

RA SJ SJD DAJ PJ 2023 513  
Santa Cruz de la Sierra, 8 de Septiembre de 2023

## RESOLUCIÓN ADMINISTRATIVA

### VISTOS:

La Constitución Política del Estado, el Estatuto del Departamento de Santa Cruz, la Ley Departamental N° 50, el Código Civil, la Resolución Administrativa N° 005/2022 de 03 de febrero de 2022, el memorial de solicitud de Personalidad Jurídica y el Informe Legal IL SJ SJD DAJ PJ 513 2023 de 8 de Septiembre de 2023.

### CONSIDERANDO:

Que, la Constitución Política del Estado en su Artículo 300, Parágrafo I, Numeral 13, establece como competencia exclusiva de los Gobiernos Departamentales Autónomos: Otorgar personalidad jurídica a Organizaciones No Gubernamentales, fundaciones y entidades civiles sin fines de lucro que desarrollen actividades en el Departamento.

Que, la Ley Departamental N° 50, establece el ámbito de aplicación, los requisitos y procedimiento para que el Gobierno Autónomo Departamental otorgue Personalidad Jurídica.

Que, el Informe Legal IL SJ SJD DAJ PJ 513 2023 de 8 de Septiembre de 2023, concluye que la solicitante **ASOCIACIÓN DE ERGONOMÍA Y FACTORES HUMANOS (ASERFHU)**, ha cumplido para la obtención de su personalidad jurídica, con los requisitos exigidos por la Ley Departamental N° 50 y el Código Civil y demás normas que rigen la materia y en consecuencia recomienda se proceda a la firma de la Resolución Administrativa que otorga Personalidad Jurídica al solicitante y se proceda a la protocolización de sus documentos.

### POR TANTO:

El(La) Secretario(a) de Gestión Institucional, en virtud de la Resolución Administrativa N° 005/2022 de 03 de febrero de 2022 y en representación del Gobierno Autónomo Departamental de Santa Cruz, por delegación, en uso de sus atribuciones y funciones.

### R E S U E L V E:

**Artículo Primero.- Otorgar Personalidad Jurídica** a la persona colectiva con la denominación **ASOCIACIÓN DE ERGONOMÍA Y FACTORES HUMANOS (ASERFHU)**, como persona jurídica sin fines de lucro, con domicilio en el Municipio de Santa Cruz de la Sierra, Provincia Andres Ibañez, Departamento de Santa Cruz - Bolivia, con la prohibición de dedicarse a otro rubro que no sea el indicado en su Estatuto Orgánico, así también a actividades ilícitas que atenten a la seguridad pública bajo sanción de revocatoria de la Personalidad Jurídica. Por la Notaría de Gobierno se dispone la protocolización de su Estatuto Orgánico con sus IV Títulos, XV Capítulos, 49 Artículos y su Reglamento Interno con sus III Títulos, XI Capítulos, 37 Artículos.

**Artículo Segundo.-** La persona jurídica beneficiada o favorecida con esta Resolución, en caso que sus objetivos o actividades a desarrollar se encuentren sujetos a regulación estatal, deberán tramitar la autorización expresa ante las instancias municipales, departamentales y/o nacionales competentes, cumpliendo con los requisitos y normativas correspondientes.

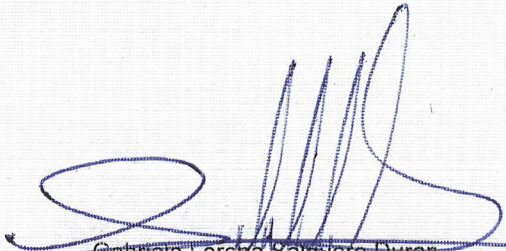
El Gobierno Autónomo Departamental de Santa Cruz, realizará la respectiva publicación de la presente Resolución Administrativa en la Gaceta Oficial, de acuerdo a lo establecido en el Decreto Departamental 300, de fecha 14 de enero de 2020

Regístrese, Cúmplase y Archívese.



