



STATUTE – “ASAPRA” INTERNATIONAL ASSOCIATION OF PROFESSIONAL CUSTOMS AGENTS

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STATUTE – “ASAPRA” INTERNATIONAL ASSOCIATION OF PROFESSIONAL CUSTOMS AGENTS

TITLE I

CHAPTER I - THE ASSOCIATION

Article 1 . - THE INTERNATIONAL ASSOCIATION OF CUSTOMS BROKERS - ASAPRA, founded on November 27, 1969 in the city of Viña del Mar, Republic of Chile, is a non-profit institution, with legal personality under private law, which is governed by the provisions of this statute and proposes, as a scope of action, all States in which the professional management of customs brokers.

With the approval of this statute, ASAPRA forms twenty-one national associations of twenty-one countries of Professional Customs Agents, organized in Chambers, Confederations, Federations, Centers, Corporations, Associations, Unions or similar, which group and represent Professional Customs Agents, according to the national name and which may be: agentes aduanales, agentes de aduana, despachadores de aduana, despachantes de Aduana, agentes afianzadores de aduana, agentes aduaneros, corredores de aduana, customs brokers, despachantes aduaneiros, or similar names, depending on how they are recognized in the State where reside.

Article 2 . - The Association's operating period is indefinite.

Article 3 . - ASAPRA has its main address in the city of Viña del Mar, Republic of Chile. However, you will be able to prove your domicile in each of the States where, in accordance with the provisions of article 4, legal personality has been recognized.

Article 4 . - ASAPRA Members, in their name and through their representatives, may manage the recognition of the legal personality of the International Association of CUSTOMS BROKERS in their respective States.

CHAPTER II - OBJECTIVES, PURPOSES, PRINCIPLES AND POWERS

Article 5 . - The Association will have the following purposes:

- a) Promote and defend the activities of Customs and Customs Brokers (or Officials), indicated in article 1, in their capacity as auxiliaries of the customs public service, proposing solutions that allow them to be increasingly efficient and effective in performing the service they provide . .



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- b)** Promote and encourage the ethical principle of ASAPRA accepted and assumed by all its members in the Code of Ethics, doing what is right, respecting the law and the rights of others and, the key to fostering commitment, teamwork and professional respect.
- c)** Unify the efforts of its Associates in order to gather proposals for solutions to common problems, in the customs and/or foreign trade sphere, with the aim of promoting them before the competent public bodies in the States to which such Associates belong and in others when this is feasible.
- d)** Build, promote and/or sponsor the technical improvement and professionalization of Customs Brokers (or Officials) members of its Associates.
- e)** Establish and maintain relationships with related institutions to achieve your social objectives.
- f)** Assume the representation and defense of associated entities in situations that may, individually or collectively , affect their interests.
- g)** Encourage, protect and represent the general interests of its associates, with a view to honoring and enhancing their professional role.
- h)** Act as a conciliator or arbitrator to resolve disagreements that may arise between its members, or between them and third parties, as long as they accept the jurisdiction of ASAPRA.
- i)** Participate and/or collaborate with public and private international organizations, especially with the World Customs Organization in the constant search for improving tariff and customs systems, port and transport services, and other related activities;
ASAPRA will maintain permanent links with all international organizations linked to customs, international trade and the customs destination of goods.
- j)** Carry out and/or sponsor technical publications providing general information and publicizing the activities of the Association and its members.
- k)** Carry out and/or sponsor studies and research related to customs activities, with a view to boosting international trade.
- l)** The studies and investigations and their conclusions will be disclosed and/or made available to its Associates and public opinion.
- m)** Cooperate with the national customs administrations of the Associated States in order to promote the facilitation of external trade and the elimination of customs infractions.
- n)** Promote and cooperate with the creation and development, especially among its Associates, of electronic data processing, communications and other systems that allow stimulating and promoting international trade;
- o)** Organize, participate or collaborate in the development of conventions, congresses, seminars, courses, conferences and other meetings of a regional or international nature that deal with topics related to Customs Brokers (or Officials) and Foreign Trade in general, with the aim of contributing to the improvement, teaching, training and dissemination of current regulations among members.



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In general, and in accordance with its Purposes, Principles and Objectives, promote any initiative that contributes to the best fulfillment of the Association's purposes.

Article 6 . - To achieve its Objectives , ASAPRA and its Members will proceed in accordance with the following:

- a) Contribute to the maintenance of international security, promoting the adoption of effective measures to prevent and/or eliminate threats of illegal trafficking in goods, customs infractions or other violations of customs and foreign trade laws;
- b) Promote friendly relations among its Associates based on respect for the principle of equal rights and self-determination of peoples and adopt appropriate measures to build and strengthen universal peace;
- c) Carry out international cooperation in resolving customs or foreign trade problems, without distinguishing race, sex, language or religion; It is
- d) Serve as a center that harmonizes the efforts of its Associates to achieve these common purposes.

Article 7 . - To achieve its Principles, Purposes and Purposes, ASAPRA and its Members are based on:

- a) ASAPRA is based on the principle of sovereign equality among all its members.
- b) ASAPRA Associates, in order to ensure the rights and benefits inherent to their status as such, will comply in good faith with the obligations contracted by them under these Statutes.
- c) The common objectives among its members, with the international community and the business world, are the fight against corruption, safeguarding the environment and social inclusion.
- d) ASAPRA is based on a clear understanding and solid agreements among its members regarding all elements of the association and decision-making process that must be discussed and agreed upon among its members.
- e) ASAPRA recognizes that the credibility and trust necessary to maintain a healthy partnership resides in good communication, capacity and reliability.
- f) ASAPRA, as an international organization, promotes continuous and systematic education.
- g) ASAPRA will ensure that all its members behave in accordance with these Principles for the maintenance of international peace and security.

Article 8 . - The Association's responsibilities are:

- a) Contract, assume contractual rights and obligations and, in general, carry out any act that does not contradict the purposes, purposes, principles set out in Chapter II of Title I of this Statute and that is necessary to ensure its functioning.
- b) Acquire or dispose of movable or immovable property, encumber them and exercise in relation to them all the rights and obligations that correspond to them in the exercise of ownership.



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- c) Appear before public authorities or private entities and, equally, before any public or private person; initiate and respond to legal actions and, in general, fully exercise their powers as a subject of rights and obligations; maintain funds in its name in any currency and make transfers necessary for the purposes and objectives of the Association.
- d) Build or participate in associations and/or companies whose purposes are consistent with your social purposes and do not conflict with those of your members.

By its nature, ASAPRA is prohibited from participating in any manifestation or organization of a political, philosophical or religious nature or that promotes any type of discrimination. Likewise, the Association's social spaces and assets cannot be used to express the aforementioned manifestations.

CHAPTER III – INHERITANCE

Article 9 . - The Association's assets consist of:

- a) The assets that ASAPRA holds on the date of approval of these Statutes, as well as those that it may acquire in the future for any reason.
- b) The fruits, income, interest and/or premiums generated by movable and immovable assets owned by the Association.
- c) The social contributions, ordinary or extraordinary, of its members and the contributions they make.
- d) Income and/or benefits generated by activities carried out in accordance with the provisions of this Statute.
- e) Donations, inheritances, legacies or agreed subsidies.

Article 10 - The Association's movable assets cannot be sold, donated or transferred for any reason, nor pledged or encumbered in any way, without express authorization from the Board of Directors. Likewise, the Association's real estate cannot be sold, donated or transferred for any reason, nor mortgaged or encumbered in any way, without the express authorization of the General Assembly of Associates, as specified in article 41 inc. c) of this Statute.

Article 11 - The Association's funds and resources cannot be used for investments or expenses that are not in accordance with the purposes, principles and purposes set out in Chapter II, Title I of this Statute, unless they are used to cover the Association's expenses. Association. the administration of ASAPRA.



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TITLE II

CHAPTER I - ASSOCIATES OR MEMBERS

Article 12 - They are Members of the International Association of Professional Customs Agents, provided that their Objectives , Purposes and Principles are compatible with those of ASAPRA, the national Commercial Institutions, referred to in the second paragraph of art. 1st of this statute, which group and represent the customs BROKERS unionized in the second paragraph mentioned above. National institutions or entities that, in their capacity as trade unions, bring together actors who carry out customs operations as described in the previous paragraph, whether this is their main or secondary activity, cannot join ASAPRA.

