

# Volunteer Agreement

To prepare and manage your stay efficiently, it is necessary, **before** any residential stay in Dharma City, to have discussed your project with the founder Ranyak Patrul Rinpoche and/or at least 2 members of the board of administrators of the non-profit organization Dzogchen Gelek Palbar Ling. Any stay for **more than one (1) month** must be approved by them. We also ask you to answer the following questions:

- What is the reason of your stay in Dharma City?
- What activity will you do?
- For how long?
- What will your financial contribution be?
- Could you develop a written account of your project?

What is a volunteer?

A volunteer service is defined by the legislator as being any activity:

- which is performed willingly and without pay;
- which is performed for the benefit of one or several persons different from the person who performs the service;
- which is performed in aid of a group, an organization or the whole community;
- which is organized by an organization that is outside the domestic or private sphere of the person who performs the activity;
- which is not performed by the same person and for the same organization in the framework of a working contract, a service contract or other legal contract.

Please note that a volunteer still needs to complete an Enrolment Form (and pay) to be able to participate in events at Dharma City.

## It has been agreed between

The Organization	
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<i>Name :</i>	Dzogchen Gelek Palbar Ling
<i>Head Office :</i>	Rue de Mettet 300, B-5620 Florennes
<i>Phone :</i>	+32-494-794787
<i>Email :</i>	info@patrulrinpoche.net
<i>Organization number:</i>	465.698.384
<i>Legal status:</i>	ASBL

*Organizational Objectives:*

- a) To allow the Buddhist community as well as non-Buddhist supporters to deepen their knowledge of the teachings of the Buddha, without any distinction of school. To practice the rites and techniques of Buddhist meditation under the high spiritual direction of the Venerable Dzogchen Ranyak Patrul Rinpoche or his designated successor.

- b) to publish / share all documents related to Buddhism, either by sound, pictorial representation, written words or any other means
- c) to implement any means necessary to link the wisdom in the traditional Tibetan culture and scientific knowledge, artistic and religious world
- d) to preserve the Tibetan philosophy and culture.

**and**

**The Volunteer**

*Surname* :.....  
*Name*: .....  
*Address* : ..... N° ..... CP .....  
*Town + Country* :.....  
*Phone*: .....  
*Email* : .....  
*Passport Number or ID number*:.....

to organize the volunteer’s activity, conforming to the *Right of the Volunteer (Law of the Third of July 2005)*, as follows:

**Suggested Activity**

*Type of activity*: .....  
*Description of the activity*: .....  
.....  
.....  
*Place*: .....N° ..... CP .....  
*City*:.....  
*Activity schedule (if defined)*: .....  
*Period(s) (if schedule is not defined)*: .....  
*Weekly working hours*: ..... hours  
If weekly scheduled is defined:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Schedule							

**Refund or Contribution to Expenses**

- The organization will not pay or refund expenses.
- The organization will pay the volunteer an inclusive fee of .....€/day for services performed. This sum will not be considered as a salary if its total amount doesn’t exceed the [legal maximum enacted by law](#), which is 41,48 €/day and 1.659,29 €/year for the year 2024. This amount is indexed each year. The volunteer commits himself to inform the organization

of any fee that he/she has received during the year 2024 while doing any volunteer activity in another organization.

The organization will pay back the expenses that she or he has paid for on behalf of the organization. In this case a receipt needs to be submitted. Expenses related to travel in vehicles may be reimbursed by a mileage allowance of 0.4269 €/km (this amount is enforced from the 1<sup>st</sup> of January 2024 with a maximum amount of 2000 km/year) or by reimbursing petrol/electric recharge bills. The payment will be made to the account of the volunteer, after signature of a receipt or upon receiving the invoice.

IBAN number:.....

If the stay of the volunteer doesn't coincide with activities organized by the organization or if the activity implies the participation to the organized activities, he/she will have to pay a fee for his/her stay of 20€/day (3 meals and accommodation in a dormitory). Alternatively, his/her fee will be specified in the enrolment form of the event or as agreed otherwise.

**Insurance(s)**

The volunteer will be covered by the liability insurance of the organization, while residing at Dharma City, as enforced by the *Volunteer's Right Law of the Third of July 2005*. The modality of this Law is defined in the Royal decrees of the 19<sup>th</sup> and 21<sup>st</sup> of December 2006, enforcing the minimum conditions of the insurance contract and enforcing the organization of group insurance. If necessary, in addition to the legal minimal guarantees, the organization offers to the volunteer a protection covering for: .....

