

## **Statutes and Articles of the Association ‘SAMARITAN INTERNATIONAL e.V.’**

### **§ 1      *Name, Seat, Logo, Financial Year***

- 1) The name of the association is ‘SAMARITAN INTERNATIONAL e.V.’ This name is entered in the register of associations. The name ends with the words ‘registered association’ (the German annex reads ‘e.V.’ eingetragener Verein).
- 2) Its seat is the federal office of the ‘Workers’ Samaritan Federation’ Germany in Cologne.
- 3) The logo is composed of an elongated ‘S’ in an open yellow cross (Samaritan Cross) with the name ‘SAMARITAN INTERNATIONAL e.V.’ in yellow print and a semi-circle of yellow stars on a blue background.
- 4) The financial year is the calendar year.

### **§ 2      *Tasks***

‘SAMARITAN INTERNATIONAL e.V.’ is a voluntary organization dedicated to

1. Providing support for the foundation and development of Samaritan organizations outside the countries in which the founder organizations are located.
2. The co-operation of the Samaritan organizations in respect of the
  - encouragement and strengthening of social responsibility in society,
  - advancement of voluntarism,
  - prevention of disease and relief from suffering,
  - development of all aspects of social work on the part of charitable institutions and health services.
3. Implementation of humanitarian operations with the aim of coming to the aid of people in danger as a result of natural or man-made disaster.
4. Coordination of measures of the national Samaritan organizations in the event of emergencies or natural disasters in order to protect the victims and refugees involved.
5. Training of personnel of the Samaritan organizations.
6. Representation of the members to international institutions and official authorities.

### **§ 3      *Charitable Nature of the association***

- 1) ‘SAMARITAN INTERNATIONAL e.V.’ is a voluntary association. Its purposes are exclusively of a charitable and non-profit-making character in accordance with the German tax code, particularly within the meaning of the section "purposes entitled to tax relief".

- 2) The employment of the association's assets is strictly bound by its statutes and articles. The members are not entitled to any dividend or to any other grants from the association's funds. Any expenditure, however, that derives from activities executed in accordance with the association's purposes will be refunded. Those refunds can also be paid in a lump sum. Furthermore, the association is not permitted to benefit a person by means of disproportionately high salaries or by means of expenses that are not appropriate to the association's purposes.

#### § 4 *Full Membership*

- 1) Any national Samaritan organization, satisfying certain requirements, can become a full member of 'SAMARITAN INTERNATIONAL e.V.' These requirements are the following:
1. The national organization must be oriented towards the public welfare, must not aim for profit and must be independent from political parties and churches. This non-governmental organization has to work in the area of first aid in cases of emergencies and diseases with democratic participation of a large number of citizens as members, volunteers and supporters. The national organization must declare its support for the history of the Samaritan movement. That is to say in particular, the designation "Samaritan" must be part of the organization's name -in its national language- and the collective mark must be a cross.
  2. The organization's purposes must be exclusively focused on activities in the field of public welfare, public health, humanitarian aid and co-operation in the case of development aid.
  3. The organization must have a democratic internal structure assuring the recognition of equality for all individuals.
  4. The rules of the national organization must ensure the employment of all assets (financial and physical) in conformity with the purposes of the organization. The organization is not allowed to benefit a person by means of transferring profits or disproportionately high salaries.
  5. The right of use of names and logos of 'SAMARITAN INTERNATIONAL e.V.' and its members must be expressly recognized according to § 8 of these statutes and articles.
  6. The organization must be a legal entity more than **three** years.
  7. The organization must unite all Samaritan organizations in a country or a region with autonomous status within a country dedicated to the objectives of the association as an umbrella organization.

- 2) Full members may exercise their rights in person or may constitute someone as their agent.

- 3) Members are liable to membership dues.

#### § 5 *Acquirement of Membership*

- 1) The applicant must address a written application for membership to the presidium of the association. The application must contain a description of his former and planned activities.

- 2) The decision on the application is passed by the **presidium** committee and will be addressed to the applicant in writing. Reasons for the rejection of an application will not necessarily be given.

