

Statute of the non-profit association
„BISYOC – European Intercultural Youth Orchestra e.V.“

Editors Note: "e.V." is the German label for "registered society".

§1 General Provisions

1. The following statute will use the male form for both genders for better readability.
2. If the statute mentions written communication, written resolutions, written invitation or something similar, the use of electronic communication (e-mail) is explicitly included and allowed.
3. It is possible to create translations of this statute. They are meant as aids for the international purpose of this society and are legally non-binding. Only the German statute is legally binding.

§2 Name and Seat

1. The association is named: "BISYOC – European Intercultural Youth Orchestra e.V."
2. Seat of the association is Rheinfeldten (Baden).
3. With registration in the register of associations of the district court Freiburg the association attains legal capacity.

§3 Association Purpose

1. The association pursues exclusively non-profit purposes within the meaning of the section "tax-privileged purposes" of the tax code (§§ 51 ff. AO).
2. The purpose of the association is:
 - the promotion of international sentiment, tolerance in all areas of culture and the concept of international understanding
 - the promotion of arts and culturewithin the meaning of §52 of the Tax Code.
3. This purpose is realised by conducting international music projects with young musicians. A music project is the multi-day gathering of young people and young adults of at least three different nationalities or ethnic groups with the purpose of rehearsing and publicly performing a musical program. The projects shall take place at alternating locations mainly in Europe. The responsibility for the implementation of these music projects is with the Board of the society. Making music together is the key connecting element. Furthermore, the intercultural exchange shall be promoted by additional measures.

§4 Altruism; Use of Funds

1. The association is benevolent. It does not pursue primarily self-economic purposes.
2. The funds of the association may only be used for its statutory purposes.
3. The members receive no profit shares and in their capacity as members no other donations from funds of the association. They receive no compensation for their membership when they leave or dissolve the association. No person may be favored by expenses that are foreign to the purpose of the association or by disproportionately high remuneration.
4. An allowance or other compensation for people that work for the implementation of the course (especially but not solely musical tutors and event team) is possible. This is universally true, no matter if the receiver is a member of the society, a member of the Board or not a member. In accordance with §4.3, (Board) members do not get higher allowances.
5. The Board can refund expenses of society members in justified cases if the expenses are in connection with the activity of the society. These expenses have to be proved.

§5 Assets Binding

1. In the event of dissolution of the association or the abolition of the tax-privileged purposes, the assets of the association falling to the charity "pro VJO e.V." with seat in Waltshut-Tiengen who can only use them for charitable purposes.

2. Decisions on the amendment of this paragraph may only be taken in coordination with the responsible tax office.

§6 Fiscal Year

1. The association is founded for an indefinite duration.
2. The fiscal year is the calendar year.

§7 Membership

1. Member of the association can be any natural or legal person.
2. Admission takes place after written application by resolution of the executive committee. The decision must be notified in writing to the applicant. If the application is rejected, the applicant may appeal in writing within four weeks. The appeal is decided in the General Assembly.
3. In special cases, at the suggestion of the Board personalities who have made themselves worthy regarding the purpose of the association can become honorary members.

§8 End of Membership

1. Membership ends by death, expulsion, deletion from the membership list or withdrawal from the association or liquidation of a legal entity.
2. Resignation shall be by written declaration to the Board. Withdrawal is possible at any time, but membership fees for the current calendar year will still be charged.
3. A member may be removed from the list of members by resolution of the Board if it is in arrears with the payment of membership fees or contributions, despite one written reminder. The reminder must contain a notice of impending removal from the membership list in the event of continued non-payment of membership fees. The final deletion can only be decided by the Board after at least one month has passed since the reminder was sent. This deletion does not release the member from the payment of arrears and contributions.
4. A member can be excluded if it culpably violates the interests of the association. The exclusion is made by decision of the Board. Before the decision is taken, the member must be given the opportunity to give an oral or written statement. The decision must be substantiated in writing and communicated to the member. Against this, objection can be filed within the month after receipt of the decision with the executive committee. The next General Assembly will ultimately decide on this contradiction.

§9 Membership Fees and Obligations of the Members

1. Contributions are collected from members. The amount of the contribution and its due date will be determined by the General Assembly.
2. The General Assembly may also decide on other services, such as allocations or work assignments, to be provided by the members.

