

STATUTE
OF THE
EUROPEAN LABORATORY FOR NON LINEAR SPECTROSCOPY

Art. 1. Institution of the European Laboratory for non Linear Spectroscopy

By virtue of the law 30 January 1991, n.37 of the Italian Republic, a European Laboratory for non Linear Spectroscopy, called in what follows by the acronym LENS, is established at the University of Florence.

LENS is a University Research Laboratory with national and international character in which Italian and foreign Universities as well as other public and private Centres of Research participate by virtue of written joint agreements, in order to pursue the aims specified in art.3.

LENS has a legal status and full scientific, financial and administrative autonomy, within the limits defined by the law.

LENS has its own internal regulations which determine the rules for its organization and functioning.

Art. 2. Location.

The legal seat is provisionally established in Florence in Largo Enrico Fermi 2.

Art. 3. Aims.

The aims of LENS are:

- a) to facilitate scientific collaboration between European researchers in the fields of the linear and non-linear spectroscopies;
- b) to provide for those qualified scientists who so request, the most advanced instrumentation and the necessary technical assistance and scientific advice for the prosecution of their research;
- c) to plan and realise joint research projects with other Universities and Research Institutes, using the equipment of the laboratory;
- d) to undertake original research for the improvement and development of new spectroscopic techniques;
- e) to promote the exchange of ideas, experience and technical and scientific expertise at all levels in the areas of interest to the laboratory;
- f) to promote and realise technical and scientific collaboration with both European and extra-European countries.

Art. 4. Membership.

Members of LENS, are divided between ordinary and extraordinary members.

Ordinary members are:

- a) the University of Florence;
- b) the University Pierre et Marie Curie (Paris VI, France);
- c) the University of Kaiserslautern (Germany);
- d) the Scuola Normale di Pisa;
- e) Max Planck Institut fuer Quantenoptik, Garching

and furthermore those Universities and groups of Universities which sign a formal agreement with LENS.

Extraordinary members of LENS are:

all public and private Research Institutes which sign for this purpose a formal agreement with LENS.

Ordinary and extraordinary members lose their membership when the formal agreement, which is the basis of their participation in LENS, expires.

Art. 5. Financial Resources.

The funds of LENS consists of:

- a) the annual contribution from the Ministry of University and Scientific and Technological Research, as part of the funding for Universities determined by article 2, paragraph 1, letter c) of the law 9 May 1989 n. 168;
- b) the contributions from the State and public Institutions, allocated as part of the funding provided by the provision of law in force for the development of scientific research;
- c) any other contribution acquired by LENS for the execution of its institutional aims;
- d) the payments arising from the use of the LENS facilities from external users, in accord with the rules determined in the internal regulations.

Art. 6. Patrimony

The patrimony consists of all fixed and movable property already acquired with funds assigned to LENS for its creation to be determined in conformity to what established by the formal agreement specified in art. 18 bis, and of all other equipment and real property, however acquired, by purchase or by gift.

LENS has its own inventory organized according to the rules of the university regulations.

The Director is responsible for the preservation of the property of LENS.

In case of dissolution of LENS, the LENS properties shall be assigned to the University of Florence with exception of those which must be otherwise assigned on the basis of a proper formal agreement between the LENS and the aforementioned University.

Art.7 Administrative and bookkeeping management.

LENS is administered by the Executive Council and by the Director, according to their legal powers, in accordance with the administrative, financial and bookkeeping rules adopted by the University of Florence by virtue of article 7, paragraph 7 of the Law 9 May 1989 n. 168, if applicable.

For the time being, and until the regulation of the previous paragraph are ratified, the provisions of article n. 86, paragraphs 2 and 3 of the D.P.R. 11 July 1980 nr. 382, as well as the rules of the Title. V of the D.P.R. 4 March 1982 n. 371, shall apply.

An Administrative Secretary, appointed to LENS, from university administrative and bookkeeping personnel of at least the VIIIth degree, by the Rector of the University of Florence, supervises the administrative and bookkeeping operations.

