

Articles of Association BuK e.V. (Child and Career) 2012

Section 1 Name, registered office and financial year

1. The association holds the name "Beruf und Kind (BuK), Verein zur Betreuung von Kindern erwerbstätiger Eltern e.V." ("*Child and Career (BuK), Association for the Child Care of Working Parents*")
2. The association has its registered office in Heidelberg.
3. BuK e.V.'s fiscal year starts on September 1 and ends on August 31 of the following year.
The fiscal year beginning on January 1, 2012 and ending on August 31, 2012 is a stub year.

Section 2 Purpose, tasks and charitable status

1. The purpose of the association is to allow mothers and fathers to continue to work or to facilitate their return to work by establishing full-time care provision for their children.
2. The association pursues charitable objectives exclusively and directly, in keeping with the article "tax-deductible purposes" of the Fiscal Code, in particular through the care provision for the children of working parents.
3. The association is a non-profit organization and does not primarily act in its own economic interest.
4. The association's funds may only be used for purposes covered by the articles. The members receive no benefits from association funds. No person may benefit from expenditure that is not related to the purposes of the association or from disproportionately high remuneration.
5. If the association is suspended or dissolved, or if the previous purpose of the association no longer applies, the assets of the association are transferred to the "Förderverein Heidelberger Gebärrzimmer e.V." ("*Heidelberg Support Association for Birthing Rooms*") or, if this no longer exists, to the local Heidelberg group of the Deutschen Paritätischen Wohlfahrtsverband (DPWV) (German association of social movements for equality) with the condition that it uses the funds in accordance with the articles.

Section 3 Becoming a member

1. Both laypersons and members of the judiciary who support the work of the association can become members.
2. A written application for membership must be addressed to the board. The board decides whether or not to accept the application at its own discretion.

Section 4 Terminating membership

1. Membership ceases by exclusion, removal from the membership list, or resignation; beyond this by cessation for members of the judiciary and upon death for laypersons.
2. Resignation must take the form of a written declaration submitted to the board. Resignation can only come into effect at the end of a year. If only one parent is a member of the association, the member is barred from resigning for as long as a child of the member is still attending the day nursery.

Section 5 Membership fees

1. Members are charged annual or quarterly fees.
2. The amount and due date of the fees are decided by the general meeting.
3. The board can exempt individual members either partially or entirely from fees in appropriate circumstances, provided that alternative services are provided in lieu of payment.
4. One parent must be a member of the association at the very latest when the child begins attending the day nursery and fees must be paid retrospectively for the current year.

Section 6 Association institutions

The association's institutions include the board, the general meeting and the parents' association.

Section 7 Board

1. The association's board consists of the chairperson, the acting chairperson and the treasurer, in line with the German civil code (BGB), section 26.
2. The association is represented judicially and extra judicially by two members of the board.
3. The board runs the ongoing business of the association. It is responsible for administering the assets of the association and executing the decisions of the general meeting; it is responsible for preparing and calling the general meeting and its agenda and for making decisions about admitting new members.
4. The board is empowered to appoint consultants to perform some of its duties.
5. Members of the board receive an honorary appointment allowance in the amount of the non-taxable income denoted in section 3 subsection 26a clause 1 Income Tax Act (Einkommensteuergesetz, *EStG*).

Section 8 Board's election and period in office

1. The board is elected by the general meeting for a duration of two years, beginning at the time of the election. However, it remains in office until a new board is elected. Only members of the association can become members of the board. If a membership of the association is terminated, the office of member of the board also ends.
2. If a member of the board leaves before the end of the period of office, the board can elect a successor for the remaining period of the departing member.

Section 9 General meeting

1. Each member has a vote in the general meeting. The right to vote cannot be ceded to a third party. The representative of a judicial person with voting rights must justify these rights to the board in an appropriate manner.
2. The general meeting has the following specific tasks:
 - (a) Approving the budget for the next financial year; receiving the board's annual report; supporting the board in its work.
 - (b) Defining membership fees and allocations
 - (c) Electing and dismissing members of the board
 - (d) Making resolutions concerning changes to the articles and dissolution of the association.
3. The general meeting takes place at least once a year. The general meeting is convened by the board in writing, observing a one-week notice period and detailing the provisional agenda.

Section 10 Extraordinary general meeting

An extraordinary general meeting is convened by the board if it is in the interests of the association or if 1/10 of members request the meeting in writing, giving details of the purpose and reasons for the meeting.

Section 11 Resolution of the general meeting

1. The general meeting is chaired by the chair of the board, and by the acting chairperson in his or her absence. If this person is also unable to attend, then the meeting is chaired by the treasurer.
2. The general meeting takes the resolutions by simple majority of the valid votes cast unless the articles or the law stipulate an alternative method.
3. Changes to the articles and the dissolution of the association require a 2/3 majority of valid votes cast.
4. The agreement of all members is necessary to change the purpose of the association; non-attending members must submit their agreement in writing.
5. The admission and dismissal of members of the board require the agreement of at least half the valid votes cast. A second election has to take place if there is a tie in the number of votes or a narrow majority. In the second election, a simple majority of valid votes cast is enough; with a tie in the number of votes the meeting's chair draws lots to reach a decision. The vote on admitting or dismissing board members is a secret ballot.
6. Abstentions are considered as invalid votes.
7. Invalid votes are not counted.
8. Decisions made by the general meeting are logged and signed by the chairperson and the minute taker.

Section 12 Parents' associations

1. A parents' association, consisting of a chairperson and an acting chairperson, is elected for each supervised group for the duration of a nursery year. Only parents whose children are in the respective supervised group can be elected.
2. The parents' association is elected exclusively by the parents of children supervised in this group on the first parents' evening after the summer vacation. The leader of the respective group invites parents to the parents' evening, giving one week's advance warning. The election is by secret ballot unless an open vote is agreed by all the parents present. Each set of parents has one vote for their child; if there is more than one child in the group, they have one vote per child. Only a unitary vote can be cast; if only one parent is represented, then that parent votes on behalf of both parents. If the parents cannot agree on a candidate, they lose their voting right completely. The election manager is the group leader. The person elected is the one who gains at least half of the valid votes cast. A second election has to take place if there is a tie in the number of votes or a narrow majority. The winner of the second election is the person who gains the simple majority of the valid votes cast. If there is a tie in the number of votes in the second election, a lot drawn by the group leader is decisive. Abstentions and clearly invalid votes are not counted.
If the child or the children of members of the parents' association leave their supervised group, the office of parents' association member is also terminated. In this case, a successor is elected at the next parents' evening.

3. The dismissal of a member of the parents' association is decided by the parents of the affected group. It takes place in accordance with the election of the parents' association members in the first election.
4. If both members of the parents' association leave, then a parents' evening has to be called promptly to elect a member of the parents' association for the remainder of the nursery year.
5. The parents' associations support and advise the board with the following tasks in particular:
 - (a) Admission and exclusion of children in supervised groups
 - (b) Dismissal and transfer of supervisors

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