Carp.  
Original 128/22



  
Gabriela Lorena Salguero Duran  
SECRETARIA DE GESTIÓN INSTITUCIONAL  
EN REPRESENTACIÓN DEL GOBIERNO  
AUTÓNOMO DEPARTAMENTAL DE SANTA CRUZ

  
Abg. Carlos Andrés Antoniano Martínez  
DIRECTOR DE SERVICIO JURIDICO  
SECRETARIA DE JUSTICIA  
GOBIERNO AUTÓNOMO DEPARTAMENTAL DE SANTA CRUZ



**SCZ**

Gobierno  
Autónomo  
Departamental  
Santa Cruz

Av. Omar Chávez, Esq. Pozo  
Telf. Of.: (591 - 3) 3636000 - 3636001  
www.santacruz.gov.bo

**ORGANIC STATUTE  
ERGONOMICS AND HUMAN FACTORS ASOCIATION (ASERFHU)**

**TITLE I  
CHAPTER I:**

**CONSTITUTION, DENOMINATION, LEGAL NATURE, AND DOMICILE AND SCOPE  
OF ACTION**

**ARTICLE 1 (CONSTITUTION).** *The HUMAN FACTORS AND ERGONOMICS ASSOCIATION, abbreviated as “ASERFHU,” was established on January 20, 2022, inspired by solidarity and fellowship. It is a non-profit scientific and social organization, governed by this Statute, its Internal Regulations, and the laws of the State applicable to its activities.*

**ARTICLE 2 (NAME).** *The official name of the organization shall be: **HUMAN FACTORS AND ERGONOMICS ASSOCIATION (ASERFHU)**, with full legal personality and authority to carry out all actions permitted by law.*

**ARTICLE 3 (DOMICILE).** *Its legal domicile is established in the Province of Andrés Ibáñez, Department of Santa Cruz de la Sierra, Bolivia.*

**ARTICLE 4 (SCOPE OF ACTION).** *ASERFHU shall carry out its activities at both departmental and national levels. Its main headquarters will be located in the Province of Andrés Ibáñez, Department of Santa Cruz de la Sierra.*

**ARTICLE 5 (DURATION).** *The HUMAN FACTORS AND ERGONOMICS ASSOCIATION (ASERFHU) is established for an indefinite period, unless extraordinary and unforeseen circumstances dictate otherwise.*

**CHAPTER II:  
GENERAL AND SPECIFIC OBJECTIVES**

**ARTICLE 6 (PURPOSE AND OBJECTIVES).** *The essential objectives of ASERFHU are as follows:*

- a. Promote, support, and sponsor all types of educational programs, conferences, classes, courses, congresses, symposia, study groups, and publications related to Ergonomics.*
- b. Organize events that enrich ergonomic culture at the national and international level.*
- c. Manage scholarship opportunities related to Ergonomics, within or outside the country.*
- d. Promote the practice of Ergonomics wherever it is needed.*
- e. Receive contributions, donations, aid, cooperation, or subsidies from foundations interested in promoting Ergonomics and its development in Bolivia.*
- f. Acquire assets necessary for the fulfillment of its social objectives, without harming third parties.*

- g. *Enter into legal acts and contracts directly related to the Association's mission.*
- h. *All activities must remain non-profit in nature. Any profit must be reinvested to promote the Association's non-profit objectives.*
- i. *Provide advice and guidance on ergonomic matters to unions, employers, and government organizations.*
- j. *Strengthen bonds of friendship, fellowship, and scientific exchange among members.*
- k. *Preserve and disseminate ethical, moral, and scientific values of the region to support ergonomic research.*
- l. *Provide members with recreational spaces (e.g., parks, pools, sports fields).*
- m. *Promote mutual internal support among members in economic, cultural, and social matters.*

**ARTICLE 7 (ACTIVITIES). ASERFHU shall carry out the following activities:**

- a. *- Organize congresses, workshops, seminars, fairs, and scientific events related to Ergonomics at the departmental and national level.*
- b. *- Conduct workplace visits in coordination with labor and social welfare authorities to promote ergonomic practices.*
- c. *- Form training teams to teach ergonomic postures at workplaces.*

**CHAPTER III  
CATEGORIES OF MEMBERS  
MEMBERSHIP CATEGORIES, REQUIREMENTS, ADMISSION, WITHDRAWAL,  
SANCTIONS, AND REMOVAL**

