

Statutes of the association

Updated version (12th July 2020)

§ 1 Name and seat of the association

(1) The association calls itself Brandenburgische Genealogische Gesellschaft (BGG) „Roter Adler“ e. V. (Brandenburg Genealogical Association „Red Eagle“ registered association). It is registered in the German Register of Associations.

(2) The association is based in Potsdam.

(3) The association's symbol is the Brandenburg Eagle on silver background. The association's colours are red and silver. The adaptation of a seal or emblem will be settled separately.

§ 2 Purpose and tasks

(1) The Association's purpose is cultivating and promoting genealogy, related regional history and other areas of study, as well as research in the field of historical March Brandenburg

(2) We strive to fulfil the purpose of the association by:

a) Conducting active research and documentation of results

b) Issuing publications on the subject of research

c) Organizing events for the presentation, dissemination and further development of research and scientific documentation

d) Cooperating with other institutes and associations in the field of genealogy, regional history and auxiliary sciences of history.

§ 3 Non-profit status

(1) The association acts selflessly and pursues exclusively and directly nonprofit and not primarily economic objectives in line with the German Tax Code.

(2) Funds of the association may only be used for purposes in accordance with the statutes. Apart from the reimbursement of expenses for statutory purposes, members shall not receive any benefits from the funds of the Association. No person may be favoured by expenses that are alien to the purpose of the association or by disproportionately high remuneration or gifts.

§ 4 Acquisition of membership

(1) All legal entities and natural persons of full age as well as young people who have reached the age of 14 can become members. Legal entities must name a natural person as their authorised representative.

(2) The application for membership must be made in writing; the statutes are recognised with the application. In the case of persons with limited legal capacity, in particular minors, the application must also be signed by the legal representative. The legal representative thereby undertakes to pay the membership fees for the person with limited legal capacity.

(3) Admission shall be by resolution of the executive board. Reasons shall be given for any refusal of admission. A re-admission shall be considered as a new admission.

(4) The executive board shall be notified of changes of address in writing within three months.

§ 5 Termination of membership

(1) Membership ends by resignation from the association, by deletion from the list of members, by exclusion or death.

(2) Resignation shall be effected by an individual written declaration, in the case of young people by a legal representative, to the executive board. Resignation can only be declared at the end of a financial year, whereby a notice period of one month must be observed. This resignation shall become effective immediately at the request of the member or by resolution of the executive board, whereby only the pecuniary membership rights shall remain in effect until the end of the year.

(3) The executive board may cancel a membership if the member is in arrears with the payment of membership fees despite two demonstrable reminders. The cancellation may only be decided if two months have elapsed after the second reminder was sent and the cancellation was threatened in this reminder.

(4) A possible exclusion can be carried out by the executive board if a member culpably and in a gross manner fulfils the following reasons for exclusion:

- a) Violation of these statutes
- b) Damage of the reputation or the interests of the association.

The exclusion shall be justified in writing. A written objection to the exclusion may be lodged with the executive board within two weeks of receipt of the notice of exclusion. If the case is not settled between the member to be expelled and the executive board by the next general assembly, the latter shall make the final decision. Until then, membership shall be suspended in accordance with § 13 (4).

With the end of the membership, all rights and duties in the association expire.

§ 6 Honorary membership

Honorary membership may be conferred on anyone who has promoted the association or its purpose particularly intensively over a long period of time. The General Assembly decides on the nomination.

§ 7 Admission fee and membership fees

- (1) Each member will have to pay an admission fee as well as an annual membership fee.
- (2) The amount of the admission fee and the annual membership fee shall be decided by the general assembly. The annual membership fee shall be paid by 30th march of the respective calendar year.
- (3) Honorary members are exempt from membership fees.
- (4) Arrears of annual fees shall be paid to the association by the date of termination of membership.
- (5) In special cases, the fees may be reduced, deferred or waived by the Board.

