

ERDING



MALLARDS

Baseballverein Erding Mallards e.V.

## **Statutes of Erding Mallards e.V.**

**(Revision: January 2017)**

### **§ 1**

(1) The Club carries the name "Erding Mallards" (e. V.). Its place of business is Erding and it is registered in the Register of Associations.

### **§ 2**

(1) The Club is a member of the Bavarian Sports Association (BLSV) and recognizes its statutes and regulations.

### **§ 3**

(1) The Club solely and directly pursues charitable objectives, as stated by the section "tax privileged objectives" of the General Tax Code of 1977 (AO 1977). The Club will notify the Bavarian Sports Association, its sports associations and the local corporate tax authorities on any change to the charitable objective status.

(2) The purpose of the Club consists of the public facilitation of sport activities, notably realized through:

1. Organizing of orderly gymnastics, sports and game activities;
2. Promotion of youth activities in sport areas;
3. Construction, maintenance and repairs to the sports grounds and club house, as well as the gymnastics and sports equipment;
4. Organizing of meetings, lectures, courses and sports events;
5. Training of and use of properly educated trainers;
6. Promotion of the general good in the field of sports.

(3) The Club pursues charitable aims; it does not primarily aim at its own economic concerns/interests. Its funds may only be used for purposes covered by the statutes. Members may not obtain payment from the Club's funds. Resigning members have no claims on the Club's assets. No person may be benefited by spending contradictory to the Club's statutes or by unreasonably high payments.

(4) The Club is politically and confessional neutral.

### **§ 4**

(1) Membership can be obtained by any natural (and legal) person that applies for membership in writing to the Executive Board. Applications by under-aged require the signature of a guardian. The Executive Board accepts or denies the application.

(2) The membership ends by withdrawal, exclusion or death. Applications for withdrawal, valid at the end of the fiscal year, can be filed at any time in writing addressed to the Executive Board prior to one month before the end of the fiscal year.

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(3) Members can be excluded from the Club, if they grossly offend against the purposes of the Club, in other ways grossly and repeatedly offend against the statutes of the Club, or after two written reminders refuse to pay the membership fees. The decision for exclusion is taken by the Club Committee with a majority of two thirds of the valid cast votes. The member must be given a chance to provide a statement beforehand. It is permissible to call for a Meeting of Members, in writing, within 4 weeks after the announcement of the decision for exclusion. The regular Meeting of Members then decides with a majority of two thirds of the valid cast votes, unless an extraordinary Meeting of Members is assembled beforehand. If it serves the interests of the Club, the Club Committees' decision may be declared provisionally executable.

(4) The re-entry of an excluded member is possible at the earliest after one year. The decision whether the application is to be granted or denied is taken by the body that made the final decision for exclusion.

(5) A member may, after a hearing by the Club Committee, be charged with a reprove, a fine of 50 €, or be suspended for a time not exceeding one year from any activities organized by the Club or the associations the Club is a member of. The decision of the Club Committee cannot be challenged.

(6) All decisions are to be sent to the concerned member by registered mail.

## § 5

The Club bodies are:

- The Executive Board
- The Meeting of Members

## § 6

(1) The Executive Board consists of:

1. The President;
2. The Vice President;
3. The Deputy Vice President, at the same time holding the office of treasurer.

(2) The Club is represented, both judicial and extrajudicial, by the President alone or by both the Vice President and Deputy Vice President (Executive Board according to Civic Code § 26). A Vice President only has a proxy if the President is prevented from executing his power.

(3) The Executive Board is elected by the Meeting of Members for a period of one year. It remains in office until a new Executive Board has been duly elected. One person may not hold more than one position on the Executive Board, with exception of clause 1 No. 3. If a member of the Executive Board resigns before the end of term, the Club Committee elects a replacement to fill the slot until the end of the term.

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(4) The Executive Board manages the Clubs business. The Executive Board may only close estate deals or single transactions exceeding 2.500 € after approval by the Meeting of Members. In remaining cases, the Executive Board must follow the internal rules of procedure.

## § 7

(1) The regular Meeting of Members takes place once per calendar year. An extraordinary Meeting of Members must be held, if this is applied for, in writing to the Executive Board and thereby stating the reason, by at least one fifth of the members.

(2) The Executive Board calls for the Meeting of Members at least two weeks ahead. At the same time, the meeting agenda must be disclosed. The agenda must contain the essential content of the motions to be decided upon.

The meeting invitation will be done electronically, i.e. via email to all members. The members ensure upon becoming a member of the Club that they can be reached via email, and that they will regularly retrieve their emails. Other communications and announcements are also done via email or by posting on the Club forum.

(3) The Meeting of Members decides on the membership fees and other charges, the formal approval of the actions of the Executive Boards, the election of the Executive Board and the members of the Club Committee, changes to the statutes as well as any item on the meeting agenda. The Meeting of Members elects an Audit Committee for the term of one year, consisting of two persons, which will perform the cash auditing and report to the Meeting of Members.

(4) To enable the Club to perform duties covered by the statutes, the Meeting of Members may decide on additional allocations. The type and scope of the allocation, as well as which circle of members to be charged, must be clearly defined in the decision of the Meeting of Members.

(5) All members have the right to vote. Members who, on the day of the Meeting of Members have reached the age of 18 may be elected to any office of the Club. Members, who on the day of the Meeting of Members have not reached the age of 14, may be represented by a guardian, who may vote in the member's place.

The Meeting of Members constitutes a quorum, regardless of the number of members attending the meeting.

(6) The decisions taken at the Meeting of Members require a simple majority, unless otherwise stipulated by the statutes. Changes to the statutes require a majority of three

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quarters of the valid cast votes. Changes to the Club's purposes require nine tenths of the members entitled to vote.

(7) A protocol of the Meeting of Members must be recorded. It is to be signed by the person leading the meeting and one member of the Club Committee.

## **§ 8**

(1) The fiscal year is the same as the calendar year.

## **§ 9**

(1) All members are required to pay their membership fees. The Meeting of Members decides on the amount and payment terms, as well as any additional charges to be fulfilled by the members.

## **§ 10**

(1) The Meeting of Members may decide upon a rule of internal procedure, financial, judicial and youth order by simple majority.

## **§ 11**

(1) The liquidation of the Club can only be decided in a Meeting of Members that is specifically summoned for this purpose, and that has been announced at least four weeks in advance. Four fifths of the members must be present in this meeting. The liquidation must be decided with a majority of three quarters of the valid cast votes. If a decision for liquidation cannot be made, an additional Meeting of Members is to be summoned within the next 14 days, which then constitutes a quorum regardless of the number of members participating. This must be clearly stated in the invitation. In the same Meeting of Members the liquidators who will process the running business must be elected.

(2) The remaining assets, after the Club has been liquidated or cancelled, or if the previous purpose of the Club has ceased to apply, will go to the Bavarian Sports Association (BLSV) or, if BLSV declines these assets, to the City of Erding with the requirement that it is immediately and solely used for charitable purposes as stipulated in these statutes.

(3) Any changes to the statutes, which impact the charitable purposes as mentioned in § 3, must be noted to the local tax authorities by the Club without delay.

## **§ 12**

These statutes were accepted by the Meeting of Members conducted on January 13, 2011. They are valid starting with the registration in the Register of Associations.

**END**

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*Note: in case of discrepancies between this translation and the German original, the German original is valid.*