Art. 8. Scientists belonging to the staff of LENS.

All those professors and researchers of the University of Florence, and of other Italian or foreign Universities or Research Institutes formally associated with LENS, who ask to be associated with LENS and undertake to help ensure the efficiency of the Laboratory in agreement with the Statutes shall be part of the scientific staff of LENS. Applications, duly approved by the body in charge of the Institution to which the applicant belongs, must be sent to the Executive Council which will make the decision. The association is valid for one year and may be renewed on request of the applicant by the same procedure. Only professors and researchers of Universities and Research Institutes which have signed formal agreements with LENS may become members of the scientific staff.

Art 8 bis. Scientific, technical and administrative staff.

The scientific technical and administrative staff necessary for the operation of LENS is assigned directly by the Ministry of University and Scientific and Technological Research, as part of the total staff of the Universities, determined by the Law 29 January 1986, n. 23 and successive changes, and is integrated with the permanent staff of the University of Florence. In respect of the career and the salary the personnel form part of the personnel of the University of Florence. The personnel operates under the control of the Official Bodies of LENS which decide their tasks and functions, in agreement with their level and title. Proceedings relative to the employment, modification and extinction of the employment pertain to the Rector of the University of Florence. For the use of scientific facilities of particular complexity, the LENS may also employ technical personnel, even of foreign citizenship, employed, within the limits of the financial availability of its budget, through a term-contract of duration not longer than five years, according to the rules of art. 26 of the D.P.R. 11 July 1980 n. 382, if applicable.

Art. 8 ter.

The scientific staff of LENS or associated with LENS shall maintain the resources of LENS at state of the art level and shall ensure that they operate with maximum efficiency. It assists external users in the use of the laboratory facilities. The scientific staff has the right to conduct active research in the Laboratory using the facilities free of charge, in agreement with the rules given in the internal regulation.

Art. 9 Official Bodies and Officers.

There shall be the following official bodies and officers:

- a) The European Committee
- b) The Executive Council
- c) The Director

d) The Associate Director

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Art. 10. The European Committee.

The European Committee shall consist of the Heads, or their nominees, of the Universities and Research Institutes which have signed agreements.

Members of the European Committee serve for the whole period of membership and financial contribution of their respective institutions.

The European Committee elects a President from its members by a majority of those entitled to the vote. The President serves for a period of three years and can be re-elected.

Art. 11. Procedures of the European Committee.

The adoption of a motion by the European Committee requires the affirmative vote of the majority of its members entitled to vote.

In cases where a decision can be taken without the need for a meeting, by the expression from the members of agreement or dissent on an appropriate proposal of the President, the vote can be expressed also by Fax, telex or electronic mail, provided proof is given of the question raised and of the answer. All decisions must be transmitted to the Rector of the University of Florence and to the Director of LENS.

Art. 12 Functions of the European Committee.

The European Committee exercises the functions specified in article 7 of the Law 30 January 1991 n. 37. In particular the European Committee:

- a) elects a President from among its members;
- b) decides on the acceptance of Universities and Research Institutes who ask to sign agreements with LENS and also approves the renewal of the agreements between associated Universities and LENS.
- c) nominates the non-Italian members of the Executive Council of LENS and gives its agreement on the Italian members;
- d) may propose changes to the Statutes. Such proposals must be decided by the Administrative Council of the University of Florence and approved by a decree of the Minister of the University and Scientific and Technological Research;
- e) examines the annual report of the Director concerning the activities of the laboratory.
- f) has the right to make written submissions to the Executive Council of LENS on any matter relating to the LENS.
- g) proposes to the Minister of University and Scientific and Technological Research the possible dissolution of LENS.

The European Committee receives the minutes of the meetings of the Executive Council of LENS, the annual report and the annual accounts of LENS.

Art. 13 The Executive Council of LENS.

The Executive Council of LENS shall be formed by experts in the field of the research activity of LENS.