*Insurance name:* .....  
*Affiliate number :* .....

If necessary, particular risk related to the activity performed by the Agreement

*Insurance:* .....  
*Affiliate number :* .....

The volunteer declares:

- To be covered by an insurance policy for the accidents that are not covered by the insurance of the organization
- To be covered by medical-aid insurance

**Emergency information:**

*Special medical needs/conditions:* .....

*Emergency procedure (if applicable):* .....

**Emergency contact information:**

*Name:* .....

*Relationship:* .....

*Phone number:* .....

*Email:* .....

**Volunteer Status**

If the volunteer is resident in Belgium, he/she declares:

Not to be benefiting from any unemployment fee

If necessary, to have obtained the authorization of his/ her local unemployment office, proof must be attached to this form

Not to be benefiting from a pre-retirement fee

If necessary, to have obtained the authorization of the local unemployment office, proof must be attached to this form

In every instance, the volunteer declares:

Not to be medically declared unfit to work, if necessary, the legally approved medical practitioner must attest that the activity is compliant with the health condition of the volunteer.

**Professional Confidentiality**

The activities of the volunteer are not subject to the respect of the professional confidentiality as enforced by the article 458 in the Penal Code.

The activities of the volunteer are subject to a no-disclosure agreement as enforced by the article 458 in the Penal Code and he/she is conscious that the non respect of this rule will be enforced by penal consequence, a prison sentence of eight days up to 6 months and a fine of 5€ up to 500€.

**Miscellaneous**

By coming to Dharma City you commit yourself:

- To inform the caretakers of any modification of your arrival and departure dates as established in this form.

- To take part in daily tasks: the preparation of meals, the cleaning of the dishes and of the communal places (shower, toilets).
- To respect the internal policies, that, among others, are:
  - To respect the silence after 10pm;
  - To switch off the lights when you leave a room;
  - Not to light candles or to burn incense in the dormitory or rooms;
  - To blow out the candles of the shrine after you leave your meditation;
  - To refrain from using any alcohol or drugs;
  - To leave the material and place as it was when you have borrowed or used it (mattress, bed sheets...). The organization will wash the bed sheets.
- To inform the caretakers of any problem encountered during your stay in Dharma City.

The Organization Dzogchen Gelek Palbar Ling commits to welcome you in the current basic conditions that is to say:

- Provide accommodation in a dormitory or room
- A shower and WC in a shared common place
- A mattress, a pillow, bed sheets and blankets
- The setting at your disposal of the kitchen and kitchen utensils, or the possibility of sharing the meals that are prepared in the refectory
- To supply electricity, within the possible current limits at Dharma City.

The financial aspect of the volunteer’s stay is detailed on page 2-3 “**Refund or Contribution to Expenses**”.

The organization Dzogchen Gelek Palbar Ling reserves the right to put an end to this contract if the volunteer does not respect the internal policies, or, in the absence of an internal policy, the rules of good conduct.

Other clause

.....

.....

.....

.....

.....

.....

Done in two copies at ....., Date.....

The organization

The volunteer

## CHAPTER I. General provisions

Art. 1. The present law enforces a matter developed in the art. 78 of the Constitution.

[Art. 2.](#) § 1. The present law governs the voluntary participation on the Belgian territory, as well as the voluntary participation that is performed outside Belgium but organized from the Belgian territory, on condition that the **volunteer** has his/her main residence in Belgium and without prejudice of the provisions applicable in the country where the voluntary participation is performed.

§ 2. The King can, by law enforcement deliberated during the Minister Council, exclude from its application field some categories of people.

## CHAPTER II. Definitions

[Art. 3.](#) For the purposes of this law, the following terms are understood to mean:

1° **Volunteering**: Any activity that is performed

- a) willingly and without pay;
- b) in aid of one or several persons different of the person who perform the service, in aid of a group, an organization or the community;
- c) that is organized by an organization that is not within the domestic or private environment of the person who perform the activity;
- d) that is not performed by the same person and for the same organization in the framework of working contract, a service contract or other legal contract.

2° **Volunteer**: Any person that performs an activity defined in the 1°

3° **Organization**: Any association, body corporate, private or public non-profit organization which collaborates with the volunteer (A non profit organization does not have the status of a juristic person and is an association between two or several persons who organize by mutual agreement a selfless activity. The organization is not allowed to give any of its money or property to its members or office bearers. The members and office bearers manage the association.)