§10 Organs of the association

1. Organs of the association are 1. the Board within the meaning of §26 BGB and 2. The general assembly.

§11 Board

1. The Board within the meaning of § 26 BGB consists of the chairman, the treasurer, and the secretary. Each member of the Board has one vote.
2. The association shall be represented in and out of court by two members of the Board according to article 1.
3. It is possible to have an extended Board. Each member of the extended Board has one vote. Members of the extended Board are not entitled to represent the association according to article 2. They are not listed in the association register. Details regulations are made in the rule of procedures.

4. The Board according to article 1 shall be elected by the general assembly for a term of two years. However, it remains in office until the new statutory election of the Board is held.
5. Only the members of the association who have reached the age of 18 may be elected to the Board according to article 1. Each Board member is elected individually. One is elected by combining the majority of valid votes. Re-election is permitted without restriction.
6. Different Board roles according to article 1 cannot be united in one person.
7. If a member of the Board resigns prematurely, the Board may elect a successor for the remaining term, §11, para. 5 applies.
8. The Board is responsible for all affairs of the association, as far as they are not transferred by the statute to another organ of the association. It has the following tasks in particular:
 - Preparation and convening of the general assembly as well as the drawing up of the agenda;
 - Execution of resolutions of the general assembly;
 - Accounting and preparation of the annual report;
 - Decision on the exclusion of members;
 - Implementation of the musical projects and long-term planning of BISYOC.
9. The Board may, with the approval of the General Assembly, hire a managing director.
10. Board members are permitted to accept allowances and compensations. The conditions of §4 apply.

§12 General Assembly

1. The chairman of the Board convenes an ordinary General Assembly annually by ordinary letter or electronic mail with a notice period of 7 days and stating the agenda. The period begins on the day following the day on which the invitation letter is sent. The letter of invitation shall be deemed to have been received by the member if it is sent to the last address given to the association in writing by the member.
2. The agenda is set by the Board. If members of the general assembly propose to add issues to the agenda, the general assembly decides about it.
3. In the ordinary general assembly the treasurer presents the invoice and has it approved. In addition, the Board or, if applicable, the managing director submits the annual report.
4. The General Assembly shall be led by the chairman of the Board. If he is not present, it shall be led by another Board member. On application, a member that is not part of the Board can be elected as chair of the meeting.
5. A keeper of minutes shall be elected at the beginning of every general assembly.
6. A vote counter shall be elected at the beginning of every general assembly.
7. The General Assembly is responsible for the following matters
 - Election of the Board;
 - Election of the auditors;
 - Resolution on the annual report of the Board;
 - Ratification of the actions of the Board;
 - Determination of membership fees and allocations;
 - Resolution on the objection against a reason for exclusion filed by the Board;
 - Amendments to the statute;
 - Dissolution of the association;
8. Resolutions shall be passed by a simple majority vote of the members present who are entitled to vote or their duly representatives. Only resolutions on amendments to the statute of the association require a majority of two thirds of the members present and entitled to vote or duly represented. The type of vote shall be determined by the chair of the meeting. A vote shall be in written form if one third of the members present request so.

9. An extraordinary general assembly shall be convened by the Board if at least one third of the members apply for it in written form or if the Board is convinced of its necessity.
10. The extraordinary general assembly has the same rights as the ordinary general assembly.
11. Every duly convened general assembly has a quorum regardless of the number of participating members. Members of the society can be represented by representatives that are assigned in written form.
12. The general assembly elects two auditors. The auditors are elected for a period of two years. A re-election is possible.
13. General assemblies could be conducted in virtual form (group call, video conference, ...) if it is noted in the invitation.

§13 Reports of the Meetings

1. Minutes of the meetings of the Board and of the general assemblies shall be written and kept for seven years.
2. Minutes of Board meetings are to be signed by the secretary and the chairman, or in his absence by the treasurer. Minutes of general assemblies are to be signed by the minute-taker and the chairman of the meeting. electronic signatures are accepted.
3. On written application by a member, the minutes must be made accessible to that member within 14 days.

§14 Rules of Procedure

1. The general assembly can give rules of procedure to the society. These cannot be in disagreement with legal rights or the statute of the society.
2. The Board can give rules of procedure to itself. These cannot be in disagreement with legal rights, the statute of the society or the rules of procedure of the society.

§15 Termination

1. The termination of the association can only be decided for by a general assembly, to which the members must be summoned specifically for this purpose, with a majority of two thirds of the members present and entitled to vote or their duly appointed representatives.
2. Unless the general assembly decides otherwise, the Board members are jointly authorized liquidators.

These Statutes replace all previous Statutes.

Adopted by the General Assembly on 06.10.2021

Jonas Bösken
(Chairman)

Aïcha Naumann
(Treasurer)

Anna Lorenz
(Secretary)