

Statute of the association „rakka-takka“

§ 1 Name, domicile and financial year

- (1) The association bears the name “rakka-takka e.V.”
- (2) The domicile of the association is Waldalgesheim.
- (3) The financial year of the association begins at 1st July.
The first financial year ends at the 31th May 2010.

§ 2 Purpose of the association

The purpose of the association is the peaceful support of the band “Van Canto” and the matching of the fans. In advancement of these purposes the association implements various activities and organizes events.

- a.) The association acts unselfishly. It does not pursue in the first place own economical purposes.
- b.) All means and resources for realizing the targets of the association are collected primarily through donations and contributions. The means of the association may only be used for the purposes defined in the articles. Members receive no payments from the funds of the association. No person may benefit from expenditures that are not related to the purpose of the association, or through inappropriately high allowances.
- c.) All items and rights, acquired by the association, belong to the association.
- d.) In case of the termination or the suspension of the association or ending of the membership the member himself has no right upon the assets of the association.
- e.) In case of dissolution of the association, the remaining assets shall pass to non-profit making institutions. The general meeting of members determines the types of applications.
- f.) All office bearers and council members of in the Association serve in an honorary. They shall be entitled to recover any outlays, costs and miscellaneous expenses for more than five EURO.
- g.) All the organization's available means including any profits are to be used for purposes outlined in the constitution. Members shall not receive distributions of profits and in their capacity as members shall not receive any other allocations from the funds of the association. They do not receive any shares of the club funds in case they resign or the termination of the association. No person may benefit from expenditures that are not related to the purpose of the association, or through inappropriately high allowances.

- h.) Carrying out and organisation of festivities and parties for exchange between non-members and members of the association, especially between persons and other associations, who are very interested in the band “Van Canto”. These festivities can be kept due to own or other reasons, especially due to concerts.

§ 3 Membership

- (1) Any natural person can become a member of the organization, unless the person is at least 16 years old.
- (2) The application of a minor person is subject to the approval of its parents/legal representatives.
- (3) Condition for the acquisition of the membership is a written application for membership to the executive committee. For persons who are not yet fully contractually capable, especially minors, the cancellation letter must be signed by the parents or the legal representatives. The parents or the legal representatives commit themselves to pay the membership fees.
- (4) The admission of a members requires his / her written application for membership to the executive committee. The committee will decide about membership applications. The decision, also the refusing of the application can take place without any reason.
- (5) If the application is refused, the applicant may lodge a written complaint addressed to the executive committee within a period of one month after receiving notice. The next annual general meeting will come to a decision upon the appeal.
- (6) The membership ends
 - a.) on the death of the member.
 - b.) on a written termination of membership sent to a member of the executive committee; resignations are only possible at the end of a calendar year and subject to a notice period of three months. The membership card is to be returned also. If a minor person wants to resign, the written termination is to be signed also by a parent or the legal representative.
 - c.) on exclusion of membership by the association. A member can be excluded from the association by the decision of the executive committee, if he or she violates culpably and grossly the interests of the association. The executive board must give the member the opportunity to present his or her case verbally or in writing before the resolution is passed. The decision of the executive committee has to be justified in written form and has to be sent to the member. The member can appeal the decision at the general assembly of the members. The appeal must be submitted to the management within one month after receipt of the decision. The executive committee must convene an extraordinary general meeting within a month after submitting the appeal on time. The an extraordinary general meeting thereby finally decides on the exclusion.

- d.) on deletion. A member can be deleted from the membership list by resolution of the Executive Board if he or she is in arrears with membership fees or contributions, despite two written reminders. The deletion can not be decided until two months passed after the posting of the second dunning and the menace of the deletion was mentioned in this dunning. The decision of the executive committee concerning the deletion shall be notified to the member.
- (7) Annual subscriptions are raised from the members. Contributions of up to twice the amount of the annual fees can be levied to finance special projects or special financial problems.
- (8) The annual fee is 40 EUR. Pupils, students, recipients of transfer payments and the severely disabled (for those with over 70% disability) just pay 20 EUR annual fee.
- (9) The membership fee payable shall be due on the receive of the membership and payable as follows:
- a.) the full annual fee with receive of the membership within the first two quarter of the financial year.
 - b.) the half of the annual fee, if the membership begins within the last two quarter of the financial year.
- (10) The following annual fees are payable due to the 1st June each year.
- (11) Changes of the amount and settlement date of the annual fees and charges are established in the general meeting.
- (12) Honorary members are released from the duty of paying fees and contributions.
- (13) The executive committee can all or partly abate or defer the annual fees, contributions and special levies in convenient cases, the application shall be made in writing.
- (14) The members are entitled to participate in the activities and events of the association.

