

Membership form SmashedCandy e.V. Leipzig



selfchosen name:.....

name (passport)*:

date of birth*:

adresse*:

e-mail*:.....

I hereby apply for **sponsor membership** of SmashedCandy e.V. Leipzig as of (date).

I have read the statutes and accept them.

I pay _____ € per month I pay _____ € per quarter

I pay _____ € per half year I pay _____ € per year

The amount is freely selectable. From 5€/month would be great. As we have to pay €0.20 per direct debit to the bank, please choose the less frequent direct debit period if possible. Thank you!

Issuing the SEPA direct debit mandate

Creditor ID: DE19ZZZ00002522500 The mandate reference will be communicated separately.

Account holder:

Credit institution:

IBAN: BIC:.....

Due date of membership fees and termination: The membership fee is due at the beginning of each month/half year/quarter/year.

Resignation from the association must be communicated to the Executive Board in writing by e-mail. Resignation is only possible on the 15th or the following working day of a month.

Exclusion of liability: The association is not liable for any injuries or damage that may occur in the club rooms or at club events.

I hereby sign the application for sponsor membership

..... (place, date, signature of applicant)

I authorize Smashed Candy e.V. to collect payments from my account by direct debit. At the same time, I instruct my bank to redeem the direct debits drawn on my account by the association. Note: I can demand reimbursement of the debited amount within eight weeks of the debit date. The conditions agreed with my bank apply.

..... (place, date signature of account holder)

Please note: This is an automated translation provided for informational purposes only. It is intended to assist English-speaking individuals in understanding the key elements of our statutes. In case of discrepancies or doubt, the original German version shall prevail. Please contact us for clarification.

ARTICLES OF ASSOCIATION

§1 Name and Registered Office of the Association, Financial Year

- (1) The association bears the name Smashed Candy. It is to be entered in the register of associations and shall thereafter bear the suffix “e.V.”.
- (2) The association has its registered office in Leipzig.
- (3) The financial year is the calendar year.

§2 Purpose, Charitable Status of the Association

- (1) The association, with its registered office in Leipzig, pursues exclusively and directly charitable purposes within the meaning of the section “Tax-Privileged Purposes” of the German Fiscal Code (Abgabenordnung) in the version applicable at the time.
- (2) The purpose of the association is the promotion of art and culture and the promotion of equality of all genders.
- (3) Through its activities, the association aims to create a space for encounters in which active exchange on gender and sexuality can take place. Through its activities, the association aims to plan and carry out cultural events. Through its activities, the association aims to promote and support discriminated people.
- (4) The statutory purposes are realized in particular through:

- inviting external workshop facilitators and thereby conducting workshops and seminars
- gender-specific body experience and perception workshops
- events conducted with low barriers and in multiple languages
- offerings for engagement with discrimination on the grounds of sexism, misogyny, racism, antisemitism, body shaming, limitations due to mental or physical reasons, etc.
- networking and the associated exchange with people from other cities and countries
- the association’s own engagement with and training of its members on forms of discrimination

§3 Selflessness

The association operates altruistically; it does not primarily pursue its own economic purposes. The funds of the association may only be used for statutory purposes in accordance with §2. Members of the association receive no benefits from the funds of the association in their capacity as members.

No person may be favored by expenditures that are alien to the purpose of the association or by disproportionately high remuneration.

§4 Membership

- (1) Any natural person who has reached the age of 18 and any legal entity that supports the tasks and goals of the association may become a member of the association.
- (2) All members are obliged to promote the interests of the association, in particular to regularly pay membership contributions and, insofar as it is within their capacity, to support association life through active participation.

(3) The association consists of active members and supporting members.

- Active members are those members who actively participate in the association.
- Supporting members do not participate directly in association life, but support the association ideologically, materially, or financially in pursuing its objectives.

(4) Admission to the association as an active or supporting member requires a written application for membership. The Executive Board decides on admission. The Executive Board decides on the application at its own discretion. It is not required to justify a rejection of the application to the applicant.

(5) After admission, a probationary period of three months applies. During this period, members (on probation) have no voting rights and may not be elected to any offices. Exempt from this are the founders of the association and all persons who join the association within three months after the association's founding. After the probationary period has expired, the Executive Board decides on admission as a full member.