2006-07-19/39, art. 2, 1°, 004; In effect: 01-08-2006

4° (...). L 2006-07-19/39, art. 2, 2°, 004 ; In effect : 01-08-2006

## CHAPTER III. (The obligation of informing)

L 2006-07-19/39, art. 3, 004 ; In effect : 01-08-2006

[Art. 4.](#) L 2006-07-19/39, art. 4, 004 ; In effect : 01-08-2006

Before beginning an activity in the association, the **volunteer** will be notified at least of :

- a) The selfless purpose of the association, its legal status and the name of the management members;

- b) The insurance contract, referred to in the art. 6 § 1, that is covering the volunteering: if the organization is civilly accountable, art. 5, of the damage caused by the **volunteer**, of the law liability applied in case of damage caused by the **volunteer** and if this liability is covered by an insurance;
- c) The possible insurance coverage of any other risk that may occur during the volunteering and specifying those risks;
- d) The possible compensation and amount of the fee that may apply for its activity and the condition in which they can be received;
- e) The fact that there may be a non-disclosure agreement as specified in art. 458 of the Penal Code.

The information specified in the first intend can be communicated in any manner. The organization is accountable of presenting proof.

#### **CHAPTER IV. Responsibility of the volunteer and of the organization**

[Art. 5.](#) L 2006-07-19/39, art. 5, 004 ; In force: 01-01-2007. Except in the event of fraud, serious misconduct or slight negligence on the part of the **volunteer** which is habitual rather than accidental, the organization is not, unless it is for damages that he causes to himself, civilly liable for damages that he causes in the exercise of voluntary activities organized by a de facto association referred to in article 3, 3 ° and occupying one or more persons engaged in the links of an employment contract of worker or employee, by a legal person referred to in Article 3, 3 °, or by a de facto association which, by virtue of its specific link either with the de facto association referred to above, or with the aforementioned legal person, may be considered as a section thereof. The de facto association, the legal person or the organization of which the de facto association constitutes a section is civilly liable for this damage. Under penalty of nullity, the liability provided for in § 1 cannot be waived, to the detriment of the **volunteer**.

#### **CHAPTER V. Volunteer insurance**

Art. 6. § 1. (§ 1. Organizations which, by virtue of Article 5, are civilly liable for damage caused by the volunteer, contract, in order to cover the risks associated with volunteering, an insurance which covers at least the civil liability of the organization, excluding contractual liability.) L 2006-07-19 / 39, art. 6, 1, 004; Effective: 01-01-2007

§ 2. For the categories of volunteers that He determines, the King may, by decree deliberated in the Council of Ministers, extend the coverage of the insurance contract:

1 ° to bodily injury suffered by volunteers during accidents occurring during the exercise of the voluntary service or during the trips made within the framework of this one (as well as to the diseases contracted during the voluntary activity). L 2005-12-27 / 31, art. 137, 002; Effective: 01-08-2006

2 ° legal protection for the risks referred to in § 1, (...), and in § 2, 1 °. L 2005-12-27 / 31, art. 137, 002; Effective: 01-08-2006

§ 3. The King sets, by decree deliberated in the Council of Ministers, the minimum guarantee conditions for (compulsory) insurance contracts covering voluntary service. L 2006-07-19 / 39, art. 6.30, 004; Effective: 01-01-2007

(§ 4. The municipalities and provinces inform the organizations of the compulsory insurance. The King may specify, by decree deliberated in the Council of Ministers, the methods of execution of this paragraph.) Royal Decree 2006-07-19 / 39, art. 6.40, 004; Effective: 01-01-2007

(§ 5. Organizations will be offered the possibility of subscribing, on payment of a premium, to

group insurance that meets the conditions referred to in § 3. The King sets the terms and conditions of this subscription by decree deliberated in the Council of Ministers.) L 2006-07-19 / 39, art. 6.5, 004; Effective: 01-01-2007

Art. 7. In article 6 of the Royal Decree of 12 January 1984 determining the minimum guarantee conditions for insurance contracts covering extra-contractual civil liability relating to private life, amended by the Royal Decree of 24 December 1992, the following changes are made:

- 1) the 1<sup>o</sup> is completed as follows: "this exclusion does not cover the insurance of civil liability made compulsory by article 6, § 1, of the law of July 3, 2005 on the rights of volunteers";
- 2) the 4<sup>o</sup> is repealed.

