



Sports club
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Articles of Association of SV Motor Mickten-Dresden e. V.

Resolution by the Executive Committee in accordance with
§29 of the Articles of Association: 30 August 2022
Registration with the local court: 20 October 2022

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§ 1 Name, registered office, registration and financial year

- (1) The Club bears the name "**SV Motor Mickten-Dresden**", abbreviated to "Motor Mickten". The suffix e. V. is used.
- (2) The Club is based in Dresden.
- (3) It is registered in the Register of Associations at Dresden District Court under the registration number VR 481.
- (4) The financial year is the calendar year.

§ 2 Purpose of the Club

- (1) The purpose of the Club is to promote:
 - sport,
 - health,
 - education,
 - youth welfare,
 - inclusion and
 - help for refugees.
- (2) The purpose of the Club is realised in particular by
 - a) organising and participating in
 - training and competition events,
 - general and open youth events,
 - measures in the field of prevention, rehabilitation and health sports,
 - measures for people with disabilities or impairments,
 - measures for integration through sport, especially for refugees,
 - b) organising and promoting professional and interdisciplinary education and training for Club members and staff.

§ 3 Non-profit status

- (1) The Club pursues exclusively and directly charitable purposes within the scope of § 2 of these Articles of Association in accordance with the section "Tax-privileged purposes" of the German Tax Code.
- (2) The Club is a non-profit organisation. It does not primarily pursue its own economic purposes. The Club's funds may only be used for statutory purposes.
- (3) In their capacity as members, members shall not receive any benefits from the funds of the Club. No person may be favoured by expenses that are alien to the purpose of the Club or by disproportionately high remuneration.
- (4) Resigning members shall have no claims against the Club for payment of the value of a share in the Club's assets and shall not receive any contribution shares in return.
- (5) The Club rejects party-political and confessional ties.
- (6) The Club promotes unprejudiced encounters between people of all ages in sport, regardless of their origin, nationality, ethnicity, ideology, gender, sexual orientation, group affiliation or disability.
- (7) The Club explicitly opposes racism and discrimination, in particular anti-democratic, antiziganist and anti-Semitic tendencies. It opposes all forms of violence, discrimination, disadvantage and manipulation, whether physical, psychological or sexual, through appropriate forms of child and youth work and their preventive application.

§ 4 Association memberships

- (1) The Club is a member of the
 - a) Landessportbund Sachsen e. V.,
 - b) Stadtsportbund Dresden e. V.,
 - c) Freiburger Kreis e. V.,
 - d) Sächsischer Behinderten- und Rehabilitationssportverband e. V..
- (2) The Club may be a member of the respective professional associations.
- (3) The Club recognises the statutes, regulations and competition rules of the clubs and associations as binding in accordance with paragraphs (1) and (2)
- (4) By joining the Club, members accept to be bound by the statutes, regulations and competition rules of the clubs and associations in accordance with paragraphs (1) and (2). Insofar as association law is mandatory, the Club shall transfer its regulatory authority to the clubs and associations in accordance with paragraphs (1) and (2).

§ 5 Structure of the Club

- (1) The Club is divided into legally dependent departments representing the individual sports, and specialised divisions attached to the head office.
- (2) Departments within the meaning of these Articles of Association are associations of club members with the same sporting objectives.
- (3) Specialised divisions are organised professionally by the head office. They are grassroots, multi-sport and health focused.
- (4) Membership of a department requires membership of the Club as a whole.
- (5) The implementation of the club's sports, training and competition activities is the responsibility of the departments and specialised divisions.

§ 6 Memberships

- (1) Any natural person can become a member of the Club.
- (2) The Club consists of:
 - a) ordinary members,
 - b) supporting members,
 - c) temporary members,
 - d) members of the specialised divisions,
 - e) trainers and exercise instructors,
 - f) honorary members.
- (3) Ordinary members are all members who participate in the life of the Club.
- (4) Supporting members support the Club through financial, economic or non-material contributions. They have neither suffrage or voting rights and do not belong to any department. They do not take part in general sporting activities.
- (5) Temporary members are members up to the age of 18 who exercise their membership within the framework of school sports for one school year. They have neither suffrage or voting rights. They do not take part in general sporting activities.
- (6) Members of the specialised divisions are members who are organised in specialised divisions. They have neither suffrage or voting rights. They do not take part in general sporting activities. The duration of the membership depends on the duration of the booked sports programme.