Article 13 - Institutions or entities that meet the requirements indicated in the previous article, that express their desire to join it and that are accepted as such by the General Assembly of Associates, can be Members of ASAPRA.

Members will have the following qualifications:

Full member . - With rights and obligations established in this statute. In addition to paying ordinary and extraordinary annual fees, with the right to speak and vote.

Adherent Member.- Fulfills the Member's obligations, except the payment of annual fees and, possibly, extraordinary fees, due to lack of financial solvency. You have the right to speak, but not to vote.

In your national activity, you can use ASAPRA signs or identify yourself with them.

Associate.- National associations or entities whose main secondary activity is the carrying out, on behalf of third parties, of the customs operations described in the previous article and whose Objectives , Purposes and Principles are compatible with those of ASAPRA. In addition to paying ordinary and extraordinary annual fees.

The respective ASAPRA members must be constituted and managed by Customs Brokers, so that they correspond to those who represent them and make decisions at ASAPRA.

Article 14 - ASAPRA will recognize only one member for each State within the scope of its participation.

Article 15 - In states where, for reasons beyond the control of the member entities, the creation of national associations is not permitted, they must unify their participation and representation in a single entity to form part of ASAPRA.



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SUBCHAPTER I - RIGHTS AND DUTIES

Article 16 – Full Members will have the following rights:

- a) Attend the General Assemblies of Associates, take part in them and intervene in their deliberations and decisions with voice and vote.
- b) Require the Association's intervention in matters that affect it, as long as they are not contrary to ASAPRA's purposes and the requested intervention is within its competences;
- c) Request information from the President of the Association about its management;
- d) Request from the Board of Directors and/or the General Secretariat data or information about the functioning of ASAPRA, including accounting/administrative reports and the execution of its work programs; It is
- e) Mention your status as a member of ASAPRA in the context of your activities or relationships and make use of the social insignia and other badges that are adopted.

Adherent Members will have the same rights as full members, except the right to vote.

ASAPRA Associates will have the following rights:

- a) Attend the general meetings of Partners and Associates, take part in them and intervene in their deliberations and decisions with voice and vote.
- b) With the right to speak, but not to vote, in the election of ASAPRA authorities.
- c) Be appointed Area Vice-President in accordance with the functional division of work established by ASAPRA, a position that must be held by the Professional Customs Broker member of the Associate.
- d) Require ASAPRA's intervention in matters affecting Associates, as long as these are not contrary to ASAPRA's objectives and the requested intervention is within its competences;
- e) Request information from the President of ASAPRA about its management;
- f) Request from the Board of Directors and/or the General Secretariat data or information about the functioning of ASAPRA, including accounting/administrative reports and the execution of its work programs; It is,
- g) Mention their status as ASAPRA Associates within the scope of their activities or relationships and make use of the social insignia and other badges that are adopted.

Article 17 - ASAPRA members are obliged to:

- a) Comply with and enforce the provisions of this Statute, the ASAPRA Code of Ethics, the Regulations and the Resolutions of the administrative bodies provided for therein.
- b) Provide the necessary collaboration so that ASAPRA can adequately fulfill its purposes, and must carry out, except for justified reasons at the discretion of the Management, the duties assigned to it by the Administrative Bodies provided for in this Statute.



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- c) Attend the Sessions of the General Assembly of Associates whenever they are called.
- d) Participate in the Committees for which you are requested and carry out the work entrusted to you.
- e) Pay the corresponding social contributions on time in accordance with what the General Assembly of Associates has established in this regard. Annual fees must be paid in full by the last day of February of each year.
- f) Inform the General Secretariat of ASAPRA about the modification of its Bylaws, the renewal of its powers, the change of address, the formation of associations with other entities that are members or not of ASAPRA and, in general, any other circumstance that is relevant to the association, within twenty (20) calendar days after the event occurred.

Article 18 - Members of the Association will have the following rights:

- a) Attend sessions of the General Assembly of Associates as an observer, without prejudice to their right to hold sessions reserved only for Full Members;
- b) Make requests to the Association on matters of mutual interest; It is
- c) Receive general information about the Association's activities.

Article 19 - ASAPRA Members are obliged to:

- a) Develop your union activity in terms compatible with the principles and objectives of ASAPRA.
- b) Provide ASAPRA with the information necessary to achieve its objectives.
- c) Timely remunerate the value of the services provided or provided by ASAPRA.
- d) Carry out the communications referred to in paragraph f) of article 17 of the Statute.

CHAPTER II - SUSPENSION OF MEMBER RIGHTS

Article 20 - ASAPRA members will be disqualified from exercising their social rights if they incur any of the following causes:

- a) For not paying their contributions in accordance with the rules established in paragraph e) of article 17 of this Statute.
- b) For non-compliance with other obligations established in article 17.
- c) For non-compliance with the rules established in the Code of Ethics and other ASAPRA regulations and standards.



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Article 21 - The sanction of disqualification is automatic if the Member incurs the cause indicated in paragraph a) of article 20 of these Statutes.

The beginning and period of disqualification, in application of the cause indicated in paragraphs b) and c) of article 20, will be determined by the General Assembly of Associates in its first session after the events that motivated it and, for this purpose, it will be The vote of two thirds of the Full Members present is required.

Article 22 - The disqualification of a Member or Associate will be notified by the General Secretariat who, in addition, must inform the other members of ASAPRA.

The notification from the General Secretariat , referred to in the previous paragraph, is a purely informative act, since the acts that constitute the sanction, as the case may be, are those indicated in article 21 of this Statute.

The disqualified Member or Associate will automatically cease to hold any position at ASAPRA. Disqualification will imply, for the duration, the termination of all your rights as such, without ceasing to comply with all your obligations.

Article 23 - The General Assembly of Associates may authorize Effective Members who are in arrears in paying their contributions, after regularization and provided that they have adequately justified the moment of their inaccuracy, for the purposes of immediate recovery of their social rights .

If the regularization does not imply the total cancellation of the amount owed, the Member's participation in the General Assembly session, as a Qualified Member, must be approved by two thirds of the Qualified Members present at that Session.

CHAPTER III - LOSS OF MEMBER QUALITY

Article 24 - ASAPRA members will lose their membership status:

- a) For not complying, in the opinion of the General Assembly of Associates, with the requirements to be Members referred to in Chapters I, II and III of Title II of these Bylaws.
- b) For seriously failing to comply, in the opinion of the General Assembly of Associates, with the provisions and/or obligations established in this Statute.
- c) Failure to comply with the rules established in the Code of Ethics and other ASAPRA regulations and standards, by affecting common interests, harms associated entities.
- d) By express resignation presented to the General Assembly of Associates.



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Article 25 - The General Assembly of Associates in its first Session, after the occurrence of the facts that article 22 of this Statute indicates as causes of loss of Associate status, will be informed by the Presidency or the General Secretariat of the occurrence that justifies the separation of the Associate. The General Assembly of Associates, after evaluating the case submitted for its consideration and analyzing the evidence and defenses presented by the Associate or Associate involved, will deliberate regarding the Associate or Associate accused of ASAPRA and, to order the loss of the latter's Associate status, for the reasons indicated in paragraphs a), b) and c) of article 24 of these Statutes, it must have the favorable vote of two thirds of the Qualified Members present at the General Assembly Session. The accused Partner or Associate will not be able to vote on the matter that concerns him, referred to in the previous paragraph, and his presence will not be counted for the purposes of quorum participating in the vote on said matter, but will be recorded in the corresponding minutes. The General Assembly of Associates, to implement the loss of Associate status for the reason indicated in paragraph d) of article 24 of these Statutes, will declare it accepted.

Article 26 -The loss of Associate status will be notified to the person affected by the General Secretariat who, in addition, must inform the other members of ASAPRA. The notification from the General Secretariat , referred to in the previous paragraph, is a purely informative act, since the acts that constitute the sanction, as the case may be, are those indicated in article 25 of this Statute.

