



## STATUTES

Status: 06.10.2019

### § 1 [Name, seat and association memberships]

- 1) The association bears the name "Wind Club".
- 2) After being entered in the register of associations, the name of the club is "eingetragener Verein" (registered association), in the abbreviated form "e. V."
- 3) The association has its seat in Prien am Chiemsee.
- 4) The association is a member of the following associations:
  - a) the Bavarian Landes-Sportverband e. V. (BLSV)
  - (b) the Bavarian Sailors' Association (BSV)
  - c) and the German Sailors' Association e. V. (DSV).
- 5) The membership of individuals in the association does not always convey the affiliation of the individuals to these associations.

### § 2 [Purpose of the Association].

- 1) The association exclusively and directly pursues charitable purposes within the meaning of the section "tax-privileged purposes" of the German Tax Code.
- 2) The purpose of the association is the care and promotion of the sailing sport, as well as to represent the interests of the class Asso99 towards associations and the public. Further purpose is the sustainable development and strengthening of the class Asso99 and the cooperation with other European class associations of the Asso99 class.

### § 3 [Association activities, use of funds].

- 1) The association fulfils its purpose by holding regattas and races.
- 2) The association is selflessly active; it does not primarily pursue its own economic purposes.
- 3) Funds of the association may only be used for statutory purposes. The members do not receive any allowances from the funds of the association. No person may be favoured by expenses that are alien to the purpose of the corporation or by disproportionately high remuneration.

#### § 4 [Entry in the register of associations].

The association shall be entered in the register of associations.

#### § 5 [Communication]

- 1) Communication within the association, its organs and members is exclusively by digital means.
- 2) The preferred communication channel for messages, the handling of the association's work and member communication is email.
- 3) Members have to inform the association about changes of their email address.
- 4) Members must ensure that they can receive emails from Wind Club e.V. and are responsible for ensuring that they are not filtered (e.g. by spam filters).
- 5) The "News" section of our homepage [www.wind-club.de](http://www.wind-club.de) serves as a platform for informing members about current association activities.

#### § 5 Membership, rights and duties of the members

- 1) All members with the same membership status have the same rights and obligations. A special status of individual members is not permitted. The members pay membership fees, the amount and due date of which are decided by the association management.
- 2) The association has the following members:
  - 2.1) Full members: Full members have active and passive voting rights and are registered with all associations mentioned under §1.
  - 2.2) Supporting members: Supporting members have active and passive voting rights, but are not registered with the associations mentioned under §1. Supporting members may not participate in regatta events in the name of the Wind Club e.V. (WCL).
  - 2.3) Youth members: Youth members do not have the right to vote, but are registered with the associations mentioned under §1.
- 3) A change of membership is only possible at the end of the year. A written application is required in all cases. A refund of the admission fee is not possible.

#### § 5 [Origin of membership].

- 1) Any natural person with full legal capacity may become a member of the association. Persons not having full legal capacity require the approval of their legal representative in the sense of §§ 104 ff of the German Civil Code in order to join.
- 2) The declaration of accession must be submitted in writing. Declarations of accession submitted online are also valid.
- 3) The executive committee decides on the admission with a simple majority.
- 4) Membership is created by entry and transfer or successful collection of the first membership fee (§ 9 of the statutes).

## § 6 [Resignation of a member].

- 1) Members are entitled to resign from the association.
- 2) Resignation is only permitted at the end of a calendar year, subject to a period of notice of 4 weeks.
- 3) Resignation must be declared in writing to the executive committee.

## § 7 [Exclusion of a member].

- 1) Membership also ends by exclusion.
- 2) Exclusion from the association is only permissible for good cause.
- 3) Exclusion takes place upon application from the general meeting. The application must be submitted in writing. Already the application of one single member is sufficient.
- 4) The executive committee decides on the exclusion in a meeting scheduled for this purpose, whereby the member concerned must be invited to this meeting in order to be able to comment personally.
- 5) If the member does not appear at the scheduled meeting, the board may a

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- 4) The executive committee decides on the exclusion in a meeting scheduled for this purpose, whereby the member concerned must be invited to this meeting in order to be able to comment personally.
- 5) If the member does not appear at the scheduled meeting, the board may decide on his exclusion even in his absence.
- 6) An exclusion requires the unanimous decision of the board.
- 7) The exclusion of the member becomes effective immediately with the resolution.
- 8) Exclusion shall be granted to the member if he or she was not present when the resolution was passed,  
by the Executive Board without delay.

## § 8 [Cancellation of membership].

- 1) A member also resigns from the association upon cancellation of membership.
- 2) Membership is cancelled if the member is in arrears with the payment of the membership fee by 30 June of the current calendar year and does not pay this amount in full after a written reminder by the Executive Board within 4 weeks of the reminder being sent.
- 3) The reminder is also effective if the email is returned as undeliverable or the member cannot be reached via any known communication channel.
- 4) Cancellation of membership is effected by resolution of the executive committee, which is announced to the member concerned. If the member cannot be reached on any channel of communication, the effectiveness of the cancellation remains unaffected.