- (7) The trainers and exercise instructors are members who organise and carry out training programmes on behalf of the departments. If they hold a valid licence and regularly carry out training for at least 1.5 hours at least once a week, they may be exempted from paying a contribution by the Management at the request of their department. This exemption can be revoked at any time by the Management.
- (8) At the proposal of the Executive Committee, the Assembly of Delegates may appoint persons who have rendered outstanding services to the Club as honorary members. The honorary member is entitled to exercise his/her voting and election rights within the department to which he/she belongs.
- (9) A member may request the suspension of his or her membership in writing to the office. During the suspension of membership, participation in sporting activities is excluded. Membership rights and obligations otherwise remain in place. Separate rules are in force for the payment of contributions in accordance with the contribution rules.
- (10) Membership is acquired by admission. A written application for membership must be sent to the Management. This does not apply to temporary members. These are reported to the Management via collective reports from the schools.
- (11) The application of persons with limited legal capacity or legal incapacity must be submitted by the legally authorised representative. This also constitutes consent to the exercise of membership rights and obligations.
- (12) The Management decides on admission at its own discretion. If the application is rejected, the Club is not obliged to inform the applicant of the reasons. Membership begins on the requested entry date. The applicant receives a written confirmation of admission. This does not apply to temporary members.
- (13) There is no entitlement to admission.
- (14) All the members who do not belong to a department or to a specialised division are considered together as a single specialised division.
- (15) Membership ends by
 - a) leaving the Club,
 - b) death,
 - c) cancellation from the list of members
 - d) exclusion,
 - e) dissolution of the Club.
- (16) Resignation from the Club is effected by written declaration to the office. Resignation can only be declared in writing at the end of a calendar quarter, subject to a notice period of two weeks.
- (17) A member may be removed from the membership list by resolution of the Executive Committee if he/she is in arrears with the payment of membership fees despite a written reminder. Cancellation can only be decided if one month has passed since the reminder was sent and the reminder expressly threatened cancellation. The member shall be notified of the Executive Committee's decision to cancel the membership.
- (18) The exclusion of an ordinary member can be decided by the Executive Committee if the member in particular:
 - a) violates the provisions of the Articles of Association, regulations or the interests of the Club,
 - b) does not comply with the instructions or resolutions of the Club's bodies.

Before taking a decision on expulsion, the Executive Committee must give the member an opportunity to make a statement, either orally or in writing. The member must be notified in writing within 14 days.

- (19) The decision to expel a member must be justified in writing and notified to the member by registered letter. The member may lodge an appeal against the expulsion with the Executive Committee. In this case, the Executive Committee must submit a decision on the exclusion to the next Delegates' Meeting. Until then, membership is suspended. If the member does not exercise their right to appeal or misses the appeal deadline, they will be deemed to have accepted the decision and their membership will be deemed to have ended.
- (20) Upon termination of membership, for whatever reason, all claims arising from the membership relationship shall lapse. Outstanding obligations arising from the membership relationship, in particular outstanding contribution obligations, remain unaffected.

§ 7 Rights and duties of members

- (1) The members are authorised,
 - a) to use all facilities belonging to the Club or bound by the Club in compliance with the house and user regulations,
 - b) to use all sports facilities and equipment offered by the club outside their own department for the same basic fee,
 - c) to participate in the decision-making process and to work in all committees of the Club subject to their election or appointment,
 - d) to receive support for training and further education within the scope of the Club's purpose.
- (2) The rights under (1) a) to d) do not apply to temporary members and members of specialised divisions.
- (3) Members are obliged to keep the Club informed in writing of any changes in their personal circumstances. This includes in particular
 - a) Notification of changes of address and/or e-mail address
 - b) Notification of personal changes that are relevant for the contribution system (e.g. completion of school education, studies, etc.)
 - c) Change of bank details

The Club shall not be liable for, and shall not be held liable for, any disadvantage suffered by the member as a result of failure to notify the Club of the required changes. If the Club suffers any loss as a result, the member shall be liable to pay compensation.

§ 8 Limitation of liability

- (1) Persons acting on behalf of and in the interests of the Club shall not be liable to members in the internal relationship for damage or loss caused by negligence which members suffer while practising sport, using the Club's facilities or equipment or at events, insofar as such damage or loss is not covered by the Club's insurance.
- (2) If persons referred to in para. 1 are held liable by third parties in an external relationship in cases other than wilful misconduct or gross negligence, they shall be entitled to compensation from the Club for their expenses in defending themselves against the claims and to indemnification against claims by third parties.