TITLE III

CHAPTER I - GOVERNMENTAL AGENCIES

Article 27 – ASAPRA authorities are:

- a) General Assembly of Associates;
- b) Directory;
- c) President;
- d) First Vice President;
- e) Administrative and Financial Vice President
- f) General secretary;
- g) Undersecretary;



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h) The Vice-Presidents of each of the Geographic Areas to which ASAPRA Members or Associates belong;

The President, the First Vice-President, the Administrative and Financial Vice-President, the General Secretary and the Deputy General Secretary will be elected by the General Assembly, and the Area Vice-President will be appointed by the members of each geographic area who will represent them as Vice president. of the Group., must be ratified at the ASAPRA General Assembly.

The General Secretariat will have a budget and special financing to carry out its functions.

The General Secretariat is the contributing body of the Board of Directors.

Article 28 ° . - The General Assembly of Associates is the supreme body of the Association. Its agreements bind all Associates, whether represented in them or not, as long as they have been adopted in the form established in these Statutes.

Article 29 - The General Assembly of Associates will meet in an Ordinary Session as established in Subchapter I of this Chapter and in an Extraordinary Session at the opportunity it decides, when called by the President, agreed by the Board of Directors or requested by it. at least half plus one of the Qualified Full Members

Article 30 - The General Assembly of Associates is composed of representatives designated by the Full Members, as specified in article 31 of these Statutes.

As long as the Full Members represented at the Assembly so decide, the Full Members and/or Adherent Members will be disqualified.

Article 31 - Administrators duly accredited as such, in accordance with the definition and accreditation procedure indicated, respectively, in articles 67 and 68 of this Statute, will be the people who will represent ASAPRA Associates at the General Assembly of Associates.

If for any reason the Member does not have an acting Councilor or he/she is unable to attend the Session of the General Assembly of Members, the Board of Directors or whoever is authorized to do so in accordance with the Statute of each of the national associations Members of ASAPRA will designate among its members the person who will represent your Institution, with full powers to participate, specifying the Administration Meeting or the General Assembly of Associates.

Article 3 2 - The convening of the General Assembly of Associates must observe the following formalities:

a) General rules



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- 1) The General Secretary of ASAPRA is responsible for perfecting the notice for the General Assembly of Associates and ensuring that all requirements necessary for the validity of such notices are met.
 - 2) The notice must indicate the date, time and place where the Session of the General Assembly of Associates will be held, indicating the quorum requirements referred to in article 34 of these Statutes or, if applicable, those indicated in Subchapter II of Chapter II of Title III of this Statute.
 - 3) The notice must include the Agenda with a list of topics or subjects that will be discussed at the General Assembly of Members Session and a list of Members who, on the date of the call, have the status of Full Members.
 - 4) The supporting or informative documentation relating to the topics that will be discussed at the General Members' Assembly Session must be delivered to ASAPRA Members at least fifteen (15) calendar days in advance of the date scheduled for the said meeting. Session.
 - 5) For the purposes of the summons and sending related documentation, the Secretary General may use any means, including electronic data transmission, that allows him to verify whether the recipient has received the aforementioned summons and documentation in a timely manner.
- b) Specific rules of the Ordinary Session of the General Assembly of Associates:**
- 1) The General Secretary of ASAPRA will call an Ordinary Session of the General Assembly of Associates, which must be held at the opportunity indicated in article 38 of these Statutes.
 - 2) The call for the Ordinary Session of the General Assembly of Associates must be made, at most, thirty (30) calendar days before the date scheduled for the opening of the Session.
- c) Specific rules for the Extraordinary Session of the General Associates Assembly:**
- 1) The call for the Extraordinary Session of the General Assembly of Associates, in accordance with the provisions of this article of this Statute, must be perfected by the General Secretary of ASAPRA within a period that cannot be less than 30 calendar days prior to the date defined for the said Session. .
 - 2) If the call for an Extraordinary Session of the General Assembly of Associates is carried out by order of the President and/or the Board of Directors, the date for its holding must be indicated within the period between thirty (30) and ninety (90) calendar days from the day following the approval of the corresponding Resolution.
 - 3) If the call for an Extraordinary Session of the General Assembly of Associates has been requested by half plus one of the Full Members, the President will indicate the date on which it must take place, which must not be set before thirty (30) days of calendar. days nor after 90 (ninety) calendar days from the day following official receipt of the call request.



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Article 33 - The General Assembly of Associates will be installed and directed by the President or, in his absence, by the First Vice-President.

Article 34 - The General Assembly of Associates will be considered legally constituted and authorized to meet, on first call, with the presence of half plus one of the Full Members. If this quorum is not reached, it will validly meet on second call, two hours later, regardless of the number of Principal Councilors present. Connections will always be made indicating these conditions.

Article 35 - The deliberations of the General Assembly of Associates are adopted by a simple majority of the votes cast by the Full Members present at the Session and who make up the quorum referred to in the previous article, except in the cases provided for in articles 41, 42. ° and 43°, from **Sub- Chapter II, of Chapter II of Title III of these Bylaws.**

The President's vote, in the event of a tie, will resolve the question put to the vote.

Article 36 - Through Regulations, approved by the Board of Directors, the preparatory procedures for the Sessions of the General Assembly of Associates will be indicated, their operation, the participation of employees, the formalities for the constitution of Work Committees, the system of deliberations on motions, the forms that voting acts will take in them and how they should be documented, the preparation of the Minutes corresponding to the Session of the General Assembly of Associates and Work Committees and the storage of the documents that support them.

Article 37 - The duties and powers of the General Assembly of Associates are:

- a) Comply with and ensure compliance with the provisions of this Statute, the Regulations and its own Resolutions.
- b) Interpret the provisions of this Statute in accordance with the general principles of law and its social purposes.
- c) Establish general rules to better fulfill the Association's purposes and approve the Regulations necessary for its operation.
- d) Point out the objectives that the different Authorities of the Association must achieve and, to achieve them, they must adjust their activities.
- e) Establish the basic rules that regulate convergence and cooperation agreements with other regional associations, international and national organizations or entities, public or private, and authorize the conclusion of collaboration agreements that may arise;
- f) Delegate to the Board of Directors and/or the General Secretariat the competence to make decisions on specific matters aimed at better compliance with the corporate Aims, Purposes,



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Principles and Objectives and approve the Regulation that establishes the functions of the Board of Directors, in addition to those indicated in article 46 of this Statute.

- g)** Be aware of issues that have been raised by other authorities of the Association and issue final resolutions in this regard.
- h)** Provide for the calling of Extraordinary Sessions of the General Assembly of Associates.
- i)** Evaluate and approve or reject requests for the incorporation of new members, whether as Plenary Members or Adherents.
- j)** Establish Commissions, working groups and request opinions, designating who will form them or who will provide them.
- k)** Sponsor and/or organize the organization of Congresses, Conferences, Courses, Seminars and any other type of events aimed at the technical training of Associates of Member entities.
- l)** Promote before the National Authorities, public or private, of the Member States, appropriate measures to better comply with the Goals, Purposes, Principles and objectives that ASAPRA promotes, the exercise of the functions of the professionals referred to in Article 1 of this Statute, the improvement of systems and services, in general, everything related to customs activity and/or foreign trade.
- m)** After evaluation and in accordance with the provisions of article 23, authorize the qualification of Full Members who are disqualified under the terms of paragraph a) of article 20 of these Statutes.
- n)** Grant distinctions, recognitions and honorary distinctions.
- o)** Amend ASAPRA's Bylaws.
- p)** Change the Association's main address.
- q)** Establish extraordinary rates.
- r)** Arrange for the suspension of the Member's rights.
- s)** Provide for the loss of Associate status of any Full or Adhering Member.
- t)** Dissolve the Association,
- u)** Alternately designate the guests who will participate in the general assembly or management meeting, partially or fully, with the Board of Directors.
- v)** Formulate annual balance sheets and budgets for approval, and
- w)** Any other matter that is the subject of the corresponding call.

CHAPTER II – SESSIONS



STATUTE – “ASAPRA” INTERNATIONAL ASSOCIATION OF PROFESSIONAL CUSTOMS AGENTS

SUB-CHAPTER I - ORDINARY SESSION OF THE GENERAL ASSEMBLY OF MEMBERS

Article 38 - ASAPRA Associates will meet, once a year, in an Ordinary Session of the General Assembly of Associates, which must be held in October or November of each year, on the date that, for this purpose, is indicated by the Board of Directors and at the location indicated in the immediately previous Session.

