

Charter
of
the Initiative Queer Nations e.V.

§ 1

Name, location and business year

- (1) The association holds the „Initiative Queer Nations e.V.“.
- (2) It should be entered in the register of associations.
- (3) Location of the association is Berlin. The legal year is the business year.

§ 2

Aim of the association

- (1) The aim of the association is to further study and research into the history and the sociology of homosexuality, along with public awareness for subject, in order to advance the equality of people of differing sexual orientations.
- (2) The aim of the charter is especially fulfilled by
 - a) own research, organisation of research conventions, as well as issuing scientific documentations and publications. All research findings, whether through research or other scientific activities, are published in due time.
 - b) the constitution of a „Queer Nations House“ (possibly under another name, but in the this document referred to as „Queer Nations House“) as a research centre and institute, international research library, forum and centre for science and research, as well as convention and cultural centre, if possible with location in Berlin-Mitte. In support of its efforts, the association will host public and scientific information events (e.g. conventions, symposiums, hearings, exhibitions) and research projects. It will further make use of communication opportunities (e.g. advertisements, publications, handbooks, anthologies, prizes, and charity events) to reach its aim. The group’s events and institutions are accessible to the public.

In realising its charter’s aims, the association can make use of aides according to the Abgabenordnung.

- (3) The association aims are:
 - a) Creating an understanding in Germany and abroad for the necessity of the establishment of the Queer-Nations-House, with the concept mentioned in § 2 (2), in Berlin-Mitte and

b) convincing individuals, companies, association, trusts and institutes to join in the tradition of the former Magnus-Hirschfeld-Institute, persuading the federal state of Berlin and the Federal Republic of Germany to support the project.

(4) The support for the project through the Federal Republic of Germany, the federal state of Berlin and national as well as international associations and associations is the result of conviction efforts, and a close and trusting relation with the aforementioned entities and entities that stand in the tradition of the former Magnus-Hirschfeld-Institute, archives and museums. Foremost, an appropriate plot of land should be found for purchase with the help of the Federal Republic of Germany, the federal state of Berlin, companies, trust, associations and associations. It should be the site of the Queer-Nations-House, which should either be an existing building or specifically built.

(5) Furthermore, the association takes care that the Queer-Nations-House is adequately equipped to meet its aim and its various scientific and cultural uses. This means ensuring that material, exhibits, loans, estates, archives and other material is at its discretion or kept at its discretion.

(6) The Initiative Queer Nations aims are solely and directly non-profit in nature according to paragraph „tax concessions - aims“ of the tax regulation.

(7) The association's means can only be used for aims in line with the charter.

The members do not receive any remuneration or other means from the association for being a member. It is not permitted that individuals should receive a preferential treatment for expenses not in line with the aims of the corporation or through remuneration that stand in no relation. All positions of the association are taken in an honorary capacity. Should the association make profits, these cannot be distributed among the members but can solely be used for the appointed non-profit aim. Hence, a member of the association cannot receive payment from the association's funds upon leaving.

(8) The association acts without interest in its own advantages; its main aims are not its own economic standing and raising a profit for itself. In the scope of the association's aims, it can set up and run institutions (e.g. the Queer-Nations-House; an office) and also create legal entities in this matter.

(9) The association is independent of political parties and confessions, and is independent of associations or associations close to political organisations or individual parties. The association's funds can neither be used for direct not indirect support or promotion of political parties.

§ 3

Membership

(1) Any natural or legal entity having legal capacity can become a member of the association. An application for membership must be handed in to the board in writing; the board will decide about the acceptance. The decision about the applicant does not require any justification. A contradiction against the decision of the board can be directed at the assembly of members. The contradiction must be posted to the board in writing within one month after receiving the rejection. The assembly of members will then take the final

decision about the application in a base majority. For minors the consent of a legal guardian is required.

(2) Individuals with exceeding accomplishments for the association can be made honorary members of by the assembly of members. The honorary membership starts with the acceptance of the offer by the honoured individual.

(3) The members are charged an annual fee, the height of which is determined by the assembly of members in advance. The membership fee is due on 1 January of each year as annual fee. If a member should be behind with her/his payments, the membership is paused. When leaving the association, no claims exist on redemption of the fraction of the annual fee.

(4) The members view themselves as ambassadors of the initiative and/or the Queer-Nations-House, also within an international context.

(5) The membership is terminated

a) by death of the natural person

b) the dissolution of a legal entity,

c) through a written declaration that the member is leaving the association, or

d) a decision, in writing, that the board has decided on exclusion.

The withdrawal must be a written notice to the board. The declaration of withdrawal is valid upon reception by the board. A resignation is only valid with a period of notice of one month before the end of a calendar year. Until the end of the period of notice, the resigning member is liable to pay contribution. A member that has committed a grave breach of the association's aims and is behind in the payment of fees, although he/she has received two reminders, can be excluded from the association by the board by majority decision. The decision must be conveyed to the member in writing. Protest against the decision of the board to exclude can be directed to the assembly of members. The assembly of members is to be informed about every exclusion. The protest of a member must be placed within a month after reception of the decision at the board. The protest has a delaying effect. The assembly of members will then decide upon the exclusion with a bare majority.

§ 4

Bodies

The association consists of the following bodies:

a) the board and

b) the assembly of members.