§ 9 Data protection

- (1) Personal data of members and employees will only be collected and processed to the extent necessary to fulfil a statutory purpose or, in individual cases, with the express consent of the person concerned. The collection and processing of personal data takes place within the framework of the applicable data protection laws.
- (2) In order to further elaborate and specify the collection and use of data, the Club will issue a privacy policy.

§ 10 Voting rights and eligibility

- (1) All members over the age of 14 have the right to vote, propose motions and speak.
- (2) All members aged between 7 and 27, as well as the Youth Board, are entitled to vote, propose motions and speak at the Youth General Meeting.
- (3) Voting rights can only be exercised in person. The legal representatives of minors are excluded from voting.
- (4) All legally competent members who have reached the age of 18 shall be eligible for election to committees and functions of the Club and its departments. Exceptions apply to the Youth Board in accordance with § 23.
- (5) All members over the age of 14 can be delegates to the Delegates' Assembly.

§ 11 Contributions

- (1) A membership fee and an admission fee must be paid. The Club also charges processing fees for administrative services. Further details are set out in the contribution regulations.
- (2) The departments are authorised to levy a separate department fee from their department members in addition to the Club fees in accordance with paragraph (1). The departmental meeting decides on the amount of this departmental contribution by a simple majority. The amount of the contributions must be submitted to the Executive Committee for approval.
- (3) In addition to the membership fee, it may be necessary in individual cases for the Club to meet unforeseeable major financial requirements which cannot be covered by the regular membership fees (e.g. unforeseeable indebtedness of the Club, financing of a project or major tasks). In this case, the Assembly of Delegates may decide to levy a one-off contribution from the members. The resolution shall be passed by a simple majority of the valid votes cast by the delegates. The reasons for the non-foreseeability must be substantiated. The amount of the contribution to be paid by the individual member as a one-off payment may not exceed 25 % of the annual contribution to be paid by the member.
- (4) The amount of the contributions in accordance with paragraph (1), the necessity of levying contributions in accordance with paragraph (3), the nature and amount of the administrative services in accordance with paragraph (1), the method of payment and due date in accordance with paragraph (7) shall be determined by the Executive Committee by resolution. A two-thirds majority of the valid votes cast by the members of the Executive Committee is required to pass a resolution.
- (5) The amount of the contribution can be set differently according to membership groups. The differences must be objectively justified.
- (6) In justified individual cases, the Management may waive or defer contribution payments and obligations in whole or in part. The decision on departmental fees is made by the departmental Management.
- (7) The contributions are only collected by SEPA direct debit. Direct debits are due quarterly, usually by the 10th of the first month of the quarter. Each member undertakes to submit the required SEPA direct debit declaration.
- (8) If a direct debit cannot be collected due to insufficient funds or other reasons, the member shall bear the costs incurred. In the case of members who are in arrears with their contribution obligations after two reminders setting a deadline, the receivables will be collected by a debt collection company. The costs shall be borne by the defaulting member.
- (9) Honorary members, supporting members and temporary members are exempt from contributions.
- (10) Dormant members pay a reduced fee. Further details are set out in the contribution regulations.

- (11) The Executive Committee shall issue contribution regulations and regulate the details of the Club's contribution system.

§ 12 Penal and regulatory powers

- (1) Every member is obliged to observe and comply with the provisions of these Articles of Association and the Club's regulations and, in particular, to follow the instructions and decisions of the Club's bodies and employees. The aim of the Club is to ensure fair and sporting cooperation between its members. This includes, in particular, proper behaviour in the club's sports facilities and other training facilities used by the Club.
- (2) The misconduct of a member may result in the following sanctions being imposed by the Club:
 - a) Warning,
 - b) Administrative fine of up to 500 euros in individual cases,
 - c) Temporary exclusion from training and practice as well as from participation and authorisation to start in sporting events, tournaments and competitions,
 - d) Impeachment.
- (3) The necessary proceedings and investigations into the facts of the case will be initiated by the Executive Committee.
- (4) The member concerned shall be given the opportunity to respond in writing to the allegations made before the action is taken.
- (5) If the Executive Committee deems it necessary to impose a club penalty after conducting the investigation, it shall apply to the Club Council for the imposition of such a penalty.
- (6) The Club Council makes the final decision. This does not affect the right to appeal to the national courts.
- (7) In the case of offences referred to in paragraph (1), which are directly and exclusively related to the practice, training and competition activities of a single department, the competent departmental management is authorised to exercise the penal power. The latter makes the final decision.
- (8) If any sanctions or disciplinary measures are imposed on the Club by the association during a competition, the department responsible is obliged to bear the costs of such sanctions or disciplinary measures. If the sanction imposed by the association is caused by an individual member of the Club, that member shall be obliged to compensate the Club internally.

