



NATIONAL FEDERATION OF ARCHITECTS AND URBANISTS
FOUNDED ON 13 DECEMBER 1979. AFFILIATED TO CUT AND CNPL
AFFILIATED UNIONS: SP . RJ . RS . PR . MG . MS . DF . BA . PE . PA . PB . GO . SC .

NATIONAL FEDERATION OF ARCHITECTS AND URBANISTS STATUTE

Approved during the Ninth Work Session of the XXVII National Meeting of Architects' Unions, on 21st September 2003, in the Auditorium of the Engineering, Architecture and Agronomy Association, at 2237 Joao Penteado Street, Riberao Preto, Sao Paulo.

CHAPTER I OBJECTIVES AND TARGETS

ARTICLE 1 The National Federation of Architects and Urbanists, a superior union entity, with headquarters and court at the Executive Committee, and territorial base in Brazil, is established to coordinate and protect the professional category of architects, and to cooperate with the public powers and other associations in terms of professional solidarity and its subordination.

ARTICLE 2 The Federation's Prerogatives are:

- A) to represent, before administrative and judiciary authorities, the architects' general interests;
- B) to elect or appoint the representatives of its professional category;
- C) to cooperate with the State, as a technical and consultative organ, to study and find solutions for the problems connected with its professional category;
- D) to create a technical advisory service for the affiliated unions;
- E) to intercede with the competent authorities, searching to reach fast solutions to any issues regarding the category's interests;
- F) to stimulate the professional and scientific development, through the promotion of courses, seminars, and any other means of teaching and training for the professional category, the society and the public powers;
- G) to summon, promote and organise the category's National Congresses and National Meetings of Architects and Urbanists' Unions;



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- H) to represent its members in scientific events or events of professional interest, delegating powers in the case of impossibility to attend;
- I) to coordinate, guide and promote the foundation and the legal establishment of Unions concerning the professional group represented by the Federation;
- J) to take initiative before the competent powers and the professional activity authorities, whenever it is necessary to make requests for changes in, or the institution of, Directives, Laws, Decree Laws, Resolutions, or Rules, in the interest of the category and its affiliates;
- K) to emit expert opinion on studies and projects of any nature, which are, either directly or indirectly, related to the category's interests, as well as to represent, under this Statute, whoever has the right, against harmful measures;
- L) to promote, publish and co-publish newsletters, newspapers or journals as a vehicle to disseminate information in the interest of the category;
- M) to celebrate conventions, agreements, collective labour contracts or collective labour agreements in favour of the members of the category, in non-organised places; to assist or represent the affiliated unions in actions of identical nature, whenever requested or authorised;
- N) to celebrate agreements and contracts with entities, public organisations, private entities, and financial institutions.

SOLE PARAGRAPH – The Federation's prerogatives will be exercised respecting the principle of each associated Union's self-deliberation, in a matter of their own interest and the interest of the professional category regarding regional peculiarities, always bearing in mind the interests of the federative group.

ARTICLE 3

The conditions for the establishment of the Federation are:

- A) rigorous compliance with the Laws and principles of moral, and understanding of the civic obligations;
- B) restraint from any kind of propaganda, not only the ones designed to disseminate doctrines that are not compatible with the national institutions and interests, but also the ones related to candidacy to elective functions strange to the federation;
- C) inexistence of exercise of elective functions cumulatively with the Federation's paid jobs;



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D) keeping, in the Federation's headquarters, an Affiliated Members' Record, authenticated by the competent authority, containing all data required by the legislation;

E) gratuitousness in the exercise of elective functions, except in the specific cases in which the person leaves the job to exercise the function, according to article 521, sole paragraph, in the Labour Laws Consolidation.

ARTICLE 4 The obligations of the Federation are:

A) to collaborate with the public powers in the development of social solidarity;

B) to provide the Unions with judicial assistance services, with the aim to protect the architect profession;

C) to promote conciliation in the cases of labour dissension;

D) to defend the patrimony;

E) to promote the creation of Architect Unions;

F) to award prizes, honorific titles, medals, and diplomas;

G) to promote national Congresses and Meetings for architects, urbanists and unions;

H) to publish a newsletter;

I) to defend the enhancement of the professional and social Legislation before the public powers, professional organs and the agencies for professional development.