Art. 8. The voluntary service (...) is supposed to be carried out within the framework of private life, within the meaning of the Royal Decree of 12 January 1984 determining the minimum conditions of guarantee for insurance contracts covering extra civil liability - contractual relating to privacy. RD 2006-07-19 / 39, art. 7, 004; Effective: 01-08-2006

Art. 8bis. inserted by L 2006-07-19 / 39, art. 8; In force: 01-01-2007 In article 3, § 1, paragraph 1, of the law of 21 November 1989 relating to compulsory liability insurance for motor vehicles, the words "and the employer of the aforementioned persons when they are exempt from any liability by virtue of article 18 of the law of 3 July 1978 relating to employment contracts" are replaced by the words "of the employer of the aforementioned persons, when they these are exempt from any liability under article 18 of the law of 3 July 1978 relating to employment contracts, and the organization which employs them as volunteers when they are exempt from any liability under the article 5 of the law of 3 July 2005 on the rights of volunteers."

## **CHAPTER VI. Labor law.**

Art. 9. § 1. (...) L 2006-07-19 / 39, art. 9.004; Effective: 01-08-2006

§ 2. Under the conditions set by the King, by decree deliberated in the Council of Ministers, the law of April 30, 1999 relating to the employment of foreign workers and its implementing decrees do not apply to volunteering.

## **CHAPTER VII. Compensation received within the framework of volunteering.**

Art. 10. The unpaid nature of volunteering does not prevent the volunteer from being compensated by the organization for the costs he has incurred for it. The volunteer is not required to prove the reality and the amount of these costs, provided that the total amount of compensation received does not exceed 24.79 euros per day (...) and 991.57 euros per year. These amounts are linked to the central index 103.14 (base 1996 = 100) and vary as provided for by the law of 2 August 1971 organizing a linkage scheme to the consumer price index of salaries, wages, pensions, allowances and subsidies payable by the public treasury, certain social benefits, remuneration limits to be taken into account for the calculation of certain workers' social security contributions, as well as social obligations imposed on self-employed workers. L 2006-07-19 / 39, art. 10.004; Effective: 01-08-2006

The amount of compensation received will be assessed after two years from the entry into force of this law. The terms of this assessment are set by the King by decree deliberated in the Council of Ministers, it being understood that it is carried out in collaboration with the social



security institutions and that the prior opinion of the National Labor Council and the Superior Council of volunteers is collected. The evaluation report is immediately sent to the House of Representatives and the Senate.

(If the total amount of allowances that the volunteer has received from one or more organizations exceeds the amounts referred to in paragraph 1, these allowances cannot be considered as a reimbursement of the costs incurred by the volunteer for the organization or for organizations only if the reality and the amount of these costs can be justified by means of supporting documents. The amount of the costs can be fixed in accordance with the Royal Decree of March 26, 1965 laying down general regulations for indemnities and allowances of any kind granted to the personnel of the federal public services.) L 2005-12-27 / 31, art. 138, 002; Effective: 01-08-2006

Art. 11. An activity cannot be considered as volunteering if one of the amounts or all of the maximum amounts referred to in article 10 are exceeded and if the proof referred to in article 10, paragraph 3, cannot be provided. The person who carries out this activity cannot in this case be considered as voluntary.

Art. 12. The King may, by decree deliberated in the Council of Ministers, increase the amounts provided for in Article 10, for certain categories of volunteers, under the conditions He determines.

## **CHAPTER VIII. Volunteers receiving allowances**

### **Section I. - Unemployed.**

Art. 13. An unemployed person receiving benefits may volunteer while retaining their benefits, on condition that they make a prior written declaration to the unemployment office of the National Employment Office.

The director of the unemployment office may prohibit the exercise of the activity with retention of benefits or accept it only with certain restrictions, if he can prove that:

1 ° the said activity does not present the characteristics of volunteering within the meaning of this law;

2 ° that the activity, by its nature, its duration and its frequency or because of the framework in which it takes place, does not or no longer present the characteristics of an activity usually carried out by volunteers in associative life;

3 ° that the availability of the unemployed for the labor market would be reduced.

In the absence of a decision within two weeks of receipt of a complete declaration, the exercise of unpaid activity with retention of allowances is deemed to be accepted. Any decision prohibiting or limiting, taken after the expiry of this period, has consequences only for the future, unless the said activity was not exercised free of charge.

The King fixes:

1 ° the terms and conditions relating to the declaration procedure and to the procedure which is applicable if the director prohibits the exercise of the activity with conservation of allowances;

2 ° the conditions under which the National Employment Office may grant an exemption from the declaration of certain activities, in particular if it can be observed, in general, that the activities in question comply with the definition of the volunteering;

3 ° the conditions under which the absence of prior declaration does not result in the loss of allowances.