§ 13 Bodies of the Club

- (1) The bodies of the Club are
 - a) the Assembly of Delegates,
 - b) the Executive Committee,
 - c) the Club Council,
 - d) the Department meetings,
 - e) the Department heads,
 - f) the Youth General Meeting,
 - g) the Youth Board.
- (2) All members of the bodies work on an honorary basis.
- (3) All members of the bodies must be Club members Membership of the bodies of the Club shall cease when membership of the Club ceases.
- (4) Applications from the departments or by individual members to the bodies of the Club must be submitted via the departmental Management, unless otherwise stipulated in these Articles of Association.

§ 14 Payment for work done for the Club

- (1) The Executive Committee is authorised to commission activities for the Club against payment of appropriate remuneration or reimbursement of expenses. The decisive factor here is the budget situation of the Club.
- (2) If necessary, offices held in the Club may be exercised in return for remuneration on the basis of an employment contract or against payment of an expense allowance in accordance with Section 3 No. 26a of the German Income Tax Act (EStG) within the limits of budgetary possibilities.
- (3) The decision as to whether a Club activity is remunerated in accordance with paragraph (2) shall be made by the Executive Committee. The same applies to the content and termination of the contract. The remuneration of the members of the Executive Committee shall be determined by the Delegates Assembly.
- (4) In addition, the members and employees of the Club are entitled to reimbursement of expenses in accordance with Section 670 of the German Civil Code (BGB) for expenses incurred as a result of their work for the Club. This includes in particular commuting and travel expenses, postage, etc.
- (5) Further details are regulated by the Club's financial regulations.

§ 15 Resolutions and elections

- (1) The bodies of the Club are quorate if more than half of their members are present, unless these Articles of Association provide otherwise.
- (2) All bodies of the Club pass their resolutions by a simple majority of the valid votes cast, unless these Articles of Association provide otherwise. Abstentions and invalid votes are not taken into account. A tie vote means rejection. The same applies to the voting processes.
- (3) If the required majority is not achieved in an election, the election process must be repeated, in which case the relative majority decides.
- (4) The members of the Club's bodies are elected by individual vote.
- (5) All bodies of the Club, with the exception of the Assembly of Delegates (see § 16(4)), may take decisions at meetings in person or by telephone, virtual or electronic means.
- (6) Resolutions may be passed by circulation provided that at least half of the members of the Club's bodies participate in the circulation.
- (7) Applications to the bodies of the Club must be dealt with within a period of twelve weeks.

§ 16 Ordinary Assembly of Delegates

- (1) The Assembly of Delegates is the highest legislative body of the Club.
- (2) An Ordinary Assembly of Delegates is usually held once a year.
- (3) The date of the Assembly of Delegates is announced by the Executive Committee eight weeks in advance by means of a notice in the sports centre and on the club website www.motor-mickten.de.
- (4) The Assembly of Delegates can be held in person, hybrid or virtually. The Executive Committee shall determine the type of Delegates Assembly and shall state this in the invitation. Virtual Assemblies of Delegates take place in a virtual room that is only accessible to authorised participants. Participants must register with access data valid only for the respective Assembly of Delegates. Access details will be sent by email or letter to the contact details on file with the Club at least five working days before the Assembly of Delegates. The addressees are obliged to keep the access data confidential.