CHAPTER II

RIGHTS AND OBLIGATIONS OF FEDERATION MEMBERS

ARTICLE 5 The following may affiliate with the Federation:

- Those Unions that participate in the professional Category of Architects and Urbanists, and comply with the requirements of the unions Legislation;

- Regional Union Offices that participate in the professional category of Architects and Urbanists as the Federation's extensions where there are no constituted Unions;

PARAGRAPH 1 – The Regional Union Offices included in this Article should follow their own Internal Rules containing their own principles, respecting the legal requirements to which this Federation is submitted.

PARAGRAPH 2 – Whenever admission is refused, an appeal may be presented at ENSA – Encontro Nacional de Sindicatos de Arquitetos e Urbanistas (National Meeting of Architects and Urbanists Unions).



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- A) they repeat the behaviours included in PARAGRAPH 1;
- B) they damage the Federation's patrimony;
- C) they do not pay the membership fees without a justified reason.

PARAGRAPH 3 – The penalties will be applied by The Executive Committee. Right of defence is granted.

- A) In suspension cases the Executive Committee will decide the penalty duration;
- B) If necessary, the Executive Committee and/or the defendant may request the establishment of an Ethics Commission, with the possibility of appeal to be presented at ENSA.

ARTICLE 9 The expelled affiliated member will be able to join the Federation again, after proved rehabilitation, accredited by ENSA, or after having paid their debts, whenever this is the case.

SOLE PARAGRAPH – In the case of re-admission, the membership time duration will consider the period before expulsion.

CHAPTER IV ELECTIONS, VOTE AND INSTALLATION

ARTICLE 10 The electoral and voting process, appeals and the installation of the people elected will follow the rules included in the Electoral Regulations, to be approved at ENSA.

PARAGRAPH 1 – The Electoral Regulations should be approved at ENSA at least six months before the voting;

PARAGRAPH 2 – Non compliance with this condition results in the maintenance of the previous Electoral Regulations;

PARAGRAPH 3 – The Executive Committee is elected for a period of three years, starting on January 1st of the year immediately after the Electoral Process.

ARTICLE 11 The conditions for the right of vote are:



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- A) All those members who, in the period of electoral events, are in conditions to vote, according to the Electoral Regulations, as long as the rights and obligations in this Statute are respected;
- B) at ENSAs, all those members in voting condition according to ENSA's Regulations.

ARTICLE 12 The functions in the Executive Committee, Fiscal Council, Substitutes and Representatives should be assigned to Brazilian citizens. The President of the Executive Committee must be Brazilian-born.

CHAPTER V THE FEDERATIVE ORGANS

ARTICLE 13 The Federation's bodies are:
A) ENSA – Encontro Nacional dos Sindicatos de Arquitetos e Urbanistas (National Meeting of Architects and Urbanists Unions);
B) The Executive Committee;
C) The Fiscal Council.

SESSION I

ARTICLE 14 Annual meetings of ENSA are held, ordinarily, at least once a year, with the participation of all affiliated members.

ARTICLE 15

PARAGRAPH 1 – ENSA's Internal Regulations, to be approved on the day of its opening, should contain, at least, the following items:

- A) Every affiliated member may be represented by any number of participants, representatives and observers, with right of voice in the debates. The representatives elected during the State Assemblies or Meetings will have right of vote;
- B) the number of each affiliated entity's representatives is proportional to the number of members that are free of membership fee debts until the last day of the year before ENSA;



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- C) the items of the agenda for each ENSA are specified in the Internal Regulations in the previous ENSA;
- D) the propositions with the highest number of votes will be considered winners.

SESSION II THE EXECUTIVE COMMITTEE

ARTICLE 16

PARAGRAPH 1 – The following functions compose the Executive Committee:

- A) President
- B) 1st Vice-President
- C) 2nd Vice-President
- D) 3rd Vice-President
- E) 4th Vice-President
- F) Secretary
- G) Treasurer
- H) Substitute Secretary
- I) Substitute Treasurer

PARAGRAPH 2 – The State Executive Council will also compose the Executive Committee. The State Council will have, in the maximum, 13 Effective Directors and 12 Substitute Directors, according to written compositions, and elected according to the Electoral Regulations.

