

## **CONSTITUTION**

Ratified by the founding Members on the 29th of July 1954. Amendments approved by the Members in 1957 and 1968. By-Laws: Appended by the Members in December 1981. The same amended and appended by approval of the Members in January 1987 and August 1989. Ratification of the new Constitution by circular (postal) vote on August 25, 2004.

Amendments approved by the Assembly at the Business Meeting, August 13, 2007.

### **I. Name, Domicile, Languages**

#### **Art. 1 Name**

1. Under the name of the *Association of Graduate Analytical Psychologists* (AGAP) there exists a politically and religiously neutral, international association of analysts of the Jungian direction, which is governed by this Constitution and By-laws, as well as by Art. 60ff. of the Swiss Civil Code.
2. AGAP is a member of the International Association for Analytical Psychology (IAAP).
3. AGAP recognizes the training guidelines and standards of the IAAP.

#### **Art. 2 Domicile and Language**

1. AGAP is domiciled in Zurich.
2. The official languages of AGAP are English and German. The Constitution is binding in both English and German. In cases of doubt, the English version prevails.

### **II. Purpose**

#### **Art. 3 Purposes**

1. AGAP's purposes are:
  - a) to promote the development of Analytical Psychology;
  - b) to promote the Members' professional interests;
  - c) to realize purposes (a) and (b), AGAP may take part in the training program of the C.G. Jung Institute Zurich and/or in another comparable Swiss training program. In the Canton of Zurich, AGAP may also conduct a training program in accordance with the requirements of the IAAP;
  - d) AGAP is a member of IAAP and maintains relations with other organizations of Analytical Psychology;

- e) AGAP binds its Members to its Code of Ethics and undertakes measures against breaches of the Code of Ethics by its Members.
- f) AGAP pursues no commercial purposes, nor does it aspire to profit.

#### **Art. 4 Code of Ethics**

1. All Members commit themselves to uphold the Code of Ethics as follows:
  - 1.1 The analyst strives to the best of his or her ability to promote the analysand's psychological development and to protect his/her health.
  - 1.2 Under no circumstances may the analyst abuse his/her position as analyst to the detriment of the analysand.
  - 1.3 The non-medical analyst is obligated to consult a physician/psychiatrist/ specialist or to refer the analysand to such a person if necessary.
  - 1.4 The analyst is bound to professional confidentiality.
  - 1.5 The analyst commits him/herself to collegial relations with fellow analysts.
2. Procedures Related to the Breaching of the Code of Ethics
  - 2.1 The Filing of a Complaint

Complaints must be submitted in writing to the Ethics Committee. The Ethics Committee must immediately notify the accused Member of the complaint filed.
  - 2.2 Investigating Commission

The Investigating Commission consists of three (3) AGAP Members appointed by the Ethics Committee. These Members should be active in the same region as the Member accused. If this is not possible, the Commission will be recruited from the neighboring regions. If necessary, the Commission may appoint a member of a local C.G. Jung Society *ex-officio*.

The accused Member must be notified of the constitution of this Investigating Commission. He/she must inform the Ethics Committee within one month if the Commission is found to be biased. The Ethics Committee examines the objection of the accused Member and makes a final decision about the composition of the Investigating Commission.
  - 2.3 Duties of the Investigating Commission

The appointed Investigating Commission leads the investigation of complaints, whereby the accused Member and other affected parties are questioned. On the basis of its investigation the Investigating Commission recommends a resolution to the Ethics Committee.
  - 2.4 Resolution of the Ethics Committee

The Ethics Committee adopts a resolution based on its examination of information submitted by the Investigating Commission.
3. Sanctions

An established violation of the Code of Ethics can lead to the following sanctions:

  - a) reprimand;
  - b) reprimand with a fine;

- c) suspension of membership for a given time;
- d) exclusion from AGAP; the Ethics Committee holds the discretion to notify the appropriate local authorities, other professional associations and interested organizations of a Member's exclusion.

### **III. Membership**

#### **Art. 5 Membership**

##### **1. Regular Members**

The following are eligible to become Regular Members of AGAP: Analytical Psychologists with a diploma from the Zurich C.G. Jung Institute or from any training society recognized by IAAP, if they

- a) were trained in the Canton of Zurich; or
- b) are group or individual members of IAAP and hold residence in Switzerland.

##### **2. For voting and dues purposes, two categories of Regular Membership are distinguished:**

- a) Category A: Members whose affiliation with the IAAP is represented through membership with AGAP (and who hold voting rights with IAAP through AGAP); and
- b) Category B: Members whose affiliation with the IAAP is represented through membership with another Group Member of the IAAP.
- c) Members belonging to Category A pay membership dues to AGAP and additionally pay dues owed to the IAAP through AGAP.

