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STATUTES OF SMART UNITY, THE PILOTS' UNION OF SMARTWINGS, A.S.

(hereinafter referred to as the "**Statutes**")

Article I.

Name, registered office, scope and character of the legal entity

- 1.1 The name of the legal entity is Smart Unity, the pilots' union of Smartwings, a.s., (hereinafter referred to as the "**Union**").
- 1.2 The registered office of the Union is Malé Sídliště 1100, 266 01 Beroun.
- 1.3 The Union organization operates throughout the Czech Republic.
- 1.4 The Union is an Union within the meaning of Section 286 of Act No. 262/2006 Coll., the Labour Code, as amended (hereinafter referred to as the "**Labour Code**"), and is thus entitled to bargain collectively and enter into collective agreements with the employer Smartwings, a.s., ID No.: 256 63 135, with its registered office at K Letišti 1068/30, 160 08 Prague 6 (hereinafter referred to as the "**Employer**").

Article II.

Purpose of the Union

- 2.1 The Union is established to achieve the following objectives:
 - a) collective bargaining and concluding collective agreements with the Employer;
 - b) enabling mutual communication between its members;
 - c) representing its members and other employees of the Employer in negotiations with the Employer wherever the common interests of the members require it;
 - d) comment on legislative measures in the field of civil aviation;
 - e) protection and promotion of airline pilots' interests;
 - f) developing a high level of professional knowledge and skills of pilots;
 - g) developing the safety, efficiency and economy of commercial air transport;
 - h) participation in dealing with emergency situations related to air safety;
 - i) assisting and making recommendations in addressing issues related to civil air traffic and air passenger services;
 - j) promoting the principles and rules contained in the recommendations of IFALPA, ECA and other international pilot associations
 - k) establishing and developing relations and cooperation with other national and international organisations;
 - l) defending the rights of its members, as well as promoting their social, economic and professional demands.

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**Article III.
Membership**

- 3.1 On the day of the establishment of the Union, all founding members of the Union become members. Other persons may be accepted as members of the Union by decision of the presidium on the basis of their written application and after payment of the membership fee, if stipulated.
- 3.2 The specimen of the written application is determined by the presidium, while the written application contains the identification data of the applicant, including the e-mail address for communication.
- 3.3 Only a natural person who is employed by the Employer as CP/FO at the time of submitting the application may become a member.
- 3.4 There is no legal entitlement to membership. A person who applies for membership in the Union expresses his or her will to be bound by the Union Statutes from the moment he or she becomes a member.
- 3.5 Termination of membership is possible in the following ways:
- a) a member may voluntarily withdraw from the Union at any time by a written notice addressed to the Union;
 - b) a member may also be expelled by a decision of the presidium or in another way according to these Statutes;
 - c) membership terminates upon termination of employment with the Employer in the position of CP/FO;
 - d) membership is further terminated upon the death of the member;
 - e) the membership also ceases to exist together with the dissolution of the Union without a legal successor.
- 3.6 In particular, members have the following rights and obligations:
- a) the right to participate in the activities of the Union;
 - b) the right to participate in the members' meeting and make decisions at it, including the election of members of the presidium;
 - c) the right to contact the Union bodies and to receive information and explanations from the Union bodies concerning the Union's activities, unless the presidium decides that the provision of such information or explanation is contrary to the interests of the Union;
 - d) the obligation to comply with these Statutes;
 - e) the obligation to pay the membership fee, if stipulated;
 - f) the obligation to defend the good name of the Union.

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- 3.7 By submitting an application to join a Union, members agree that the Union will retain their personal data to the extent in which they provide it to the Union until further notice. In accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), members have in particular the right to access, rectify, erase, restrict processing, data portability, and object.
- 3.8 Members are required to pay membership dues, if any. The rules for the payment of membership fees are determined by the presidium.

Article IV. Union bodies and manner of negotiation

- 4.1 The bodies of the Union are the members' meeting and the presidium.
- 4.2 The chairman acts on behalf of the Union together with one of the vice-Chairmen.

Article V. Members' meeting

- 5.1 The members' meeting is the highest body of the Union and consists of all members of the Union.
- 5.2 The members' meeting is entitled to:
- a) elect and dismiss members of the presidium;
 - b) propose the abolition of the Union;
 - c) to check the proper performance of the function of the statutory body;
 - d) propose and approve amendments to the Statutes;
 - e) determine the main direction of the Union's activities;
 - f) decide on other issues, on which it reserved its decision by resolution.
- 5.3 The members' meeting is convened by the chairman of the presidium on the basis of a resolution of the presidium. If he/she fails to do so within the time limit set for him/her, the members' meeting shall be convened by both vice-chairmen of the presidium.
- 5.4 The chairman of the presidium may convene a members' meeting on the basis of a reasoned initiative of any member. The chairman of the presidium must convene a members' meeting on the basis of a reasoned initiative of at least one fifth of all members.
- 5.5 The invitation to the members' meeting shall contain at least:
- a) the venue or manner of means enabling remote communication;
 - b) the time of the event;
 - c) agenda;
 - d) motions for individual resolutions;