The Ordinary Session of the General Assembly of Associates will be called by the General Secretary of ASAPRA in accordance with the provisions of article 32 of these Statutes.

Article 39 - The duties and powers of the General Assembly of Associates, which can only be exercised at its Ordinary Annual Session, are:

- a) Elect, when applicable, the President in accordance with the rules established in article 53 of this Statute.
- b) Elect, when applicable, the First Vice-President, to the extent that the rules of article 53 of these Statutes apply.
- c) Elect, when applicable, the Administrative and Financial Vice-President, to the extent that the rules of article 53 of these Statutes apply.
- d) Elect the Vice-Presidents previously appointed in accordance with article 59 of these Statutes.
- e) Elect, when applicable, the Secretary General and the Deputy Secretary General.
- f) Approve the Balance Sheet and corresponding Report each year.
- g) Approve the annual work plan for its development by the General Secretariat and/or the people designated by it and evaluate its results;
- h) Approve the Association’s Annual Income and Expense Budget
- i) Establish the annual fees that Full Members or Members must contribute and approve the annual contributions that, in addition to the annual fees, are offered by Associates.
- j) Award honorary distinctions.
- k) Appoint alternately with the Board of Directors the guests who will participate in the General Assembly or the Assembly of Directors, partially or fully.

Article 40 - In addition to the powers of the General Assembly of Associates that it can exercise exclusively in its Ordinary Session, indicated in the previous article, in this Session the Assembly can discuss and decide on any other matter of interest that is in accordance with its powers. , as specified in article 39 of this Statute, provided that such matters were also the subject of the call.



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SUB-CHAPTER II - SPECIAL QUORUM AND QUALIFIED VOTES

Article 41 - For the validity of the agreements relating to the topics indicated below and in accordance with the provisions of articles 34 and 35 of this Statute. The General Assembly of Associates requires the presence, on first and second call, of seventy-five percent of the Qualified Members and the agreements will be adopted in accordance with the provisions of paragraph c) of article 35 of these Statutes:

- a) Changing the Association’s main address.
- b) The sale or transfer of any titles owned by the Association and/or the creation of mortgages or encumbrances of any nature that affect them.

Article 42 - The General Assembly of Associates may order the dissolution of ASAPRA in a Session called specifically and exclusively for that purpose, meeting the call requirements referred to in article 35 of these Statutes and, however, in the first or second call, it will be attended by at least seventy-five percent of the full members and the corresponding agreement is adopted with the favorable vote of half plus one of these.

Once the dissolution of ASAPRA has been decided, the General Assembly of Associates will appoint a Liquidation Committee to which it will delegate the completion of the liquidation process and the payment of the Institution's obligations that, at that time, were pending. Likewise, in the same Session in which the dissolution of ASAPRA is decided, the General Assembly of Associates will indicate the non-profit institution or institutions to which the remainder of ASAPRA's assets should be transferred, if any.

Article 43 - To modify, totally or partially, the provisions of this Statute, the following procedure will be followed:

- a) In the call notice for the Session of the General Assembly of Associates, in accordance with the provisions of article 35 of these Statutes, the proposed amendment to the Statute must be indicated, indicating whether it is total or partial and attaching the corresponding Substitute Project, duly substantiated and agreed .
- b) For the Agreement that amends the Statute to be valid, at the Session of the General Assembly of Associates that adopts it, the presence, on first or second call, of at least seventy-five percent of the Full Members is necessary.



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Once the requirements established in the previous sections have been met, the corresponding Agreement or Agreements will be adopted with the approval vote of half plus one of the Full Members present at the Session.

CHAPTER III – DIRECTORY

Article 44 - The Board of Directors is the collegial body that, after the General Assembly of Associates, exercises the maximum administrative authority of the Association and has the main functions.

- a) Comply with the annual work plan and evaluate its results;
- b) Execute the Association’s Annual Income and Expense Budget,
- c) Adopt resolutions that require urgent adoption due to their importance for the optimal performance of ASAPRA, on which they must report to the General Assembly of Associates, in the Session closest to this and other Agreements and/or provisions of the General Assembly of Associates and supervise the actions and performance of the General Secretariat .

The term of office of the members of the Board of Directors extends from January 1st of the year following their election until December 31st of the year in which it ends.

Article 45 - The Board of Directors is composed of the President, First Vice-President, Administrative and Financial Vice-President and the Vice-Presidents who, for this purpose, assume the role of Administrators. The Board of Directors will be assisted by the Secretary General and the Deputy Secretary General of ASAPRA.

The General Secretary will participate in the Council Sessions, with the right to speak and vote, and will act as a minister of faith, and the Under-Secretary General will do so as Minutes Secretary, with the right to speak and vote.

The Directors will hold their positions ad honorem.

Article 46 - The duties and powers of the Board of Directors are:

- a) Prepare its Operating Regulations, in addition to those provided here and, in accordance with paragraph f) of article 37 of these Statutes, submit them for approval by the General Assembly of Associates.
- b) Designate representatives of the Association at congresses, conferences, competitions or other events sponsored by associated or similar entities, to which ASAPRA is invited or must participate, without prejudice to the participation of the General Secretary of ASAPRA in such activities when applicable;



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- c) Approve the legal acts and/or contracts in general necessary for the proper administrative functioning of the Association
- d) Supervise the actions and performance of the General Secretariat .
- e) Instruct the General Secretariat to carry out specific tasks or improve resolutions that the Board of Directors has adopted as a matter of urgency and, on which it must report to the General Assembly of Associates, at its nearest session.
- f) Designate Special Committees, working groups and/or request advice to deal with issues related to ASAPRA's objectives or the progress of the Association, designating the person or persons, natural or legal, who will compose the Committees, Working Groups or provide the Consultancy.
The people referred to in the previous number may be third parties external to the Association and the service requested may be free or onerous, in which case the Board of Directors is authorized to agree on the corresponding fees, informing the General Assembly at its nearest session.
- g) In application of the provisions of article 79, declare the position of Secretary-General vacant and authorize the Under-Secretary-General to assume this position on an interim basis, until the next General Assembly, in its Ordinary Annual Session, elects the replacement.
- h) Propose to members of Full Members, adherents or associates, before International Organizations, Centers for Higher Studies and similar organizations, for the purpose of obtaining scholarships or subsidies in general, sponsored by them for carrying out higher studies or professional development in related topics customs service and/or international trade.

Article 47 - The other functions of the Board of Directors will be those indicated in its Regulations, duly approved by the General Assembly of Associates in accordance with paragraph f) of article 37.

Article 48 - The Board of Directors will adopt its Agreements by an absolute majority of votes and, in the event of a tie, the President will have the right to the casting vote.

Article 49 - The Board of Directors will meet ordinarily every three months and, extraordinarily, when called by the President at the request of at least 5 (five) of its members.

Convocations are the responsibility of the Secretary General, who must make them at least 15 (fifteen) calendar days before the date scheduled for the session, through obituaries that he will send through the electronic data transmission system.

The Board of Directors' sessions may be held virtually, through remote communication, in which case the Directors must intervene, and the Director who does not participate in the meeting may express his opinion on the topics covered on the agenda and express his vote. through written communication. The Secretary General will act as coordinator, preparing the respective Minutes and obtaining their approval, both from the President and the other Directors.



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The formal minutes of each virtual session of the Council will be endorsed by the signature of the President and the Secretary, as minister of faith.

CHAPTER IV – PRESIDENCY

Article 50 - The President is the person elected by the General Assembly of Associates to represent the Association and exercise the role of moderator in all instances of ASAPRA, to hold the aforementioned position for a period of three (3) years, and may be re-elected by an additional consecutive period. The President of ASAPRA will be a professional member of those referred to in article 1 of this Statute and must be President or former President of one of the national associations of CUSTOMS BROKERS Members of ASAPRA. The applicant national entity will be required to spend a minimum of five (5) years as a Full Member of ASAPRA.

Article 51 - The President is the highest Legal Representative of ASAPRA.

