supervision by the Swiss Confederation.

10 Amendments to the deed of foundation

The foundation board may request the supervisory authority to amend the deed of foundation within the framework of Art. 85 and 86 as well as 86b of the Swiss Civil Code. This requires a two-thirds majority of the members of the foundation board.

11 Resolution

The foundation is dissolved by law as soon as its purpose has become unachievable (Art. 88 Swiss Civil Code). In this case, the remaining foundation assets are to be used, with the approval of the supervisory authority, for purposes that correspond as closely as possible to the foundation's purpose.

The foundation shall be dissolved if it has achieved the purpose defined in Art. 2 or if it can no longer fulfil it or if it is fulfilled by third parties or if a sufficient number of participants or sufficient financing can no longer be expected in the long term.

The foundation board shall decide on the existence of grounds for dissolution by a two-thirds majority in agreement with the supervisory authority.

In the event of dissolution, then profits and capital shall be transferred to one or more charitable institutions which pursue the same or similar objectives. These must be tax-exempt and have their registered office in Switzerland. Foundation assets do not revert to the founders or their legal successors.

These statutes were drawn up on 8 August 2002 and totally revised on 5 April 2006 and 27 November 2019.