- (5) All members and bodies of the Club shall have the right to submit to the Executive Committee written motions for the agenda, stating the reasons, up to six weeks before the date of the Delegates' Assembly. This must be mentioned in the notice of appointment with reference to the deadline.
- (6) The agenda shall be set by the Executive Committee and shall be announced to the membership four weeks before the Delegates' Assembly by means of a notice in the Sports Centre and on the Club's website www.motor-mickten.de.
- (7) In exceptional cases, urgent motions may be submitted to the Executive Committee up to 8 days before the Delegates' Assembly with written statement of reasons after the agenda has been announced. Urgent motions are only permissible if it can be proven that they could not be submitted within the above-mentioned deadlines and are of such outstanding importance to the Club that they must be included in the agenda of the Delegates' Assembly. The Executive Committee shall immediately give notice of these motions by posting them at the place of communication (office and on the club website). Furthermore, the delegates must include the motion in the agenda with a 2/3 majority of those present and entitled to vote. Motions to amend the Articles of Association cannot be submitted as an urgent motion.
- (8) Any duly convened Delegates' Assembly shall be quorate if more than half of the elected delegates are present. If this is not the case, a further Delegates' Assembly must be convened within four weeks, which will have a quorum regardless of the number of delegates present. This must be indicated in the invitation.
- (9) At the beginning of the meeting, the Assembly of Delegates elects a chairperson and a secretary to take the minutes, as proposed by the Executive Committee.
- (10) All votes and elections are conducted openly by a show of hands. If a request is made for a secret ballot, the Assembly of Delegates shall decide on this. The motion is deemed to have been adopted if at least 10 % of the valid votes cast are in favour.
- (11) The following are entitled to vote
 - a) the members of the Executive Committee, each with one vote,
 - b) the delegates of the departments, each with one vote,
 - c) the members of the Youth Board, each with one vote,
 - d) the heads of department or, by proxy, the deputy head of department, each with one vote,
 - e) the head of the specialised division, each with one vote.

If a member holds several offices under points a) to e), the member only has one vote.
- (12) Minutes are taken of the proceedings of the Delegates' Assembly. This task is performed by the secretary. Resolutions shall be recorded verbatim in the minutes. Where the result of a vote is based on a count of votes, the result shall be recorded in the minutes. The minutes must be signed by the chairperson of the meeting and the person taking the minutes.

§ 17 Responsibilities of the Ordinary Assembly of Delegates

The Assembly of Delegates is exclusively responsible for the following matters of the Club:

- a) Acceptance of the reports of the Executive Committee,
- b) Discharge of the Executive Committee on the basis of the cash audit report or the audit report of the tax consultant or auditor,
- c) Election and dismissal of the members of the Executive Committee,
- d) Election and dismissal of the cash auditor,

- e) Amendment of the Articles of Association and resolution on the dissolution of the Club,
- f) Appointment and revocation of honorary memberships,
- g) Resolution on motions submitted,
- h) Approval to conclude land and property transactions with a volume of more than EUR 75,000 per individual case.

§ 18 Extraordinary Assembly of Delegates

- (1) An Extraordinary Assembly of Delegates shall be convened if this is necessary in the interests of the Club. This can be requested by the Executive Committee, the Club Council or as part of a minority request by at least 10 % of the Club members. The Executive Committee must make a decision within 3 weeks and announce a date.
- (2) The notice period is 3 weeks.
- (3) The announcement and convening of an Extraordinary Assembly of Delegates and the associated agenda shall be posted at the place of communication, at the office and on the Club's website.
- (4) § 16(9) applies to the Management and § 16(12) applies analogously to the minutes. In all other respects, the rules of the Ordinary Assembly of Delegates apply.

§ 19 Executive Committee according to § 26 BGB

- (1) The Executive Committee consists of the President, the 1st Vice President and the Vice President of Finance and a maximum of four other Vice Presidents.
- (2) The responsibilities of the members of the Executive Committee are set out in the Executive Committee's Rules of Procedure.
- (3) In the event of the resignation of a Vice-President or if the office cannot be filled, the duties shall be distributed among the other members of the Executive Committee by mutual agreement.
- (4) The Club shall always be represented by two members of the Executive Committee in accordance with paragraph (1), whereby one of the two shall always be the President, the 1st Vice President or the Vice President Finance.
- (5) In order to participate in the online banking service, the Executive Committee may internally decide by resolution that members of the Executive Committee and members of the Management are authorised to access the online service for the Club.
- (6) For transactions exceeding EUR 75,000 per individual case or per annual contract volume, the power of representation of the Executive Committee is limited in such a way that
 - a) the prior approval of the Delegates Assembly for land and property transactions must be obtained, and
 - b) the prior approval of the Club Council must be sought for legal transactions, continuing obligations and personnel measures. This does not apply to funding applications for which the own contribution is less than EUR 75,000 per individual case or per annual funding volume.
- (7) The Executive Committee is elected by the Assembly of Delegates. The term of office is four years. Re-election is permissible. The Executive Committee remains in office after the end of the term of office until new elections are held. Absentees may be elected if they have previously declared their willingness to accept the office in writing.
- (8) If an election is inconclusive, or if a member vacates office prematurely due to death, removal from office, resignation or any other reason, the Executive Committee shall have the power to fill the vacancy on a temporary basis until the end of the regular term of office.

