

# Articles of Association of Schetland e.V.

## § 1. Name, registered office, trading year

- (1) The Association is called *Schetland e.V.* (hereafter referred to as 'the Association').
- (2) For registration purposes the Association shall apply for an entry in the Register of Associations at the Amtsgericht (county court) Berlin-Charlottenburg.
- (3) The registered office of the Association is Berlin.
- (4) The trading year is the calendar year.

## § 2. Purpose

- (1) The Association's primary objective is to serve consumer interests, in particular to protect and to inform consumers in relation to insurance services. In this context the Association informs about relevant legislation, comments on current questions with regard to insurance law and attempts to contribute to the development and revision of insurance related provisions in the public interest. It campaigns against misleading advertisements for insurance services, denounces grievances and asserts consumer demands. The Association shall also inform and protect the interests of the consumer through publications and the arrangement of seminars and training events on consumer protection topics.
- (2) The Association pursues exclusively and directly non-commercial goals within the sense of the 'tax privileged purposes' ('*Steuerbegünstigte Zwecke*') chapter of the general tax code ('*Abgabenordnung*'). It operates unselfishly and does not primarily pursue for itself profitable goals. The Association's funds may only be utilised for purposes in accordance with the Articles. The Association is not entitled to grant benefits to individuals out of the funds of the Association, except for the purpose of expense allowance. Members are not allowed to receive any part of the Association's funds upon their retirement or upon the dissolution of the Association. No persons are to benefit through expenditure which is alien to the purposes of the Association or through disproportionately large remuneration.
- (3) The Association finances itself by way of membership fees and donations.

## § 3. Membership

- (1) Any natural person, who is at least eighteen years of age, may become a member of the Association.
- (2) The committee decides upon admission on the basis of a written, personally signed application for membership addressed to the Association's secretary. Acceptance of the application for membership is at the discretion of the committee. Rejection of an application for membership does not need to be justified.
- (3) Where the committee approves the admission, the date on which the application for membership was received by the Association is regarded as the date of membership. The secretary shall confirm the new member's admission in writing as well as the date of membership.
- (4) Membership is terminated
  - a) through death;
  - b) through resignation (§ 5);
  - c) through expulsion (§ 6).

## § 4. Membership fee

- (1) The membership fee is determined by the general meeting. It currently amounts to € 15.24 per annum.
- (2) The committee is entitled to waive fees in part or in total.
- (3) The membership fee is due for payment on the 31<sup>st</sup> of March of every trading year and, for memberships during the course of a trading year, within ten days of receipt of the confirmation of admission by the new member. If the fee is not paid on time, the membership is deemed not effective.
- (4) Upon resignation or expulsion of a member there is no reimbursement of the fees.

## § 5. Resignation of a member

The committee is to be informed of the resignation in writing by way of registered mail. The resignation takes effect in law at the end of the month that follows the month during which the notice of resignation was received by the committee.

## § 6. Expulsion of a member

- (1) Expulsion of a member is resolved by the committee with a two-thirds majority of the votes cast and becomes effective upon the expelled member being informed of his/her expulsion. Expulsion may take place where the member does not pay membership fees due despite a written reminder, infringes the Association's Articles of Association or persistently contravenes the Association's objectives. Stating the material reasons for expulsion, the member is to be informed in writing about the intended expulsion at least a fortnight in advance. He/she is to be given the opportunity to comment on the accusations before the committee.
- (2) The expelled member can file an objection within a two week period following the announcement of the expulsion resolution. The decision on the objection is taken by the general meeting that follows the filing of the objection.

## § 6a. Organs of the Association

The organs of the Association are the general meeting and the committee.

