

## Gymnastics and sports club Jahn 05 Düsseldorf-

### Oberkassel eV

#### statute

##### § 1 Name, registered office, financial year

The club is called the gymnastics and sports club Jahn 05 Düsseldorf-Oberkassel eV.

It is based in Düsseldorf-Oberkassel and is entered in the association register at the responsible local court. The club colors are red and white. The financial year is the calendar year.

##### § 2 Purpose

The purpose of the association is to promote sport, youth welfare and public health.

These purposes are achieved in particular by:

1. Organization of an orderly program of sports, games, exercises and courses operational.
2. Carrying out sports and sporting or non-sporting activities events for members and non-members.
3. Training and deployment of instructors, trainers and helpers remote.
4. Participation in cooperation, sports and gaming communities.
5. Medical prevention and rehabilitation services with qualified care.
  
6. Talent identification and talent promotion, especially in the youth sector.
7. Development of motor skills, the reduction of aggression through sporting activity and meaningful activity with others in order to learn consideration and the ability to work in a team.

##### § 3 Non-profit status

The association pursues exclusively and directly charitable purposes within the meaning of the "Tax-privileged purposes" section of the tax code. He works selflessly and does not primarily pursue his own economic purposes. All funds of the association may only be used for statutory purposes. The association is politically and religiously neutral. The members do not receive any donations from the association's funds. No person may benefit from expenses that are outside the purpose of the association or from disproportionately high remuneration.

##### § 4 Acquisition of membership

Any natural or legal person can become a member of the association. Membership is applied for by submitting a written declaration to the executive board, enclosing the SEPA mandate for direct debit collection of all contributions and fees. When a minor applies for admission, the written consent of his or her legal representative is required. The executive board decides on admission by resolution. Membership begins with the adoption of a resolution. There is no entitlement to admission. The rejection of admission does not have to be justified. By signing the application for membership, the member accepts the association's statutes and regulations in the currently valid version.

##### § 5 Types of Membership

The club consists of:

- active members
- passive members
- Honorary members

1. Active members pay the usual membership fee and can use all of the association's offerings within the framework of the existing regulations.
2. For passive members, the focus is on promoting the association. They do not take advantage of the club's sporting offerings.
3. Members who have made special contributions to the association can be appointed honorary members by the extended board.

##### § 6 Termination of membership

Membership ends

- by leaving
- by exclusion
- by death
- in the case of legal entities, additionally due to the loss of legal status ability

1. The resignation must be declared to the executive board in writing with a signature and a notice period of 6 weeks at the end of a calendar half-year.
2. Exclusion from the club can occur if
  - if a member fails to pay despite a written reminder does not comply with obligations,
  - in the event of gross or repeated violations of the association's statutes or regulations,
  - due to a serious violation of the club's interests or rough, unsportsmanlike behavior,
  - if a member damages or attempts to damage the association or the association's reputation.

The exclusion can take place upon a justified request after the person concerned has been heard beforehand by the executive board. It will be communicated to the member concerned in writing, stating the reasons, and will be effective upon receipt. There is a right to object to the exclusion. It must be submitted in writing to the executive board no later than one month after announcement. The extended board of directors decides on the objection. The objection has no suspensive effect.

When membership ends, all rights arising from membership expire. The obligation to pay a membership fee expires at the end of the half-year period on which membership ends. Club-owned items must be returned to the club or compensated for their value. The - former - member is not entitled to reimbursement of overpaid contributions. Termination does not exempt you from paying any outstanding contributions or similar.

##### § 7 Contributions

Members pay membership fees. In addition, admission fees, surcharges, course fees, department-specific contributions and special contributions may be charged for certain services provided by the association.

The executive board decides on the amount and due date of all contributions and fees. An increase in membership fees of more than 20% requires the approval of the general meeting. Surcharges are decided by the general meeting. They can be set at a maximum of 6 times the annual membership fee.

Furthermore, the association is entitled to charge return debit fees and costs arising from the return debit. Members who do not issue a SEPA mandate may be required to pay a fee for invoicing.

If the contribution has not been received by the association when it is due, the member will be in default of payment without further notice. Arrears of contributions and fees can be collected through legal proceedings following a previous dunning procedure. Any resulting costs must be paid additionally by the member.

Contributions and fees are due in advance without separate invoicing. They will be collected on the due date from members who have given direct debit authorization. For new members, contributions and fees are due at the start of membership.

The Executive Board decides in individual cases about exceptions to these regulations, in particular deferrals or waiver of membership contributions, fees or surcharges or waiver of participation in the SEPA direct debit system.

The contribution regulations regulate further details.

##### § 8 Liability

The club is not liable for negligently caused damage and losses suffered by members when practicing sports, using the club's facilities, facilities or equipment or at club events or during any other activity carried out for the club, to the extent that such damage or Losses are not covered by existing insurance. The liability of the board, volunteers and officers or officials is limited to intent and gross negligence.

##### § 9 Association bodies

The association's organs are:

- the general meeting
- the executive board
- the extended board
- the youth assembly
- the youth board

##### § 10 General Meeting

1. A general meeting must be called at least once per calendar year. Each general meeting is chaired by a member of the executive board. If no member of the executive board is present, the meeting determines the leader. The chair of the meeting appoints the person taking the minutes.
2. All general meetings are called in text form at least two weeks before the meeting date by the executive board. The agenda must be announced at the same time as the meeting is called.