§ 20 Tasks and responsibilities of the Executive Committee

- (1) The Executive Committee represents the Club internally and externally. It shall be responsible for all affairs of the Club, except where such affairs are delegated by the Articles of Association to another body of the Club. The Executive Committee manages the Club. It implements the resolutions of the Assembly of Delegates and manages the Club's assets.
- (2) The members of the Executive Committee have the right to attend all meetings and assemblies of the Club and to participate in an advisory capacity.
- (3) The Executive Committee shall set up an office to support it.
- (4) The Executive Committee has the following tasks in particular:
 - a) Preparation of the Club's budget,
 - b) Adoption of the contribution regulations,
 - c) Establishment and dissolution of departments,
 - d) Establishment and dissolution of specialised divisions,
 - e) Appointment of specialised division heads,
 - f) Allocation of hall times,
 - g) Arrangements for the cash audit when a vacancy is filled between election periods
 - h) All cost-related decisions affecting the Club's budget in the area of personnel (full-time or honorary) are the sole responsibility of the Executive Committee.

§ 21 Club Council

- (1) The Club Council consists of the Executive Committee, the department heads or their deputies, the specialised division heads and the members of the youth representation.
- (2) The members of the Club Council have the following votes:
 - a) Departments: 1 vote per 100 members or part thereof
 - b) The voting rights of the members of the Executive Committee are calculated as follows: 50% of the total votes of the Club Council excluding the Executive Committee divided by the number of members of the Executive Committee present,
 - c) Specialised division head: one vote per specialised division,
 - d) Youth representation: two votes each,
 - e) in the case of multiple functions of individual members, the voting right can only be exercised for one function. This must be recorded in the minutes.
- (3) The President or a Vice-President convenes and chairs the meetings, which take place at least once a year.
- (4) In the case of short-term individual decisions, the Club Council may also take decisions by written circulation (§ 32 (2) BGB).
- (5) Any duly convened meeting of the Club Council shall constitute a quorum if more than half of the members are present. If this is not the case, a further meeting must be convened within four weeks, which then has a quorum regardless of the number of members present.

§ 22 Tasks and responsibilities of the Club Council

- (1) The Club Council represents the club internally and supports the departments in their sporting and strategic development and orientation. It advises and supports the Executive Committee in all fundamental matters concerning the Club.
- (2) The Club Council is responsible for:
 - a) representation of the Club's sporting interests internally,
 - b) the approval of legal transactions, continuing obligations and personnel measures in individual cases of more than EUR 75,000,

- c) the approval of regulations, with the exception of contribution regulations and rules of procedure of the Executive Committee,
- d) resolution on the independence of departments,
- e) imposition of Club penalties.

§ 23 Management

- (1) The managing directors manage the Club's office and are responsible for all ongoing and General Management and administrative matters.
- (2) The managing directors are "special representatives of the Club" in accordance with Section 30 BGB.
- (3) As part of its duties, the Management represents the Club internally and externally. In the external relationship, it may only utilise its power of representation up to a transaction value of EUR 20,000. Legal transactions above this value are the responsibility of the Executive Committee, even if it is an ongoing matter and therefore the responsibility of the Management. Further details are governed by the signature regulations, which are not part of these Articles of Association.
- (4) The Management reports directly to the President and is only responsible to him/her and bound by his/her instructions. It receives its tasks directly from the President. In case of absence, a named deputy will take on this task. Otherwise, the respective job and duty descriptions apply. This regulates in detail the individual duties and responsibilities as well as the assigned scope of business within the meaning of section 30 sentence 2 BGB. The Executive Committee shall determine and approve the duties and responsibilities of the Management.