The Executive Council shall consist of nine members i.e.:

- a) two representatives of the University of Florence, proposed by the Faculty of Mathematics, Physics and Natural Sciences and appointed by the Rector of the University of Florence;
 - b) two representatives of Italian Universities, other than Florence, proposed by the Istituto Nazionale di Fisica della Materia and appointed by the Rector of the University of Florence;
 - c) four representatives of non-Italian Universities and Research Institutes associated with LENS appointed by the European Committee;
 - e) one representative elected from members of the scientific staff of LENS or associated to the LENS and appointed by the Rector of the University of Florence.
- The meeting to proceed to the above mentioned election shall be called by the Director of LENS and for the first time by the President of the organizing Committee determined by article 1, paragraph 6 of the law 30 January 1991, n.37.

For the first time the definition of the scientific staff, for the election of the member defined in point d) of the present article, is made by the committee determined by article 1, paragraph 6 of the law 30 January 1991, n.37 among the "tecnici laureati", the researchers and the professors who carry on research at LENS at the date of approval of the Statutes.

The members of the Executive Council of LENS shall serve for a period of three years and shall be reeligible.

The Director and the Associate Director are elected from among its members by the Executive Council of LENS according to the opinion of the INFM.

In its first meeting the Executive Council of LENS elects from among its members the Director of LENS, who acts as President of the Executive Council meetings, and the Associate Director. The meeting in which the Executive Council of LENS proceeds to the appointment of the Director and of the Associate Director is chaired by the oldest member.

The Executive Council of LENS meets at least twice in the year upon written notice of the President. The notice shall be made at least three weeks before the date of the meeting, with the agenda of the meeting. The Director shall choose the date of the Executive Council meetings, which shall normally be held at LENS.

The Director must call a special meeting of the Executive Council of LENS if requested to do so in writing by at least two members of the Executive Council.

The Administrative secretary of LENS acts as secretary of the meetings and can be assisted in the preparation of the minutes of the meetings by one of the members of the Executive Council.

In urgent situations and if a decision can be taken without the need for a meeting, the Director can ask for a decision of the Executive Council by telex, telegram or by writing, provided proof is given of the question raised and of the answer and unless one of the members of the Executive Council objects in writing to this procedure.

Decisions of the Executive Council are valid when at least six members are present. In any case the agreement of at least two members among those specified by the letters a) and b) and of two members among those specified by the letter c) is necessary. In case the vote is tied, the Director has a casting vote.

For the approval of the annual budget and the scientific programme the absolute majority of those who have the right to vote is required.

The minutes of the meetings shall be written in two originals, in Italian and in English. The minutes, signed by the Director and by the administrative secretary, shall be sent to the members of the Executive Council within one month from the date of the meeting. Members of the Executive Council of LENS shall send to the Director

their agreement or disagreement and their observations within 15 days from the date of receipt. After this period, if no letter of disagreement has been received by the Director, the minutes shall be considered as approved. Otherwise the minutes must be submitted to the next meeting of the Executive Council for discussion and approval.

Art. 14. Functions of the Executive Council.

The Executive Council of LENS is responsible for the management of all activities of LENS and in particular:

- a) approval of the annual and longer term scientific projects;
- b) approval of the annual budget and of longer term financial planning;
- c) organization of the internal facilities;
- d) nomination of the Director and Associate Director;
- e) approval of membership agreements with Universities and Research Institutes and of term-contracts for research, of duration not longer than five years, with specialized researchers and technicians, even those of foreign citizenship, for the use of scientific facilities of LENS of particular complexity and for the execution of research projects;
- f) building plans and alterations of them;
- g) financial arrangements relating to the use of LENS facilities by members and other categories of users;
- h) the purchase of equipment and furniture above a value which the Executive Council will determine;
- i) administrative procedures concerning the internal operation of LENS except those which belong *ex officio* to the Director or that the Executive Council delegates to the Director;
- j) approval of the use of LENS by non members and the conditions attached thereto;
- k) approval of research contracts;
- l) approval of expenses above a value which the Executive Council will determine for the accomplishment of the institutional aims of the laboratory;
- m) approval of patents, licences and similar forms of agreements;
- n) approval of the annual accounts;
- o) allocation of time and LENS resources to members and non-members of LENS, except where delegation to the Director has been approved;
- p) acceptance of the scientific personnel of the University of Florence and of other Italian and non-Italian Universities and Research Institutes who have asked to be associated with LENS;
- q) approval of the internal regulations relating to the organisation and functioning of LENS.

