

Rationale

Stichting AFNORTH International School in Brunssum exists under a variety of legal regulations. It is the intent of this policy to indicate the various sets of laws and conventions.

Policy

Stichting AFNORTH International School will maintain legal status and agreements between the member parties and also with both the government of The Netherlands and the NATO command structure for the continued existence of the school.

The school shall have the status of a “Stichting” (foundation) under the law of the Netherlands. Therefore, it shall be an independent legal entity and shall have the right to enter into obligations, conclude contracts, acquire and dispose of moveable property as far as this is necessary for the fulfillment of its task. It shall be financially independent and shall have the capacity to appear in court as plaintiff or defendant.

Guidelines

Stichting AFNORTH International School, a partnership between owning nations, is a registered non-profit foundation in The Netherlands. (1967)

Stichting AFNORTH International School, under Allied Joint Force Command Headquarters Brunssum tax and privileges regulations, is relieved as far as practicable from duties and taxes (though not charges for services rendered) affecting its expenditure on establishment, construction, maintenance and operation. Art. 2 Customs Agreement between NLD Ministry of Finance and HQ AFCENT, 21 April 1989/nr. IFZ89-430.

Stichting AFNORTH International School is included as part of the Allied Joint Force Command Headquarters Brunssum for purposes of security. 28 November 1988.

Stichting AFNORTH International School Brunssum and Allied Joint Force Command Headquarters Brunssum have a memorandum of agreement concerning the provision of garrison services and support to AFNORTH International School. (Revised May, 2010)

Stichting AFNORTH International School member nations’ educational staff is included as part of the owning nations’ civilian component of their respective forces and consequently covered by the Status of Forces agreement. Civilian Component under art. I.1. (b) NATO SOFA

Stichting AFNORTH International School, in connection with Allied Joint Force Command Headquarters Brunssum, maintains a local wage rate agreement with staff hired from the Netherlands economy.

United States Army Garrison Schinnen provides support to AFNORTH International School. Support Agreement United States Army Garrison BENELUX and DODDS Isles District Superintendents Office.

GOVERNANCE

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Legal Status Policy

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Legal References

- Agreement between the Parties to the North Atlantic Treaty Regarding the Status of their Forces, London, 19 June 1951.(NATO SOFA)
- Foundation Statutes, 1967
- Agreement between the Kingdom of the Netherlands and the Supreme Headquarters Allied Powers Europe for the protection of Headquarters AFCENT and JOC, 28 November 1988.
- Customs Agreement between the Netherlands Ministry of Finance and HQ AFCENT, 21 April 1989.
- Memorandum of Arrangement (MOA) Between Stichting AFNORTH International School Brunssum and Allied Joint Force Command Headquarters Brunssum Concerning The Provision of Support Services and Support By The Allied Joint Force Command Headquarters Brunssum To The Stichting AFNORTH International School Brunssum, May, 2010.
- Labour Regulations and annexes for Local Wage Rate Paid Employees of the foundation AFNORTH International School, November, 2004.
- Support Agreement WK3E45-07215-002 United States Army Garrison BENELUX and DODDS Isles District Superintendents Office, October, 2007.

Review

This policy will be reviewed in accordance with Policy 1020 Policy Development and Review.

Cross Reference

Date Approved
8 November 2011

Legal Reference
Foundation Statutes 1967
Article 6
Also See Above
BOG 1973