

Statute of the Association

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§ 1 Name, Legal Status and Residence

- (1) The name of the association is “European Interest Group on Creativity and Innovation”. After the registration the suffix “e.V.” [Registered Association] will be added. Thus, the legal name will be “European Interest Group on Creativity and Innovation e.V.”
- (2) The place of residence is Stuttgart.
- (3) The association will be registered at the district court of Stuttgart in the latter’s official registry for association, societies and clubs. The seat of the association is Stuttgart.

§ 2 Duration and Financial Year

- (1) The duration of the association’s existence is unlimited.
- (2) The financial year is the calendar year.

§ 3 Purpose of the Association

- (1) The European Interest Group on Creativity and Innovation (from now on also EICI) has the non-commercial objective to increase Creativity and Innovation sectors. EICI aims to develop itself as the European network to promote regional and local interests in European creative industries' and innovation policy. It is focus on research and promotion of innovation and creativity activities within the regions and at european level. In addition, EICI aim to act as a European ThinkTank or as a group of advisors and experts concerning innovation and support structures that try to facilitate innovation and knowledge sharing.
- (2) The association may authorize an enterprise to perform operational activities on its behalf.
- (3) The association pursues neither commercial nor political goals.

§ 4 Membership and Admission procedure

- (1) Natural or legal persons are eligible for membership.
- (2) The association has full members and honorary members.
 - a. Full members are all members that join the association, accepting the present statute and paying the membership fee.
 - b. Honorary members are people or institutions which have supported the association in a meritorious way. Honorary members are awarded by the board, they are exempt from fees but they have to accept the present statute.
- (3) Applications for membership must be made in writing to the general secretariat, using the official Membership Application of the Association.
- (4) The board decides about the admission of a member.

(5) Membership is terminated by

- a. death of a natural person, or when a legal person ceases to exist,
- b. withdrawal, which must be declared in writing to the board 6 month prior the actual termination which becomes effective at the end of the calendar year,
- c. a formal exclusion which can be ordered only by vote of the general assembly,
- d. a formal exclusion which can be ordered by the board if a member has neglected to pay its fees unwarrantedly for at least 12 months.

(6) The general assembly of members can order the exclusion if,

- a. a member has severely violated the goals or interests of the association or does so repeatedly,
- b. a member ceases to pay its fees, or its financial assets are subject to bankruptcy proceedings.

The board informs the affected member about its exclusion via registered mail. The member may object against its exclusion at the appropriate public court within two months after receipt of the exclusion notice.

§ 5 Duties of members

(1) Members are required:

- a. to do their utmost to further the aims and standing of the Association,
- b. to discharge their obligations under the Statutes,
- c. to notify the Association of any change of address or changes to communication systems without being asked or reminded. In the event of the neglect of this duty any items sent out by the Association to the old address shall be deemed to have been received within three days of posting, faxing or emailing,
- d. to meet their obligations with regard to compulsory contributions.

§ 6 Membership Fee

(1) The pursuit of the goals of the association is financed through yearly membership fees and possibly contributions or subsidies. All full members have to pay an annual membership fee.

- (2) Details concerning the amount of the membership fees and deadline for payments will be defined in a fee-charter to be passed by the general assembly.
- (3) In particular case the board may release members from the obligation to pay (ex. Honorary members).

§ 7 Executive Bodies

- (1) The Association's Executive Bodies are:
 - a. The general assembly (§ 8),
 - b. The board (§ 9),

§ 8 The General Assembly

- (1) The regular convention of all members of the association (general assembly) is to take place every year, preferably within the second half of the calendar year. The board invites all members by a written invitation which must include the agenda. The invitation must be implemented by sending a letter to each member by using the last address of that member known to the board, and by putting this letter into the mail at least ten days prior to the start of the convention. The invitation can be conveyed also by electronic means, such as „e-mail“, provided the individual member has an appropriate electronic address. The agenda and the venue is determined by the board, although supplementary items may be added by any member if so demanded not later than 1 week prior to the start of the general assembly.
- (2) An extracurricular session of the assembly must be scheduled if special interests of the association warrant that, or at least one third of the members asks for it for the same reason by a written application forwarded to the board.
- (3) The general assembly is exclusively competent in the following matters:
 - a. adoption of the budget and the annual accounts;
 - b. election of the Board, of the Chairman and Deputy Chairman;
 - c. formal approval of the action of the general secretariat and board;
 - d. alterations and additions to this statute;
 - e. obliteration of the Association and the disposal of its assets;
 - f. approval of the annual working agenda;
 - g. exclusion of members of the Association (§ 4, section 5);
 - h. stipulation and alteration of the fee-charter of the association;

