

# FSIE

Federation of Swiss IT Experts

Förderverein Schweizer Informatikexperten / -expertinnen

Fédération Suisse des Experts en Informatique

Federazione Svizzera degli Esperti d'Informatica



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## Bylaws

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founded in August 2017

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## I. Name and Domicile of the Federation

### Article 1

- 1 Under the name of «FSIE Förderverein Schweizer Informatikexperten /-expertinnen», «Fédération Suisse des Experts en Informatique», «Federazione Svizzera degli Esperti d'Informatica», «Federation of Swiss IT Experts» a non-profit association as per Art. 60ff. of the Swiss Civil Law is constituted. The association is referenced as FSIE in the remaining text.
- 2 The domicile of FSIE is the place of its office.

## II. Purpose, Tasks and Resources

### Article 2

- 1 The FSIE represents and promotes IT professionals, users and customers in Switzerland, namely and especially the professionals possessing a tertiary IT/MIS basic education level (NQF/EQF 6, 7 or 8) assigned with skilled work in practice (economy or administration). The latter are referred to as IT experts.
- 2 The FSIE:
  - a) protects the interests of its members and the profession, it maintains a network to represent the interests in the population, administration and institutions;
  - b) promotes the ethical behaviour by the means of a code of conduct and ethical guidelines its members must adhere to;
  - c) promotes cooperative behaviour and solidarity among the members;
  - d) is committed to improve the quality of IT solutions in Switzerland;
  - e) does marketing and public relations for the profession;
  - f) is committed to assuring the quality of IT professionalism;
  - g) supervises the advanced and continuing education of IT professionals and the IT experts in particular;
  - h) supports the basic, advanced and continuing education of IT users and customers;
  - i) may promote the basic, advanced and continuing education of related professions;
  - j) provides services to its members and sections;
  - k) cooperates with other national and/or international professional bodies and networks with related associations and federations.
- 3 The FSIE does not pursue commercial interests and is not aiming at profits. It is politically and confessionally independent.

## III. Membership

### Members

### Article 3

- 1 Only natural persons can become members of the FSIE.
- 2 The FSIE distinguishes between the following membership categories:
  - a) Active members (candidates or certified IT experts that are member of at least one specialization community, members of the specialization committees);

- b) IT professional members (other than IT experts);
- c) User members;
- d) Honorary members (reserved to former active members);
- e) Passive members (reserved to former active members, e.g. the superannuated);
- f) Students.

All members, except the honorary and passive members, may be sub-categorized depending on double or multiple memberships in partner associations and profit from reduced annual fees.

- 3 Persons having earned merits in IT, the IT profession, related professions or the FSIE may be nominated as honorary members by the general assembly on request by the board.
- 4 Students in Information Technology, Computer Science or Information Management (federal diploma at a minimum NQR level 6, HTS, bachelor, master or doctorate) may join FSIE in the respective category.

### **Double Membership Article 4**

- 1 Each active member of a specialized section as per Art. 3 is also an active member of the FSIE.
- 2 Each active member of FSIE must be member of a specialized section as per Art. 9–11.

### **Members admission Article 5**

- 1 New active members are admitted as FSIE and specialized section members at the same time.
- 2 The board of the FSIE and the committee in charge of the specialization community have the joint responsibility to admit new active members, as well as commuting an active into a passive membership (and possibly back).
- 3 A process regulation defines the details of new admissions and commutations.

### **Losing the membership**

#### **Article 6**

- 1 Membership ceases by: a) the death of a member; b) leaving FSIE or all specialized communities (active members); c) Exclusion from FSIE for one or more of the following reasons:
  - Non-compliance to the obligations as per Art. 4 and 7 of the bylaws;
  - an ethical irregularity against the code of conduct
  - impairment of the reputation and interests of FSIE
- 2 Quitting the FSIE or changing the category as per Art. 3 #1 must be requested in written form by the end of a calendar year.
- 3 By termination of the FSIE membership all rights and duties of the FSIE are terminated. The eventual outstanding membership fees claims are maintained.