**ARTICLE 8 (CATEGORIES OF MEMBERS).** *Membership categories for individuals are as follows: active and inactive.*

*Active or founding members are those who participated in the foundation of the Association.*

*Inactive or honorary members are distinguished individuals recognized for their undeniable reputation, scientific background, or outstanding contributions to the field of ergonomics, regardless of nationality, and who have met the merits deemed appropriate by the Assembly in alignment with the Association's objectives.*

**ARTICLE 9 (REQUIREMENTS).** *To become a member, the applicant must:*

- a. *Be of legal age and fully enjoy civil rights.*
- b. *Have an impeccable reputation and conduct.*
- c. *Hold a known occupation in the community.*
- d. *Be accepted as a member by the Assembly of the Bolivian Civil Association of Ergonomics.*

**ARTICLE 10 (ADMISSION PROCEDURE).** *To be admitted as a member, the applicant must:*

- a) *Submit a written application to the Board containing personal information: full name, profession or occupation, marital status, nationality, address, place and date of birth, and national ID number. A copy of the valid ID must*

- be attached, endorsed by the signatures of two active members with at least two years of seniority and in good standing.*
- b) The General Assembly will approve or reject the application through a secret vote within a maximum of two months from the date of receipt.*
  - c) Admission requires a unanimous vote of the present members in a General Assembly, by secret ballot.*
  - d) A single objection by a member will result in the rejection of the application. If rejected again in a future application, no further applications will be accepted.*
  - e) Once admitted, the new member has three months to pay the admission fee and other extraordinary and monthly dues. Failure to comply results in cancellation of the admission, and any payments made will be retained by the Association.*
  - f) The admission fee amount will be set annually by the Assembly based on the investment plan proposed by the Board. The fee must be paid within three months.*
  - g) Upon acceptance, the new member will receive a membership certificate and be formally inducted into ASERFHU with all rights and privileges.*
  - h) Founding members are those registered with the Association before September 30, 2021.*

**ARTICLE 11 (WITHDRAWAL).** *A member may lose membership under the following circumstances:*

- a. Written resignation submitted to the Board.*
- b. Delay in paying monthly and extraordinary dues.*
- c. Misappropriation of the Association's funds.*
- d. Repeated non-participation in Association activities.*
- e. Judicial conviction for a criminal offense.*
- f. Decision by the General Assembly.*

**ARTICLE 12 (SANCTIONS AND REMOVAL).** *A member will be sanctioned and removed from the Association for:*

- Failure to comply with the Statute and Internal Regulations.*
- Causing manifest damage to the Association's assets through misconduct.*
- Disrespecting, psychologically, physically, or morally assaulting another member without justification.*
- Damaging the name or image of the Association or its members.*

*In such cases, the member will be permanently expelled by decision of the General Assembly and will not be allowed to rejoin.*

## **TITLE II**

### **CHAPTER I**

### **RIGHTS AND OBLIGATIONS OF MEMBERS**

**ARTICLE 13 (RIGHTS).** *Members of ASERFHU have the following rights:*

- a. Be elected as a member of the Board of Directors.*
- b. Make use of all the Association's facilities and infrastructure, both for themselves and their family (wife and children).*

- c. *Request, in writing or verbally, reports regarding the financial status of the Civil Association.*
- d. *Make written submissions to the Board of Directors and the Assembly with complaints, suggestions, requests, or proposals that they consider useful for the better development of the Civil Association.*

**ARTICLE 14 (OBLIGATIONS).** *Members are required to:*

a. *To safeguard the good name of the **HUMAN FACTORS AND ERGONOMICS ASSOCIATION (ASERFHU)**.*

b. *To attend the assemblies convened by the Board of Directors.*

c. *To carry out the tasks and commissions assigned to them.*

d. *To behave appropriately both inside and outside the Association.*

e. *To comply with the resolutions of the Assemblies and the regulations established in the Organic Statute and Internal Rules.*

f. *To show respect to the Board members and all associates in the exercise of their duties.*

g. *To make timely payment of all financial contributions established by the Statutes of the Civil Association and those determined by the Assembly.*

h. *To preserve the property and assets of the Civil Association, and to restore them in the event of damage or destruction caused by fault, intent, negligence, or recklessness.*