The Executive Council may establish an advisory Scientific Committee of LENS to obtain advice on research projects and on the purchase of costly instruments of interest to LENS.

The Executive Council may also establish committees among its members for specific problems but the reports of any such committee shall be subject to the approval of the Executive Council.

Art. 15. The Director.

The Director shall be appointed by the Rector of the University of Florence on the nomination of the Executive Council and is the legal representative of LENS.

The Director is appointed for three years and is eligible for reappointment for only one consecutive period.

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Art. 16. Functions of the Director.

The Director shall prepare the annual budget and shall submit it to the Executive Council for approval within the dates provided by the regulations of the University of Florence.

The Director prepares the scientific report and submits it to the Executive Council and to the European Committee.

The Director shall prepare each year an estimated budget and the annual accounts accompanied by a document which shows, *inter alia*, exigencies occurred during the year, and shall submit it to the Executive Council for approval within the dates provided by the regulations of the University of Florence.

Within the limits defined by the Executive Council the Director shall sign orders and authorise payments of bills for anything needed for the functioning of LENS in compliance with the rules which regulate the administration and the book-keeping of the University of Florence. He shall furthermore accomplish any legal duty in accord with fiscal rules.

The Director shall keep the Executive Council informed on all matters that have been delegated to him.

In the case of illness or temporary absence the Associate Director shall carry out the functions of Director. In case of absence or if the Associate Director is not available, the Director may designate one of the members of the Executive Council to carry out his duties. For a delegation exceeding four weeks the approval of the Executive Council shall be necessary.

Art. 17. The Associate Director.

The Associate Director is appointed by the Rector of the University of Florence on the nomination of the LENS Executive Council.

The Associate Director is appointed for three years and is eligible for a consecutive reappointment only once.

When the Director is of Italian citizenship the Associate Director shall be of non-Italian citizenship and vice-versa.

Art. 18. Functions of the Associate Director.

The Associate Director shall collaborate with the Director in the organisation and administration of LENS and in promoting and developing the international activities of LENS. In addition the Associate Director helps the Director in maintaining the necessary contacts with the European Committee. Together with the Director he represents LENS in international meetings.

Art. 18 bis.

The University and the LENS stipulate within six months from the coming into force of the present Statutes one or several agreements by which they regulate the reciprocal relationships with particular reference to:

a) the use of the 60 % funds assigned to researchers of the University of Florence;

- b) the associative subscription specified by art. 3, letter c) of the law 30 January 1991 n. 37;
- c) the definition of the property of LENS according to art. 6;
- d) the form of assignment of the property in case of dissolution;
- e) the management of the personnel and the relative costs;
- f) the means of resolution for possible controversies between the LENS and the University.

Art. 19. Matters not covered by the Statutes.

For any matters not covered by the present Statutes the current laws of university organisation, as well as the provision of the regulations for administration, finance and book-keeping of the University of Florence shall apply, as long as they can.

Art. 20. Language of the Statutes.

The Statutes of LENS shall be prepared in two copies, one in Italian and one in English and both are equally valid.

Art. 21. Dissolution.

If LENS has exhausted its institutional functions, on the proposal of the European Committee with a majority of those who have the right to vote, the Minister of University and Scientific and Technological Research may dissolve the laboratory. In such a case the destination of the patrimony and of the personnel of LENS is determined according to article 6 of the present Statutes.