

September 2017

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STATUTE “FREUNDE DER IBSM FRIENDS” (A REGISTERED FRIENDS ORGANISATION)

1. NAME AND LOCATION

1. Name

- i. The association’s official name is “Freunde der IBSM Friends”. It should be added to Germany’s official registry of associations. Once that is completed, “e.V.” is to be followed by the official name.

2. Location

- i. The association is legally based in Munich.

2. PURPOSE OF THE ASSOCIATION

1. The main purpose of the association is to promote student education at the International Bilingual School Munich by organising and providing additional resources for the International Bilingual School Munich gGmbH in Munich, in accordance with §58 Nr. 1 of the German “Abgabenordnung” (tax law). It particularly focuses on expanding and enhancing the school’s facilities, as well as supporting field trips and other cultural and sportive events.
2. The association will support
 - i. School and school related work, as well as pedagogical projects
 - ii. School events
 - iii. Working along with all groups involved (PTO, school management, school owners, teachers, student representatives)
3. The association is neutral to all political views, independent of any unions, and has a neutral view of religions and cultures.

3. NON PROFITABILITY (ACCORDING TO GERMAN TAX LAWS)

1. The association is a true non-profit organisation in accordance with German tax laws (tax deductible items according to "Abgabenordnung").
2. The association mainly creates value for others and not for its own income.
3. All resources must only be used for purposes in accordance with the statute, and shall be school related. The members will not receive any income from the association's resources.
4. No person must be rewarded for purposes not defined in the statute, or through disproportionate compensation.

4. BECOMING A MEMBER

1. Any natural or legal person can become a member.
2. Applications shall be submitted in writing to the board. The board decides the approval of memberships.
3. The application information shall include the name, profession, age, and the home address of the new member, as well as bank details, and a debit authorization for membership fees. The membership form must be signed in person. Underage persons require consent from a legal guardian.
4. The membership starts on the day the membership application is approved by the board.

5. HONORARY MEMBERS

1. Persons who showed extraordinary contribution to the association can be announced as honorary members. Any member can suggest an honorary member. The board will execute on the nomination and announcement, at which the new member with the honorary status will be confirmed.
2. Honorary members have the same rights as regular members.

6. RESOURCES / MEMBERSHIP FEES

1. Donations and membership fees will be the main financial resources.
2. The fee for annual membership will be suggested by the board and determined at the annual meeting .
3. The membership fee is due on the first day of the fiscal year. Those members who join during the fiscal year pay the fee upon their admission according to the decision of the member's assembly.
4. Members who have not paid their fees by the end of the fiscal year will be reminded. After two unsuccessful reminders, the board has the right to exclude those members. Members in difficult financial situations due to reasons beyond

their control can be released from their obligation, or the fees can be reduced until they are recovered.

5. All students, as well as representatives of the school's management, representatives of the school's owning company, members of the PTO, and parent representatives are free of membership fees.

Honorary members are free of charge.

7. ORGANS OF THE ASSOCIATION

1. Regular organs are the board and the member's assembly.
2. An advisory council can be put in place. That decision and its approval are in the hands of the member's assembly.

8. BOARD.

1. Three appointed persons from the general member's assembly head the board. The heads of the board ideally also belong to the PTO (Parent Teacher Organisation) of ibsm. They will be elected annually, and can be re-elected each year. The current board will stay in position until a new election takes place.
2. One representative of the school's management, one of the school's owners, and one member of the PTO will be consulting members of the board without the right to vote. The respective organisations will announce their board member.
3. The board consists of one president, one vice president, and a treasurer.
4. Only persons age 18 and older can become board members.
5. Only the persons mentioned in 1. are part of the board in accordance with §26, BGB; each of them can represent the association alone.
6. The board meets as required. The president has to invite the board members at least one week in advance of a scheduled board meeting; if the president is unavailable, the vice president will organise the invitations. If all board members agree, the time for the invitation can be shortened. If all board members agree, decisions can also be made in writing, and/or in electronic form.
7. The board makes decisions based on simple majorities. Meeting minutes must be taken at every board meeting.
8. The board will present the financial report of the previous year at the first meeting of a fiscal year. The treasurer will report the results of the audit.