## **CHAPTER II REPRESENTATION AND COMPOSITION OF THE BOARD**

**ARTICLE 15 (REPRESENTATION).** *The HUMAN FACTORS AND ERGONOMICS ASSOCIATION (ASERFHU) shall be represented by a Board elected by all registered members through secret ballot and/or simple majority.*

**ARTICLE 16 (COMPOSITION OF THE BOARD).** *The Civil Association shall be led by a Board composed of four (4) members, elected in the General Assembly by secret vote and/or simple majority, composed as follows:*

1. *President*
2. *Vice President*
3. *Secretary*
4. *Treasurer*

**ARTICLE 17 (TERM OF OFFICE).** *The Board shall serve a two (2)-calendar-year term starting from the official inauguration, conducted by the Electoral Committee.*

**ARTICLE 18 (ELECTION OF THE BOARD).** *The Board shall be elected by secret ballot and/or simple majority. Members may be re-elected for one consecutive term, allowing for two successive terms.*

**ARTICLE 19 (ELECTORAL COMMITTEE).** *The election shall be overseen and supervised by an Electoral Committee composed of three (3) members chosen from those present at the General Ordinary Assembly, who shall not be part of the outgoing board.*

**ARTICLE 20 (ELECTION PROCEDURE).** *The Electoral Committee shall be responsible for calling and conducting the election of the new Board within a maximum of thirty (30) days from its own appointment.*

**ARTICLE 21 (REQUIREMENTS FOR ELECTION TO THE BOARD).** *Members elected to the Board must meet the following requirements:*

- a. Minimum two (2) years of membership in the Association.*
- b. Be current with all financial obligations to the Association.*
- c. Not have been suspended from the Civil Association.*
- d. Have no enforceable legal convictions against them.*

### **CHAPTER III DUTIES OF THE BOARD AND MEETINGS**

**ARTICLE 22 (DUTIES OF THE BOARD).** *The duties of the Board are:*

- 1. Represent ASERFHU before civic, political, administrative, judicial, scientific, banking, cooperative, and other authorities, based on its legal standing.*
- 2. Ensure compliance with the Organic Statute, Internal Regulations, and Assembly resolutions.*
- 3. Call ordinary and extraordinary assemblies.*
- 4. Disqualify members for serious offenses not specified in the Statute or Regulations, and impose sanctions.*
- 5. Acquire and/or sell movable and immovable property with prior approval of the General Ordinary Assembly, in accordance with the Statute.*
- 6. Authorize the signing of contracts and agreements.*
- 7. Propose to the Assembly changes to monthly contributions, entry or re-entry fees for members as appropriate.*
- 8. Propose to the General Assembly amendments to the Statutes and Internal Regulations for approval.*
- 9. Delegate functions to one or more members of the Board and the Civil Association.*
- 10. In general, adopt measures necessary for the proper functioning and development of the Civil Association.*

**ARTICLE 23 (BOARD MEETINGS).** *Board meetings shall be held as follows:*

- 1. The Board shall meet in ordinary session once (1) per year and in extraordinary session once (1) per month or as often as necessary.*
- 2. Attendance of all Board members is mandatory. In case of absence, a fine determined by the Board shall be paid, unless the absence is justified and supported.*
- 3. Absence from three (3) consecutive or six (6) non-consecutive meetings within six months shall constitute resignation, and the position shall be automatically vacated and replaced in ascending order from lower-ranking Board positions.*

### **CHAPTER IV BOARD POSITIONS**

**ARTICLE 24 (DUTIES OF THE PRESIDENT).** *The President shall:*

- 1. Represent ASERFHU officially, legally, and administratively by delegation of the Board.*

2. *Call ordinary and extraordinary Board meetings.*
3. *Chair all convened assemblies.*
4. *Co-sign letters, notes, official communications, and others with the Board.*
5. *Sign contracts and agreements.*
6. *Open bank and/or financial accounts.*
7. *Independently resolve urgent operational issues that may affect the Civil Association, informing the Board accordingly.*
8. *Ensure compliance with the Organic Statute and Internal Regulations.*
9. *Foster relationships with other similar institutions.*
10. *Lead all social, cultural, scientific, and sports activities involving the Civil Association.*
11. *Present an annual report to the General Assembly prepared by the Treasurer and another report at the end of their term.*