## **§ 7. The committee**

- (1) The committee is made up of a minimum of three and a maximum of five members, namely the president, the secretary and the treasurer as well as a maximum of two additional members determined by the general meeting. The secretary and the treasurer simultaneously act as deputy presidents. Every committee member must be a member of the Association.
- (2) The members of the committee are annually elected by the annual general meeting. Re-election is permissible. Committee members can be prematurely recalled by the general meeting with three-quarters of the votes cast.
- (3) Committee meetings are to be held upon written invitation by the president or the secretary at regular intervals, at least every six months. The notice period is a fortnight. The president and the secretary are entitled to convene extraordinary committee meetings. Resolutions of the committee are passed by a simple majority, whereby the participation of a minimum of three members is required. Abstention from voting shall be deemed to be a "no" vote. In the event of a tie, the president shall have the casting vote. Minutes are to be kept of the committee meetings. Details can be laid down by rules of procedure which the committee develops for itself.
- (4) The committee is entitled to create subcommittees and to assign duties and competences to them within the limits of the Articles. Each subcommittee will report to the committee on a regular basis and is bound by the instructions of the committee. The committee is further entitled to appoint full-time managers.
- (5) The Association is represented by the president individually or two other committee members conjointly.
- (6) Committee members act on a voluntary basis. They are however reimbursed for the expenditure undertaken in the interests of the Association.
- (7) The committee is entitled to take on honorary members who are awarded - with the exception of the voting right and the power of representation - all the rights of ordinary committee members.

## **§ 8. The general meeting**

- (1) General meetings are convened by the president in writing (telefax, telegram or e-mail suffice) including details of the agenda. There must be at least a fortnight between the day the invitation is sent out and the day of the meeting. The invitation is to be sent to the last address of the member of which the Association has been informed in writing. Every member is entitled to apply in writing for an amendment to the agenda up until three working days prior to the day of the general meeting. The application is to be addressed to the committee. The general meeting decides upon the admission of the application.
- (2) The annual general meeting takes place at least once a year. The members receive the annual accounts with the invitation as well as a statement by the committee on the activities of the Association.
- (3) The committee is required to convene an extraordinary general meeting if it is in the interests of the Association or if four-fifths of the members request in writing that a meeting be convened, indicating the purpose and the reasons. For extraordinary general meetings the committee is entitled to shorten the period of notice to one week.
- (4) General meetings are quorate no matter how many members are present. The president acts as chairman of the meeting, unless the general meeting elects a different chairman of the meeting with a three-quarters majority of the votes cast. The chairman of the meeting appoints the keeper of the minutes.
- (5) The voting right generally needs to be executed personally. Every member is however entitled to authorise in writing a member of the committee to vote on their behalf.
- (6) Voting is conducted by a simple majority of the votes cast, unless a qualified majority is prescribed either by law or the Articles. Abstention from voting shall be deemed to be a "no" vote. Resolutions on a change of Articles or dissolution of the Association require a majority of three-quarters of the votes cast.
- (7) The committee may also arrange for written votes. Resolutions adopted by way of written votes are only effective if at least half the members have participated in the written vote.
- (8) Resolution upon the following issues is reserved for the general meeting:
  - a) Election, removal and discharge of the members of the committee;
  - b) Changes to the Articles and dissolution of the Association;
  - c) Decisions on the objections of expelled members;
  - d) Approval of the annual accounts.
- (9) Resolutions of the general meeting are to be kept in the form of minutes, which are to be signed by the chairman of the meeting and the keeper of the minutes. The minutes are available for the members to look at in the administrative offices.

## **§ 9. Liability**

The liability of the Association is limited to its assets.

## **§ 10. Dissolution and commitment of assets**

The dissolution of the Association can only be resolved within a general meeting convened specifically for that purpose. Where the general meeting does not resolve otherwise, the liquidation is executed through the committee. In the case of dissolution or suspension of the Association or in the event of the discontinuation of the tax-privileged purposes, its assets are to be transferred to the Freie Universität Berlin for their exclusive and immediate use for non-commercial purposes.

## **§ 11. Other matters**

Only the German version of these Articles shall have binding effect. The English version is for information purposes only.