## § 6 *Termination of Membership*

- 1) The membership ends with dissolution or rather with the death of the member, with voluntary resignation of membership, with cancellation from the list of members or exclusion of a member from the association.
- 2) If a full member has failed to pay the membership dues despite two written reminders or if he/she has failed to enclose the documents necessary for the calculation of the membership dues, the advisory committee may decide the cancellation from the list of members.
- 3) The presidium is authorized to propose that a member should be cancelled from the list of members if he/she no longer satisfies the requirements according to § 4 part 1 numbers 1 to 6. The resolution is then passed by the advisory committee.
- 4) The person affected has to be notified of the cancellation.
- 5) The advisory committee may decide the exclusion of a member if the latter deliberately **or with gross negligence** contravenes the interests of the association as is the case if a member contravenes the statutes and articles of the association or instructions of organs of the association. Any full member has the right to demand the exclusion.

## § 7 *Associated members*

Any Samaritan organization may acquire associated membership by declaring its support for individual objectives of ‘SAMARITAN INTERNATIONAL e.V.’ on international level. A cooperation agreement will be concluded with each associated member.

## § 8 *Right of use of names and logos*

- 1) Member organizations have the right to use the logo described in § 1, part 3, or parts of said logo, and the word ‘Samaritan’ in the respective national language in combination with the appropriate supplemental designation describing the national scope of the organization’s activities as an association name and/or logo for the duration of membership in accordance with § 4 and § 5. The statutes of the organization must expressly recognize the right of the parent organization and its members to bear the name ‘SAMARITAN INTERNATIONAL e.V.’ in accordance with sentence 1 of these statutes.
- 2) In the case of withdrawal, deletion from the membership list **or** exclusion, the member (with the exception of founding members) or recognized Samaritan organization in question relinquishes the right to use the association logo. This also applies to different logos derived from emblems used by organizations retaining membership. Any new name selected by the organization must be clearly distinguishable from the names of remaining members. The same applies to abbreviations and acronyms.

- 3) Any claim of a third party which arise in the context of the use of a name, the law of trademarks and competition rules are exclusively pursued by the association. The members are obliged to indicate any contravention of the above mentioned aspects.

## § 9 *Organs*

Organs of the association are the following:

1. the advisory committee (as members' meeting within the meaning of § 32 of Germany's Civil Code),
2. the presidium (as executive committee within the meaning of § 26 of Germany's Civil Code),
3. the auditor.

## § 10 *Advisory Committee*

- 1) An ordinary meeting of the advisory committee must be called by the presidium every two years.
- 2) An extraordinary meeting of the advisory committee must be called by the presidium
  1. if matters of high importance affecting the basic interests of the association are to be submitted immediately to the presidium or
  2. if a tenth of the members so demand. Those requiring the meeting must say why they want the meeting in a written form.
- 3) The advisory committee has exclusive competence regarding the following matters:
  1. receipt of the **activity report** of the presidium;
  2. adoption of the **business plan prepared by the general secretariat and decided by the presidium;**
  3. determination of the amount or rather the method of calculation of the membership dues;
  4. decision if a contribution will be charged;
  5. election and recall of members of the presidium and of the auditor;
  6. resolution on the amendment of the association's statutes and articles including the association's purposes and resolution on the dissolution of the association;
  7. decision on the admission of a new member;
  8. determination of general principles and rules of the association and resolution on demands submitted to the advisory committee.
- 4) The advisory committee contains
  1. the representatives of the full members **and**
  2. the auditor.
- 5) Every full member is authorized to appoint **one** representative. The latter must be entitled to vote to exercise the members' rights in the advisory committee. Having more than 50,000 members, the association has the right to cast **two** votes. **Having more than 150,000 members gives it the right to cast three votes.** Having more than 500,00

members gives it the right to cast **four** votes. **Having more than a million members gives it the right to cast five votes. The auditor shall have no vote.**

- 6) The advisory committee is qualified to vote if more than fifty per cent of the members entitled to vote is present.
- 7) If a meeting of the advisory committee should be held, at least 4 weeks` notice must be given to members. They must handed over the agenda and all necessary documents.
- 8) The following organs are entitled to file an application to the advisory committee:
  1. the presidium,
  2. the auditor,
  3. the full members.

Applications must be handed over to the advisory committee 8 weeks at the latest before the meeting is held. Proposed measures are to be signed by the representatives of at least one third of all votes.

