

# Statute of Wassersportverein Honnef e.V.

Latest revision per decision of general Meeting on March 15th 2013;

This revision was entered into the Register of Associations of the Local Court Siegburg on January 14th 2014

## §1

### Name and Location of the Club

The Wassersportverein Honnef e.V. , founded on October 7th 1922, is located in Bad Honnef. The Club is registered in the Register of Associations of the Local Court Siegburg under the Designation VR 90242.

## §2

### Purpose of the Club

1. The Wassersportverein Honnef e.V. (abbreviated WSVH) intends the Promotion of the Sport, especially of the Youth, by practicing water sports and additional sports.

The purpose of the Club is realized by organising a controlled Sport and Practice Operation in all areas, including leisure and recreation Sports as well as performance-based Training. This includes

- participation in sports and club events
  - competitions
  - general youth events
  - education/ further education and the use of exercise instructors and coaches
  - participation in cooperation
  - supply and maintenance of equipment, real estate and other objects in the club property
2. The Club pursues exclusively and direct charitable purposes as defined by the section "tax-advantaged purposes" of the Tax Code.
  3. It acts altruistic and does not pursue its own economic purposes. All funds may only be used for statutory purposes. Members receive no profit shares and any other payments from the funds of the club. No member may receive any benefit from expenditure that are in contradiction to the purpose of the club and disproportionate.
  4. Party Political and ideological aspirations are excluded.
  5. The Managing Board may decide that when needed and taking into account the resources and the budgetary situation club and offices organ for valuable consideration on the basis of a contract of employment or upon payment of a generalised sum.
  6. Retiring members have no claims against the club on payment of the value of a share of the assets of the club.

## §3

### Club flag and club badge

1. The flag of the club shows a red circle with a black border. From this circle 4 fields lead to the sides. The lateral fields are blue and the upper and lower fields are white. In the white space the letters W.S.V.H. are written.

2. The club badge corresponds the design of the club flag.

## §4

### Membership

1. Membership is open to any individual or legal person who respects the objectives of the club. Legal person can only be supporting members. Active members declare upon joining, which section they want belong to.
2. The WSVH has active, supporting and honorary members (honorary chairman).
3. Active members have the same rights to practice water sports by using the equipment and facilities of the club considering this Statute, the club rules and the directions of the joint board. They must be experienced swimmers and confirm this in a written form. Exceptions may allowed for motorboat enthusiasts by the joint board.
4. Supporting members have access to the club premises and club equipment, but no right to use the club facilities and club sports equipment. The transition from an active member to a supporting member is only possible at the end of a fiscal year.
5. Honorary Members (Honorary Chairman) have the rights of active members. They are exempt from membership fee.
6. Each member must get a copy of this statute upon joining the club.

## §5

### Commencement and termination of membership

1. The affiliation of members is based on a written application and the decision of the Executive Board. In case of no affiliation and termination of the membership the club is not obliged to give reasons within the first year.
2. People, who have rendered outstanding services to the club, can be marked as Honorary member.
3. Membership is terminated by resignation, death, cancellation or exclusion.
4. The resignation from the club must be done in written from and addressed to the joint board. It is only valid at the end of a fiscal year with a notice period of three months.
5. The joint board can decide about a removal from the membership by majority vote if a member is in backlog with it's payments more than six months and within this time a written warning was sent, that indicates the possibility of a termination of the membership. A member can be exclude if he or she does not respect this statute or acts in a club-destructive way. The member gets the opportunity to give a statement in front of the Council of Elders to the reasons for exclusion within a period of one month.
6. Upon termination, for whatever reason, all claims from the membership relation are becoming void. Any outstanding obligations of the membership relationship, especially outstanding obligations to contribute, remain unaffected. Club owned objects must be returned to the club or be value-based compensated. The resign member is not entitled for repayment of overpaid contributions.

## §6

### Membership Fee

The amount of the admission fee, fees and contributions, that are paid by the members, as well as the method of payment are directed by the general meeting. The general meeting issues guidelines according to the joint board, which may grant reductions in contributions caused by old age, occupational or other reasons. The allocations are limited to three times an annual subscription.