§ 4 Organs of the association

Organs of the association are:

- a.) the executive committee
- b.) the general meeting

§ 5 The executive committee

- (1) The executive committee consists of
 - a.) the chairman
 - b.) the vice-chairman
 - c.) the treasurer
 - d.) the secretary
 - e.) up to three assessors

- (2) Two members of the executive committee have executive powers and are authorized.

- (3) The executive committee is responsible for all affairs of the association, as far as they aren't delegated by the statute to another structure of the association. This committee is responsible in particular for the following:
 - a) preparing and convening the general meetings including drawing up the agenda
 - b) implementing resolutions of the general meetings
 - c) the adoption of resolutions on the admission of members
 - d) preparing the budget for each financial year
 - e) accounts concerning the revenues and expenditure of the association
 - f) preparing an annual report until three month after ending of the financial year.

- (4) In all issues of particular significance the executive committee is to bring about a resolution by the general meeting.

- (5) The members of the executive committee are selected at the meeting of the members for a period of two years, beginning with the election. Re-election of the executive committee is possible. The executive committee remains in office managerially until a new committee has been elected. Each member of the executive committee is to be elected individually. Only members of the association can be elected as members of the executive committee. The office term of a member of the executive committee ends with the termination of the membership in the association.

- (6) If one member of Executive committee withdraws during the office period, the committee is authorized to elect a successor for the remaining office period.

- (7) The executive committee or the general meeting has the right to refuse the appointment of a member of the committee on significant grounds - for instance gross breach of duty or incapacity to manage a business in an orderly manner. The general meeting is responsible for dismissal of members of the committee ultimately. The recalled member has the right within one month to let an extraordinary general meeting decide about the recall. The remaining members of the executive committee elect a temporary representative for conducting the business of the association. The rights of membership of the recalled member rest until the decision of the general meeting. Only after the decision of the general meeting or in case of a waiver of this decision a successor can be intended.
- (8) The executive committee passes resolutions in meetings which are convened by the chairman, or if he is not available, by the vice-chairman. The agenda does not need to be announced.
- (9) The executive committee is quorate if at least three of its members participate. Resolutions are passed by a majority of the valid votes cast; in the case of a tied vote, the chairman has the casting vote; in his absence, this passes to the vice-chairman. If a decision is not possible by this way, the decision is to postpone until the next meeting.
- (10) For resolutions passed in the executive committee meetings, minutes must be recorded and a protocol immediately set up, which is to be signed by the secretary and the present members of the committee. In absence of the elected secretary a representative is to be elected by simple majority.
- (11) Decisions concerning concrete projects and measures of the association, especially concerning planning and execution of parties within the meaning of clause 2 h of this statute.

§ 6 Treasurer

- (1) The treasurer will be elected by the members of the association within the general meeting for a period of two years. The treasurer is not member of the executive committee working as controller of the committee on behalf of the membership. The treasurer controls the financial transactions of the executive committee and submits the audit report to the annual general meeting.
- (2) A vice-treasurer can be elected also in the general meeting.
- (3) The terms of dismissal, regulated in clause 5 (5) – (7) apply correspondingly.

§ 7 General meeting

- (1) Each member has one vote in the general meeting. The voting in the general meeting is to be exercised individually. Only those members are allowed to take part in the vote, who are at least 16 years old. Pooling of voting rights and proxy voting are not allowed.

