

# **Statutes for the *Bündnis Freie Szene Berlin e.V.***

## **preamble**

The Bündnis Freie Szene Berlin e.V. is an amalgamation of member-based associations, associations or other associations of persons of the "independent scene" of contemporary art and culture in Berlin.

The term "independent scene" defines the entirety of all independent artists, ensembles, institutions and structures in Berlin in the fields of visual arts, dance, performing and performative arts, music, literature and all cross-disciplinary and transdisciplinary artistic fields Work.

## **§1 Name, seat and business year**

The association bears the name Bündnis Freie Szene Berlin.

It should be entered in the register of associations and then bears the addition "e.V."

The seat of the association is Berlin.

The financial year is the calendar year.

## **§2 purpose of the association**

1. The purpose of the association is the promotion of art and culture as well as the promotion of cooperation and exchange between artists and cultural workers

2. The association realizes its goals in particular by selflessly organizing a variety of artistic and cultural-political events and offers for the general public together with interest representatives and artists from the independent scene, including:

- a) artistic actions and campaigns
- b) Interventions in urban space and performances
- c) Publications and discussion events
- d) Film screenings, readings, exhibitions
- e) Festivals and guided tours

3. The association pursues exclusively and directly charitable purposes in the sense of the section "Tax-privileged purposes" of the tax code in the currently valid version.

The association is selfless, it does not primarily pursue its own economic purposes. The association's funds may only be used for statutory purposes. The members do not receive any benefits from the association. No person may be favored by expenses that are alien to the purpose of the corporation or by disproportionately high remuneration.

4. The association is politically and denominationally neutral.

## **§3 membership**

Any legal person or association of persons who represents a branch or a relevant number of independent artists who are not yet represented in the association by other associations or associations and who the self-image of "independent scene" defined by the association can become a full member. represented.

In addition to the regular members of the association, there are sustaining members. Supporting members are natural persons. The sponsoring members actively support the activities of the association by taking on offices or by making financial contributions. They are not entitled to vote at the general meeting. The board of

directors decides on the admission of the sponsoring members. If the board rejects admission, the rejected sponsoring member can contact the general assembly. Only the general assembly decides on the admission of full members.

#### **§4 Rights and duties of the members**

The members - regular as well as supporting members - are obliged to support the association and the association's purpose in a proper manner - also in public.

The members have the right to submit proposals to the general assembly. However, the right to vote in the general assembly can only be exercised by full members.

#### **§5 Beginning and end of membership**

The general assembly decides on admission to the association with a three-quarters majority. If the general assembly rejects admission, it is not obliged to inform the applicant of the reasons for the rejection.

Membership must be applied for in writing. The termination of membership must also be communicated in writing.

Membership ends through resignation, exclusion, death or through the dissolution of the legal entity. or association of persons.

A member can only be excluded from the general meeting for an important reason and only with a three-quarters majority. Important reasons are, in particular, behavior that damages the goals of the association or the violation of statutory duties.

Upon termination of membership, for whatever reason, all claims from the membership expire. A return of contributions, donations or other support services is fundamentally excluded.

#### **§6 membership fees**

The association does not charge an admission fee. The amount of the monthly membership fee depends on the will and the possibilities of the member. However, the general assembly sets a minimum contribution.

#### **§7 organs of the association**

The organs of the association are:

- the board of directors
- the general assembly

#### **§8 The Board of Directors**

The board consists of three members. Two board members are each authorized to represent. Natural persons can be elected as members of the board of directors who are representatives of a full member or who are sponsoring members.

The board of directors is elected by the general assembly from among the full members for a period of two years. The re-election of board members is permitted up to three times.

The board of directors leads the association's work according to the resolutions of the general assembly. He gives himself rules of procedure, which are given to the general assembly for information. The association is only liable with its assets for damage - also towards its members - (§31 BGB). As far as legally possible, further personal liability of the members of the organs of the association for the activities to which they are entitled is excluded.

Resolutions of the board of directors are recorded in the minutes of the meeting and signed by all three board members. The board has a quorum if all three board members participate. The board of directors decides by unanimous resolution which concrete measures are to be taken to promote the purpose of the association and to implement the resolutions of the general assembly. Abstentions are possible.

If a board member resigns before the end of his election period, the board is entitled to appoint a provisional board member until the next general meeting, which must be called within six weeks.

The board members can receive an expense allowance according to § 3 No. 26a EStG. The details are regulated in the rules of procedure. The board of directors can commission management or other employees to carry out the association's business. The tasks of the management are regulated in the rules of procedure.

### **§9 General Assembly**

The general assembly consists of the members of the association. Only ordinary members are entitled to vote. Supporting members take part in the general assembly in an advisory capacity. Ordinary members only have one vote each. All organ representatives of a full member can take part in the general meeting, but must name the organ member entitled to vote at the beginning of the general meeting.

The general assembly meets at least once a year at the invitation of the board.

The written (also electronic) invitation must be sent at least two weeks before the meeting. An extraordinary general meeting must be called if the board decides to convene for important reasons or if at least one third of the members request a general meeting from the board in writing, stating the reasons.

All members - full members and sponsoring members - are entitled to participate in the general meeting and must be invited.

The annual general meeting called by the board decides on the guidelines of the association's activities and deals with all related fundamental questions and matters, especially:

- Election and discharge of the board of directors
- Determination of membership fees and resolution of the membership fee regulations
- Receipt of the association's reports from the board
- Resolution on amendments to the articles of association
- Passing of resolutions on the proposals to the general assembly

A meeting leader appointed by the general meeting leads the respective general meeting. The chairman of the meeting can also become a sponsoring member who is not entitled to vote.

Resolutions of the general assembly are recorded in minutes. The minutes of the annual general meetings convened by the board are signed by two board members. The general assembly has a quorum if at least half of the members participate. It passes its resolutions with a two-thirds majority, abstentions are disregarded.

Votes in the general assembly take place openly by raising hands or shouting. A covert vote takes place at the oral or written request of a member.

### **§10 dissolution of the association**

The dissolution of the association can only be decided in an extraordinary general meeting called for this purpose only if two thirds of all members entitled to vote have appeared. The resolution to dissolve requires a three-quarters majority. The board members who are in office and who are authorized to represent are appointed as liquidators, unless the extraordinary general meeting decides otherwise.

If the association is dissolved or if tax-privileged purposes cease to exist, the association's assets will be transferred to a legal entity under public law or another tax-privileged corporation for the purpose of promoting art and culture. The liquidators decide on the institution. Resolutions on the future use of the assets may only be carried out with the consent of the tax office for corporations.

### **§11 entry into force**

The general assembly grants the executive board the right to make changes to the statutes that are required by official bodies within the scope of their responsibility or that are necessary to achieve charitable status. These changes may neither significantly change the purpose of the association nor restrict the rights of its organs and members.

The statutes come into force when they are first entered in the register of associations.