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- e) materials for items on the agenda of the meeting, or information on where the member can familiarize himself with the materials.
- 5.6 An invitation to a members' meeting may only be delivered to the members of the Union organization electronically to the e-mail address provided by the member to the Union.
- 5.7 A members' meeting has a quorum if at least half of all members of the Union are present. If the convened members' meeting does not have a quorum, then the person who convened the members' meeting may convene a substitute members' meeting no earlier than 14 days and no later than 31 days, while the presence of at least one third of all members of the Union is sufficient for the quorum of the substitute members' meeting.
- 5.8 The members' meeting is chaired by the person who convened it until a decision is made on the election of the members' meeting's body. The bodies of the members' meeting are the chairman of the members' meeting, the recorder, the minutes verifier and the scrutineer. Except for the accumulation of the recorder and the verifier of the minutes, the cumulation of functions is possible.
- 5.9 The members' meeting is decided by a majority of the members present, while each member has the same weight of vote. In the event of a tie, the vote is taken again. A decision of three quarters of the present members is required to amend the Statutes.
- 5.10 Minutes of the members' meeting shall be made within a reasonable period of time, which shall record the course of the members' meeting, the resolutions adopted and any other relevant facts.
- 5.11 The members' meeting can also be held through means enabling remote communication, especially using the Internet and web interface or tele/videoconferencing applications.

Article VI. Presidium

- 6.1 The presidium is the statutory body of the Union, exercises the day-to-day management of the Union and acts on behalf of the Union externally.
- 6.2 The presidium is made up of three elected members who elect one chairman from among them at the first meeting after the election of any of the members of the presidium. The other members of the presidium become vice-chairmen.
- 6.3 Only a natural person over 18 years of age with full legal capacity can be a member of the presidium.
- 6.4 The term of office of the members of the presidium shall be five (5) years. A member of the presidium may resign at any time during his term of office by notice addressed to the other members of the presidium. In such a case, the remaining members of the presidium shall immediately convene a members' meeting.
- 6.5 The presidium is entitled to:
- a) execute resolutions of the members' meeting;
 - b) to prepare the rules of the Union;
 - c) prepare materials for the members' meeting;
 - d) determine the amount of the membership fee;

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- e) determine the model application form;
 - f) issue internal regulations;
 - g) keep records of Union members;
 - h) expel a member of a Union for non-payment of the membership fee or other violation of these Statutes;
 - i) take care of the funds and property of the Union;
 - j) review the management of the Union;
 - k) decide on all matters that do not fall within the competence of the members' meeting or that the members' meeting has not reserved;
 - l) represent the Union externally, with the chairman acting on its behalf together with one of the vice-chairmen;
 - m) to negotiate with the Employer within the meaning of the Labour Code, to the widest possible extent, including collective bargaining and concluding collective agreements.
- 6.6 The presidium meets as needed by prior agreement of all members, and they can also use electronic means enabling remote communication.
- 6.7 The presidium has a quorum if at least two of the three members are present.
- 6.8 The presidium meetings are chaired by the chairman of the presidium and, if he is not present, by the oldest member of the presidium.
- 6.9 The presidium shall decide by a majority of all its votes. Each of the members of the presidium has the same weight of vote.
- 6.10 Minutes of the presidium meeting will be made.

Article VII. Economy

- 7.1 The expenditure of the Union is focused mainly on the implementation of the purposes of the Union stated in Article Article II. of these Statutes. A Union organization may provide contributions or gifts to its members and third parties in connection with its purpose.
- 7.2 A Union's income may consist mainly of contributions from its members, gifts, subsidies or income from its own activities. The income will be used for the activities of the Union, in particular to enable effective collective bargaining and the protection of employees' rights with the Employer. The Union is obliged to manage these funds as efficiently as possible, in order to achieve the purpose of the Union.
- 7.3 For the purpose of auditing the financial management, the Presidium will usually review the economic management of the Union once a year or as needed.
- 7.4 The members' meeting will decide on the disposal of the Union's property in the event of its dissolution.

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**Article VIII.
Final provisions**

- 8.1 The Union maintains a list of members. The list of members will not be published. The presidium is responsible for managing, updating and executing the entries and deletions of members maintained on the membership list. None of the members is entitled to information on the complete list of members of the Union.
- 8.2 Matters not regulated by these Statutes are governed by generally binding legal regulations of the Czech Republic, while the provisions of Act No. 89/2012 Coll., the Civil Code, as amended, regulating legal entities and associations, shall be applied to internal affairs, taking into account the limits of Section 3025 of this Act.
- 8.3 The Union does not enter into debts or be liable for the debts of its members or third parties.
- 8.4 The Statutes were approved on 26/06/2024. These Statutes come into effect on the day of entry in the register maintained by the relevant registration court

Prague, 26/06/2024