§ 8 Rights and duties of the members

- (1) In addition to the other rights provided for in the statutes of the association, members are entitled in particular, at fully or partially waived costs:
 - a) to participate in all club offers
 - b) to obtain the association's publications and to consult its digital and analogue projects
 - c) to publish or deposit their research results and other content in accordance with the purpose of the association in its publications as well as digital and analogue projects, in accordance with the rules laid down for this purpose
 - d) to receive assistance and support within the framework of the association's purpose and objectives
- (2) In addition to the other duties set out in these statutes, the members shall in particular:
 - a) promote and realise the purpose of the statutes and not to act against it
 - b) behave loyally towards the association and its objectives
 - c) keep harm away from the association
 - d) communicate all circumstances that have an impact on the membership status

§ 9 Organs of the association

The association has the following organs:

- a) General assembly
- b) Executive board
- c) Auditors
- d) Research and project groups

§ 10 General Assembly

(1) The general assembly is the supreme orgm of the association. It must be held at least annually in the first half of the year (Annual General Meeting).

(2) It shall be convened by the executive board with three weeks' notice in writing, stating the agenda. The period shall commence on the day following the date of the postmark of the invitation. The letter of invitation shall be deemed to have been received by the member if it is addressed to the last address given in writing by the member to the Association. The provisional agenda shall be set by the executive committee. Amendments to the statutes must be announced in full with the invitation.

(3) Any member may submit an addition to the agenda in writing to the executive board no later than one week before a general assembly. The chairperson of the assembly shall announce the addition at the beginning of the general assembly.

(4) Motions for additions to the agenda made at the general assembly after the opening of the meeting shall be decided by the assembly. Motions to amend the statutes are not possible in this way.

§ 11 Extraordinary General Assembly

An extraordinary general assembly shall be convened by the executive board in writing within one month, calculated from the triggering event, with a notice period of two weeks, if the statutes stipulate this or if the interest of the association requires it or if one tenth, but at least 10 members, request this in writing, stating the purpose and the reasons.

§ 12 Tasks of the General Assembly

The tasks of the general assembly are in particular:

- a) Receipt of the following reports:
 - Annual report and accounts of the executive board
 - Report of the auditors
 - Reports of the research and project groups
- b) Discharge of the executive board
- c) Election of the executive board and the auditors
- d) Amendments to the statutes
- e) Decisions on the fundamental activities of the association, in particular on the basic programme
- f) Enactment of bylaws
- g) Resolutions on a budget prepared by the executive board
- h) Determination of the amount of admission fee and membership fees
- i) Appointment of honorary members

§ 13 Elections and resolutions of the general assembly

(1) The executive board shall appoint the chairman of the general assembly from among its members. If this is not done or if no member of the executive board is present, the assembly itself shall appoint the chairman

(2) All members are entitled to vote,

(3) All members of full legal capacity are eligible for election.

(4) A member against whom exclusion proceedings are pending or who has not paid his membership fee in full by the date of the general assembly may not exercise the rights set out in subsections (2) and (3).

(5) Any general assembly duly convened shall constitute a quorum provided that one tenth of the members, but at least 10 members, are present. In the event of a lack of quorum, the executive board is obliged to convene a second general assembly with the same agenda within four weeks; this general assembly shall constitute a quorum irrespective of the number of members present. This must be pointed out in the invitation.

(6) Resolutions and elections shall be held by open ballot or, upon request, by secret ballot. The request for a secret ballot must be voted on by secret ballot.

(7) In voting, a simple majority of the valid votes cast shall generally be decisive; abstentions shall be considered as invalid votes. In the event of a tie, the motion or candidate shall be deemed rejected.

(8) A two-thirds majority of the valid votes cast shall be decisive for votes on amendments to the statutes.

(9) A majority of nine tenths of the valid votes cast shall be required for votes to change the purpose of the association.

(10) Resolutions of the general assembly shall be minuted and signed by the respective secretary.

§ 14 Executive Board

(1) The executive board in the sense of § 26 BGB (German Civil Code) consists of the chairperson, the chairperson's deputy, the treasurer, the treasurer's deputy, the secretary and at least two but no more than four persons acting as advisors.