### **Rights and obligations of the members** Article 7

- 1 All members, except the passive members and students, have a vote in the ballot vote. Only those members are eligible into the FSIE bodies as per Art. 12.
- 2 All members have access to services at discounted prices. The board of the FSIE is defining the details in a services regulation.
- 3 All members as per Art. 3 commit themselves to act according to the bylaws, the code of conduct (except the user members for which an IT user ethics guideline is in place instead) and to all other regulations of the FSIE.
- 4 All members except the honorary members are obliged to pay the annual membership fee applicable.

## **IV. The Sections of the FSIE**

### **Basic regulations for all sections** Article 8

- 1 The FSIE is structured into specialized sections which is the set of all candidates, certified professionals as well as the members of the expert boards of a specialization (active, passive and honorary members). Optionally, there may also be regional and other sections.
- 2 The sections are not legal entities on their own and they cannot claim finances reserved to them.
- 3 The sections nominate a president, vice-president, a media responsible and optionally more members of a section board. This board and the experts board are jointly responsible for the activities and media presentation of the section.
- 4 The sections are responsible for having the code of conduct and the decisions of the FSIE followed in their area, domain and scope of action. The specialized sections, regional sections and other sections coordinate their activities.
- 5 The existing specialized sections (specializations), regional sections and other sections are listed in Appendix A of these bylaws.

### **Specialized sections** Article 9

- 1 The obligation of specialized sections is to promote the professional quality and reputation of the members; especially in the domain of advanced and continuing professional education.

## **V. The Bodies of the FSIE**

### **Bodies** Article 10

- 1 The bodies of the FSIE are:
  - a) The ballot vote;
  - b) The general assembly;

- c) The board;
- d) The professional council;
- e) The revisors.

### **The ballot vote**

#### **Article 11**

- 1 The ballot vote is the decision taking of all members entitled to vote in written or electronic form.
- 2 The board's decisions are subject to optional ballot votes.
- 3 A ballot vote must be requested within 4 weeks of the publication and notification of a decision at the presidency of the FSIE.
- 4 A ballot vote can be requested by:
  - a) a fifth of the active members;
  - b) a third of the sections.
- 5 Starting and executing a ballot vote is the duty of the board, the counting of the votes and stating the result is the duty of the professional council. The ballot vote must be completed within a maximum of 8 weeks after the delay as per #3.
- 6 The absolute majority of the valid votes that arrived in due delay determines the result of the ballot vote.

### **The general assembly**

#### **Article 12**

- 1 The general assembly defines the strategy and policy of the FSIE in the basic traits. It supervises the activities of all other bodies of the FSIE.

#### **Article 13 - Authority**

- 1 The general assembly has the following specific duties and authorities:
  - a) Acceptance of the minutes of the general assembly;
  - b) Acceptance of the annual report of the board;
  - c) Notice of the reports of the revisors;
  - d) Acceptance of the annual financial statement and granting discharge for the responsables;
  - e) Acceptance of the fees regulation;
  - f) Acceptance of the annual activities plan and budget;
  - g) Defining the annual membership fees of the FSIE;
  - h) Sign-off of the vision and multi-year planning;
  - i) Sign-off of the mid-term financial planning;
  - j) Election of the president and the other members of the board;
  - k) Election of the professional council;
  - l) Election of the revisors;
  - m) Nominating honorary members;
  - n) Decision taking in cases of rejected membership applications and in cases of appeals against the exclusion of members;
  - o) Founding and terminating sections;
  - p) Decision taking on requests (e.g. projects) of the board and the sections;
  - q) Acceptance of the code of conduct, ethics guidelines and education charter;
  - r) Acceptance of the internal rules of procedure;
  - s) Changes to the bylaws;

- t) Merging with one or more other organisations;
- u) Termination of the FSIE and assignment of the liquidation proceeds.