9. The board can create business rules which must not be against general law, or the general sense of the statute.

9. RESPONSIBILITIES OF THE BOARD

1. The board is responsible for all tasks of the association, excluding tasks that have been assigned to special organs in the statute. In particular, the board takes care of:
 - i. Planning member meetings and preparing agenda
 - ii. Invitation to member meetings
 - iii. Ensure the enforcement of all decisions from the member's general meetings
 - iv. Management of finances
 - v. Preparation of financial reports
 - vi. Decisions about memberships
 - vii. Representation of the association is only possible in accordance with §8 Nr. 5.

10. ANNUAL GENERAL MEMBER'S ASSEMBLY

1. The general member's assembly will be responsible for:
 - i. Acknowledgement of the board's reports
 - ii. Determination of annual fees
 - iii. Election of the heads of the board, and auditors
 - iv. Changes of the statute and termination of the association
 - v. Appeals against the decision of the board in case of a denied membership and against the decision of a termination of a membership. The member's assembly makes all decisions of the association unless they are specifically assigned within the statute.
2. The member's general meeting will take place at least once a year, and more frequently if necessary.
3. It will take place when at least one third of the members hand in a written request for a member's meeting.
4. The invitation including the agenda, has to be sent in writing, or electronically, at least two weeks ahead of the actual meeting date.
5. The member's meeting always has a quorum.

6. All decision will be made in accordance with the simple majority of the members. In case of a tie, there will be a draw, or the president ultimately makes a decision.
7. Meeting minutes will always be prepared, and have to be signed by the heads of the meeting and the secretary. All members have the right to examine the minutes.
8. The member's general meeting elects the board in accordance with §6 and 2 auditors for every fiscal year, who must not belong to the board.

11. RIGHTS AND OBLIGATIONS OF THE MEMBERS

1. All members are required to support all of the association's interests and purposes, and oblige to the board's decisions.
2. Members have the right to visit all of the association's events. They all have the same right to vote at member's general meetings. Voting rights must not be passed on to another person.

12. TERMINATION OF MEMBERSHIP

1. The memberships ends when:
 - i. The member terminates the membership
 - ii. The board decides on termination of the membership according to numbers 12.3 of these statutes.
 - iii. The board decides on termination of the membership according to numbers 12.4 of these statutes.
 - iv. Death of the member
 - v. Termination of the association
 - vi. Discontinuation of the purpose of the association (closing of ibsm)
2. Every member can terminate his or her membership in writing at any time. The termination takes place at the requested date. If no date has been requested, it takes place on the day the board receives the termination notice.
3. Members, who have not paid their membership fees by the end of the fiscal year can be excluded upon board's decision.
4. The board can decide the exclusion of a member for extraordinary reasons. This can be out of disobedience of the statute, the interests of the association, or from the board's decision, or member's assembly's decision.
5. Prior to the exclusion according to no. 4, the member has the right to defend him or herself in writing within a defined time frame.
6. The decision regarding the exclusion according to no. 4 has to be in writing and requires statement of reasons. The exclusion has to be sent by registered mail to the respective member.

7. The excluded member has the right to respond in writing within two weeks after receiving the letter. The member's meeting will decide upon the exclusion. If a member gets excluded, or terminates the membership, there is no right to receive any reimbursement out of the association's finances. The same applies in case of death to a beneficiary of the deceased member.

13. LIABILITY

1. The association is not liable for any damages occurred to members while working for the association or taking part at events organised by the organisation. This does not apply to forced damages or damages from irresponsible acts.

14. FISCAL YEAR

1. The fiscal year runs from August 1st to July 31st of the following year.

15. CHANGE OF STATUTE/ TERMINATION OF THE ASSOCIATION

1. Changes in the statute require a $\frac{3}{4}$ majority of participants at a member's general assembly. Any changes required by law can be executed by the board without a member's assembly. Members shall be informed during the next general assembly.
2. Termination of the association can only be decided during a member's meeting that has been organised around this particular topic.
3. If the association gets terminated, all its assets will be passed on to ibsm gGmbH. It is required to use those assets only for purposes defined in the original statute.