ARTICLE 17

The Executive Committee:

- A) conducts the Federation according to this Statute, manages the social patrimony and promotes the affiliated Unions' and the professional group's welfare;
- B) meets ordinarily once a semester and extraordinarily whenever summoned by the President or the majority of members;
- C) writes the Federation's Internal Regulations, establishing the necessary rules;
- D) complies with, and enforces the compliance of, the current laws and the competent authority's determinations, as well as the Statute, the Regulations, the Resolutions and the General Meetings Resolutions;



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- E) applies the penalties included in this Statute;
- F) at the end of the mandate, the Executive Committee will present a financial report related to the corresponding financial period, prepared by a legally qualified accountant.

PARAGRAPH 1 – The Executive Committee's decisions will be made by majority vote, with the presence of at least three members.

PARAGRAPH 2 – Any Director may appeal from the Executive Committee's decisions, at ENSA.

ARTICLE 18

The President:

- A) represents the Federation before administrative, legislative, and judiciary authorities, and may delegate powers;
- B) summons ENSAs, and the Executive Committee's ordinary and extraordinary meetings;
- C) summons and chairs the Executive Committee's Meetings;
- D) signs his function's private correspondence and signs the documents related to the patrimonial financial management, together with the treasurer: balance sheet, budgets, cheques, contracts, titles and others;
- E) organises and writes, together with the other members of the Committee, the annual Activities Report to be presented at ENSA;
- F) hires and dismisses employees;
- G) signs and awards prizes, honorific titles, medals and diplomas, approved according to Article 47 in this Statute;
- H) signs and makes Agreements and Contracts with Public Organs, private entities and financial institutions.

ARTICLE 19

The 1st Vice-President:

- A) substitutes the President whenever necessary;
- B) coordinates, whenever required, the judicial assistance services to affiliated members and the conciliations during collective bargaining;
- C) coordinates, whenever required, the publication and distribution of the Federation's information material;
- D) coordinates and articulates the Unions and Regional Offices in their Region;
- E) represents the FNA's President and Executive Committee in their Region.



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The 2nd Vice-President:

- A) substitutes the 1st Vice-President whenever necessary;
- B) coordinates and articulates the Unions and Regional Offices in their Region;
- C) represents the FNA's President and Executive Committee in their Region.

The 3rd Vice-President has the same functions as the 2nd Vice-President.

PARAGRAPH 1 – The 1st Vice-President is the one whose domicile is located in the same region as the President's domicile.

PARAGRAPH 2 – The other Vice-Presidents' domiciles should be located in different regions than the President and the 1st Vice-President's.

ARTICLE 20

The Secretary:

- A) substitutes the 1st Vice-President whenever necessary;
- B) develops the activities that are agreed by the Federation's Executive Committee;
- C) participates in the ENSA secretarial activities.

ARTICLE 21

The Treasurer:

- A) substitutes the Secretary whenever necessary;
- B) is responsible for the guard of the Federation's pecuniary values;
- C) provides the authorised payments and receipts;
- D) signs, together with the President, the cheques and other documents in which their signature is required;
- E) conducts and inspections the Treasury's actions;
- F) presents the trial balance sheets and the annual balance sheet to the Fiscal Council ;
- G) deposits the Federation's monetary resources in Banco do Brasil and Caixa Econômica Federal;
- H) controls the Federation's Own Income;
- I) presents to the Executive Committee a bi-annual record of the money collected as Own Income;
- J) presents to the Executive Committee a bi-annual list of the members who have paid the membership fees.



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SOLE PARAGRAPH – The Treasurer's domicile should be located in the same region as the President and 1st President's domicile.

SESSION III THE FISCAL COUNCIL

ARTICLE 22 The Federation's Fiscal Council is composed of three appointed members and one to three substitutes, who should be elected together with the Executive Committee.

ARTICLE 23 The Fiscal Council:
A) emits expert opinion on the Federation's forecast budget and budgetary supplementation;
B) emits opinion on extraordinary expenses, trial balance sheets, and annual balance sheet;
C) emits expert opinion on, and endorses, the financial balance sheet.

ARTICLE 24 The Fiscal Council will meet whenever necessary, summoned either by one of its members or by the Executive Committee.

CHAPTER VI THE MEETINGS AND PLENARY ASSEMBLIES

ARTICLE 25 The Federation will promote extended Executive Committee meetings, with the participation of representatives elected by the Unions and Regional Offices affiliated to FNA, whenever necessary and, if possible, at least every six months. One of these meetings may be replaced by ENSA.

SOLE PARAGRAPH – Each affiliated member will be represented by the maximum of two representatives, with right of voice and vote.