##### **3. Changing membership from Category B to Category A**

- a) A Member of Category B who wants to transfer membership to Category A must present application to the President of AGAP. The President requests a letter of non-objection from the association in which the applicant holds voting rights. If the relevant association makes no objection, the application can be accepted.
- b) If reservations exist, the relevant association is requested to present them in writing. The AGAP Member is informed of such reservations and asked if clarification by AGAP is desired. If yes, the matter is investigated according to the procedure indicated in the Code of Ethics. (Costs arising from such investigation will be charged to the Member under question.) If the Ethics Committee rules in favor of the petitioning member, the application is deemed accepted.

##### **4. Affiliated Members**

Affiliated members are members with or without a diploma in analytical psychology, whose academic or cultural contribution to analytical psychology is of an exceptional quality. Affiliated members are not members of the IAAP.

#### **Art. 6 Procedures for Admission to Membership**

- 1. The admission of new Members is carried out by the Executive Committee. Application for membership must be submitted in writing to AGAP's Executive Committee.

A *curriculum vitae*, diplomas, and information about professional activity must also be included.

2. The Executive Committee examines the application for admission. If the applicant fulfills the requirements for membership, the Executive Committee informs the Members of the application. Within 30 days any Member may present written grounds for objection to the President. In case of an objection, the Executive Committee reexamines the application.
3. The admission of new members is the responsibility of the Executive Committee. At least two thirds of the Executive Committee members must accept the application.

#### **Art. 7 Rights of Members**

1. All Members receive a membership card confirming their membership.
2. Members may cite their AGAP membership on printed material and advertisement.
3. All members may:
  - a) attend the AGAP Business Meeting and vote on all matters presented;
  - b) vote by proxy if not attending the Business Meeting;
  - c) propose items for the Agenda of the Business Meeting;
  - d) stand for election to all committees, and/or serve on committees by appointment.
4. Regular members in Category A may be elected as AGAP delegates for the IAAP business meeting.

#### **Art. 8 Obligations of Members**

1. Members must abide by AGAP's Constitution, By-laws and Resolutions, as well as by its Code of Ethics.
2. Members are obligated to pay the annual dues.
3. Members over 80 years of age are exempted from paying the annual dues.

#### **Art. 9 Expiration of Membership**

1. Membership expires:
  - a) upon death of the Member;
  - b) upon resignation, which shall take effect at the end of the fiscal year and may be tendered in writing to the President at any time;
  - c) upon the expulsion of a Member who generally impairs AGAP's interests and endeavors; the decision to expel a member can be made by the General Assembly at the request of the Executive Committee; if the offence involves a breach of the Code of Ethics of the AGAP/IAAP, the Ethics Committee is responsible for expulsion;
  - d) upon the expulsion of a Member who neglects to pay dues after two unsuccessful reminders; the decision is made by the Executive Committee and takes effect immediately upon notification.

## **IV. Organs of the Association**

### **Art. 10 Organs**

1. The Organs of AGAP are:
  - a) the General Assembly;
  - b) the Executive Committee;
  - c) the Financial Auditor;
  - d) the Ethics Committee.

### **Art. 11 Powers of the General Assembly**

1. The orderly General Assembly is the highest organ of the Association; it convenes every three years during the IAAP Congress.
2. The General Assembly has the following powers:
  - a) to adopt and amend the Constitution and Code of Ethics;
  - b) to elect the President and other members of the Executive Committee, the Financial Auditor and members of the Ethics Committee;
  - c) to approve the Executive Committee's Annual Report; to discharge the members of the Executive Committee; to approve the Annual Financial Report and the Budget;
  - d) to determine membership dues;
  - e) to suspend Members in accordance with Art.9.c, that is, in cases other than those involving a breach of the Code of Ethics;
  - f) to adopt resolutions about items on the Agenda;
  - g) to adopt the resolution to dissolve AGAP.
3. An invitation to the General Assembly must be sent by the Executive Committee at least four weeks in advance of the meeting. The invitation must include an Agenda.

### **Art. 12 Voting by Circulation**

1. In urgent cases the Executive Committee may invite the Members to vote on motions or to elect officers by circulation. If a circular vote is demanded by one-third of the Members, the Executive Committee is obliged to comply. The Executive Committee must provide the Members with a written Agenda (by postal mail, fax or E-mail). Each Agenda item must be accompanied with information pertaining thereto; the Executive Committee's nominations must be accompanied with a description of the candidates themselves, and of their professional development and activities. Under this Art., subsequent to the delivery of the Agenda and accompanying information Members must be given a period of at least four weeks to submit their written votes.