## Section II. - Pre-pensioners.

Art. 14. The regulations provided for in article 13 also apply to early retirees and part-time early retirees, subject to the exemptions provided for by the King according to their specific status. "

## Section III. - Workers with incapacity for work.

Art. 15. In article 100, § 1, paragraph 1, of the law on compulsory health care and compensation insurance, coordinated on July 14, 1994, the following paragraph is inserted between paragraphs 1 and 2:

"Voluntary work within the meaning of the law of July 3, 2005 relating to the rights of volunteers is not considered an activity, provided that the medical consultant finds that this activity is compatible with the general state of health of the interested. "

## Section IV. - Integration income.

Art. 16. Under the conditions and according to the modalities provided for by the King in an order deliberated in the Council of Ministers, the exercise of voluntary service and the collection of the allowances referred to in Article 10 are compatible with the right to the integration income.

## Section V. - Allowance for assistance to the elderly.

Art. 17. Under the conditions and according to the modalities provided for by the King in an order deliberated in the Council of Ministers, the exercise of a voluntary service and the collection of an indemnity referred to in Article 10 are compatible with the right to aid. to the elderly.

## Section VI. - Guaranteed income for the elderly.

Art. 18. L 2005-12-27 / 31, art. 139, 002; In force: 01-08-2006 Article 4, § 2, of the law of April 1, 1969 establishing a guaranteed income for the elderly, amended by the royal decree of December 22, 1969, by the law of December 29, 1990 and by the law of July 20, 1991, is supplemented by the following provision:

"9 ° compensation received within the framework of volunteering referred to in article 10 of the law of 3 July 2005 on the rights of volunteers".

## Section VII. - Family allowances.

Art. 19. In article 62 of the laws relating to family allowances for salaried workers coordinated by the Royal Decree of 19 December 1939, replaced by the law of 29 April 1996, a § 6 is inserted, worded as follows:

"§ 6. For the application of these laws, volunteering within the meaning of the law of 3 July 2005 on the rights of volunteers is not considered to be a gainful activity. Compensation within the meaning of article 10 of the law aforementioned are not considered as income, profit, gross remuneration or social benefit, provided that volunteering does not lose its unpaid character in accordance with the same article of the same law. "

Art. 20. In article 1 of the law of July 20, 1971 establishing guaranteed family benefits, amended by the law of August 8, 1980, by royal decree n ° 242 of December 31, 1983 and by the laws of July 20, 1991, of April 29, 1996, February 22, 1998, January 25, 1999, August 12,

2000 and December 24, 2002, the following paragraph is inserted between paragraphs 1 and 2:

"The receipt by the child of an allowance referred to in the law of 3 July 2005 on the rights of volunteers does not prevent the granting of family benefits."

Art. 21. Under the conditions and in accordance with the procedures set by the King by decree deliberated in the Council of Ministers, the exercise of voluntary service and the collection of compensation referred to in Article 10 are compatible with the right to guaranteed family benefits.

#### **CHAPTER IX. Final provisions.**

Art. 22. § 1. The King may, by decree deliberated in the Council of Ministers, impose additional conditions relating to the provisions of this law, on organizations which employ both volunteers and persons who are not.

In the cases referred to in the preceding paragraph, the King may, by decree deliberated in the Council of Ministers, subordinate the employment of volunteers within the meaning of this law to a prior authorization from the Minister who has Social Affairs in his attributions.

§ 2. The King determines, by decree deliberated in the Council of Ministers, the manner of verifying whether the activities carried out by a volunteer comply with the provisions of this law and its implementing decrees.

§ 3. The King appoints the officials responsible for monitoring compliance with the provisions of this law and its implementing decrees.

Art. 23. The King can modify, repeal or supplement again the provisions which article 7 modifies.

Art. 24. L 2006-03-07 / 37, art. 2, 003; In force: 01-02-2006 This law comes into force on August 1, 2006 (, with the exception of articles 5, 6 and 8bis, which come into force on January 1, 2007). L 2006-07-19 / 39, art. 11, 004; Effective: 01-08-2006

Let us promulgate this law, order that it be covered with the seal of the State and published by the Belgian Official Gazette.

Given in Brussels, July 3, 2005.

ALBERT

By the King:

The Minister of Social Affairs and Public Health,

R. DEMOTTE

The Minister of Employment,

Mrs F. VANDEN BOSSCHE

Seal of the state seal:

The Minister of Justice,

Mrs. L. ONKELINX.