(6) Membership ends through resignation, exclusion, or death.

(7) Resignation from the association is only possible on the 15th day or the following working day of any month. It takes place through a written declaration (by post or email) to the Executive Board and becomes effective on the first day of the following month.

(8) A member may be excluded by the Executive Board if there is an important reason, including, among others, violations of the Articles of Association, conduct harmful to the association, in particular if activities become known that involve the discrimination of other people, or if a member is in arrears with membership contributions for three months.

Exclusion from the association takes effect immediately. Upon termination of membership, there is no entitlement to a share of the association's assets.

§5 Admission Fee and Membership Contributions

(1) Membership contributions are levied.

(2) The amount of the admission fee and the membership contributions is determined by the Executive Board.

(3) The Executive Board decides on reductions, deferments, or exemptions from contributions on a case-by-case basis.

§6 Organs of the Association

(1) The organs of the association are the Executive Board and the General Assembly.

(2) The General Assembly may decide on the formation of additional organs or committees of the association.

§7 Executive Board

(1) The Executive Board consists of three persons. They carry out the pending tasks in collegial cooperation.

(2) The Executive Board is elected by the General Assembly for an indefinite term. Only members of the association may belong to the Executive Board; membership in the Executive Board ends with the termination of membership in the association. Re-election is permissible at any time. If a person leaves the Executive Board during their term of office, the Executive Board may appoint another person to the Executive Board (co-option). The Executive Board may also, by way of holding multiple offices, assign one of its members to perform two offices.

(3) Each individual member of the Executive Board is authorized to represent the association individually both in and out of court.

(4) The Executive Board manages the affairs of the association and performs all administrative tasks insofar as they are not assigned to another organ of the association by the

Articles of Association or by law.

(5) The Executive Board has in particular the following duties:

- execution of the resolutions of the General Assembly
- convening and preparing the General Assembly, including drawing up the agenda and recording the minutes thereof, including the resolutions
- chairing the General Assembly
- preparation of the budget plan for the financial year, bookkeeping, and preparation of the annual report
- administration of the association's assets and preparation of the annual report
- decisions on the admission and exclusion of members

(6) All members of the Executive Board are independently authorized to pass resolutions. They are obliged to inform the other members of the Executive Board informally about decisions. The remaining members of the Executive Board are granted an informal right of veto of seven days.

§8 General Assembly

The supreme organ of the association is the General Assembly. It has, among others, the following duties:

- the founding and dissolution of the association
- the election and dismissal of the Executive Board
- receipt of the annual financial statement and the annual management report to be submitted by the Executive Board
- discharge of the Executive Board for the respective financial year
- amendments to the Articles of Association

§9 Convening and Procedure of the General Assembly

(1) The General Assembly meets as required or at the request of 25% of all members, but at least once a year. It is convened by the Executive Board by email, stating the agenda. The notice period is two weeks.

(2) An extraordinary General Assembly must be convened by the Executive Board without delay if the interests of the association require it.

(3) The agenda is set by the Executive Board. Any member may submit a written request to the Executive Board for an addition to the agenda no later than one week before the General Assembly. The Executive Board decides on the request. The General Assembly decides by a majority of the votes of the members present on motions to the agenda that were not included by the Executive Board or that are submitted for the first time at the General Assembly; this does not apply to motions concerning amendments to the Articles of Association, changes to membership contributions, or the dissolution of the association.

(4) The General Assembly is chaired by the Executive Board.

§10 Resolutions, Voting Rights, and Eligibility of the General Assembly

(1) The General Assembly is always quorate, regardless of the number of members present, provided it has been duly convened. In resolutions and elections, a simple majority of the valid votes cast decides. Abstentions are not considered votes cast. A tie vote constitutes rejection. In the event of lack of quorum, the Executive Board is obliged to convene a second General Assembly with the same agenda within four weeks.

(2) Amendments to the Articles of Association and changes to the purpose of the association require a two-thirds majority of the valid votes cast; dissolution of the association requires a three-quarters majority. In resolutions on the dissolution of the association, at least two-thirds

of the members must be present. In the event of lack of quorum, the Executive Board is obliged to convene a second General Assembly with the same agenda within four weeks, which is quorate regardless of the number of members present. This must be indicated in the invitation.