Article 52 - The powers and duties of the President are:

- a) Provide legal representation for the Association.
- b) Install and preside over the Sessions of the General Assembly of Associates and the meetings of the Board of Directors.
- c) Cast a casting vote in the event of a tie in the vote to approve Resolutions of the General Assembly of Associates and/or Agreements of the Board of Directors.
- d) Convene the General Assembly of Associates in accordance with the provisions of article 32 of these Statutes.
- e) Comply with and enforce the provisions of these Bylaws, in the Deliberations of the General Assembly of Associates and in the Agreements of the Board of Directors.
- f) Sign the Association's official documentation and correspondence, as well as certificates, titles, credentials or any other similar instrument that the Institution decides to issue.
- g) Delegate the representation of ASAPRA in writing to the First Vice-President when necessary and for specific purposes, or to any of the Vice-Presidents, Advisors and/or General Secretary or Deputy General Secretary .
- h) Propose to the Board of Directors the annulment of any action by the General Secretary that, in its discretion, it considers inappropriate or contrary to the interests, Objectives, Purposes and Principles of the Association.



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- i) In specific cases, which justify it due to their gravity, the President may validly declare the nullity indicated in the previous paragraph, being responsible for communicating it to the Board of Directors.
- j) Appoint the interim Secretary General in the event of vacancy in the position, in accordance with article 79 of this Statute.
- k) Perform the role of arbitrator in the situations provided for in paragraph h) of article 5 of this Statute.
- l) Propose to the Board of Directors the designation of the people who will represent the Association in the situations provided for in paragraph h) of article 46 of these Statutes and, in cases where this designation must be made immediately due to urgency, proceed to assume responsibility for reporting this to the Board of Directors.
- m) In duly qualified and urgent cases, coordinate the adoption of Resolutions of the General Assembly of Associates, using the electronic data transmission system or other means of communication that allows the verification of the expression of will issued in this regard by the Qualified Full Member consulted. The Resolution approved through the procedure described in the previous paragraph will be regularized by its inclusion in the minutes of the first Session of the General Assembly of Associates to be held after the occurrence of the aforementioned event.
- n) In general, adopt the measures considered necessary to ensure the Objectives , Purposes and Principles of the Association, and the continuity of ASAPRA to face unforeseen situations or force majeure.

Article 53 - The General Secretariat of ASAPRA, within a minimum period of ninety (90) calendar days before the Ordinary Session of the General Assembly of Associates takes place, in which the President, the First Vice-President, the Administrative and Financial Vice-President will participate will be elected, the Secretary General or Deputy Secretary General of ASAPRA will inform Associates of the list of all member entities that meet the requirements to nominate candidates for the positions mentioned in this paragraph.

Before July 31st of the year in which the President of ASAPRA is elected, the Qualified Full Member entity that nominates a candidate for this position must register such candidacy with the General Secretariat, accompanying its proposal with information about the candidate's trajectory . registers and is a professional as described in the second paragraph of article 1 and in the Work Plan he intends to carry out.

Only representatives of Qualified Full Members may nominate candidates for the ASAPRA Presidency. The candidate for the Presidency of ASAPRA must be a representative of a member or associate of the Full Member of their State who, in turn, is a Full Member of ASAPRA.



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The General Secretariat, within a period of no less than thirty (30) days before the Ordinary Session of the corresponding General Assembly of Associates, will communicate to all Associates the validly registered applications accompanied by the background and Work Plans proposed by each one. the candidates.

Article 54 - In the event of temporary or permanent absence or impediment of the President, the first Vice-President will assume his functions, powers and duties for the duration of his absence or impediment.

In the event of a vacancy in the position of Presidency, in application of the causes indicated in article 55 of this Statute, the temporary assumption of the position referred to in the previous paragraph will become definitive and will be extended until the end of the period for which the president vacancy was elected.

Article 55 - The position of President becomes vacant for any of the following reasons:

- a) Due to the death of the holder or physical impediment that prevents him from performing his duties.
- b) By resignation.
- c) By Censure of the head of the Presidency approved by the General Assembly of Associates according to the procedure indicated below:
 - 1) Half plus one of the Full Members may, with clear reasons, request that a motion of censure against the current President be submitted to the General Assembly of Associates for consideration.
 - 2) The acting President's request for censure must be submitted to the Secretary General, who will immediately inform the President and the Board of Directors.
 - 3) Within a period that cannot exceed thirty (30) calendar days after receipt of the request referred to in the previous paragraph, the President and/or the Board of Directors must call an Extraordinary Session of the General Assembly of Associates, which must be held within the period for a period that will not exceed 15 (fifteen) calendar days after the date of call.
 - 4) If, for any reason, the President or the Board of Directors does not call an Extraordinary Session of the General Assembly of Associates, in accordance with the previous number, the Secretary General must assume this responsibility and proceed with the call.
 - 5) If the motion of censure referred to in paragraph 1) of this subsection is presented within forty-five (45) calendar days before the Ordinary Session of the General Assembly of Associates, the General Secretary will include said proposal as the first point of the its Agenda, ignoring the call for an Extraordinary Session of the General Assembly of Associates referred to in paragraph 3) of this subsection.



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- 6) The Session of the General Assembly of Associates in which the motion of censure of the current President is discussed will be chaired by the oldest Councilor.
- 7) For the validity of the Resolution of the General Assembly of Associates that approves the motion of censure of the acting President, a vote in favor of at least two thirds of all Full Members of ASAPRA will be required.
- 8) Once the motion of censure of the acting President is approved, he will immediately cease his position, the Presidency will be declared vacant and the provisions of the second paragraph of article 54 of this State will continue.

CHAPTER V - VICE PRESIDENCIES

SUBCHAPTER I - FIRST VICE PRESIDENT

Article 56 - The First Vice-President will assist the President in the exercise of his role, carrying out the actions and functions delegated by him in order to fulfill the interests, Objectives, Purposes and Principles of the Association.

Is a former member of the Board of Directors, will hold the position for a period of 2 (two) years, and may be re-elected for another consecutive period. The candidate must be a professional described in the second paragraph of article 1 of these statutes and President or Former President of the Qualified Full Member who nominates him.

Article 57 - The same formalities established in article 53 of this statute, when applicable, will be followed for the election of the First Vice-President.

To be elected First Vice-President of the Association, the Association that nominates you must be a member of ASAPRA for at least five years.

SUB CHAPTER II - AREA VICE-PRESIDENT

Article 58 - The Area Vice-President is a former member officio of the Board of Directors and represents, on the Board, the Full Members of ASAPRA from the States that, grouped together, constitute some of the different geographic areas where ASAPRA is present, as specified in article 60.° of this Statute. There will be a Vice-President for each of the above-mentioned Geographical Areas.



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Article 59 - The Vice-President will be elected through the procedure specified below:

- a) At least thirty (30) calendar days in advance, before the Ordinary Session of the General Assembly of Associates in which elections for ASAPRA Vice-Presidencies are called, the Full Members will propose the candidate for the Vice-Presidency of the Area to which they belongs to the State of origin.
- b) The General Secretary of ASAPRA will receive and coordinate the proposals for Vice-Presidencies and inform the other members of ASAPRA about them.
- c) The candidate for any of the Vice-Presidencies of ASAPRA must be a representative of a member or associate member of the entity in their State which, in turn, is a Full Member of ASAPRA.
- d) Likewise, the candidate for any of the Vice-Presidencies of ASAPRA must be the active President of a Full Member eligible under these Statutes.
- e) Before holding the Ordinary Session of the General Assembly of Associates, referred to in paragraph a) of this article, and before its beginning, the Advisors of the Full Members will meet in Sessions separated by Groups, as indicated in the following Article and, among Those who have been proposed for the position specified in said subsection a) of this Article, will nominate who will represent them as Vice-President of the Group in question, to be elected by the General Assembly of Associates.
- f) The Vice-President will hold the position for a period of one year, and may be re-elected for up to two equal and consecutive periods.

Article 60 - According to the geographic location of the State of origin of the Full Members, ASAPRA recognizes five areas, as detailed below and each of which corresponds to a Vice-Presidency

- a) Vice-president of ASAPRA for CONESUL.
- b) Vice President of ASAPRA for the Andean Area.
- c) ASAPRA Vice President for the Central American and Caribbean Area
- d) Vice President of ASAPRA for the North America area
- e) Vice-president of ASAPRA for the European Space.

Full Members from States that do not formally form part of any of the five Areas mentioned above will choose one of them, adjacent to the State from which they come, and request their inclusion in it.

