

# INTERNATIONAL VIOLA D'AMORE SOCIETY e.v.

## Bylaws

### § 1 Name, seat, financial year

1. The Society carries the name

International Viola d'amore Society e.V. [= registered charity]

2. The seat of the society is 75031 Eppingen.
3. The Society is politically and philosophically neutral.
4. The financial year of the society is the calendar year.
5. All in the bylaws used the male genders (e.g., president) also stand in lieu for the female terms.

### § 2 Purpose of the Society

1. The Society pursues exclusively and directly charitable purposes in the sense of the section "tax advantaged purpose" of the tax code.
2. The purpose of the society is the advancement of art and culture.
3. The purpose of the bylaws is carried out through the curation of the music for viola d'amore, particularly through
  - 3.1. The publication of information for the members, in which for the benefit of the members and as a service to scholarship it should be corresponded with respect to
    - 3.1.1. newly discovered works in the libraries and collections
    - 3.1.2. new editions respectively publications (sheet music, music-scholarly literature and sound recordings)
    - 3.1.3. Events and concerts
    - 3.1.4. Instruments and bows
    - 3.1.5. New insights in the construction of instruments
    - 3.1.6. The support of education (for students, lay persons, pupils)
  - 3.2. Carrying out the international viola d'amore congresses

- 3.3. The possibility to provide the exchange of experience a broad platform
4. The Society acts selflessly; its primary purpose is not for its own commercial gain.
5. The means of the society can only be used for purposes in accordance with the bylaws. The members do not obtain any financial contributions from the means of the society.
6. No person can be favored through expenditures, which are foreign to the purpose of the legal body, or through disproportionately high compensation.
7. Volunteers can only claim reimbursement of expenditures.

### **§ 3 Membership**

1. Every natural or legal person can become a member of the society. The board decides about each written membership application. Against a rejection, which does not need to have a justification, the applicant has the right to appeal to the general assembly of the members, which then decides definitively. For minors the application has to be prepared by the legal guardian.
2. The membership ends
  - 2.1. with the death of the member, for legal persons with their demise.
  - 2.2. through voluntary withdrawal with written notice before the end of the calendar year and a cancellation period of three months.
  - 2.3. through elimination from the membership roster due to decision of the board, if a member despite two notices for the payment of dues is at least one year arrear and after dispatch of the second notice at least three months have passed. The elimination has to be communicated to the member.
  - 2.4. through expulsion from the society due to an important reason determined by the board. Important reasons are particularly behavior damaging the goals of the society or the disregard of duties based on the bylaws. Prior to the decision the member has to be given the opportunity within an appropriate time frame to justify himself personally or in writing before the board. Against the expulsion the member can appeal to the general assembly of the members. The appeal has to be handed in writing to the board within a month after having received the determination of expulsion. Does a member not use of the appeal or misses the deadline for the appeal, he subjects himself with it to the declaration of expulsion with the consequence, that the membership is considered as terminated.
3. Written communications are also possible by e-mail.
4. The members have no right to the assets of the society upon their leave.
5. Society dues are raised from the members.
6. Honorary members are exempt from membership dues.

## **§ 4 Committees/bodies of the society**

The committees / bodies of the society are

1. The general assembly of the members.
2. The board.

## **§ 5 General assembly of the members**

1. The board has to call for the general assembly of the members at least once per calendar year in writing four weeks prior including the announcement of the meeting's location. Additionally, it is required to do it, if at least a third of the members demand it in writing with indication of reasons. The written form is also maintained by e-mail or by Newsletter. The deadline commences on the business day following the posting. The invitation is considered received by the member, if it is sent to the address last known by the society.
2. At the general assembly of the members each present member—including honorary members—has one vote.
3. With the presentation of a written power of attorney by a not present member, the voting right of this member not present in person can be exercised by a member present. This power of attorney is valid too, if it was made by e-mail.
4. Every properly called general assembly of the members as a quorum regardless of number of members present. A member of the board chairs the general assembly of the members. The minutes are taken by the secretary. If he is not present, the chair determines a person who takes notes.
5. The agenda has to be amended, if a member requests it at least one week prior to the date in writing or by e-mail. The amendment has to be communicated prior to the general assembly. The general assembly of the member decides about applications for the amendment of the agenda, which are only brought forward during the meeting. For approval a three quarter majority of the cast valid votes is required. Application regarding the voting out of the board, about changes of the bylaws and about the disbandment of the society, which were not sent to the members already with the invitation to the general assembly of the members can only be decided upon at the following general assembly of the members.
6. The general assembly of the members is responsible for
  - 6.1. Receiving the annual report of the board
  - 6.2. the report of the auditor with subsequent decision about the discharge of the board
  - 6.3. Election of the board, unless election by mail is decided
  - 6.4. Election of two auditors, which cannot be members of the board, for the period of two years (execution of the position until new election)
  - 6.5. Determination about the amount and date due of the annual dues
  - 6.6. Decision of the budget for the following year
  - 6.7. Planning of future activities