#### **Article 14 – Calling, Agenda, Decision taking**

- 1 The statutory general assemblies are called twice a year by the board, the first in March (acceptance of the financial statement of the past year, discharge of the responsables) and the second in November (acceptance of the next year's planning and budget).
- 2 Requests to be entered into the agenda and candidatures have to be submitted 6 weeks before the general assembly in written (paper or electronic) form to the office. Decision requests regarding items on the agenda must be communicated to the office and the board before the general assembly.
- 3 The invitation must be sent at least 4 weeks before the general assembly to all members (paper or electronic form) and must encompass the agenda, decision requests and the complete documentation.
- 4 Items that are not on the agenda must not be decided, except to put them on the agenda for the next general assembly.
- 5 The general assembly decides with the simple majority of the votes present at the assembly plus the previously submitted votes (paper or electronic) that arrived at least 1 day before the general assembly at the office.

#### **Article 15 – Extraordinary General Assembly**

- 1 An extraordinary general assembly can be called by:
  - a) the general assembly;
  - b) the board;
  - c) the revisors;
  - d) at least 1/10 of the active members or 1/4 of the sections.
- 2 Delays and regulations are the same as for the statutory general assembly.

## **Board**

#### **Article 16**

- 1 The board consists of a president, a vice-president, a treasurer, a secretary, a media responsible and possibly more members. It constitutes itself, except for the president who is elected by the general assembly. A cumulation of duties is possible; the board must at least encompass 3 individuals.
- 2 The election of the board by the general assembly shall adequately respect the regions and languages of Switzerland if possible.
- 3 The mandate is 2 years (subject to item 4 of this article of the presidency). Members may be re-elected up to a maximum duration of 12 year (incl. the eventual years of presidency). The mandate starts on the 1<sup>st</sup> of January.

- 4 The mandate of presidency is 3 years. The holder can be re-elected for a maximum of 1 additional 3-year period. One year before presidency expiry a «president elect» is elected who is confirmed in the following year by the general assembly as president. After the presidency, the ex-president remains in the board for 1 year as «past president».
- 5 The CEO participates at the board with consulting and proposing rights. The president of SIRA (Swiss IT Research Association, IT professors of Swiss universities) participates at the board with consulting rights.
- 6 Each specialized section elects a delegate into the board. A specialized section that is 3 x larger than the smallest one may delegate 2 members into the board. The size as per 1st of January is considered for the entire calendar year. The role of a delegate and other charges within the board can be cumulated.

#### **Article 17 – Duties and Competences**

- 1 The board is the strategically leading committee of the FSIE. It is responsible for implementing the decisions of the general assembly (including ballot votes) and its own decisions.
- 2 The duties of the board are:
  - a) Representing FSIE externally;
  - b) Organizing and inviting the general assembly as well as preparing the proposals and requests;
  - c) Presenting the annual report and financial statement for the general assembly;
  - d) Presenting the budget and annual planning for the general assembly;
  - e) Creation and termination of working groups as well as electing their members;
  - f) Employment and employment termination the CEO and a Vice-CEO as well as acceptance of the respective job description and duties;
  - g) Acceptance of the rules of procedures of the office;
  - h) Issuing of the titles «Expert FSIE» (also named «certificates») on request of the specialized sections;
  - i) Supervision of the education charter;
  - j) Final decisions in cases of appeals to admission decisions;
  - k) Proposing nominations for honorary membership to the general assembly;
  - l) Acceptance of the financial competences and reimburses regulation;
  - m) Search and evaluation of candidates for the presidency, other members of the board, the professional council and other charges to be elected by the general assembly;
  - n) Release of position papers regarding important IT-technical and political questions and issues;
  - o) Acceptance of guidelines (e.g. salary guidelines) for candidates, certified and non-certified IT professionals.
  - p) Release of regulations that are not explicitly in the competence of other committees;
  - q) Treatment of tasks that are not explicitly in the competence of other committees.
- 3 The board accepts questions and requests from members and sections, discusses, treats and answers them at the next meeting and forwards the procedures to the originators afterwards.



- 4 The board organises itself according to the internal rules of procedure.

### **Professional council Article 18**

- 1 The professional council has 3 members that are elected by the general assembly for 4 years periods. They may be re-elected for a maximum period of 12 years consecutive or not acting in the professional council.
- 2 Being member of the professional council is exclusive of being member of the board of the FSIE.
- 3 The professional council constitutes itself. For the 4-years period it nominates a president and a vice-president.
- 4 A nominated legal office of the FSIE takes the minutes of the professional council's meetings and has a consulting voice.