## §7

### Administrative Offense

1. The joint board is authorized, after listening to the involved parties, to ensure compliance with statutes, regulations and orders of the joint board by the following justified sanctions:
  - a. warning
  - b. written reprimand
  - c. Fines up to 100 euros
  - d. temporarily ban to use the club sports equipment
  - e. temporarily ban to enter any club facilities and club property

The penalties must be announced on the bulletin board incl. justification

2. Against this punishment the parties concerned may consult the Council of Elders. The Appeal has no dilatory effect.

## §8

### Elements of the Club

Elements of the Club are:

1. the general meeting
2. the youth meeting
3. the joint board
4. the executive board
5. the advisory board
6. the council of elders

## §9

### General Meeting

1. The Club is obliged to hold a general meeting at least once a year in the first quarter of a calendar year. The members must be invited in written form by the joint board at least 14 days in advance. The invitation must include the agenda. Applications, which must be signed by at least five members have to be handed over to the joint board in written form until the 31 December of the previous year and must be added to the invitation.
2. The general meeting has to administrate the following tasks:
  - a. Receiving the reports of the joint board,
  - b. Receiving the report of the Treasurer and the reports of the cash auditors,
  - c. Relief of the joint board,
  - d. Election of:
    - executive board
    - secretary
    - two cash auditors
    - council of elders
    - advisory board according to §13(1)a., §13(1)c. and §13(1)d.
  - e. Definition of the membership fees, motorboat footbridge fees and the budget,
  - f. Resolution for the available applications according to (1), paragraph 1

3. The chairman or his representative conducts the general meeting. The process and the decisions of the meeting must be noted down in a written document, which shall be signed by the chairman and the secretary.

Resolutions of the general meeting require a majority of valid votes. In a tie of votes, the chairman decides. All active members who attained the age of 18 and belong to the club more than 12 months as well as the members of the joint board and the advisory board are entitled to vote.

## §10

### Extraordinary general meeting

An extraordinary general meeting can be convened by the decision of the joint board. When there is a request in written form of 10% of the members who are entitled to vote, the joint board has to convene and conduct such a meeting within a period of two weeks. §9 applies for this meeting analogously.

## §11

### The joint board

1. The joint board consists of:
  - a. the 1st chairman
  - b. the 2nd chairman
  - c. the treasurer
  - d. the secretary
  - e. the head of the rowing division
  - f. the head of the motorboat division and
  - g. the elected representative of the youth according to the youth statute
2. The joint board is responsible for managing the club. The joint board makes the necessary decisions, the agenda for the general meeting and conducts these decisions. Decisions which affect special interests of the motorboat division can only be taken with the acceptance of the head of the motorboat division. Decisions which affect special interests of the rowing division can only be taken with the acceptance of the head of the rowing division.
3. The executive board, with its 1st and 2nd chairman and the treasurer execute the decisions of the joint board, managing daily business and decides urgent affairs related to the club.
4. The executive board represents the club according to §26 BGB to provide that two members of the executive board are jointly authorized to represent the club

The executive board is elected for two years. The members of the board remain in their position even after expiration of the mandate until a new executive board is elected. If a member of the executive board leaves early, the joint board may appoint a successor for the remaining mandate by decision.

## §12

### Board meetings of the joint board

The joint board shall be convened by the 1st chairman or, in his absence, by the 2nd chairman whenever a board meeting is necessary. The joint board makes decisions by a majority of votes of the present board members. The chairperson decides in a tie. Decisions of the joint board must be recorded in writing and kept in a suitable form. The record must be signed by the chairperson and the secretary. The joint board shall

inform the members about important decisions in an appropriate manner. The youth attendant is invited to the meetings of the joint board in advisory capacity.

### §13

#### Advisory Board

1. The advisory board consists of:
  - a. the youth attendant  
the socially attendant  
the press attendant  
the caretaker  
the celebration attendant  
the 2nd Treasurer
  - b. - the elected representatives of the divisions according to §16 - each division can send up to six representatives to the advisory board,  
- the elected members of the youth board according to the youth statute,  
- one representative of the schools that hold a contractual agreement with the club,
  - c. the assessors for the supporting members (according to the number of supporting members: there is one assessor for 30 supporting members; the number of supporting members is brought up to a round figure that can be divided by thirty)
  - d. other members elected by the general meeting
2. The advisory board shall be convened by the joint board. The agenda must be added.
3. The advisory board has the task to advise the joint board concerning fundamental sporting and organizational tasks that affect club. The joint board must consult the advisory board before a decision is made.