ARTICLE 26 The agenda of items to be discussed and deliberated in the meetings may include diverse, current matters and matters of the Unions' and the Federation's interests, subsidising ENSA's



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"Ad Referendum" decisions, as long as these do not go against the determinations contained in this Statute.

ARTICLE 27 During the Executive Committee's meetings and the Extended Meetings, the decisions will be taken on simple majority basis.

ARTICLE 28 Five affiliated unions may summon the Executive Committee's extraordinary meeting, either extended or not extended to the Unions' Representatives.

CHAPTER VII LOSS OF MANDATE

ARTICLE 29 The members of the Executive Committee and the Fiscal Council may lose mandate in the following situations:

- A) malversation or dilapidation of the social patrimony;
- B) gross violation of this Statute, to be judged by ENSA;
- C) acceptance or request of transfer that results in distancing from the function;
- D) presentation of document undersigned by 2/3 of the FNA's affiliated Unions, as long as they are free from debts with the membership fees.

ARTICLE 30 Loss of mandate will be declared by ENSA.

SOLE PARAGRAPH – Every suspension or dismissal of administrative function should be preceded by a notification, assuring right of defence and appeal in the form of this Statute.

ARTICLE 31 In the case of resignation or dismissal of administrative function of any member of the Executive Committee or the Fiscal Council, the substitute will take over the function, in the form of this Statute.

SOLE PARAGRAPH – Any member of the Executive Committee may request distancing from the function, for the period of six



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months, plus a six-month extension. After this period, the member will be replaced in the form of this Statute.

ARTICLE 32 Resignation should be communicated in writing to the President of the Federation or, in the case of impediment, the immediate substitute.

ARTICLE 33 In the case of collective resignation of the Executive Committee or the Fiscal Council, if there are no alternates, the President, even when resigning, will summon ENSA for the constitution of a temporary Executive Committee, letting the members know about this decision.

SOLE PARAGRAPH – If the President refuses, or is unable to summon ENSA, five Unions may do so.

ARTICLE 34 The Temporary Executive Committee, constituted in the terms of the previous article, will make provisions for new elections of the members of the Executive Committee and the Fiscal Council, according to this Statute.

SOLE PARAGRAPH – The Executive Committee is composed of three appointed members and two substitutes, and will have the maximum period of three months to summon new elections.

ARTICLE 35 In case of resignation, replacement will take place according to the previous articles. The member of the Executive Committee or the Fiscal Council who resigns will be ineligible for any mandate in FNA for three years.

SOLE PARAGRAPH – Resignation is considered as such when any member of the Executive Committee is absent from three consecutive summoned meetings, with no justification formally sent.

ARTICLE 36 If a member of the Executive Committee or the Fiscal Council passes away, the replacement will be made according to Article 31.



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CHAPTER VIII
THE FEDERATION'S PATRIMONY

ARTICLE 37 The Federation's Patrimony is composed of:
A) the assets and properties, and the acquired values and the income produced;
B) the resources for the Federation's maintenance.

SOLE PARAGRAPH – The resources for the Federation's maintenance come from:

- I – the financial resources collected in the form of compulsory "Union Contribution", as long as it exists;
- II – the unions contributions and the federative contributions;
- III – resources from Agreements and Contracts with other Entities, Public Organs, Private Entities, and Financial Institutions, for the development of its activities;
- IV – donations and legacies;
- V – rental of properties and interests of titles and deposits;
- VI – other incidental income.

ARTICLE 38 The properties will only be alienated after ENSA's permission in writing.

SOLE PARAGRAPH – The other assets may be alienated after the Executive Committee's decision.

CHAPTER IX
FINANCIAL MANAGEMENT AND INSPECTION

ARTICLE 39 All patrimonial and financial operations will be made through accountable record, under the responsibility of the qualified accountant.

PARAGRAPH 1 – The accountable record referred to in this Article will be based on receipt and expense documents, which will be filed in the accountancy department, made available for the members.

PARAGRAPH 2 – The expense and receipt supporting documents referred to in the previous Paragraph may be incinerated five years after the date of release of debt by the competent organ.



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ARTICLE 40 Any action consisting of malversation or dilapidation of the federation's patrimony will be regarded as peculation crime, tried and punished in compliance with the Penal Code.