- 9) Meetings of the advisory committee are headed by the president.
- 10) In principle, resolutions are passed by simple majority of all valid votes cast, excluding abstentions. However, amendments of the statutes and articles require a two-thirds majority while the dissolution of the society requires a majority of four-fifths of all valid votes cast. The amendment of the association's purposes according to its statutes and articles requires the majority of all members of the association. All those members who did not attend the meeting can exercise their voting rights by a subsequent consent within 30 days after the vote. This consent must be submitted to the presidium in writing. **In the case of simple or highly important matters, resolutions can be passed by circulation procedure. Resolutions by circulation can only be adopted by a majority of 2/3 of the votes cast. Members are informed on resolutions by circulation electronically, by telephone, fax or post. The voting is done electronically, by fax or post. In the cases referred to in § 10 part 3 numbers 5 and 6 resolutions by circulation are not admissible.**
- 11) A candidate who has obtained more than a half of all valid votes cast has won the elections. If none of the candidates obtained this number of votes, a second ballot is hold between those two candidates with most votes. The election is then won by the candidate at the head of the second poll. In the case of an equal number of votes, the president will decide the elections by lot.
- 12) The meetings of the advisory committee can be carried out as representative assembly of all members in accordance with part 4 at a joint meeting place or in a joint telephone conference or in a joint web conference (internet-based audio/video transmission) or in a combination of the above meeting techniques.

## § 11 *Presidium*

- 1) The presidium is responsible for the association's day-to-day transactions. Those transactions are executed on the presidium's own initiative according to the resolutions of the advisory committee and in accordance with the association's funds.

- 2) The presidium contains one president and up to **eight** vice-presidents and only members of the advisory committee may stand for elections to the presidium.
- 3) The presidium is primarily responsible for
  1. managing the association's funds and facilities,
  2. submitting financial statements and business reports at meetings of the advisory committee,
  3. supporting the co-operation of the members and their activities,
  4. supporting the coordination in the event of international relief actions of the members,
  5. initiating common relief actions in the event of national situations of emergency,
  6. monitoring the observance of the statutes and articles of the association,
  7. representing the association, concluding contracts and employing full time staff.

Legal and general representation is executed by two members each of the presidium.

- 4) The presidium is qualified to vote if at least fifty per cent of its members is present.
- 5) Resolutions of the presidium are passed by simple majority at meetings held that are, at least once per year. However, in the case of simple or highly important matters, resolutions can be passed by circulating the necessary documents, that means resolutions can then be passed without calling a meeting. **Resolutions by circulation can only be adopted by a majority of 2/3 of the votes cast. Members are informed on resolutions by circulation electronically, by telephone, fax or post. The voting is done electronically, by fax or post.**
- 5a) The meetings of the presidium can be carried out as representative assembly of the members at a joint meeting place or in a joint telephone conference or in a joint web conference (internet-based audio/video transmission) or in a combination of the above meeting techniques.
- 6) If a new presidium is chosen, the members still in office hold their posts until the new presidium starts work.
- 7) The elected members of the presidium are not allowed to be employed by the association and may not receive a salary from the association.
- 8) A secretary general is appointed by the presidium. The secretary general is responsible for the day-to-day transactions and takes part in meetings of presidium and advisory committee in a consultant capacity.

## **§ 12 Auditor**

- (1) The auditor is called in to check the books and examine the final accounts of the association. He must not be a member of an executive organ of the association.
- (2) Primarily, the auditor should performe the following tasks:
  1. examination and auditing of the annual closing of accounts,

2. examination of the books and sale slips,
3. examination of the books unexpectedly and without prior announcement,
4. examination of the qualification for membership according to § 4 on behalf of the presidium.

(3) The auditor is not subject to any directives regarding his work.

### **§ 13      *Certification of Resolutions***

The association is required to enter all resolutions of the advisory committee, the presidium and the auditor in the minutes. The minutes of the meetings of the advisory committee and of the presidium must be signed by the president and by the person who keeps the minutes.

### **§ 14      *Official Languages***

The official languages of the association are German and English.

### **§ 15      *Dissolution***

In the event of the dissolution or in the event of lapse of the association's initial purposes, a national legal entity that is entitled to tax relief will guarantee the employment of the remaining funds strictly for the charitable and non-profit making purposes according to § 2 of these statutes of the full members of the association dissolved.