## § 9 [Membership fee].

- 1) A membership fee must be paid.
- 2) Its amount is determined by the general meeting.
- 3) The amount is to be paid annually.
- 4) An admission fee is charged.
- 5) The amount of the membership fee is determined by the currently valid version of the fee schedule.
- 6) The invoice for the membership fee is sent exclusively as a PDF file by email.

## § 11 [Organs of the association]

are organs of the association:

- a. the executive committee (§§ 13 and 14 of the statutes)
- b. the general meeting.

## § 12 Departments

- 1) For the sports and interests of the association, the board of directors can form legally dependent departments with the approval of the general meeting.
- 2) The department meetings elect their department management for a period of 5 years. Further details are regulated by the departmental regulations, which must be within the framework of the statutory purpose of the association. Unless otherwise regulated in the departmental rules or if there are no departmental rules, the statutes of the association apply accordingly to the departments.
- 3) The departmental meetings take place annually as part of the general meeting of Wind-Club e.V.
- 5) Only department members are entitled to vote.
- 6) Departments are entitled to charge department fees.
- 7) The departments cannot form their own assets.

### § 13 [Board of Directors].

- 1) The executive committee (§ 26 BGB) consists of the 1st chairman, the deputy chairman, the treasurer and the secretary.
- 2) Three members of the board represent together.
- 3) The executive committee is appointed by resolution of the general meeting for a period of two years. It remains in office until the next executive committee is appointed in accordance with the statutes.
- 4) The office of a member of the executive committee also ends when he or she leaves the association.
- 5) Different board offices cannot be combined in one person.
- 6) If a member of the board resigns, a general meeting must be called. See §15.

### § 14 [Restriction of the power of representation of the board].

- 1) The power of representation of the executive committee is limited with effect against third parties in such a way (§ 26 para. 2 sentence 2 BGB) that the approval of the general meeting is required for the purchase or sale, encumbrance and all other dispositions of real estate and rights equivalent to real estate as well as for taking out a loan of more than 500 EUR.

### § 15 [Appointment of the General Assembly]

- 1) The general meeting is to be convened when the interests of the association require it, but at least once a year and within four weeks of the departure of a member of the executive committee.
- 2) An annual report and an annual statement of accounts are to be presented at each general meeting and the meeting decides on the discharge of the board.
- 3) Before the general meeting, a cash auditor is appointed who, after a detailed examination of the previous year's accounts, applies for the discharge of the board.

### § 16 [Form of appeal]

- 1) The general meeting is to be convened by the executive committee in writing with a notice period of 4 weeks. In the case of an extraordinary meeting a period of 2 weeks is sufficient.
- 2) The appointment of the meeting must indicate the subject of the resolution (= the agenda).
- 3) The period of notice begins with the day the invitation is sent to the last known email address.

### § 16 [Quorum]

- 1) Every duly appointed general meeting has a quorum regardless of the number of participants.
- 2) The presence of two thirds of the members of the association is required for the adoption of a resolution on the dissolution of the association (§ 41 BGB).
- 3) If a general meeting convened to pass a resolution on the dissolution of the Association is not quorate in accordance with paragraph 2, another general meeting with the same agenda must be convened. The new meeting shall constitute a quorum regardless of the number of Association members present.

4) The invitation to this meeting must contain a reference to the facilitated quorum (paragraph 3).

#### § 17 [Adoption of resolutions].

1) Voting is by show of hands.

2) The majority of the members present at the meeting decide on the resolution.

3) A majority of three quarters of the members present is required for a resolution containing an amendment to the statutes.

4) To vote on the purpose of the association (§ 41 BGB) the agreement of all members is required, the agreement of the members who did not attend must be in writing.

5) A majority of four fifths of the members present is required to pass a resolution on the dissolution of the association (§ 41 BGB).

#### § 18 [notarisation of the resolutions of the assembly].

1) The resolutions passed at the meeting shall be recorded in minutes to be drawn up by the secretary.

2) Every member of the Association is entitled to inspect the minutes.

#### § 19 [Dissolution of the Association].

1) The association can be dissolved by resolution of the general meeting (see § 17 para. 5 of the statutes).

2) The liquidation is carried out by the executive committee (§ 13 of the statutes).

3) In the event of dissolution of the Association or if tax-privileged purposes cease to apply, the financial assets of the Association shall be transferred to the "Deutsche Gesellschaft zur Rettung Schiffbrüchiger Bremen".

4) Any tangible assets in the form of ships, accessories and equipment must be liquidated within four weeks against highest bid. The proceeds from this are also to be donated to the "Deutsche Gesellschaft zur Rettung Schiffbrüchiger Bremen".

Prien am Chiemsee, 23 July 2019