The formation, modification and incorporation of States in the areas will be resolved in accordance with the provisions of the Respective Regulation.

Article 61 - The people proposed to occupy the positions of Vice-Presidents, in accordance with the procedure set out in article 59 of this Statute, will be elected by the General Assembly of Associates, using the attribution indicated in paragraph d) of article 39 of this Statute.



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Article 62 - The duties and powers of the Vice-Presidents are:

- a) Participate, with the right to speak and vote, in the deliberations and decisions of the Board of Directors.
- b) Attend, with the right to speak, the Sessions of the General Assembly of Associates.
- c) Without prejudice to the representation that corresponds to the Presidency, represent ASAPRA in the States that make up the area that corresponds to its Vice-Presidency.
- d) When so ordered or authorized by the General Assembly of Associates or the Board of Directors, the Vice-President will formalize his capacity as representative of ASAPRA before the Organizations and/or Institutions, public or private and/or national or international, that the mentioned bodies of the Association indicated.

The Vice-President, accredited to such Organizations and/or Institutions, will perfect before and/or in them the committees that the Board of Directors or the General Assembly entrusts or authorizes to him for the best fulfillment of the purposes of the Association, in responsibility for accountability of the results of these activities to the corresponding ASAPRA body.

- e) Deal with matters of a union nature that affect and/or interest the Full and Adherent Members of the area that the Vice-President represents and, when necessary, coordinate the activities that such Members carry out.
- f) Promote the integration of Full and Adherent Members of the States included in the area that the Vice-President represents.
- g) Hold at least three annual meetings with delegates of the full Members of the states included in the area that the Vice-President represents.

Each of the meetings referred to in the previous paragraph must take place in a different State and will deal with issues specific to the geographic area that unites them.

The Vice-President will issue a report with the analysis and results of each of the meetings referred to in this subsection, which will be submitted to the Board of Directors through the General Secretariat so that it can be disseminated among ASAPRA Members and consider the effects of its Annual Report .

- h) Promote the incorporation, as Full Members of ASAPRA, of national trade union entities that meet the requirements indicated in article 13 of this Statute, that have not been associated with ASAPRA and that come from States included in the area that the Vice-President represents.

Likewise, promote the incorporation, as Adherent Members of ASAPRA, of institutions or organizations that meet the requirements indicated in article 13 of this statute and that address the States included in the area that the Vice-President represents.

- i) The rest will be provided by the General Assembly of Associates or the Board of Directors.



STATUTE – “ASAPRA” INTERNATIONAL ASSOCIATION OF PROFESSIONAL CUSTOMS AGENTS

Article 63 - The position of Vice-President is vacant for the reasons indicated in paragraphs a) and b) of article 55 of these Statutes.

Likewise, the position of vice-president becomes vacant due to censure of the holder, approved by the General Assembly of Associates according to the procedure indicated below:

- 1) Half plus one of the Qualified Full Members from the States that make up the area of competence of the Vice-President in question, with clear reasons, may request that a motion of censure of the Vice-President be submitted to the General Assembly for consideration. represents them.
- 2) The Vice-President's request for censure must be submitted to the General Secretary who will immediately inform the President and the Board of Directors.
- 3) Within a period not exceeding 30 (thirty) calendar days after receipt of the request referred to in the previous paragraph, the President and/or the Board of Directors must arrange for the General Secretariat to inform all Members of this fact. Plenary sessions.
- 4) The Full Members of ASAPRA, within a period that will not exceed 15 (fifteen) days, counting from the day following the day on which the Secretary General informed them of the motion of censure presented, will cast their vote of approval, rejection or abstention. , and may inform the Board of Directors in writing through the General Secretariat , using the electronic data transmission system for this purpose.
- 5) For the Board of Directors to validly agree to declare the origin of the proposed motion of censure, it must have the favorable vote of the absolute majority of ASAPRA's Full Members.
- 6) Once the motion of censure of the holder of the Vice-Presidency in question is declared admissible, he or she will immediately leave the position, the corresponding vacancy will be declared and the interim replacement will be appointed.
- 7) The interim replacement will be appointed by the Board of Directors after consultation with the Full Members of the States located in the area within the scope of the vacant Vice-Presidency.
- 8) The person designated to occupy the position of Vice-President, in accordance with the previous paragraph, will assume the functions and responsibilities of the position until the end of the period for which his predecessor was elected.
- 9) The General Assembly of Associates, in the Ordinary Session immediately following the declaration of vacancy of a Vice-Presidency and the replacement of its holder, will formalize the actions taken in this regard.

SUBCHAPTER III - ADMINISTRATIVE AND FINANCIAL VICE PRESIDENT



STATUTE – “ASAPRA” INTERNATIONAL ASSOCIATION OF PROFESSIONAL CUSTOMS AGENTS

Article 64 - For the election of the Administrative and Financial Vice-President, the same formalities established in article 53 of this statute will be followed, as far as possible.

Only one Full Member may nominate his representative and be elected Administrative and Financial Vice-President. The candidate must be a professional described in the second paragraph of article 1 of these statutes and President or Former President of the Qualified Full Member who nominates him.

To be elected Administrative and Financial Vice-President, a minimum of five (5) years of membership in ASAPRA, the applicant national entity, will be required.

Is a former member of the Board of Directors, will hold the position for a period of 2 (two) years, and may be re-elected for another consecutive period.

Article 65 - The duties and responsibilities of the Administrative and Financial Vice-President are:

- a) Supervise the economic-financial movement of the Association and issue an opinion in this regard, performing the role of ASAPRA's Internal Auditor.
- b) Review and endorse or observe the Association's Financial Statements before they are submitted to the General Assembly of Associates in accordance with the provisions of paragraphs f) and g) of Article 39 of these Statutes;
- c) Supervise the preparation of the Association's Annual Income and Expense Budget in order to submit it to the Board of Directors for approval and presentation to the General Assembly of Associates, in application of what is indicated in subsection h) of article 39 of these Statutes ;
- d) Any other, related to his role as Internal Auditor of ASAPRA, that is entrusted to him by the Board of Directors or that is entrusted to him by the General Assembly of Associates.

CHAPTER VI – ADVISORS

Article 66 - The Director is the natural person who, in accordance with the provisions of the Bylaws of the Grémio Associated with ASAPRA as an Effective Member, is its maximum representative.

However, the Board of Directors or its equivalent in the direction and control of the Association Associated with ASAPRA as a Full Member, may designate and accredit as a director, before the Association, an individual other than the one indicated in the previous paragraph, provided that he or she is a member of its organization and have full powers to represent you and act as a valid interlocutor between your client and ASAPRA.

Article 67 - For the accreditation of counselors before ASAPRA, the following procedure will be observed:



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- a) With the only communication from the Full Members of ASAPRA, referred to in paragraph f) of article 17 of this Statute, regarding the list of its union authorities, without specifying which of them will assume the role of Director, it will be understood that whoever occupies the position of highest authority among such authorities, also has the status of advisor to ASAPRA.
- b) If the Executive Director, or his equivalent, of the associated Guild, as an Effective Member, Adherent or Associate, chooses to appoint as Director before ASAPRA a person other than his maximum authority, he must expressly accredit him to the Association, through a communication addressed to the President of ASAPRA through the Secretary General, as established in article 31 of this statute.
- c) The accreditation document, referred to in the previous paragraph, must expressly indicate that the person designated by the Full Member or Adhering Associate as Administrator is vested with sufficient powers to represent him and act on his behalf without any limitation . .

Article 68 - Administrators have the following powers and obligations:

- a) Comply with and enforce the provisions of this Statute, the Regulations and the Resolutions of the General Assembly of Associates.
- b) Constitute the meeting of Directors while the general meeting of Associates is not in session, participating in its Sessions with the right to speak and vote.
- c) Constitute the General Assembly of Associates, participating in its sessions with the right to speak and vote.
- d) Cooperate with the President and the Board of Directors for the smooth functioning of the Association.
- e) Fulfill the commissions and/or tasks entrusted to you by the General Assembly of Associates and/or the Board of Directors.
- f) Request arbitration intervention from the President, in application of the provisions of paragraph h) of article 5 and paragraph j) of article 52 of this Statute, designate committees, working groups and/or provide advice for the purposes of the consultation and/or proposals presented.