### §14

#### Council of Elders

There is a Council of Elders in the club, composed of five members. The Council of Elders is elected by the general meeting for three years. The members of the Council of Elders must be at least 40 years old and belong ten years to the club. The Council of Elders is responsible for the exclusion of a member according to the terms of §5 of this statute, imposition of penalties according to §7 of this statute and nomination of honorary members (Honorary Chairman). Furthermore the council is intended to act as agent when there are serious personal disputes among members. If three members at least are present the Council of Elders is quorate. In a tie of votes the chairman of the Council of Elders decides. The Chairman of the Council of Elders is elected by the Council of Elders.

### §15

#### Financial Affairs

1. The provision of funds for the expenses of the club is kept by the approved Budget. This budget is prepared by the joint board and approved by the general meeting. Based on the approved budget the joint board decides on the revenue and expenditures.

2. Taking Loans and the acquisition of other pecuniary obligations must be released by the general meeting.
3. The fiscal year is the calendar year. The annual financial statement will be conducted on the basis of the budget and shall end on 31th December each year.
4. The accounting of the club shall be checked by the elected cash auditors before the general meeting takes place. In an emergency, the checking can be done by one auditor.

## §16

### Divisions

1. There are two divisions within the WSVH. The rowing divisions and the motorboat division. Each division elects its Head of the division and decides their own internal rules for their sport. The elected head of the division is member of the joint board of the WSVH. Each division elects its representatives for the advisory board of the WSVH. The number of representatives can be up to six per division. Each division can introduce its own rules of internal procedure, conduct meetings, choose specialists for special tasks and contact other clubs or divisions of other clubs concerning special affairs.
2. Each division is responsible for a proper execution of their sport and maintenance of sports equipment and facilities of the club.
3. Each division is obliged to conduct a meeting at least once a year. This meeting elects the Head of the Division as well as other required elections. This meeting of the division must be held not later than five weeks before general meeting of the WSVH. The rules for the general meeting of WSVH are applied analogously to the division meetings.
4. Members, who are active in both divisions, can only vote for one division.
5. All club members pay the membership fee, that is approved by the general meeting of the WSVH, as well as the land fees when applicable. A special amount of the budget will be provided for each division. This amount is for administrative expenses and the technical work.
6. The divisions can levy apportionments, which must be managed in a special fund of the Treasurer. The divisions are free to dispose on this apportionments within the statutory objectives.

## §17

### Youth Statute

Members of the club, that are under the age of 18, are self-managed of a youth statute that is approved by the general meeting.

## §18

### Liability

1. Volunteers and officials whose remuneration does not exceed tax and social security deductions, are liable for damages to the members and to the club, that caused by fulfilling their volunteer work and only for wilful intent and gross negligence.

2. The club is not liable for negligently caused damages members have suffered executing their sport, usage equipment or facilities of the club or attending club events, except such damages are not covered by the insurance of the club.
3. Each member is liable for the damaged club property in case of negligence

### §19

#### Tribute

1. In addition to the honorary membership the club can award members who belong 20 years to the club or rendered outstanding services to the club with the silver badge of honor. Members who are a member for 40 years or rendered special outstanding services can be awarded with the golden badge of honor. The Council of Elders decides on the award.
2. The Council of Elders can honor members who have distinguished themselves through outstanding athletic achievements. This members are recommended by the relevant sport division.

### §20

#### Amendment of this statute

The general meeting or an extraordinary general meeting decides on the amendment of the articles of the statute by a majority of 3/4 of the valid votes. The amendment of the club's purpose (§2 of this statute) requires the acceptance of all active members who are entitled for voting.

### §21

#### Club Rules

The elements of the club (according to §8 of this statute) or the divisions (according to §16 and §17 of this statute) may decide regulations to manage their businesses. The regulations must not contain terms that are in contradiction to this statute. All regulations are not included in this statute.