ARTICLE 41 In the case of the federation's dissolution, which will only take place by ENSA's decision, its patrimony, after full payment of legitimate debts, will be donated to the Architects Unions, according to the ENSA that voted for the dissolution.

ARTICLE 42 The Federation's dissolution will only be decided during an ENSA specifically summoned for that aim, with the minimum quorum of 2/3 of the affiliated Entities, free from membership fee debts.

SOLE PARAGRAPH – The proposal with absolute majority vote will win.

ARTICLE 43 If, as a consequence of the Federation's dissolution, the affiliated Architect Unions are also dissolved, the patrimony and assets, after full payment of legitimate debts, will be transferred either to the affiliated Central Union or to the public patrimony, to be applied in social assistance services, according to FNA Executive Committee's decision.

SOLE PARAGRAPH – The dissolution of the Architects and Urbanists Unions affiliated to the Federation is submitted to the determinations in their respective Statutes.



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CHAPTER X CONGRESSES

ARTICLE 44 The Federation will organise and promote the National Congresses of the category, called National Congress of Architects and Urbanists, with the participation of Unions and open to all category members.

SOLE PARAGRAPH – The Federation may participate in, and summon, together with other Entities and Central Unions, National Congresses and Events for Architects and/or Workers.

CHAPTER XI AWARDS AND HONORIFIC TITLES

ARTICLE 45 Through suggestion from any affiliated Union and after ENSA's approval, the Federation will award prizes, honorific titles, medals and diplomas to professionals or Entities with verified technical, scientific or cultural capacity, with outstanding services and actions in the interest of the category and the profession.

SOLE PARAGRAPH – ENSA will determine the titles, periodicity and features of the awards referred to in this Article.

CHAPTER XII GENERAL PROVISIONS

ARTICLE 46 The actions taken to depreciate, obstruct or defraud the application of the items included in this Statute and the democratic principles will be considered null and void.

ARTICLE 47 No member of the Federation's administrative organs will be paid by services rendered to the Entity, or by attendance to the Executive Committee's meetings.

PARAGRAPH 1 – If any member of the Federation's administrative organs is not on gardening leave, so that



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he/she is able to exercise their mandate, and the Federation's Executive Committee considers necessary, the Federation may accept the leave with salary loss, and assume the payment of that member's salary.

PARAGRAPH 2 – In this case, the salary paid by the Federation may not exceed the amount paid by the employer. There will be no loss of time worked.

CHAPTER XIII TRANSITORY PROVISIONS

ARTICLE 48 The ENSA that approves this Statute determines that the FNA Executive Committee make provisions for the COMMUNICATION of the new Statute to all affiliated Architects Unions, as well as the register in the Titles and Documents Register Office within 60 days.

PARAGRAPH 1 – Any change in this Statute may only take place after ENSA's deliberation. Agreement must be expressed by 2/3 of attendance. The assembly, summoned for this specific objective, may only deliberate at first call with absolute majority vote, and no less than one third in the following calls.

PARAGRAPH 2 – This Statute takes effect as of the date of its approval, according to the minute drawn up on the event.

ARTICLE 49 In order to guarantee the presence of FNA in all Federation's units, temporary affiliation to FNA will be admitted to:

- A) Architects Professional Associations – constituted by professional architects in the Federation units with no Union or Regional Office.
- B) Union Representative – representation elected by professional architects affiliated to other union entities not affiliated to FNA.



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PARAGRAPH 1 – The temporary affiliation does not guarantee legal representation, as predicted in the union's organisational legislation.

PARAGRAPH 2 – The obligations of temporary affiliated entities are:

- A) to represent segments of the category before the FNA Executive Committee and ENSA;
- B) to promote articulations for the constitution of the union entity in their area.

PARAGRAPH 3 – The rights of temporary affiliated entities are:

- A) to elect representation for ENSAs, according to conditions established in their regulations;
- B) to promote the election of the State Executive Council in their bases;
- C) to vote and be voted in the elections for the FNS Executive committee.

PARAGRAPH 4 – The provisions and paragraphs contained in this Statute should be assessed by ENSA after two years of the effectiveness period.

ARTICLE 50

The affiliated members do not hold liability or subsidiary liability for the actions taken in behalf of the Entity, according to Article 46, item V, of the Civil Code.

Ribeirão Preto, 21st September, 2003.

Eduardo Bimbi
FNA President
Administration 2001/2004