Article 69 - The Councilors will meet ordinarily every three months and, extraordinarily, when called by the President at the request of at least half of its Members.

The meeting will be chaired by the President or, if applicable, by the First Vice-President and assisted by the General Secretary of ASAPRA.

It will evaluate compliance with the annual plans approved by the General Assembly.

The reports and results of the working groups and the corresponding decisions required by the work of the groups will be adopted to be approved and adopted by the Board of Directors to become general ASAPRA guidelines.



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Provide a report on the fulfillment of the commissions and/or tasks entrusted to you by the General Assembly of Associates and/or the Board of Directors.

Inform the President of the problems faced by each country, which makes it difficult for CUSTOMS BROKERS from each of the national entities that are members of ASAPRA to carry out their profession. Convocations will be the responsibility of the Secretary General, who must make them at least 15 (fifteen) calendar days before the date scheduled for the session, through obituaries that will be sent through the electronic data transmission system.

The Councilors' sessions may be held virtually, through remote communication, in which case the Councilors must intervene and the Councilor who does not participate in the meeting may express his opinion on the topics covered on the agenda and express his vote, through written communication.

The Secretary General will act as coordinator, preparing the respective Minutes and obtaining their approval, both from the President and the other Councilors.

The formal Minutes of each Virtual Directors' Session will be endorsed by the signature of the Secretary General and the President of ASAPRA.

CHAPTER VII - GENERAL SECRETARY

Article 70 - The General Secretariat is the executive and technical body of the Association, responsible for its day-to-day administration and permanent coordination between it and its Associates or Members.

This body will be made up of the Secretary General, who reports directly to the President and/or the Board of Directors, and an Undersecretary General, who reports to the Secretary General.

Each of ASAPRA's Full Members will have a Local Secretary at their respective domicile, in order to serve as an executive link between their client and the ASAPRA General Secretariat.

Article 71 - Without distinction and separately from that which corresponds to the President as indicated in article 52 of these Statutes, the Secretary General of ASAPRA will exercise the legal representation of ASAPRA that is specifically delegated to him by the Board of Directors for the purposes of those acts. or before people or entities, public or private, necessary for the proper functioning of the Association and/or the achievement of its objectives.

Article 72 - The Secretary General has the obligations and performs the functions detailed below:



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- a) Comply with and enforce the provisions of these Statutes and the Regulations, in the deliberations of the General Assembly of Associates, in the Agreements of the Board of Directors and in the provisions of the Presidency.
- b) Organize and direct ASAPRA's Permanent Technical Secretariat, the area responsible for carrying out the research and technical studies necessary for the projection and/or performance of professionals associated with trade union organizations affiliated to ASAPRA.
- c) Represent ASAPRA before all types of judicial, governmental, administrative, municipal or other authorities, when so authorized by the Board of Directors.
- d) Assume the functions delegated by the General Assembly of Associates in the use of the attribution referred to in paragraph f) of article 37 of these Statutes.
- e) Prepare and present proposals to the corresponding ASAPRA authorities, aiming to better achieve the objectives and fulfill the Institution's social functions.
- f) In coordination with the Presidency and/or the Board of Directors, prepare the Annual Work Program of the General Secretariat to submit it for approval to the General Assembly of Associates and, once approved by it, develop and/or execute it it.
- g) Carry out the studies and investigations necessary to fulfill the technical functions that are specific to it and that correspond to the tasks that, in this area, are assigned to it by the Board of Directors.
- h) Request technical, legal advice and/or collaboration from national and international people or organizations.
- i) Substantiate before the General Assembly of Associates the need for Advisory and/or Advisory Committees, in order to obtain their approval for the creation of these or the hiring of them.
- j) Process and keep the data information system of interest to the Association and/or its Members updated.
- k) Monitor, ex officio or by order of Management, compliance with contractual commitments assumed, with ASAPRA, by Associates or third parties.
- l) Report on its activities to the Board of Directors or, through it, to the General Assembly of Associates.
- m) Carry out a permanent critical assessment of the legal provisions in force in different States, especially those from which ASAPRA members come, which in some way affect or are related to the profession of Customs Broker, customs law and/or international trade.
- n) With knowledge of the entity to which you are affiliated, communicate with any Customs Broker affiliated with any of the Guilds Associated with ASAPRA, as long as this is necessary for the best fulfillment of your purposes.
- o) In compliance with the provisions of these Bylaws, improve the notices for the Sessions of the General Assembly of Associates and/or the Board of Directors and coordinate the organization of such events.



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Likewise, calling and/or participating in meetings or events, official or not, whose coordination has been entrusted to you by the General Assembly of Associates, the Board of Directors and/or the Presidency, and has been promoted by the General Secretariat itself for the better perform the functions that correspond to it or respond to specific invitations or the initiative of third parties related to customs duties or international trade.

- p)** Organize Congresses and/or any other type of international event in which ASAPRA participates and supervise their implementation.
- q)** In coordination with the Presidency, prepare the Annual Activity Report to present it at the Ordinary Session of the General Assembly of Associates for approval.

Likewise, supervise the Accountant for the purposes of preparing the Financial Statements for the Annual Year (Balance Sheet and Income Statement) which must be submitted to the General Assembly of Associates at its Ordinary Session.

- r)** Prepare the Association's Annual Income and Expense Budget and submit it for consideration and approval at the Ordinary Session of the General Assembly of Associates and, in the same way, make adjustments and/or modifications ordered by said Assembly or subsequent ones that necessary to account for this.
- s)** Manage ASAPRA's assets and, for this purpose, represent it in the practice of acts and contracts under public and private law that, in the use of the attribution indicated in paragraph c) of article 47 of these Statutes, have been approved by the Board . .
- t)** Supervise and authorize accounting, manage the economic-financial movement of the Association and, in general, any operation related to the use of ASAPRA resources, being responsible for providing documented accounts of the exercise of this function, to the Board of Directors and/or the Assembly General Membership.
- u)** Safeguard the assets, Minutes Books, Accounting Books and other documents and/or files of the Association.
- v)** In application of the duly approved Annual Budget and in accordance with the provisions of paragraph c) of article 44 of these Statutes, propose to the Board of Directors the hiring or dismissal of contracted personnel from the Association, whether in the technical or administrative area. assignment of duties, remuneration, travel expenses or any other emolument.
- w)** In duly qualified and urgent cases, when it is not possible to obtain the intervention of the President and/or the Board of Directors, coordinate the adoption of the Resolutions of the General Assembly of Associates, using the electronic data transmission system or other means of communication that allow verification of the expression of will issued in this regard by the Full Member consulted.

The Resolution approved through the procedure described in the previous paragraph will be regularized by its inclusion in the minutes of the first Session of the General Assembly of Associates to be held after the occurrence of the aforementioned event.



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- x) Act as a minister of faith at the Sessions of the General Assembly of Associates and/or the Board of Directors, preparing and signing the respective minutes.
- y) Supervise and coordinate the activities of the Local Secretaries, a function that can be delegated to the Deputy Secretary General.
- z) Any others entrusted to it by the board of directors and/or the General Assembly of Associates.

Article 73 - For the purposes of exercising their functions at ASAPRA, the Secretary General and the Deputy Secretary General have the status of executive of an international organization, must observe conduct compatible with this and, consequently, will not be able to request or receive instructions from any type of particular Association Member.

Article 74 - ASAPRA Members will respect the international nature of the functions of the Secretary General and the Deputy Secretary General, consequently, they are not authorized to exercise any type of influence in the performance of their corresponding functions.

Article 75 - The General Secretary must reside in the State where the Association's main domicile is located and will receive the remuneration determined by the Board of Directors, in accordance with the Budget approved by the General Assembly of Associates.

The Under-Secretary-General may reside in any of the States in which a Full Member is domiciled and will perform his duties ad honorem, without prejudice to travel expenses determined by the Board of Directors, in accordance with the Budget approved by the General Assembly.

Article 76 - The General Secretary and Deputy General Secretary will be elected by the General Assembly of Associates at its Ordinary Session, will hold their positions for a period of three years, and may be re-elected.

