

# **Statute of the Afghanischer Frauenverein e. V (Afghan Volunteer Women's Association)**

as amended on 26.09.2020

## **§ 1**

### **-Name, Location and Fiscal Year-**

1. The Association bears the name "Afghanischer Frauenverein e.V."
2. The headquarters and administrative location of the Association are in Hamburg.
3. The fiscal year of the Association is the calendar year.

## **§ 2**

### **-Purpose of the Association-**

1. The purpose of the Association is to promote humanitarian aid for Afghan women and children and their relatives in need, as well as victims of armed conflict, and to rebuild the country sustainably.
2. Primarily aid should be provided for women and children living in Afghanistan and those members of their families who live with them.
3. The Association is politically independent and rejects any kind of discrimination.
4. The purpose of the Association is to:
  - promote the health system,
  - promote education, further education and advanced training
  - promote vocational training,
  - care for widows and partially or fully disabled women and children,
  - the formation and maintenance of an emergency fund for male and female Afghan members of staff
  - promoting agriculture
  - promoting drinking water supply,
  - promoting educational nutrition programs, health education for mothers and children, family planning and support for the elderly,
  - promoting women's self-help projects in Afghanistan in traditional crafts,
  - the support of refugees,
  - awareness of dangers associated with mines and ammunition as well as with drug use in children and adolescents through counseling centers and the use of the media.
  - emergency relief
5. The purpose of the Statute will be realized, in particular through projects in Afghanistan, as well as activities and campaigns to inform the public about the situation in Afghanistan.
6. The purpose of the Statute will continue to be realized through cooperation with organizations that
  - a) are tax-privileged according to § 51 et seq. AO (Tax Code),
  - b) provide funds for tax-privileged purposes only.

### **§ 3**

#### **-Non-profit status-**

1. The Association exclusively and directly pursues charitable purposes in the sense of the "tax-privileged purposes" Section of the Tax Code (AO).
2. The Association's activities are not to be used for self-promotion or for the purpose of making a profit.
3. The funds of the Association may only be used for statutory purposes. The Association may not use its funds for direct or indirect assistance or promotion of political parties.
4. No person may be reimbursed for expenses that are not compatible with the purpose of the Association or are disproportionately high.
5. The Association pursues objectives that are exclusively and directly charitable. It pursues these objectives within the meaning of the section "tax-privileged purposes" of the Tax Code in the currently valid version.
6. The Association is not active in its own interest; it does not primarily pursue profit-making purposes. Funds of the Association may only be used for statutory purposes.
7. The members may not receive any money from the Association's funds.
8. No person may benefit from expenses that are foreign to the purpose of the Association, or disproportionately high.

### **§ 4**

#### **-Application for Membership-**

1. Any person, who has reached 18 years of age can become a member of the Association. Minors (from the age of 16) may also apply for membership with the consent of their legal representative or guardian.
2. The written request should be addressed to the Board.
3. The Board decides on the admission.
4. The rejection of the application is decided unanimously by the Board and five other members of the Association.

### **§ 5**

#### **-Termination of Membership-**

1. Membership ends:
  - a) by voluntary resignation
  - b) by exclusion from the Association
  - c) by the death of the member.
2. Voluntary resignation is to be made by a written declaration to a member of the Board of the Association.
3. Voluntary termination can only take place with one month's notice at the end of a quarter.
4. If a member violates the Statute of the Association or damages the reputation of the Association in public, they can be excluded from the Association by decision of the General Assembly. Prior to the decision, the member must be given the opportunity of justification.

## **§ 6**

### **-Membership Contributions-**

1. Contributions are collected from members.
2. The amount and due date of the contributions are determined by the General Assembly. These are regulated in a contribution regulation.
3. The payment of the contribution is made, if possible, by issuing a direct debit authorization of the member.

## **§ 7**

### **-Elements of the Association-**

Elements of the Association are:

- the Board (§ 8)
- the General Assembly (§ 12)
- the Management (§ 15)

## **§ 8**

### **-The Board-**

1. The Board of the Association consists of the chairperson, the deputy chairperson, the treasurer, the secretary and another member of the Association.
2. The Board represents the Association in and out of court. At least two members are authorized to represent the Association.

## **§ 9**

### **-Responsibility of the Board-**

1. The Board is responsible for all matters concerning the Association, as far as they are not assigned to another segment of the Association according to the Statute. In particular, the Association is to carry out the following tasks:
  - a) Execution of the resolutions of the General Assembly,
  - b) Outward representation of the Association according to § 26 BGB,
  - c) Appointment and dismissal of a chief executive as a special representative in the spirit of § 30 BGB and of the main staff of the Association,
  - d) Approval of the budget proposed by the Management
  - e) Supervision of the office in cooperation with the Management
  - f) Decision-making on general principles and strategies as well as on principles of project funding in accordance with the Statute,
  - g) Receive and determine the annual report and financial report as well as forwarding it to and recommendations for the general meeting
  - h) Convocation of the general meeting,
  - i) Making decisions on admission of members,
  - j) The Board approves the rules of procedure that the Management has given itself (§ 15 No. 3 e).