- (2) The general meeting has to decide on the concerns of the association besides regulated tasks elsewhere. This includes in particular:
 - a.) acceptance of the annual report of the executive committee and discharge of the executive committee.
 - b.) regulation of the membership fee.
 - c.) election and voting out of members of the committee and the treasurer, as long as there are no separate responsibilities for election of these members the within the statute.
 - d.) passing of resolutions about alterations of the statutes and about dissolution the association.
 - e.) passing of resolutions with regard to complaint against the refusal of an application for membership as well as the appeal against the exclusion resolution of the executive committee.
 - f.) nomination of honorary members.
- (3) In matters, which fall under the purview of the executive committee, the general meeting can make recommendations to this committee. The executive committee itself is allowed to get a second opinion in his own matters by the general meeting.
- (4) At least once a year, if possible in the first quarter, is the ordinary general meeting to take place. This meeting is called up in writing by the executive committee under adherence to one period of two weeks under indication of the agenda. The period starts with the day following the forwarding date of the invitation. The letter of invitation is regarded as having been received by the member if it is sent to the address / Email last notified to the executive committee by the member. The agenda is established by the executive committee.
- (5) Each member can request a supplement of the agenda in writing to the executive committee until at the latest one week before a general meeting. The head of the meeting must announce the addition at the beginning of the general meeting.
- (6) Applications for additions to the agenda, which are submitted during general meetings, are resolved in the general meeting. A majority of three quarters of the valid votes cast shall be required for the application to be approved.
- (7) The management must call an extraordinary general meeting when it is in the interest of the association or when one tenth of the members request this in writing by indicating the purpose and reason.
- (8) The general meeting shall be chaired by the chairman, in the event of his being unable to attend, by the vice-chairman or the treasurer. In the absence of any member of the executive committee, the general meeting shall determine a chairman for the meeting.

- (9) The chairman of the meeting shall determine the manner of voting. Voting must be carried out in writing, if one third of the attending members who are entitled to vote apply for written voting.
- (10) Unless provided otherwise, the general meeting decides by simple majority of the valid votes cast; abstentions are considered to be invalid votes. Three quarters of the valid votes are necessary for alterations to the statutes and dissolution. An alteration to the purpose of the association can only be resolved if all of the members agree to it. Members who did not attend the general meeting must submit their written agreement to the management within one month. Amendments of or supplements to the articles of association which are stipulated by the relevant register authority or by the fiscal authorities shall be implemented by the executive committee, a resolution by the members' meetings is not necessary. The members shall be informed about such amendments or supplements with the invitation to the next general meeting.
- (11) The general meeting is not public. The chairman of the meeting may allow the attendance of guests.
- (12) Every general meeting constitutes a quorum irrespective of the number of members attending. Half of the total membership must be present at the general meeting for the vote to terminate to be valid. With absence of a quorum the executive committee is obligated to call up a second meeting of the members with the same agenda within four weeks; this is resolution able without consideration of the number of the members. This must be pointed out specifically in the invitation.
- (13) Minutes of the resolutions of the general meeting are to be produced, and are to be signed by the chairman of the meeting and the secretary. It shall contain the following statements: date and place of the meeting, name of the president of the meeting and the writer of the minutes, number of members present, agenda, results of the individuation votes and decisions and way of voting. For amendments of the statute the exact wording is to be given. In case of the secretary's absence a vice-secretary shall be elected with simple majority.

§ 8 Dissolution of the association

- (1) The association can only be dissolved by a resolution of the general meeting taken with a majority according to clause 13. If the general meeting does not decide something else, the chairman will be jointly authorized liquidator.
- (2) The stated regulations apply in the case that the association is liquidated for another reason or loses its capacity to act. The association shall also be dissolved in case of discontinuation of its purpose.

§ 9 Obtained authorisazion

In the event that the association is dissolved or annulled or if its purpose according to the statutes should cease to exist, the assets of the association remaining after the discharge of liabilities shall pass to an authorized, who must use these assets directly and exclusively for purpose written in clause 2 or similar non-profit-making purposes. The executive committee decides about the concrete authorized natural or legal person.

§ 10 Liability exclusion

The member takes part on festivities of the executive committee, especially on travelling to concerts at his / her own risks and renounces in case of a damage on all claims for compensation. This includes financial losses, material damage or even bodily injury.

§ 11 Invalidity of parts of this statute

If any parts of this contract become legally ineffective, the rest of the terms of this statute remain binding and unaffected.