For the selection and appointment of the people who will occupy the position of General Secretary and Deputy General Secretary of ASAPRA, the following procedure must be observed:

- a) The Board of Directors and/or ASAPRA Qualified Full Member entities may nominate candidates to fill such positions.
- b) The candidacies referred to in the previous paragraph must be raised by the Board of Directors or presented to it through the Presidency, within a period that will not exceed June 30th of the year in which the Ordinary Session of the General Assembly of the General Assembly is to be held. Members in which it is necessary to elect the General Secretary and Deputy General Secretary of ASAPRA.

Applications must be submitted in writing and accompanied by the necessary information regarding the candidates' training and professional and personal suitability.



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- c) The President, within a period that cannot be less than forty-five (45) calendar days before the start date of the Ordinary Session of the General Assembly of Associates in which the Secretary General and Deputy Secretary General must be elected, inform all ASAPRA Members about the applications raised and/or received by the Board, attaching additional data relating to each of the candidates.
- d) The selection of candidates who will be elected General Secretary and/or Deputy General Secretary of ASAPRA will be carried out, at the Ordinary Session of the corresponding General Assembly of Associates, by vote of the Full Members present there.

The candidate who, in the first vote, has obtained at least the favorable vote of two thirds of the Full Members present at the Session referred to in the previous paragraph, will be elected.

If the minimum favorable approval indicated in the previous paragraph is not reached in the first vote, the President will order a recess, after which voting will continue again, requiring, on this occasion, the favorable vote of a simple majority of half plus one of the Full Members present. to elect the candidate who will be appointed General Secretary and/or Deputy General Secretary of ASAPRA.

- e) The person proposed to hold the position of Under-Secretary-General must be a professional referred to in article 1 of this Statute and the national entity that nominates him must have a minimum seniority of five (5) years as a Full Member.

Article 77 - The Secretary General reports to the President and/or the Board of Directors, consequently:

- a) They can only be notified by provisions of the Presidency and
- b) Can only be suspended by agreement of the board

In any of the two cases mentioned above, the Presidency and/or the Board of Directors will report the acts carried out to the General Assembly of Associates in the first Session of the latter, after establishing the sanctions provided for herein.

Article 78 - The obligations and duties of the Under-Secretary General are those established by the regulations of the General Secretariat for this purpose.

Article 79 - The position of Secretary General is vacant for the following reasons:

- a) Due to the death of the owner
- b) By dismissal
- c) Due to the physical incapacity of the holder, which prevents him from properly performing the position.
- d) Due to unjustified absence at the discretion of the Board of Directors
- e) By dismissal ordered by the General Assembly of Associates

In the cases provided for in paragraphs a), b) and c) of this article, the Board of Directors will arrange for the Deputy General Secretary to temporarily assume the functions of General Secretary until the



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next Session of the General Assembly of Associates elects who will occupy the position of General Secretary .

Likewise, in a duly justified case, the Board of Directors may order the temporary suspension of the Secretary General, responsible for communicating it to the General Assembly of Associates in the first Session of the latter after the adoption of this provision. For the duration of the suspension of the General Secretary, ordered by the Board of Directors, the Under-Secretary General will temporarily act as such until the General Assembly of Associates adopts a final resolution in this regard.

SUB-CHAPTER I - LOCAL SECRETARIES

Article 80 - In accordance with the provisions of article 67 of these Statutes, each Effective Member , Member and Associate of the Association will have a Local Secretary appointed by the Board of Directors of ASAPRA at the proposal of that same Effective Member , Member and Associate.

The Local Secretary will represent the Full Member who is appointed before the General Secretariat of ASAPRA, and will hold the position for a minimum period of three (3) years, after which they may be reappointed for equal and subsequent periods.

Article 81 - The person proposed by the Main Member, Member or Associate to hold the position of Local Secretary must be a professional, one of those referred to in article 1 of these Statutes, an associate or representative of an associate of the Full Member, Member and Associate . .

Article 82 - The duties of the Local Secretary are:

- a) Assume the responsibility for maintaining permanent communication between the General Secretariat of ASAPRA and the Full Member, Adherent or Associate that it represents.
- b) With the consent of the Counselor of the Main Member, Member or Associate that he or she represents, comply, in a timely and appropriate manner, with the requirements of the General Secretariat of ASAPRA.
- c) Cooperate with the improvement of agreements and commitments made by the Full Member, Member or Associate that they represent.
- d) Assume, before ASAPRA, the functions delegated to you by the Advisor of the Full Member, Member or Associate that you represent.
- e) Assume the legal representation of the Director of the Effective Adherent or Associate Member that he represents, when he so wishes and the formalities required for this purpose are complied with.
- f) Participate in the commissions assigned to you.



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- g)** Prepare the Minutes of ASAPRA meetings held in the State of the Full Member, Member or Associate that it represents.

Assist the advisor of the Main Member and Associate that he represents in the exercise of the functions that correspond to him and in the fulfillment of his obligations towards ASAPRA

Article 83 - The position of Local Secretary will be vacant for any of the following reasons:

- a)** Due to the death of the holder or physical impediment that prevents him from carrying out his functions
- b)** By resignation.
- c)** Upon request for removal, duly substantiated, presented by the Member and Associate Full Member that the Local Secretary represents and approved by the ASAPRA Board of Directors.
- d)** Due to the revocation ordered by the ASAPRA Board of Directors

Article 84 - If the position of Local Secretary becomes vacant, within a period that will not exceed 15 (fifteen) calendar days, the corresponding Adherent and Associate Full Member will propose to the ASAPRA Board of Directors who, in his opinion, should be designated as his local secretary.

Until said designation is perfected, the proposing State Counselor will temporarily assume the role of Local Secretary for his client.

TITLE IV – CONFERENCES

SINGLE CHAPTER

Article 85 - Congresses are events organized and convened by ASAPRA, with the aim of bringing together representatives and associates of its Members with professionals and/or specialists in topics related to the activities of the Grêmios that bring together, opinion makers, national authorities, representatives of associations of operators and/or users of foreign trade and/or related entities, employees of local and international organizations and, in general, with people who make up a public interested in customs activity in particular and foreign trade in general.

Article 86 - The objective of the Congresses is the exchange and dissemination of experiences and information that allow the professional improvement of Customs Brokers and the discussion of presentations or proposals aimed at this same object.



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Likewise, these events will promote recommendations and/or projects that contribute to the constant improvement of customs and related services and, in general, to the achievement of efficient and effective international trade that benefits the geographic regions included within the scope of ASAPRA. The Congresses also aim to promote fraternization among those who make up the field of international trade and promote unity and cooperation among the people of the continent.

Article 87 - The Congresses will be held at least every two years and will be presided over by the President of ASAPRA, in his absence the First Vice-President and the Ordinary Session of the General Assembly of Associates that corresponds to him. be held jointly at the place where it meets, in accordance with the guidelines that, for this type of event, are indicated in the respective Regulations, which must be approved by the General Assembly of Associates on a proposal from the Board of Directors and/or the General Secretariat.

With due advance notice, the General Secretariat will prepare the Program corresponding to each Congress, which must be approved by the Board of Directors and disclosed to all Associates at least 90 (ninety) days in advance of the opening date of the event.

TRANSITIONAL PROVISIONS

First . - ASAPRA authorities, elected during the validity of the previous Statute, will continue in office until the end of the period for which they were elected.

Second . - The election of the First Vice-President, Administrative and Financial Vice-President, General Under-Secretary and Area Vice-Presidents will be held at the next Ordinary General Assembly, with the formalities set out in the Statute for the positions mentioned above. The Board of Directors, exceptionally, is responsible for setting the deadline for submitting applications, when applicable.

Third . - It is the responsibility of the Secretary-General and/or the Under-Secretary-General to comply with the necessary formalities for the protocolization that allows the improvement of the Agreement of the Extraordinary General Assembly that approves this Statute.

Room . - The Directors are instructed to carry out the relevant procedures, in accordance with the legislation of their respective States, to register and publish these Bylaws.

FINAL DISPOSITION



STATUTE – “ASAPRA” INTERNATIONAL ASSOCIATION OF PROFESSIONAL CUSTOMS AGENTS

This Statute comes into force on the day following its approval at the Extraordinary Session of the General Assembly of Associates, held in Guatemala City, Republic of Guatemala, on the twenty-fifth day of August 2023 . .