**ARTICLE 25 (DUTIES OF THE VICE PRESIDENT).** *The Vice President, as the immediate hierarchical authority after the President, shall:*

1. *Assist the President in achieving the goals and policies of the Civil Association.*
2. *Replace the President during absence, vacation, or temporary/permanent impediment; in the latter case, convene elections for a new President or be confirmed in the position for the remainder of the term.*
3. *Coordinate, direct, supervise, and monitor the work of all Board Secretariats.*
4. *Co-sign with the President all contracts, agreements, deeds of acquisition, and property transfers.*
5. *Act as representative of the Civil Association in coordination with the President.*

**ARTICLE 26 (DUTIES OF THE SECRETARY).** *The Secretary shall:*

1. *Replace the Vice President in case of justified impediment, absence, or resignation, with all powers of the position.*
2. *Draft and file all correspondence issued and received.*
3. *Maintain the Member Registry Book with full details, addresses, phone numbers, and email addresses, and keep it updated.*
4. *Record attendance of all members at each assembly.*
5. *Draft and present the minutes of Board meetings for review in the next session.*
6. *Assist the President in planning the objectives and goals of the Civil Association.*
7. *Inform the President of the performance of committees and actions of the Civil Association.*
8. *Support and contribute to the smooth functioning and operations of the Civil Association.*

**ARTICLE 27 (DUTIES OF THE TREASURER).** *The Treasurer shall:*

1. *Manage all financial funds of the Civil Association, including entry and re-entry fees, ordinary and extraordinary monthly contributions, and all monies received.*
2. *Maintain the accounting book and record all financial transactions.*
3. *Present a monthly financial report to the Board detailing income and expenses for the Association's knowledge.*
4. *Report to the Board any discrepancies or shortages regarding funds or inventory.*
5. *All expenses must be supported by valid receipts signed by both the President and the Treasurer.*

6. *Open checking and savings accounts jointly with the President.*
7. *Manage the Association's financial operations and participate in its direction.*

## **CHAPTER V ASSETS, CONTRACTS, AND PENALTIES**

### **ARTICLE 27 (ACQUISITION OF ASSETS).**

*The Association may purchase, lease, acquire through anticresis, or exchange all types of movable and/or immovable property.*

### **ARTICLE 28 (SALE OF ASSETS).**

*The sale of assets shall require a prior report from the Board and subsequent approval by an absolute majority of the members present at the General Assembly, with the attendance of at least seventy-five percent (75%) of active members. The proceeds from the sale shall be allocated to the purposes and objectives of the Civil Association.*

### **ARTICLE 29 (SIGNING OF CONTRACTS).**

*Contracts for the purchase and/or sale of goods valued at more than USD 2,000 (Two Thousand US Dollars 00/100), or its equivalent in Bolivian currency, shall be signed by the President and the Treasurer, by express mandate of the Extraordinary Assembly authorizing the act. Other contracts, including employment or service agreements under USD 2,000, or its equivalent in Bolivianos, shall be signed by the President, also by express mandate of the Assembly.*

### **ARTICLE 30 (PENALTIES).**

*Any unlawful or unauthorized acts carried out by Board members that violate the regulations governing the Association's assets shall result in their removal from office and expulsion from the Association.*

## **TITLE III CHAPTER I LEAVE, RESIGNATION, AND SUSPENSION**

**ARTICLE 31 (LEAVE).** *Any member of the **HUMAN FACTORS AND ERGONOMICS ASSOCIATION (ASERFHU)** who must be absent for more than six months due to duly justified and documented reasons may request a leave from the Board. During the leave, they will be exempt from paying monthly contributions but not extraordinary fees. The time on leave shall not count toward the calculation of membership seniority.*

*Justified reasons for requesting leave include illness, work or studies abroad, and family issues.*

**ARTICLE 32 (RESIGNATION).** *Any member wishing to resign must submit a written resignation. They will not be entitled to reimbursement of any contributions made under any concept. The resignation will be reviewed and accepted by the Board.*

**ARTICLE 33 (SUSPENSION).** *A member suspended as a disciplinary measure imposed by the Board, in accordance with the Organic Statute and Internal Regulations, must accept the imposed sanction. During the suspension period, the*