3. Requests for the agenda can be submitted in writing by all members entitled to vote. The applications must be justified and must be submitted to the executive board by January 31st at the latest. of the year, stating the name. Applications received late cannot generally be considered.

4. A general meeting can be called by the executive board at any time. It must be called if at least a third of the members request this in writing from the executive board, stating the reasons.

The extraordinary general meeting must then be called within 3 months. The invitation must contain all the reasons given by the members for holding the extraordinary general meeting in their essential content.

5. The general meeting has the following tasks in particular:

- Receipt of reports from the board of directors and auditors
- Discharge of the board of directors
- Election and deselection of the board of directors and the auditors
- Determination of the levies
- Approval of the contribution if the 20% limit is exceeded
- Resolution on applications received
- Resolution on changes to the statutes and dissolution of the club

6. The general meeting has a quorum regardless of the number of members present.

7. It decides on resolutions and elections with a simple majority of the valid votes cast. Abstentions are considered invalid votes and are not counted. In a tie the motion is rejected. Changes to the statutes or the purpose of the association can only be decided with a majority of  $\frac{2}{3}$  of the votes cast.

Changes to the statutes due to requirements of the registry court or other authorities as well as editorial changes can be decided by the executive board.

Voting takes place by show of hands. A secret vote must be carried out if this is requested by the majority of those entitled to vote present.

8. Every member present is entitled to vote and be elected at the general meeting when they reach the age of 18. Young members have active and passive voting rights within the youth assembly. Each voting member has one vote. The vote is not transferable.

9. Minutes must be prepared for general meetings and signed by the chair of the meeting and the person taking the minutes.

#### § 11 Board of Directors

1. The executive board in accordance with Section 26 of the German Civil Code (BGB) consists of the chairman and two deputies. Two of these board members represent the association together in and out of court.

2. The extended board is composed of:

- the members of the executive board
  - the youth representative
- The extended board can be expanded to include additional people if necessary.

3. The members of the board in accordance with Section 11 of the statutes are elected individually by the general meeting for 2 years. The exception here is the youth representative, who is elected by the youth assembly in accordance with the youth regulations. Only club members can be elected to the board. When membership ends, the board office also ends.

4. The members of the board remain in office until a new election is held in accordance with the statutes, regardless of whether this election takes place more or less than 2 years after the start of the term of office.

5. If a board member leaves before the end of his term of office, the executive board appoints a deputy who will hold the office on an interim basis until the next general meeting. The next general meeting will elect a representative until the next regular election. If a board position cannot be filled elsewhere, a board member can hold a second position.

6. The executive board is responsible for managing the association. He is responsible for all tasks that are not assigned to another association body by the statutes or regulations. If necessary, the executive board is entitled to appoint special representatives for individual projects or for a limited period of time in accordance with Section 30 of the German Civil Code (BGB) and to delegate the associated representation and management to them. He can also form committees for certain tasks, delegate tasks and issue regulations. Regulations are not part of the statutes. The members of the executive board can take part in all meetings of the bodies and departments.

7. The members of the board generally carry out their duties on a voluntary basis. If necessary, club offices can also be carried out as part of a paid activity or as part of an expense allowance, taking into account the economic circumstances and budget situation. The executive board decides on the required employment and further decisions within the framework of the paid association activity.

8. Furthermore, the members and employees of the association who act on behalf of the association are entitled to reimbursement of expenses § 670 BGB for expenses incurred through their work for the association. The claim for reimbursement of expenses can generally only be asserted within a period of 6 months after it arises. Refunds will only be granted if the expenses can be proven with verifiable receipts and statements.

#### § 12 Club youth

1. The youth of the club is the community of all members up to the age of 18.

2. The youth manage themselves within the framework of the youth regulations.

3. The youth board is responsible for all youth matters of the club. He decides on the use of the funds allocated to the youth.

4. Organs of the club's youth are

- the youth board and
- the youth assembly

5. Further details are regulated by the youth regulations, which are decided by the club's youth assembly. The youth regulations may not contradict the requirements of these statutes. In case of doubt, the provisions of these statutes apply.

#### § 13 Departments

Separate departments are set up within the association for different activities. The departments are legally dependent subdivisions of the club and organize the respective sports operations. The executive board decides on the establishment and dissolution of departments.

The organization of the departments must be regulated in departmental regulations, which must not contradict the requirements of these statutes.

#### § 14 Auditor

The general meeting elects two auditors who are not allowed to belong to the extended board. They check the club's cash register at least once a year. The auditors report to the general meeting and, if the cash transactions are conducted properly, apply for the discharge of the board of directors. The term of office is 1 year. Direct re-election is permitted once.

#### § 15 Dissolution of the association

The dissolution of the association can only be decided in a general meeting called for this purpose. The prerequisite is that  $\frac{3}{4}$  of the votes cast agree. Unless the general meeting decides otherwise, two members of the executive board are jointly authorized liquidators. If the association is dissolved or abolished or if the tax-privileged purpose ceases to exist, the association's assets after the liquidation will pass to the German Red Cross, Düsseldorf District Association, which must use them directly and exclusively for charitable purposes. In the event of a merger of the association with another association, the assets after the association is dissolved pass to the newly created, tax-deferred merger association or the receiving tax-deferred association, which must use them exclusively and directly for charitable purposes.

Resolutions on this may only be carried out with the consent of the tax office.

The above statutes were approved by the general meeting on Decided November 12, 2015 .