**Art. 13 Resolutions of the General Assembly**

1. An absolute majority of members present and represented at a General Assembly (Art. 11) is required to adopt resolutions. In case of a tie, the President casts the deciding vote.
2. In the case of a circular vote (Art. 12) the *quorum* is constituted by two-thirds of all Members who participate by voting and officially abstaining in accordance with the given deadline.
3. The following resolutions require the vote of a qualified two-thirds majority of the Members present. In the case of a circular vote, the *quorum* is constituted by two-thirds of the members participating:
  - 3.1 amendment of the Constitution;
  - 3.2 suspension of Members in cases not subject to investigation by the Ethics Committee;
  - 3.3 dissolution of AGAP.

**Art. 14 Representation by Proxy**

1. Vote by proxy is allowed.
2. Before the meeting is called to order, the representative must present the chair with a power of attorney dated and signed by the person being represented. Up to three proxy representations may be carried by an attending member.

**Art. 15 The Executive Committee**

1. AGAP's Executive Committee consists of the President and four to eight other members. The President and members of the Executive Committee shall be elected by the General Assembly for a period of three years. They may stand for reelection. The term of office for members of the other organs, who are elected by the General Assembly, corresponds with that of the Executive Committee.
2. The Executive Committee constitutes itself. It appoints the persons who hold signature authority and determines the scope of this authority. The Executive Committee is authorized to adopt resolutions when more than half of its members are present.
3. The Executive Committee is AGAP'S executive organ and conducts business concerning all on-going matters which are not reserved the Constitution to the authority of the General Assembly. It is within the Executive Committee's authority to adopt regulations. The Executive Committee may delegate AGAP's Members to conduct a training program. In filling the leadership positions the Executive Committee takes into consideration the Members' recommendations. The Executive Committee decides on and approves all key data of the training program.
4. The Executive Committee may appoint delegates worldwide and authorize them to carry out Committee tasks.
5. The Executive Committee may grant any Member's well-grounded request to reduce his/her annual membership dues or to refrain from raising dues.

6. The members of the Executive Committee perform their duties on a volunteer basis and are, as a rule, entitled only to the remuneration of their actual costs and cash expenditures. Reasonable remuneration can be paid for the special services of individual Executive Committee members.

#### **Art. 16 Delegates to the IAAP**

1. AGAP is represented by Delegates at the Meeting of Delegates of the IAAP.

#### **Art. 17 The Financial Auditor**

1. The office of the Financial Auditor consists of either two natural persons or a corporate body, to be elected by the General Assembly for a period of three years. Persons who are not Members of the Association may also be elected.
2. The Auditor conducts an annual audit of the financial accounts kept for AGAP under the responsibility of a member of the Executive Committee. The Auditor must submit a Financial Report to the whole Executive Committee annually. He/she must present a report to the General Assembly every three years.

#### **Art. 18 The Ethics Committee**

1. The Ethics Committee holds sole responsibility for receiving and adjudicating complaints concerning the breaching of the Code of Ethics. In addition it consults with Members of AGAP who present ethical problems with clients or with candidates of the training program. The Ethics Committee consists of a president and at least two members who are elected by the General Assembly for a term of three years. Both sexes must be represented in the Committee. If a member withdraws during his/her term of office the Executive Committee elects a replacement for the remainder of the term.
2. Remuneration for the members of the Ethics Committee is determined by the Executive Committee.
3. For the purpose of investigating individual cases the Ethics Committee can form a sub-committee of three persons. When regional or language considerations indicate the need, the president of the Ethics Committee may appoint a local AGAP Member, who is not a member of the Ethics Committee, to conduct investigations. The Ethics Committee requires a two-thirds majority vote of its members to adopt resolutions. If the Committee consists of three members, decisions must be unanimous.
4. The Ethics Committee can, if necessary, recruit persons with legal expertise.

### **V. Notification, Liability, Dissolution**

#### **Art. 19 Notification**

1. Legal notification takes place by postal mail to the last address, which the Member has reported in writing to the Association.
2. Notification by fax or E-mail is equivalent to notification by postal mail if the Member has conveyed such information to the Association.

**Art. 20 Liability**

1. AGAP's liability shall not exceed its assets. All Members are excluded from personal liability for debts or obligations incurred by AGAP.

**Art. 21 Distribution of the Association's Assets in Case of Dissolution**

The resolution to dissolve AGAP requires the General Assembly to resolve the question of how the Association's assets shall be disposed. Upon the Association's dissolution its assets shall not be distributed to its members, but rather shall be used for an institution with the same or similar purpose.

Amended by the Assembly at the Business Meeting, Cape Town, 13 August 2007.



President, Deborah Egger-Biniores, MSW



Secretary, Stacy Wirth, MA