*member may not enter any Association premises, participate in ordinary or extraordinary assemblies, or vote or be elected. However, they must continue fulfilling their financial obligations.*

## **CHAPTER II CONTRIBUTIONS AND PAYMENTS**

**ARTICLE 34 (CONTRIBUTIONS).** *Contributions shall include:*

- ✓ *Monthly Ordinary Contributions*
- ✓ *Extraordinary Contributions*
- ✓ *Entry Contributions to the Association*

**ARTICLE 35 (PAYMENT OF CONTRIBUTIONS).** *All members must pay monthly and extraordinary contributions to ASERFHU as determined by the General Assembly. If a member accumulates four (4) unpaid monthly contributions and/or overdue extraordinary fees, they will be classified as an inactive member. This status shall be communicated by the Board.*

## **CHAPTER III TYPES OF ASSEMBLIES, POWERS, PROCEDURE, QUORUM, AND RESOLUTIONS**

**ARTICLE 36 (GENERAL ASSEMBLY).** *The General Assembly is the highest decision-making body with full powers to ensure compliance with the Statute, Internal Regulations, and its own resolutions, which require a two-thirds (2/3) majority of active members present. Before the start of each Assembly, a quorum of 50% plus one (50% + 1) of active members must be met.*

**ARTICLE 37 (TYPES OF ASSEMBLIES).** *The General Assembly may be Ordinary or Extraordinary:*

*The Ordinary Assembly shall be held between January and June of each year.*

*Extraordinary Assemblies shall be held once a month or as often as deemed necessary by the Board.*

**ARTICLE 38 (POWERS OF THE ORDINARY ASSEMBLY).** *The Ordinary Assembly shall address the following matters:*

- a) Analyze and approve the annual Board report presented by the President, including financial, social, scientific, and infrastructure aspects.*
- b) Approve the annual budget.*
- c) Approve extraordinary expenses proposed by the Board not covered by an Extraordinary Assembly.*
- d) Set ordinary contributions to cover budgetary expenses.*
- e) Call for Board elections upon completion of the two-year term and satisfactory accountability.*

f) *Form and appoint the Electoral Committee.*

**ARTICLE 39 (POWERS OF THE EXTRAORDINARY ASSEMBLY).** *The Extraordinary Assemblies shall address:*

- a) *Matters not under the competence of the Ordinary Assembly*
- b) *Planning of events and general activities*
- c) *Approval of extraordinary expenses*
- d) *Partial or full modification and approval of the Statute and Internal Regulations, with a two-thirds (2/3) majority vote of members present*
- e) *Approval of purchase or sale of movable or immovable property*

**ARTICLE 40 (PROCEDURE).** *The procedure for assemblies shall be as follows:*

1. *The agenda may include:*

- ✓ *Reading of the previous minutes*
- ✓ *Election call*
- ✓ *Financial report*
- ✓ *Activity report*
- ✓ *Amendment of the Organic Statute*
- ✓ *Board elections*
- ✓ *Board resolutions*

*Other necessary items*

2. *Only agenda items published in the official call shall be considered.*

3. *The call must be sent via electronic communication, published and/or distributed through internal channels so that 100% of members are informed at least fifteen (15) calendar days in advance.*

4. *To participate, members must be up to date with monthly and extraordinary contributions. They may pay at the event to be eligible. Attendance shall be recorded with a signature in a designated book.*

**ARTICLE 41 (QUORUM).** *If the quorum of 50% plus one (50% + 1) is not met at the scheduled time, a 30-minute grace period will be granted. If the required quorum is still not met, the Assembly will proceed with those present. All decisions made shall be binding on all members, including absentees.*

## **TITLE IV CHAPTER I ASSETS AND SURPLUSES**

**ARTICLE 42 (ASSETS).** *The assets of ASERFHU shall consist of:*

- a) *Movable and immovable property*

- b) *Monthly contributions*
- c) *Entry fees from new members*
- d) *Operating surpluses*
- e) *Donations*
- f) *Lawful income from any other source*

