

# By-laws of the AGGSH Sponsorship Association

(Registered as AGGSH-Förderverein e.V.)

## Para. 1: Name and residence of the Association.

(1) The Association is named "AGGSH-Förderverein" (*AGGSH Sponsorship Association*). Following entry in the registry of associations it bears the suffix "e.V." Residence of the association is Kiel. The fiscal year equals the calendar year.

(2) The AGGSH (*Genealogy Work Group Schleswig-Holstein*) is an informal association of historians and genealogists aiming to:

- a) conduct joint intensive research into the emigration from Schleswig-Holstein and publication of the results;
- b) transcribe the Schleswig-Holstein census registers and publish them in the form of freely available data banks;
- c) enhance co-ordination between German-Danish, German-American and German-Australian historical and genealogical research projects;
- d) Co-operate closely with the academic institutions of the Province of Schleswig-Holstein as well as the provincial, parochial and church archives to the extent that records are to be accessed within the framework of AGGSH research projects.

## Para. 2: Purpose of the Association.

(1) The Association aims to support the research endeavours of the AGGSH, of its members, as well, potentially, to further relative historical research as far as it concerns the Province of Schleswig-Holstein.

(2) The goals of the Association are to be accomplished by means of intellectual and financial support, particularly by raising and channelling funds towards the AGGSH, or by individual members, to be applied to scientific research, publication and seminars.

(3) The Association is non-profit. Funds of the Association have to be expended exclusively within the framework of these by-laws. No person or institution may be favoured by expenditures alien to the goals of the Association.

Expenses and reimbursements may not exceed the actual costs which are to be documented. The exercise of management functions according to these by-laws is pro bono.

## Para. 3: Non-profit status of the Association.

(1) The Association pursues exclusively and directly non-profit activities according to the (German) tax code, a.k.a. "Abgabenordnung / AO". As a sponsorship association it is held to apply its funds exclusively to the advancement of goals set out in para. 2 of the by-laws and described in para. 58 of the AO (tax code) for tax exempt purposes.

#### **Para. 4: Association Membership.**

(1) Membership in the Sponsorship Association is open to each individual or legal person prepared to advance and support the goals of the Association. The board renders decisions concerning written applications for membership.

Membership commences with receipt of a positive decision by the board. No reason has to be disclosed in the case of a negative decision. Membership in the Association lapses in the case of resignation, death, membership exclusion, withdrawal of civic rights or dissolution of the Association. Resignation can only take effect following written notice three months before the end of a calendar year. A member can be expelled according to German law (BGB) in case of a serious offence against the reputation or goals of the Association, as well as due to non payment of dues. Such expulsion can be authorized by a two third majority decision of the membership assembly acting on the proposal of the board.

(2) The members are assessed an annual fee as resolved by the membership assembly. The membership fee is due in January or upon joining the Association. Besides the annual fees, contributions to be determined by the donor may be made. Fees and donations are tax exempt within the framework of (German) tax law.

(3) On the recommendation of the board persons of merit may be accorded honorary life membership.

#### **Para. 5: Structure of the Association.**

The Association is structured as follows:

- the membership assembly,
- the corporate board
- the scientific council

**Para. 6: Membership assembly.**

(1) The membership assembly is convened not less than once per annum. Invitation and agenda have to be given in writing not less than four weeks before the set date. The assembly is to be conducted by the president of the Association, alternatively the deputy.

(2) The agenda of the assembly:

1. Annual report by the board;
2. Approval of the annual statement after an audit of the books by an auditor appointed by the assembly and countersigned by the financial officer.
3. Approval of the budget presented by the board.
4. Termination of the mandate of the board.
5. Election of a new board and auditor and their deputies
6. Determination of the annual membership fee.
7. Discussion of other items proposed in writing by a member to the board not less than two weeks in advance.

(3) The membership assembly may decide whether the association is to be dissolved, changes of by-laws and resolutions to terminate memberships by a two third majority of those present according to para.4 of the by-laws; all other items may be decided by a simple majority, each member having one vote. Power of attorney for voting rights may be issued to other members, with the proviso that no more than five votes may accrue to one member.

(4) Minutes of the resolutions by the assembled members are to be drawn up, to be signed by the person in charge of the assembly and the secretary elected for the occasion.

**Para. 7: Board of Directors.**

(1) Members of the Board must be members of the Association; they are appointed by the membership assembly for a two-year term. Renewed election is permitted.

(2a) The board is composed of:

- the president
- the 1st. vice president or deputy
- the 2nd. vice president [financial officer]
- the speaker of the AGGSH
- the head of the scientific council

(2b) Authorized deputies for the AGGSH Sponsorship Association, each on his own behalf, as determined by para.26 of the BGB (*German Civil Law*) are:

- the president
- the 1st. vice president (deputy)
- the 2nd.. vice president [financial officer]

(3) The board is responsible for all actions of the Association, unless they are reserved for the membership assembly. It transacts current business affairs and represents the Association externally. A single member of the board may attend to the external representation. The board remains in office until a new election takes place. Termination of Association membership is equivalent to termination of board membership.

(4) Convocation and heading of a membership and board meeting is the responsibility of the president. In his/her absence a deputy may fulfil the function.

Presence of at least three members of the board constitutes a quorum. The board decides by a simple majority.

(5) Minutes of board meetings are to be kept and signed by the head of the meeting as well as the 1st. vice president or deputy.

(6) The board is entitled to establish a business plan. Such plan remains tentative until ratified by the membership assembly.

(7) The board may, according to the business contract, delegate the current administration to a third party.

**Para. 8: Scientific Council.**

(1) A maximum of seven individuals, renowned for their historical and genealogical research in Schleswig-Holstein or recognized for their contribution to the AGGSH, are invited to the Council.

Confirmation is issued by the membership assembly.

(2) The Council assists the board on scientific questions.

**Para. 9: Dissolution of the Association.**

(1) In case of dissolution of the Association its assets are entrusted to the AGGSH, represented by the speaker with the obligation to allocate the assets according to the by-laws to current projects and their researchers resp.

(2) In case of dissolution of the Association the rights to the transcribed and digitized data remain with the respective researcher, with the AGGSH and the provincial archives of Schleswig-Holstein (*Landesarchiv Schleswig-Holstein*).

(3) In case of a total dissolution of the AGGSH as a work group the rights to the transcribed and digitized data remain jointly with the individual researcher and the provincial archives (*Landesarchiv Schleswig-Holstein*).

**Para. 10: Effective Date**

The by-laws adopted on occasion of the constituting assembly of the Association on 11 January 2003 took effect on the day of registry in the Association Register of the Kiel Court (*Amtsgericht Kiel*) under ... on .....