## **§. 10**

### **-Term of the Board-**

1. The term of office of the Board is two years, calculated from the day of the election.
2. If a member of the Board leaves ahead of time, a new member of the Board will be elected at the next general assembly.

3. Only members aged 18 and above can be voted to become a Board member of the Association.
4. A member of the Board will after the expiry of their term remain in their position until a new member of the Board is elected

## **§ 11**

### **-Resolutions of the Board-**

1. The Board generally passes its resolutions in Board meetings held by the chairperson or, if he / she is unable to do so, the deputy chairperson. A summoning period of five days should be adhered to.
2. The Board meets as required.
3. Each Board member has one vote in the Board meeting. The right to vote is not transferable.
4. At least three members of the Board must agree with the passing of a resolution.
5. In urgent cases, the resolution can also be sent by phone or by e-mail respectively.
6. The decisions shall be recorded in minutes, which record the place and time of the meeting, the names of the participants, the decisions that were made and the results of the votes.

## **§ 12**

### **-General Assembly-**

1. The General Assembly is the highest decision-making body of the Association
2. In the General Assembly each member has one vote. The right to vote is not transferable.
3. The tasks and duties of the General Assembly are in particular:
  - a) Defining the guidelines for the activities of the Association
  - b) Electing the Board and its members
  - c) Accepting, discussing and approving the submitted budget for the next fiscal year, as well as the business and cash reports of the previous fiscal year
  - d) Unburden the Board
  - e) Determining the level of members' contributions
  - f) Passing resolutions on amendments to the statutes and on the possible dissolution of the Association
  - g) Exclusion of members
  - h) Determining and resolving other matters and motions
  - i) As long as the accounting of the Association is not being audited by an independent annual auditor (auditor, sworn-in accountant, tax consultant), two auditors will be elected for a two year term. Re-election is allowed. Auditors are not allowed to have been members of the Board or the Management in the preceding fiscal year. The task of the auditors is to audit the accounting (bookkeeping including the annual report) and to report before the General Assembly
  - j) If the accounting of the Association is being audited by an independent annual auditor (auditor, sworn-in accountant, tax consultant), the General Assembly forgoes an additional cash audit.

## **§ 13**

### **-Summoning of the General Assembly**

1. The General Assembly takes place at least once a year and will be convened by the Board in writing four weeks in advance with complete details of the agenda.

## **§ 14**

### **-Resolutions of the General Assembly-**

1. The General Assembly will be led by the chairperson and by the deputy chairperson or another Board member in their absence.
2. Each General Assembly summoned in accordance with the Statute will be acknowledged regardless of the number of present members.
3. The General Assembly passes its resolutions by a simple majority. In case of a tie is deemed to be rejected.
4. Minutes of the decisions of the General Assembly shall be prepared and subsequently signed by the Chairperson. They should enclose the place, time, chairperson, attendance list, the agenda and the voting results and voting method.
5. Motions and agenda proposals for the General Assembly are to be submitted to the Board one week before the General Assembly at the latest. Every member of the Association is eligible to submit a motion. Motions that are submitted in the course of the General Assembly and amendments to the agenda will be dealt with in the course of the General Assembly. For the acceptance of a motion the simple majority of votes cast is sufficient.

## **§ 15**

### **-Management-**

1. The chief executive as a special representative in the spirit of §30 BGB is appointed by the Board
2. They are working full-time and receive a compensation that is decided by the Board
3. They are to mainly carry out the following tasks:
  - a) External representation and representation of the interests of the Association
  - b) Legally-binding representation of the Board in all current affairs
  - c) Recruitment of staff,
  - d) Consultation of the Board, support of the elements and the committees of the Association
  - e) Coordination of the work of the Association
  - f) Supervision of the office in Germany
  - g) The Management gives itself rules of procedure that must be approved by the Board.

## **§ 16**

### **-Amendment of the Statute-**

1. For amendments to the Statute, a two-thirds majority of the valid votes cast is required.
2. Amendments to Statute, which are formally requested by controlling-, legal- or financial authorities can be made by the Board.

## **§17**

### **-Extraordinary General Assembly-**

1. The Board may convene an extraordinary General Assembly at any time. This must be convened if the interest of the Association requires it or if at least one third of the members who must substantiate their request in writing, demand this.
2. Convening of the General Assembly must take place immediately or upon receipt of the application which is to be made in writing stating the agenda; the meeting must be held within a time limit of two weeks.
3. The Extraordinary General Assembly must be held in accordance with §§ 12 – 14 and § 16.

## **§ 18**

### **-Dissolution of the Association-**

1. In the event of the dissolution of the Association or the elimination of tax-privileged purposes the assets of the Association will be transferred to Save the Children Deutschland e.V., which is to use it exclusively and directly for its charitable purposes and linked to the work of the association in Afghanistan. If the association "Save the Children Deutschland e.V." is not recognized as non-profit at the time of the dissolution of the Association or the elimination of tax-privileged purposes the assets of the Association will be transferred to the German Red Cross, which is to use it exclusively and directly for its charitable purposes.