§ 24 Club Youth

- (1) All club members up to the age of 27 as well as all members of the Youth Board belong to the Club Youth.
- (2) The youth of the Club manages and administers itself independently on the basis of the youth regulations.
- (3) The Club Youth is represented by the Youth Board. This consists of:
 - a) three youth representatives with a minimum age of 18 years,
 - b) max. 4 assessors with a minimum age of 14 years.
- (4) Youth representatives and assessors are elected by the Youth General Meeting for a term of office of four years.
- (5) The Youth General Meeting usually takes place once a year.
- (6) The Youth Board is obliged to draw up a budget. The Youth Board decides independently on the use and deployment of the funds available to it.
- (7) The youth representatives shall be authorised to represent the club externally on behalf of the youth section and to represent the club in legal transactions. The authorisation to represent only applies up to a business and object value of EUR 1,000. Over and above this, and in the case of continuing obligations, the Executive Committee has sole responsibility. Two youth delegates represent the youth of the Club together.

§ 25 Departments

- (1) The department is represented by the department management. It heads the department. The department management is elected for a period of four years by the members of the department at an ordinary department meeting.
- (2) The department management consists of the head of department and at least one other member. In departments with more than 100 members, the department management consists of the head of department, a deputy and at least one other member. The deputy represents the head of department in his/her absence.
The members of the department management are elected individually by name in separate ballots.
In the event of a vacancy during the term of office for any of the minimum required management positions in the department, the department must ensure that a replacement is appointed immediately by a departmental meeting for the remainder of the term of office.
The other members of the department management can also be re-elected or supplemented by the department meeting for the remaining term of office.
- (3) A regular departmental meeting must be convened at least every two years to elect delegates to the Delegates Assembly of the Club. The delegates elected at the departmental meetings remain in office until new delegates are elected at a departmental meeting. Each department appoints one delegate to the Delegates Assembly for every 30 members or part thereof (including children and young people). The basis is the number of members in the department on 1 January of the year of the Delegates Assembly.
- (4) Any duly convened departmental meeting is quorate if more than five per cent of the members entitled to vote are present. If this is not the case, a further departmental meeting must be convened within four weeks, which then has a quorum regardless of the number of members present.
- (5) The departments are obliged to draw up a budget, which must be approved by the department heads. The departments decide independently on the use and deployment of the funds within the scope of the funds available to them.
- (6) Sub-accounts are set up for the departments, which are managed by the Club. The departments are not authorised to hold bank accounts or cash accounts relating to them or to take out their own loans.
- (7) If the Club receives donations or sponsorship funds of any kind specifically for a department, these shall flow to the department without restriction and for a specific purpose.
- (8) Departments can only act externally on behalf of the whole Club.
- (9) Contracts which create a continuing obligation or require the department to provide ongoing services, in particular contracts with athletes, coaches and trainers, as well as leases or contracts for the ongoing purchase of goods and other services, may only be entered into with binding effect by the Executive Committee.
- (10) The head of department shall have the power to represent the Club externally for the business area of his or her department and to enter into legal commitments within the approved budget. The authorisation to represent only applies up to a business and object value of EUR 1,000. The Management or the Executive Committee shall approve any expenditure over EUR 1,000.
- (11) The departments are represented internally in relation to the Club as a whole by the head of department. He or she is authorised to grant powers of attorney to individual members of the department management for business transactions with the Club as a whole.

- (12) Public departmental events must be reported to and authorised by the Executive Committee.
- (13) The Executive Committee is authorised to appoint temporary department management members until the next departmental meeting, in particular in the event of recognisable unsuitability due to the conduct of a member of the department management or the entire department management, in the event of violations of the Articles of Association by a member of the department management or the entire department management and if a department can no longer be financed. With this measure, the previous members of the department management lose their powers.
- (14) If a department breaches any of the provisions of this Articles of Association and the Club suffers any loss or expense as a result, the department concerned shall be liable to reimburse the Club for such loss or expense.
- (15) New departments can only be founded by resolution of the Executive Committee. An application to form a new department requires an elected committee and a budget for the coming year.
- (16) Existing departments can be dissolved as follows:
- a) Each department can voluntarily dissolve itself by resolution of the departmental meeting. A two-thirds majority of the department members present is required to dissolve the department.
Existing assets of the Club that have been used by the department members remain the property of the Club as a whole and are to be used by the Club in accordance with the sporting interests of the Club and in compliance with tax regulations. There are no pro rata entitlements for department members.
 - b) In certain circumstances, it may be in the best interests of the Club and a department that a department leaves the Club for sporting and professional reasons in order to continue sporting activities under different conditions.
These requirements must be determined by the departmental meeting of the department concerned and the Club Council with a majority of two thirds of the members entitled to vote.
Any necessary measures vis-à-vis the professional association concerned shall be initiated by the Executive Committee of the Club.
 - c) A department may be dissolved or assigned to another department by resolution of the Executive Committee if the department:
 - is no longer able to ensure the proper operation of the department in terms of personnel or organisation, including participation in the committees and bodies of the Club,
 - grossly and persistently violates the Articles of Association and the interests of the Club,
 - can no longer financially guarantee its operation and there is therefore a danger that the Club as a whole will be exposed to financial risks.
 A two-thirds majority of the members of the Executive Committee present is required to dissolve a department.

