

# Articles of Association for the Norwegian Association of Literary Translators

Adopted at the constitutive meeting on 1 November 1948 and as amended by Annual General Meetings in 1961, 1968, 1977, 1980, 1981, 1985, 1986, 1987, 1988, 1991, 1993, 1994, 1997 and 1998. Revised 1999. Amended 2001, 2002, 2003, 2006 and 2008. Revised 2011. Amended 2015.

## § 1 OBJECT

The object of the Norwegian Association of Literary Translators is to:

- serve as a professional meeting place for literary translators
- maintain excellence in Norwegian translations
- defend and promote the shared professional and financial interests of its members
- assist and advise individual members
- raise the status of translation as a profession and render translators visible as creators

## § 2 MEMBERSHIP

Any qualified translator of fiction to the Norwegian or Sámi languages is entitled to apply for membership. The applicant must submit to the Expert Council at least:

- two translations of fiction prose, collectively comprising at least 240 pages
- or two translations of full-length dramatic works, collectively comprising at least 200 pages
- or translations of poetry on a scale approved by the Council

The original works, which should be appended to the application, must collectively have such a scope and reflect such high professional standards that the applicant through his/her solutions gets the opportunity to demonstrate his/her qualifications, allowing the Expert Council to consider them. The translations must be published by a Norwegian or Sámi publishing house or performed in a Norwegian or Sámi theatre. In exceptional cases, the Expert Council can grant exceptions from this requirement.

Translators of fiction who translate from Norwegian and Sámi and who live and work in Norway, and who can document comparable production can also be granted membership.

The Board decides whether the applicant can be admitted as a member, based on a recommendation from the Expert Council.

Members are required to comply with the agreements that the Association - itself or through participation in reproduction rights organisations (RROs) - enters into on behalf of the

members, within the boundaries ensuing from these Articles of Association and legislation.

#### Honorary members

To be named an honorary member of the Norwegian Association of Literary Translators, individuals within or outside the Association must have made an exceptional contribution to the translation community, through social, professional or trade association accomplishments. Honorary membership can only be bestowed by a unanimous Board. Honorary membership shall be announced at the Annual General Meeting, commemorated by a diploma and/or a gift, and, if so decided by the Board, may be accompanied by an appreciation grant.

### **§ 3 DUES**

The dues are set by the Annual General Meeting. The membership dues are allocated in their entirety to the Solidarity Fund, unless the Annual General Meeting decides otherwise (see § 8).

As from age 67, members of the Norwegian Association of Literary Translators pay half dues. Those who were pensioners prior to 1 January 2007 and members on disability are exempt from paying dues. Members who fail to pay their dues by the end of the calendar year will no longer be considered members of the Association. The persons in question cannot become members again until the overdue dues are paid.

Honorary members are exempt from liability for dues.

### **§ 4 EXPULSION**

Members who act at variance with the Association's object and statutes, violate other members' professional rights, or by other means harm the Association's work, can be deprived of membership permanently or for a specific period of time. A decision regarding expulsion can be adopted by the Annual General Meeting on the basis of a well-grounded motion from the Board or at least 8 (eight) members. Any re-admission to the Association is contingent on the approval of the Annual General Meeting without debate.

## **§ 5 THE ASSOCIATION'S ORGANISATION, ADMINISTRATION, ETC.**

### I The Annual General Meeting

The Association's supreme governing body is the Annual General Meeting, which shall be held by the end of April each year. Decisions of the Annual General Meeting can only be overturned by referendum (§ 7).

Only members who have paid dues for the current year are entitled to vote at annual general meetings, unless they are no longer liable for dues, cf. § 3.