- (4) Every member of the association has one vote in the general assembly and may transfer its right to vote to any other member by written power of attorney.
- (5) The general assembly is competent to make decisions, if all members were invited in accordance with the Association's Statute. Any regularly scheduled general assembly is competent to pass resolutions independent of the number of members actually present.
- (6) During the general assembly, decisions are taken by simple majority of members present. The voting methods shall be proposed by the Chair of the meeting and accepted by the majority of the members. Votes can be cast by secret or public ballot. Changes of the articles require a three-quarter majority of members present. Resolutions concerning the obliteration of the association require that three-quarter of the ballots cast be in favour of the resolution. In case of a draw, the cause is considered rejected.
- (7) Resolutions may be passed also without calling for a physical session of the members, but rather by electronic balloting, provided the board has voted for such balloting and no member has filed a written objection against this method (section 5 applies accordingly).
- (8) Only the members of the Association are eligible to take an active part in the general assembly. The board may allow non-members to be present, without voting rights.
- (9) The negotiations and discussions of the members in the general assembly must be recorded in a signed protocol. The same applies to resolutions which have been passed in a written process (see section 7). The protocol must be promulgated in a suitable fashion to the members of the association 6 weeks after termination of the convention or 6 weeks after adoption of the resolution. Objections against the protocol can be raised only within one month after the latter's publication date.

§ 9 The Board

- (1) From among its members the general assembly shall elect the board, a Chairman and a Deputy Chairman. Both represent the Association in and out of court. They constitute the legal representatives of the association within the meaning of §26 (2) BGB¹. Each of them holds sole power of representation.
- (2) The board consists at least of two members, among them the Chairman, and the Deputy Chairman and possibly additional people as decided by the general assembly.

¹ The association will be judicially and extrajudicially represented by the board.

- (3) The members of the board are elected by the general assembly in a ballot, and are appointed for a two year term in office, unless the general assembly decides in exceptional cases for a different duration. Reelection is permitted. If the office term of a member ends prematurely, the board may appoint a successor for the remainder of the term.
- (4) Each institution, member of the Association, can have just one representant in the board. The election in the board is personal. Only the people elected by the general assembly can sit in the board.
- (5) The chairman conducts the ongoing administration and operational activities of the association. The chairman has also the legal signature of the Association. The board is responsible for further business activities unless legal regulations require the responsibility of the general assembly.
- (6) The actions of the board members are always governed by the goals of the association. The board members particularly observe the charter and the resolutions passed by the general assembly as well as those passed by the board itself.
- (7) The board is compelled to observe strictest neutrality as far as the manner is concerned in which it conducts its business. If, in the course of doing business, board members gain knowledge about trade secrets or business opportunities of other members of the association, then such knowledge is to be treated strictly confidential.
- (8) The board is exempt from the restrictions of § 181 BGB.

§ 10 Auditor

- (1) The general assembly elects for a period of at least two years two auditors which must not be members of the association's board.
- (2) It is the duty of the auditors to take samples of all bills, vouchers and receipts and examine their proper registration in the book-keeping records as well as to assess the expenditures made by either the association itself or the enterprise which has been hired to implement the latter's operative measures. In addition, the auditors must at least once per year assess the cash balance in hand as well as the balance of every bank account pertaining to the most recent business year. The audit's purpose is not to evaluate the appropriateness of expenditures that have been approved by the board. The auditors must report the result of their audit to the general assembly.

§ 11 Dissolution of Association

- (1) The liquidation is made by the board.
- (2) The obliteration of the association can only be decided by the general assembly which must vote in favour of the obliteration with a majority of three quarter of its membership.
- (3) In the case of obliteration, the last general assembly conducted determines the disposal of the association's financial assets/funds. The assets of the association have to go at its dissolution or annulment or abolition of its purpose to a recognized charitable foundation, as far as the paid-up share capitals of members and the overall excess of payments made by the members in kind are covered, they may only be used for tax purposes.

§ 12 Commencement

The above articles were adopted by the founding assembly in May 17, 2010 in Stuttgart, Germany.

European Interest Group on Creativity and Innovation e.V.