

STATUTE

AID A – AID FOR ARTISTS IN EXILE E.V. / STATUTE AS AMENDED ON 14.09.2017

§ 1 NAME, SEAT

- 1) The association has the name Aid A – Aid for Artists in Exile e.V.
- 2) Its seat is in Hamburg.

§ 2 LEGAL FORM, FINANCIAL YEAR

- 1) The association is registered with the district court, the Amtsgericht Hamburg.
- 2) The association's financial year is identical with the calendar year.

§ 3 PURPOSE OF THE ASSOCIATION

- 1) The association is dedicated exclusively and directly to charitable purposes in the sense of the paragraph on 'tax-privileged purposes' of the tax code.
- 2) The purpose of the association is to promote support for politically, racially or religiously persecuted people, for refugees and expellees, as well as the promotion of art and culture.
- 3) The purpose of the association is realized especially through the professional support of politically persecuted artists and journalist, by providing funds for them to practice their creative activities, through events, publications and similar things that draw attention to the situation of politically persecuted artists and journalists, and support them through similar activities.
- 4) The association's activities are altruistic; it is not designed to mainly serve its own financial purposes. Association funds may only be used for purposes in keeping with the association regulations. The members receive no financial support from the association funds. No person may be benefited by expenses that are alien to the association, or by disproportionately high remunerations.

§ 4 MEMBERSHIP

- 1) Any natural or legal person may become a member of the association. Underage persons must have the consent of their legal representative. The decision to be admitted as a member will be decided by the executive board. An appeal against a negative decision may be entered one month before the next ordinary general assembly.

- 2) The award of an honorary membership may only be made after a general assembly decision.

§ 5 MEMBERSHIP FEE

- 1) The membership fee is payable once a year.
- 2) The general assembly agrees on the level of the membership fee and on the date it is due.
- 3) The level of the membership fee may be set at different amounts according to membership groups, so long as this is reasonably justifiable.

§ 6 TERMINATION OF MEMBERSHIP

- 1) Membership ends if a member dies.
- 2) The members of the association are entitled to terminate their membership.
- 3) Membership may only be terminated with the ending of the membership year. Three months' notice are required for the termination of membership which must be given in writing to the chairperson.

§ 7 EXCLUSION

- 1) Exclusion from the association is based on a decision by the executive board. An association member can be excluded with immediate effect if he or she has seriously violated the aims and interests of the association, no longer fulfils the requirements of the association regulations, or is in 12 months arrears with the membership fee, despite having received reminders.
- 2) Prior to an exclusion, the member must be given the opportunity to state his/her case. The exclusion decision must be explained, unless the affected member is already aware of the reasons and the exclusion reasons are unchallenged. The exclusion decision will become effective with its announcement to the affected person. An appeal can be made against the exclusion decision within 4 weeks after notification, and the next members' general assembly will pass a decision on the appeal. The appeal has no suspensory effect.

§ 8 RIGHTS AND DUTIES OF MEMBERS

- 1) The members are entitled to participate in all of the association's events and activities.

- 2) The members are obliged to promote the association's purpose and to refrain from anything that jeopardises the image of the association. Members should follow the directions of the association's bodies.
- 3) The association regulations and the house rules must be respected.
- 4) The executive board must be immediately notified about any change of a member's address.

§ 9 THE ASSOCIATION BODIES

The association bodies are:

- 1) the general assembly,
- 2) the executive board. The general assembly can decide on the creation of additional bodies.

§ 10 GENERAL ASSEMBLY

- 1) All members form the general assembly and each member has one vote.
- 2) The Executive board announces the meeting of the general assembly. The general assembly must be convened at least once in the second quarter of each calendar year. The general assembly may also be convened for a case of urgent interest to the association, or when at least 10% of the members make an appropriate request to the executive board. The minority request according to § 37 section 1 BGB will only be taken into account when the purpose and reasons for the assembly are given in the written request.
- 3) The assembly is convened by the publication of the event via a circular letter. It should contain the topics of the agenda. The announcement should be made at least 14 days before the assembly is scheduled. This time limit begins with the date the announcement is published.

§ 11 DECISIONS BY THE GENERAL ASSEMBLY

- 1) After being convened in an orderly fashion, the general assembly is entitled to make decisions irrespective of the number of members attending. The members present will elect a chairperson for the meeting.
- 2) Insofar as the assembly does not specify otherwise, decisions will be made by the simple raising of hands to determine the majority of votes. In the case of a tied vote the motion is deemed to be defeated.