**ARTICLE 43 (SURPLUSES).** *The Association's assets and income shall be used exclusively for its stated purposes. Any surplus or profit from operations shall be reinvested into the Association's activities. Under no circumstances shall surpluses be distributed, directly or indirectly, among members. In the event of liquidation, remaining assets shall be transferred to non-profit entities with similar objectives or donated to public institutions.*

## **CHAPTER II DURATION AND MANAGEMENT AUTONOMY**

**ARTICLE 44 (DURATION).** *ASERFHU is established for an indefinite term, as long as its purposes and objectives remain valid.*

**ARTICLE 45 (MANAGEMENT AUTONOMY).** *The Association is fully autonomous and shall not be subordinate to any social, religious, political, financial, or other institution.*

## **CHAPTER III CAUSES OF DISSOLUTION AND ASSET DISPOSITION**

**ARTICLE 46 (CAUSES OF DISSOLUTION).** *Dissolution shall occur when ASERFHU ceases to have legal existence due to any of the following causes as outlined in Article 64 of the Civil Code:*

- ✓ *As stipulated in the Organic Statute*
- ✓ *If the purpose of the Association is fulfilled or becomes impossible*
- ✓ *If it cannot operate under the principles established in its statutes*
- ✓ *By court order upon request by the Public Prosecutor's Office for activities against public order or good customs*
- ✓ *By voluntary decision of 100% of active members present in an Extraordinary Assembly*

**ARTICLE 47 (ASSET DISPOSITION).** *In the event of dissolution or liquidation:*

*The Association shall proceed with the liquidation of assets, with remaining property assigned to similar non-profit entities:*

1. **On the Dissolution and/or Termination of the Civil Association** *in accordance with the grounds established in Article 64 of the Civil Code.*
2. **On the Liquidation of Assets:** *Once the Association is dissolved or terminated, its assets shall be liquidated, and the remaining property shall be transferred to other non-profit organizations with similar objectives, in accordance with Article 65 of the*

*Civil Code, Article 2 of Law No. 2493, and Article 8, Section II, numerals 1, 2, 3, 4, 5, 6 of Regulatory Resolution No. 10-0030-2014 of the National Tax Service. Under no circumstances may the remaining assets be distributed directly or indirectly among the members, and these conditions must be reflected in the institution's actual financial reality. **Article 2, paragraph b) of Law No. 2493 of August 4, 2003**, which amends Law No. 843, states the following: "Profits obtained by civil associations, foundations, or legally authorized non-profit institutions that have signed agreements and engage in the following activities: religious, charitable, welfare, social assistance, educational, cultural, scientific, ecological, artistic, literary, sports-related, political, professional, labor union or guild-related... shall be tax-exempt, provided that they do not carry out financial intermediation or other commercial activities, and that, by express provision of their bylaws, all income and assets of the aforementioned institutions are exclusively allocated to the purposes listed above. Under no circumstances may such income or assets be distributed directly or indirectly among their members. In the event of liquidation, their assets must be transferred to entities with similar purposes or donated to public institutions. These conditions must be reflected in their actual economic operations."*

**Article 8, Section II of Regulatory Resolution No. 10-0030-2014** of the National Tax Service also specifies the following requirements:

1. *That the entity is non-profit.*
2. *That it does not engage in financial intermediation activities.*
3. *That it does not engage in commercial activities, except as provided in Section II of Article 3 of the present Regulatory Resolution No. 10-0030-2014.*
4. *That all income and assets of the institution are definitively allocated to the exempt activity.*
5. *That under no circumstances are the income and assets of the institution distributed directly or indirectly among its members.*
6. *That in the event of liquidation, the assets are transferred to entities with similar purposes or donated to public institutions.*

#### **CHAPTER IV FINAL PROVISIONS**

**ARTICLE 48 (PREFERENTIAL AND SUPPLEMENTARY APPLICATION).** *In case of conflict between the Organic Statute and the Internal Regulations, the Organic Statute shall prevail.*

**ARTICLE 49 (VALIDITY).** *This Organic Statute shall enter into force upon its approval by the relevant internal and external authorities of the Departmental Government of Santa Cruz.*

**ARTICLE 50 (AMENDMENTS).** *Partial or total amendments to this Organic Statute must be approved by the General Assembly of the Civil Association.*

Santa Cruz de la Sierra, January 2022