§ 5

Board

- (1) The board consists of at least four and a maximum of seven members: the chairman, his/he deputy, the treasurer and up to four additional elected members. The genders should be equally represented in the board.
- (2) The association will be represented jointly by the chairman and/or his/her deputy - in and out of court - according to Article 26, paragraph 2 BGB.
- (3) The board is competent to make decisions if all members of the board have been notified about the meeting in writing or other form of text (§ 126 b BGB) one week prior to the meeting and at least three of its members are present. The board's decisions are taken in a bare majority; if there is a draw, the chairman's vote will decide. Should the chairman not be present, a proposition will be considered rejected at a draw. The results of the board meeting should be recorded in written minutes that are to be signed by two board members.
- (4) The board meetings are not public. Guests can be admitted by the board.
- (5) The members of the board are elected by the assembly of members for a term of two years. Re-election is permitted. The board members will continue in office till their successors begin their term.
- (6) The board is responsible for the current processes and proceedings of the association. It decides on all matters concerning the association, as long as they do not require a decision by the assembly of members. It executes the decisions of the assembly of members. The members of the board will receive redemption of their travel expenses after handing in an application for travel expenses, according to the federal law concerning travel expenses, as well as redemption for other costs.
- Amendments of the charter demanded by supervisory, court and financial authorities for formal reasons can be made by the board itself. Amendments to the charter must be announced at the next assembly of members.
- (7) The board makes a budget and must keep track of the earnings and expenditures in a clear and easily surveyed way; it is obliged to present an annual statement of accounts at the end of a calendar year (business year) and present it at the next assembly of members for discussion. The accounting and end of year statement must comply with fiscal law and regulations.
- (8) The board can decide on rules of proceedings and takes care of this itself. The assembly of members is to be notified about it. It is not permitted that the rules of proceedings conflict with the charter.
- (9) The board can appoint a manager for the current proceedings according to § 30 BGB.
- (10) A board member cannot be an auditor at the same time.
- (11) The board can summon a Queer-Nations-committee according to § 7 of the charter.

§ 6

Assembly of members

(1) The assembly of members is to be summoned at least once a year by the board in writing or other form of text (§ 126 b BGB) with a provisional itinerary and with the notice of a period of at least four weeks. (§ 126 b BGB). To keep the required time period, it is sufficient for the board to address the invitation to the member's latest known address.

(2) The assembly of members determines who is to head the meeting and decides on the agenda. The assembly of members is not public. The assembly of members can admit guests. Votes are generally decided by raising hands, as long as the assembly of members does not decide by a bare majority to take a secret vote. A vote can be taken by raising the hands if no member of the assembly of members demands for a secret vote.

(3) The assembly of members is the association's highest body. It determines guidelines for the association's work and decides upon issues of fundamental importance. The assembly of members tasks in specific include:

a) the appointment of the board,

b) the determination of the sum of the members' fee,

c) the election of two auditors that are to check the balance in the course of the business year and before the next assembly of members,

d) authorisation of the progress report, the annual balance and the budget of the board,

e) the support of the board,

f) the appointment of honorary members,

g) the appointment of members of the advisory committee according to § 9,

h) changing the charter and

i) the dissolution and adjournment of the association.

(4) The assembly of members is considered competent to make a decision as long as it is not deemed incompetent by the head of the assembly to make a: The head of the assembly must determine in the beginning of the event whether the prerequisites for decision power are met and must enter this into the protocol.

An incompetence of decision exists if it has been determined that less than one tenth of the members are present. Should an incompetence of decision be determined, the board will invite to a new members' assembly with the same itinerary within four weeks This assembly is competent to take decisions independent of the number of members present.

This circumstance must be mentioned along with the invitation. A decision will be determined by a simple majority. Absentions from the vote are not counted. A draw is considered a rejection of the vote.

(5) An extraordinary members' assembly takes place upon the decision of the board and it is called for by at least a fifth of all members in writing with the aim and the reasons stated in writing. It is to be announced latest six weeks after entry of the proposal.

(6) For a decision on the change in charter or the dissolution of the association, at least three quarters of the members present must approve.

(7) A written protocol must be made of the decisions taken by the members' assembly. This has to be signed by the head of the assembly and the secretary.

§ 7

Queer-Nations-Committee

The board can appoint a so-called "Queer-Nations-Committee" consisting of members and individuals that are not in the association, which helps the board in fulfilling parts of their tasks on a non-profit basis. These ambassadors are mentioned in the so-called "Hall of Fame" of the initiative Queer Nations and in the association's annual report.

§ 8

Advisory Committee

The members' assembly can appoint an advisory committee consisting of members and individuals that are not in the association, but which are prominent individuals or experts consulting the association and publicly supporting the aims of the Queer Nations initiative. This advisory committee can also be subdivided, e.g. in form of a advisory committee for science and research.

§ 9

Vermögensanfall

In case of a dissolution or adjournment of the association, or a cease of its current aims, the association's funds will, in quarters, go to the "Verein der Freunde eines Schwulen Museums in Berlin e.V.", "die Magnus-Hirschfeld-Gesellschaft e.V.", "Spinnboden Lesbenarchiv und Bibliothek e.V." und den "Fachverband Homosexualität und Geschichte e.V." These have to use the funds directly and immediately to foster science and research on the history and societal meaning of homosexuality, as well as the empowerment of a democratic awareness, to foster the equality of people with different socio-sexual identities. It is, however, required that the institutions mentioned above have a tax concession. Should this not be the case with one of the institution at the point in time when the association is dissolved, a new institution can be named that meets the criteria. The decision can only be executed after the tax authorities' consent.

§ 10

Taking into effect

This charter comes into effect with entry into the register of associations.