§ 26 Specialised divisions

- (1) Specialised divisions are subdivisions of the Club that are managed by the division management.
- (2) The financial affairs of the divisions are managed by the Executive Committee.
- (3) Specialised divisions can elect a divisional advisory board consisting of three members. It advises and supports the divisional management on matters relating to the division.
- (4) The head of division is appointed and dismissed by the Executive Board.

§ 27 Cash audit

- (1) The Delegates Assembly shall elect at least two auditors who shall not be members of the Executive Committee or any other body of the Club.
- (2) The auditors do not have to be members of the Club. Alternatively, the Delegates Assembly may authorise the Executive Committee to appoint an accountant or auditor to prepare and/or audit the financial statements.
- (3) The term of office for the cash audit is four years.
- (4) If a member of the cash audit team resigns prematurely or if a new member is to be appointed retrospectively, the Executive Committee can make the appointment for the remaining term of office.
- (5) At least once a year, the cash auditor shall audit the entire funds of the Club, including all accounts, records and vouchers, and shall submit a written report of each audit carried out to the Executive Committee and of the financial year to the Delegates Assembly.
- (6) The cash audit must report any deficiencies found to the Executive Committee without delay.

§ 28 Committees

- (1) The bodies of the Club are authorised to appoint committees on a temporary or project-related basis and to determine the duties and responsibilities of such committees, as well as their composition and methods of operation.
- (2) The members of the committees do not have to be members of the Club.

§ 29 Amendments to the Articles of Association

- (1) The Assembly of Delegates decides on amendments to the Articles of Association in accordance with Section 33 sentence 1 BGB with a majority of two thirds of the valid votes cast.
- (2) The Assembly of Delegates decides on changes to the purpose of the Club in accordance with Section 33 (1) sentence 2 BGB with a majority of two thirds of the valid votes cast.
- (3) Amendments to the Articles of Association that are required by supervisory, judicial and financial authorities for formal reasons may be made by the Executive Committee on its own initiative. These amendments to the Articles of Association must be announced to all members of the Club immediately by means of a notice in the office and on the Club's website www.motor-mickten.de .

§ 30 Club regulations

- (1) The Club shall adopt Club rules to regulate internal Club procedures, in particular
 - a) rules of procedure,
 - b) contribution regulations,
 - c) financial regulations,
 - d) travel expenses regulations,
 - e) code of Honour,
 - f) data protection regulations,
 - g) funding regulations,
 - h) youth organisation,
 - i) departmental regulations,
 - j) signature regulations.
- (2) Not all of the rules of the Club are part of the Articles of Association.

§ 31 Dissolution of the Club and accrual of assets

- (1) The dissolution of the Club can only be decided in an extraordinary Delegates' Assembly convened specifically for this purpose with four weeks' notice.
- (2) At least three quarters of all delegates must be present at this meeting. If this majority is not reached, a further Delegates' Assembly must be convened within 14 days, which then has a quorum regardless of the number of members present. This must be explicitly stated in the invitation.
- (3) A four-fifths majority of the valid votes cast shall be required to dissolve the Club.
- (4) Unless the Delegates Assembly decides otherwise, the president and vice-president shall be appointed to wind up the Club in the event of dissolution.
- (5) In the event of the dissolution or termination of the Club or in the event of the cessation of tax-privileged purposes, the assets of the Club shall be transferred to the Landessportbund Sachsen, which shall use them directly and exclusively for charitable purposes.