### **Article 19 – Obligations and authorities**

- 1 The professional council has the obligation to enforce the code of conduct and the ethics guidelines for IT users.
- 2 The obligations are specifically:
  - a) Writing and modification of the code of conduct and the ethics guidelines for IT users; both are submitted to the general assembly for acceptance;
  - b) Mediation, consulting and decision taking in cases of ethics conflicts;
  - c) The exclusion of members from the FSIE and revocation of the certificates;
  - d) Counting and stating the result of ballot votes.
- 3 The professional council has final decisive authority. If the decision is the exclusion of a member, this decision can be appealed at the general assembly.

### **Revisors**

#### **Article 20**

- 1 The revisors are elected annually by the general assembly according and compliant to the Swiss federal law for the accreditation and supervision of revisors. Revisors may be re-elected.
- 2 The revisors have the following duties:
  - a) Examination of the financial accounting, the final statement and the assets;
  - b) Authoring a written report for the general assembly;
  - c) Execution of the limited revision as a minimum requirement.

## **VI. Additional Organizational Units**

### **The office**

#### **Article 21**

- 1 The office is the operational centre of the FSIE.
- 2 The chief executive officer is in charge of the office. He or she is subordinated in this role to the president of the FSIE who fulfils this executive function in the name of the entire board.
- 3 Details are defined in the internal rules of procedure.

## **Working groups and committees**

### **Article 22**

- 1 The board can nominate working groups or committees for treating and fulfilling specific tasks (e.g. projects). The board elects and discharges the members of the working groups and committees.
- 2 The board provides the working groups and committees with a written order that defines content, deadlines and the budget.
- 3 The termination of working groups and committees is decided by the board.

## **VII. Finances Membership fees**

### **Article 23**

- 1 The members of the FSIE are obliged to pay the annual membership fees with the exception of the honorary members.
- 2 The annual membership fees and eventual discounts as per Art. 15 lit. e and g are defined by the general assembly.
- 3 In cases of adequate reasons, members may request reduced membership fees at the office of the FSIE.

## **Liability**

### **Article 24**

- 1 The FSIE is liable with the association's capital. It is not liable for members obligations; vice versa, the members are not liable for the obligations of the FSIE.

## **Business year**

### **Article 25**

- 1 The business year of the FSIE equals to the calendar year.

## **VIII. Official Media**

### **Article 26**

- 1 The FSIE maintains official media, mainly its website, that may include expert publications. These official media have the electronic form.
- 2 The board supervises the official media and expert publications, the media responsible is acting on behalf of the entire board to fulfil this obligation.
- 3 Publications and communications of the FSIE and their bodies to the members takes place via the official media.

## **IX. Final Regulations**

### **Termination or merging**

#### **Article 27**

- 1 Merging with other organisations and the termination of the FSIE needs a two thirds majority of a general assembly of the valid votes present.
- 2 Liquidation proceeds upon termination of the FSIE will be attributed to a non-profit organization acting for or related to the profession of IT.

**Authoritative  
language  
version****Article 28**

1 In cases of doubt, the English version of the bylaws is authoritative.

**Jurisdiction****Article 29**

1 Jurisdiction takes place at the location of the office.

**Enactment****Article 30**

1 These bylaws have been accepted at the foundation meeting of the FSIE on the 18<sup>th</sup> of August 2017, updated and accepted at the general assembly of 17<sup>th</sup> of November 2017, updated and accepted at the general assembly of 9<sup>th</sup> of March 2018. They come into effect immediately.

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## **Appendix A: The sections of the FSIE**

### **List of specialized sections of the FSIE**

1. BRIDGE (Business Requirements and IT Delivery Guidance)
2. User Experience and Interface Design
3. Engineering
4. Quality
5. Security
6. Strategy
7. Operations
8. Management

**There do not exist any regional sections for the time being**

**There do not exist any other sections for the time being**