The Annual General Meeting is convened with at least 3 (three) weeks' notification. The Annual General Meeting deals with items of business in the following order:

1. Directors' Report
2. Audited accounts
3. Other items of business
4. Budget proposal
5. Membership dues
6. Election

Proposals to amend the Articles of Association can only be dealt with at the Annual General Meeting. Items of business to be dealt with by the Annual General Meeting must be in the hands of the secretariat 6 (six) weeks at the latest prior to the Annual General Meeting. Nominations for elections must be in the hands of the Nomination Committee 8 (eight) weeks at the latest prior to the Annual General Meeting. Items of business submitted too late to be included in the convening letter, or to be presented at the Annual General Meeting, shall be dealt with if the meeting decides to do so by a 2/3 majority. Exceptions to this are amendments to the Articles of Association (§ 9) and the dissolution of the Association (§ 10).

The election of the auditor is contingent on the approval of the Annual General Meeting. The Annual General Meeting shall elect its own minute-taker.

An extraordinary Annual General Meeting can be convened by the Board, and shall be convened when at least 20 members so request.

### II Other meetings

Other membership meetings are convened with at least 3 (three) weeks' notice. Membership meetings decide themselves, based on a recommendation from the Board, whether written minutes should be taken.

### III The Board

The Association is managed by a Board consisting of 8 (eight) members. The Board has a quorum when the chair or deputy chair and at least 3 (three) other members are present. In the case of a tie vote, the chair (or acting chair) shall have the casting ballot.

The chair of the Board leads the Association's activities pursuant to the Articles of Association and has fiduciary responsibility for the Association's funds. The Board ensures that the Association's accounts are audited by a state-authorized public accountant. The fiscal year ends on 31 December. The Board organises the Association's secretariat and draws up instructions for the employees.

At all Board meetings, the secretary shall take minutes, which are subject to approval by the directors.

To promote the Association's object, the Board has the authority to:

- a) enter into standard agreements on the terms and conditions that apply to individual exploitations of the members' works; The agreements may include special remuneration for collective funds, as long as this does not reduce the individual remuneration to the members that applies on the date on which the agreement in question was concluded;
- b) to enter into, ourselves or through a rights management organisation, collective agreements for clearances, terms and conditions and remuneration for secondary exploitation of works in areas covered by the provisions of licence agreements, or in related fields;
- c) to enforce, ourselves or through a rights management organisation, members' rights in relation to unlawful secondary exploitation as mentioned above, incl. to put into effect sanctions under civil law such as claims for damages, etc., and to file legal actions;
- d) to negotiate agreements on, guidelines for and remuneration from collective remuneration schemes;
- e) to allocate, in the best interests of translators of fiction and in compliance with legislation and the approved Articles of Association, remuneration which, according to agreements as mentioned above, shall be paid to the Association, or to bodies which it, alone or in conjunction with other rightsholders' organisations, has established for the management of such funds;
- f) to organise membership meetings, seminars and study excursions as part of the Association's activities;
- g) otherwise to engage in such outreach activities as found necessary.

#### IV Expert Council

The Council serves as the Association's professional expert committee, grants committee, and advisory body for the Board of Directors on professional issues.

All membership applications are submitted to the Expert Council for recommendation.

The Council is the deciding body on all matters related to grants, in accordance with guidelines adopted by the Association. This refers to the distribution to translators of fiction in

Norway the funding that the Annual General Meeting makes available each year for grants from the aggregate collective remuneration.

The Council is the body that makes recommendations for the public grants (the Norwegian State's artistic grants and sundry legacy grants).

The Board and the Council can refer items of a professional nature to each other.

The Council has a quorum when at least 5 (five) members are present. One of them must be the chair or deputy chair. The Grants Committee has a quorum when at least 5 (five) members are present. One of them must be the chair or deputy chair.

The Council shall keep minutes of its decisions, which are submitted to the Board. The Association's secretary shall act as secretary for the Council.

## **§ 6 ELECTION**

The Annual General Meeting elects a Board of Directors consisting of 8 (eight) members, and 6 (six) of the Expert Council's 7 (seven) members. In addition, 2 (two) deputy members are elected to the Expert Council when it acts as the Grants Committee. The seventh Council member is appointed each year by the new Board. The chair and deputy chair of the Association, as well as the chair and deputy chair of the Expert Council, are elected by separate ballots.