### §22

#### Liquidation of the Club

1. The general meeting decides on a liquidation of the club with a majority of 3/4 of the votes.
2. Upon liquidation of the club or loss of tax-privileged purposes the existing club's assets goes to the city Bad Honnef after the end of the liquidation. The city Bad Honnef has to use the assets directly and exclusively for charitable purposes within the meaning of §2 of this statute.

### §23

#### Validity of this Statute

1. This statute was adopted by the general meeting on 15.03.2013.
2. This statute take effect upon its entry in the register of associations.
3. All previous statutes expires in this moment.

## Youth Statute of the Wassersportverein Honnef e.V.

### §1

#### Membership

All active members under the age of 18 years and the elected members of the Youth Committee are members of the youth division of the Wassersportverein Honnef e.V..

### §2

#### Tasks of the Youth Division

Tasks of the youth division are:

- a. the promotion of professional and amateur sport as a part of the youth work,
- b. arrangement of the youthful community life,
- c. taking care of national and international communication on sports and youth level.

The youth division is supporting the youth welfare within the meaning of § 75 SGB VIII (KJHG).

The youth division manages and administrates itself autonomously as part of the Statute of the club and the youth statute.

The youth division decide on their funds that come via the budget of the club or other sources. The paid contributions of the members of the youth division, admission fees and apportionment are not covered by this power of disposal.

The Treasurer of the club manages this funds. The cash auditors of the club check this funds.

### §3

#### Elements of the Youth Division

The elements of the youth division are:

- a. the youth meeting
- b. the youth committee

### §4

#### Youth meeting



1. The youth meeting is the supreme element of the youth division of the Wassersportverein Honnef e.V..
2. The tasks of the youth meeting are:
  - a. the definition of the guidelines for the activities of the Youth Committee,
  - b. the receiving of the reports of the Youth Committee,
  - c. the relief of the Youth Committee,
  - d. the election of the Youth Committee,
  - e. the election of representatives for youth congresses (the club or the youth division must have the right to send a representative),
  - f. the resolution on submitted applications.
3. The youth meeting takes place annually in the first quarter of the calendar year. The youth meeting takes place at least three weeks before the general meeting of the club takes place. The youth meeting is convened by the Youth Committee at least a week in advance. The invitation must be available in written form and includes the agenda and eventual applications.
4. If 1/5 of the youth division's members requests a meeting, an extraordinary youth meeting must take place within four weeks.
5. A simple majority of valid votes is sufficient for resolutions and elections; each member of the youth division have the right to vote

Only members that are present in person have the right to vote.

## §5

### Youth Committee

1. The youth committee consists of:
  - a. the chairman,
  - b. the 2nd chairman, secretary at the same time,
  - c. three assessors.
2. The chairman of the youth committee represents the interests of the youth division of the club. He is member of the joint board of the club.
3. The members of the youth committee are elected by the youth meeting and remain official until the next election.
4. Each member of the club can be member of the youth committee. Three of the five members of the youth committee must be adolescents at that time, when the election takes place.
5. The youth committee perform the tasks of the youth division. The youth committee fulfils these tasks in accordance with the statute of the club, the youth statute and decisions of the youth meeting.
6. Decisions of the youth meeting and the youth committee must be taken in accordance with the statutes and all other regulations. Decisions are invalid when they violate these statutes and regulations.
7. The youth committee is responsible for the decisions of the youth meeting.

8. The meetings of the youth committee will take place as needed.

In case 2/5 of the members of the youth committee request a meeting, a meeting must be convened by the chairman of the youth committee within two weeks.

#### §6

##### Conference of the youth committee and the youth meeting

The conferences of the youth committee and the youth meeting must be recorded in written form. A copy of each protocol shall be posted on the bulletin board and forwarded to the joint board.

#### §7

##### Participation of the executive board in conferences of the youth committee and the youth meeting

The members of the executive board of the WSVH must be invited to all conferences of the youth meeting. They have an advisory vote in the conferences.

#### §8

##### Modification of the youth statute

Modification of the youth statute can only be decided by the general meeting of the club.