- 6.8. Commendations of members
  - 6.9. Confirmation or lifting of a decision by the board, which is about the expulsion of a member
  - 6.10. Changes of the bylaws and dissolution of the Society
7. The general assembly of the member is not public. The chair can permit guests. The approval of print or image-media has to be decided by the general assembly of the members.
  8. Votes by the general assembly of the members are decided by simple majority of the valid cast votes; only changes of the bylaws and a dissolution decision requires a three quarters majority. In case of a tie, the chair casts the deciding vote.
  9. The form of the vote is decided by the chair. The vote has to be done in writing, if a third of the present members entitled to vote demands it.
  10. For elections the following applies: If in the first round no candidate reaches the simple majority of the cast valid votes, a run-off election between the two candidates with the two highest vote counts is occurring.
  11. Minutes about the decisions of the general assembly of the members has to be prepared, which has to be signed by the chair and the secretary.
  12. The minutes should contain the following determinations:
    - 12.1. Place and time of the meeting, the name of the chair and the secretary, the number of members present, the agenda, the individual voting results and the mode of the vote.
    - 12.2. The minutes should be supplemented with a list of attendees.
    - 12.3. For changes of the bylaws, the specific wording should be given.

## **§ 6 Board**

1. The board carries out the business of the society and can give itself internal rules. Its four members are elected for four years and remain in the position until new elections. The board determines itself the distribution of the functions: president, vice-president, secretary, treasurer. Certain duties can be delegated to other members by the board (dues), which can be adduced to board meetings. The president invites to board meetings or as needed or upon request of at least two members of the board. The thereby obtained decisions require a simple majority and at least three members of the board; in case of emergency communication pathways such as in writing, by phone, fax, e-mail or skype. All decisions must be protocolled and signed by the chair.
2. The board in the sense of § 26 BGB [German Civil Code] is the president and the vice-president.
3. They are each permitted to represent alone.

4. If a member steps down during the election period, following a decision by the board one of the other members takes on the business of the departed until the new elections according to the bylaws.

## **§ 7 Data protection in the society**

1. In order to fulfill the purpose and assignments of the society, personal and circumstantial data of members are processed by the society in compliance with the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (in German: BDSG)
2. Insofar as the qualifications as described in the respective regulations are fulfilled, each member of the society has the following rights, in particular the right of:
  - access to personal data, in compliance with article 15 GDPR,
  - correction of personal data, in compliance with article 16 GDPR,
  - deletion of personal data, in compliance with article 17 GDPR,
  - restriction of processing personal data, in compliance with article 18 GDPR,
  - data portability of personal data, in compliance with article 20 GDPR, and
  - objection, in compliance with article 21 GDPR.
3. Executive bodies, all staff or any other person active in behalf of the society are forbidden to unwarrantly process personal data, publish it, make it accessible to third parties, or use it otherwise to purposes other than that demanded for executing the respective task. This obligation to the said persons of the society remains in effect after their withdrawal from functions.

## **§ 8 Dissolution of the Society**

1. The dissolution of the Society should be decided during an extraordinary general assembly of the members.
2. The residual assets of the society falls with its dissolution or with the removal of tax-exempt purpose to the *Deutsche Viola-Gesellschaft e.V.*, registered on May 18<sup>th</sup>, 1979 at Amtsgericht Bonn under VR 4386, which has to use it directly and exclusively for charitable purposes.

The bylaws above were handed in during the founding meeting on October 21<sup>th</sup>, 2013.  
Dreieich-Sprendlingen, Germany, October 21<sup>th</sup>, 2013  
Registered on November 5<sup>th</sup>, 2013 at Amtsgericht Heilbronn, Germany, under VR 3662.

[Translated by Daniel L. Geiger, translation is not legally actionable. Translation is quite literal, at times with odd sentence structure in English]

Modifications were agreed by general assembly on June 16<sup>th</sup>, 2016.  
Lusławice, Poland, June 16<sup>th</sup>, 2016  
Registered on January 10<sup>th</sup>, 2017 at Amtsgericht Stuttgart, Germany, under VR 103662.

Modifications were agreed by general assembly on June 5<sup>th</sup>, 2018.  
Sondershausen, Germany, June 5<sup>th</sup>, 2018  
Registered on August, 17<sup>th</sup>, 2018 at Amtsgericht Stuttgart, Germany, under VR 103662.