The term of office is 2 (two) years. Elected representatives on the Board and the Expert Council cannot remain in office for more than six consecutive years. A representative who is elected chair of the Board or the Expert Council can nonetheless serve in the capacity of chair for three terms. A representative who is not running for election can nonetheless be elected to an office that supersedes the first office.

When not in contravention of the six-year rule, all elections are for the entire term of office. Persons leaving office, and not immediately elected to another office, are eligible for election again after two years.

Positions on the Board and the Expert Council are mutually exclusive. The exception to this is the Board's representative on the Expert Council.

The Annual General Meeting elects a Nomination Committee. The Committee shall consist of three members. One member is elected for two years; two members are elected for one year. In addition, one deputy is elected. The secretariat sends out canvassing letters containing information about which offices nominees are needed for, and the Nomination Committee compiles a list of candidates willing to serve in the various offices. The Nomination Committee's roster of nominees shall be completed six weeks, at the latest, prior to the Annual General Meeting.

The members of the Nomination Committee cannot hold other offices and cannot stand for election.

## **§ 7 VOTING**

Voting at Annual General Meetings, Extraordinary Annual General Meetings and membership meetings will be conducted by written ballot if so requested by the meeting. Voting for personal elections shall take place in writing if there is more than one candidate for any office, or the meeting calls for it. Decisions are taken by simple majority, unless otherwise indicated by special provisions, cf. §§8, 10, and 11. Only votes cast are counted.

Abstentions count as votes cast, but are not counted in the results.

Members who do not have the opportunity to participate in a meeting can submit written ballots in advance or assign their proxy to a member who is in attendance. A member who is in attendance cannot be assigned more than two proxies. Proxies shall be submitted and approved before the vote.

The meeting elects a group of tellers consisting of two or more individuals to monitor the voting.

## **§ 8 REFERENDA**

Within eight days after an Annual General Meeting, a membership meeting or a Board meeting has taken a decision, the Board can decide that the decision should be sent out for a written and secret vote among the members with a 14-day deadline for casting ballots.

The Board shall conduct such a vote if so requested by at least 10 (ten) members within 14 days of when the decision was adopted.

For a decision adopted by referendum to be binding, at least half the members must have cast a ballot.

If a decision is sent for a referendum, it is the outcome of the referendum that is binding. The proposal is adopted if at least 2/3 of the votes cast are in favour of it. Excepted from referenda are decisions that apply to §5 III, letters b), c) and d).

## **§ 9 THE SOLIDARITY FUND**

The fund was established by a decision adopted by the Annual General Meeting on 8 December 1972 with a basic capital of NOK 4 000 donated by Kjell Askildsen.

The Articles of Association for the Solidarity Fund were amended in 1980, 1984, 1993 and 1999.

The object of the fund is to provide swift and flexible assistance in the form of loans or support to members of the Association:

a) during a strike or lockout. In extraordinary cases, such assistance can also be granted to members of other writers' organisations,

b) or otherwise by well-grounded application. Assistance received does not rule out future assistance, but the assistance must not become habitual.

Use of the fund is at the discretion of the Board. Grants that draw down the fund by more than 2/3 of the balance during the fiscal year, require a 2/3 majority of the Board.

## **§ 10 AMENDMENTS TO THE ARTICLES OF ASSOCIATION**

Amendments to the Association's Articles of Association can only be adopted at an ordinary Annual General Meeting with a 2/3 majority. Proposals for amendments to the Articles of Association are to be in the hands of the Board by 1 January.

## **§ 11 DISSOLUTION OF THE ASSOCIATION**

In the event the Association is to be dissolved, this can only be done on the Board's recommendation to an Annual General Meeting and by a 2/3 majority. The Annual General Meeting shall decide how the Association's funds will be disposed of.