(2) The association shall be represented in and out of court by its chairman and his/her deputy. Each of them is authorised to represent the association alone.

§ 15 Competence of the executive board

(1) The executive board shall be responsible for all matters of the association, unless they are assigned to another body of the association by the statutes.

(2) The executive board shall, in particular, have the following tasks.

- a) Preparation and convening of the general assembly and drawing up of the provisional agenda
- b) Implementation of resolutions of the general assembly
- c) Bookkeeping and preparation of a budget
- d) Preparation of an annual report and a financial statement
- e) Adoption of resolutions on the admission, deletion and exclusion of members
- f) Setting up and dissolution of research and project groups
- g) Appointment or dismissal of the heads of research and project groups as well as other functionaries in the sense of special representatives, according to § 30 BGB. Only members may be special representatives.

§ 16 Election and tenure of the executive board

(1) The members of the executive board shall be elected by the general assembly for a period of two years, starting from the date of election. They shall remain in office until the election of a new executive board.

(2) If an executive board member resigns before the end of his/ her term of office, the executive board may appoint a successor for the remaining term of office of the resigning executive board member.

§ 17 Meetings and Resolutions of the executive board

(1) The executive board shall pass resolutions in meetings or by written or electronic circulation. The meeting shall be convened by the chairperson or, if the chairperson is prevented from doing so, by the deputy chairperson or an executive board member appointed by the deputy chairperson. There is no obligation to announce the agenda or to schedule meetings.

(2) The executive board shall constitute a quorum if at least half of its members participate. Resolutions shall be adopted in accordance with § 13 (7).

(3) Minutes of the resolutions of the executive board shall be prepared by the secretary or a designated representative and shall be signed by the person presiding.

§ 18 Auditors

(1) Two auditors and one substitute auditor shall be elected individually by the General Assembly for a term of four years from the date of election. They shall remain in office until a new election is held.

(2) The tasks of the auditors are in particular:

a) Auditing the accounts of the association (they can do this at any time and at short notice)

b) Making the recommendation to the general assembly to discharge the treasurers

(3) The auditors cannot be board members at the same time. If an auditor retires prematurely, the substitute auditor shall take over his/her duties.

§ 19 Research and project groups

(1) The main content-related activities of the association take place in the research and project groups. The research groups are more permanently oriented, the project groups are more concerned with a specific topic in the short and medium term.

(2) The research and project groups can be initiated by the executive board, the general assembly or individual members of the association. They are appointed by the executive board or the general assembly. They may be dissolved by the group itself or by the appointing organ.

(3) Non-members may also be involved in the research and project groups.

§ 20 Finances and assets

(1) The financial year shall be the calendar year.

(2) All income and expenditure of the association shall be recorded by the treasurers in clearly laid out bookkeeping in accordance with the legal provisions.

(3) The auditors shall audit the finances and assets in good time before the next general assembly.

§ 21 Resolution of the association

(1) The association may only be resolved in an extraordinary general assembly convened for this purpose with a majority of nine tenths of the valid votes cast.

(2) Unless the general assembly decides otherwise, the chairman and his deputy shall be joint liquidators with power of representation.

(3) In the event of the dissolution of the association or the discontinuation of the tax-privileged purposes, the assets shall be transferred to a public corporation to be determined by the general assembly or to another tax-privileged corporation which must use them exclusively and directly for the tax-privileged promotion of scientific purposes.

(4) The above provisions shall apply accordingly if the association is resolved for any other reason or loses its legal capacity.

§ 22 Foundation, registration and place of jurisdiction

(1) The foundation date is 29th June 2006.

(2) The association is registered under the number VR 6801 P in the register of associations at the Potsdam Local Court.

(3) The place of jurisdiction is the Potsdam Local Court.

§ 23 Entry into force of the statutes

These Statutes were adopted with immediate effect on 29th June 2006, amended on 26th September 2006, 17th March 2007, 13th May 2017 and most recently on 12th July 2020.

Potsdam, 12th Juli 2020

Gerd-Christian Treutler
Chairman

Manuela Colombe
Secretary