(3) Amendments to the Articles of Association that are required by supervisory, judicial, or tax authorities for formal reasons may be made by the Executive Board on its own initiative. These amendments must be communicated to all members promptly by email.

(4) The resolutions of the General Assembly must be recorded in minutes, signed by the person recording the minutes and by the Executive Board, and made accessible to the members.

(5) All active members have voting and election rights with one vote each after completion of the probationary period (§ 4, para. 5). Voting rights may only be exercised in person. Supporting members have no voting or election rights. All members who do not have voting rights may participate in the General Assembly.

(6) The General Assembly elects the Executive Board from among the active members. Elected are those persons who receive the highest number of votes from the active members present. The election is conducted openly. If no candidate receives a majority of the votes of the members present in an election, the person who has received the majority of the valid votes cast is elected; in the case of multiple candidates, a runoff election is to be held.

(7) The General Assembly may remove members of the Executive Board from office. For this, a two-thirds majority of the votes of all active members present is required, with at least two-thirds of all active members being present. In the event of lack of quorum, the Executive Board is obliged to convene a second General Assembly with the same agenda within four weeks, which is quorate regardless of the number of members present. This must be indicated in the invitation.

§11 Financial Expenditure

(1) Within the framework of the budgetary possibilities, the Executive Board determines whether the agents of the association and the holders of association and statutory offices who work for the association on a voluntary basis receive reimbursement of expenses pursuant to §670 of the German Civil Code (BGB) for expenses incurred by them through their activity for the association. This includes in particular travel expenses, travel costs, postage, telephone costs, material costs, catering costs, cleaning supplies, etc. The Executive Board is authorized to reimburse expenses in the form of lump sums, provided these do not obviously exceed the actual expenses. In addition, expenses incurred for the implementation of the association's objectives may be reimbursed upon presentation of invoices.

(2) Association and statutory offices may be remunerated if necessary within the framework of the budgetary possibilities.

(3) Within the framework of the association's budgetary possibilities, fees may be paid to persons who are members or non-members of the association who contribute through their activities to the realization of the association's purposes.

(4) For the performance of management tasks and the operation of the office, the Executive Board is authorized, within the framework of the budgetary possibilities, to employ staff. According to the BGB, these may also be members of the Executive Board.

§12 Data Protection

(1) For the fulfillment of the purposes and tasks of the association, personal data concerning the personal and factual circumstances of the members are processed in compliance with the provisions of the EU General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG).

(2) Provided that the conditions described in the respective provisions are met, members have in particular the following rights:

- the right of access pursuant to Article 15 GDPR
- the right to rectification pursuant to Article 16 GDPR
- the right to erasure pursuant to Article 17 GDPR
- the right to restriction of processing pursuant to Article 18 GDPR
- the right to data portability pursuant to Article 20 GDPR
- the right to object pursuant to Article 21 GDPR
- the right to lodge a complaint with a supervisory authority pursuant to Article 22 GDPR

(3) The organs of the association or other persons working for the association are prohibited from processing, disclosing, making accessible to third parties, or otherwise using personal data without authorization for purposes other than those related to the respective fulfillment of duties. This obligation continues even after the above-mentioned persons leave the association.

(4) To fulfill the tasks and obligations under the EU General Data Protection Regulation and the Federal Data Protection Act, the Executive Board shall appoint a data protection officer as soon as this is required under the GDPR.

§13 Dissolution of the Association and Allocation of Assets

(1) The dissolution of the association may be resolved by the General Assembly in compliance with the majorities specified in §10 para. 2.

(2) The liquidators are appointed by the General Assembly.

(3) In the event of dissolution or revocation of the association or if the tax-privileged purpose ceases to apply, the assets of the association shall fall to Rosalinde Leipzig e.V., which must use them directly and exclusively for charitable purposes.

(4) The above provisions apply accordingly if the association is deprived of its legal capacity.

§14 Entry into Force

These Articles of Association enter into force upon registration in the register of associations. Amendments to the Articles of Association that are required for registration in the register of associations by the registry court or for obtaining tax exemption by the tax office may be resolved by the Executive Board. It must inform the General Assembly thereof without delay.