§ 12 TASKS OF THE GENERAL ASSEMBLY

- 1) The general assembly is the association's supreme decision-making body and is as a matter of principle responsible for all tasks, insofar as certain tasks have not been transferred to another of the association's bodies.
- 2) The general assembly elects the executive board from among its members. Those people who receive the most votes are deemed elected. The election takes place in a secret ballot, unless the general assembly unanimously agrees on a different form of election.
- 3) The general election is entitled to vote members off from the executive board.
- 4) The general assembly decides on an appeal entered by a member against an exclusion decision passed by the executive board.
- 5) The general assembly receives the executive board's obligatory annual report and the auditor's report and approves the activities of the executive board.
- 6) The general assembly passes its decision on the association's annual budget that is prepared and presented by the executive board.
- 7) The general assembly is responsible for deciding on changes to association regulations and the dissolution of the association.
- 8) The general assembly will receive in writing the annual financial statement and the annual report for them to pass, and thus agree and approve the activities of the executive board. The general assembly will appoint an auditor who belongs neither to the executive board, nor to a body set up by that board, nor is an employee of the association. This auditor will monitor the bookkeeping, including the annual financial statement, and report the results at the general assembly. The auditor has access to all of the association's bookkeeping records and invoices.
- 9) The general assembly also decides in particular on
 - a) the purchase and sale and/or the burdening of real estate
 - b) participation in companies
 - c) acquisition of loans.
 - d) Approval of all of the association's internal regulations
 - e) Membership fees
- 10) The general assembly can decide on further matters that are presented to them either by the executive board or form within the membership.

§ 13 THE EXECUTIVE BOARD

- 1) The executive board consists of the chairperson, the deputy chairperson and the treasurer.
- 2) The members of the executive board shall be elected by the general assembly for a period of two years. If a member of the executive board leaves before the two years have elapsed, an extraordinary general assembly must be convened immediately to elect a replacement, if there are than two remaining executive board members.
- 3) The office of an executive board member normally ends only by death or the end of a term of office; otherwise by departure or exclusion from the association, by dismissal or resignation.
- 4) The general assembly is entitled at any time to replace the entire executive board through an election, or similarly to remove a single member of the board.
- 5) The members of the executive board may declare their resignation in writing at any time. The resignation must be given to a remaining board member or, in the case of the entire board's resignation, it should be addressed to the clerk. The resignation will become effective no earlier than one month after it has been received.
- 6) The members of the executive board are entitled to reimbursement of their necessary expenses and expenditures. The general assembly can decide on the level of an appropriate reasonable compensation the time given by the executive board.

§ 14 REMIT OF THE EXECUTIVE BOARD

- 1) The executive board is responsible for the business management and the representation of the association.
- 2) It carries out the decisions of the general assembly and completes the tasks entrusted to it by these association regulations as well as the tasks of day-to-day administration on its own responsibility.
- 3) The executive board represents the association in all legal matters both in and out of court in keeping with § 26 section 2 BGB.
- 4) The members of the executive board have collective representation.
- 5) The executive board is accountable to the general assembly. It must present a detailed report of its activities to the orderly general meeting.

§ 15 PROTOCOLS

The decisions of the executive board and the general meeting will be recorded in writing and the resulting protocols will be available to members for scrutiny. Each protocol should note the place, date and time of the meeting as well as the results of any votes. The protocol must be signed by the chair of the meeting and by the clerk.

§ 16 DISCIPLINARY MEASURES

The association is entitled to exercise the following disciplinary measures against members who deliberately violate the association's regulations, the house rules or the instructions of the association bodies:

- 1) Warning or reprimand,
- 4) Exclusion from the association in keeping with § 7 of these regulations.

§ 17 LIABILITY

For any kind of damages suffered by an association member through rulings of the association's bodies, the association will only accept liability if a member of one of its bodies, or another person for whom the association is responsible in civil law, is accountable for deliberate intent or gross negligence.

§ 18 DISSOLUTION AND DISPOSAL OF ASSOCIATION FUNDS

- 1) In the case of the dissolution of the association, the members of the executive board who are in office will become the liquidators.
- 2) On the dissolution or annulment of the association, or the cessation of tax-privileged purposes, the association's remaining assets will go to a) – Reporter ohne Grenzen e.V. – which will use them exclusively for charitable purposes.
- 3) The remaining assets refer only to the remaining association assets after conclusion of the liquidation procedures.