

Statutes of Kenianische Waisenkinder in Not e.V. (Kenya Orphans in Need)

§ 1 Name, place of residence

1. The Association bears the titel „Kenianische Waisenkinder in Not e.V.“ (Kenya Orphans in Need).
2. Place of the Society is in 86919 Utting a.A.; the Association is registered in the register of associations at the district court of Landsberg/Lech.
3. Postal address: Kellersgartenstraße 15, 86919 Utting a.A., c/o Riedel.

§ 2 Purpose of the Association

1. Purpose of the Association is the support of parentless and/or homeless children in Kenya. The children shall be accommodated, taken care of and shelterd in appropriate houses or institutions. Adequate orphanages, kindergardens and accommodation possibilities in families shall be created. Development, education, schooling and professional training of parentless and/or homeless children shall be supported and provided and qualified institutions for these purposes shall be created or supported.
2. The Association solely and directly pursues charitable and public welfare objectives within the meaning of section "tax-deductible purposes" of the tax law, § 53 AO. These objectives are realised by supporting parentless and/or homeless children in Kenya as quoted above.
3. The Society acts on a non-profit basis. It does not primarily pursue self-economic purposes.
4. No person may benefit from expenditures, which are not in accordance with the objectives of the Association, or from unreasonably high compensation. Resources of the Association shall only be used for the purposes covered in the statutes. Members do not receive any allocations from the resources of the Association.
5. All activities of members in favour of the Association are generally rendered on a voluntary basis. Recompense of direct expenditures and travel expenses are permitted. In case of an engagement of persons for activities against payment by the Association, a written agreement is required in which both the activities and the payment are stated precisely. Activity and payment have to be appropriate.

§ 3 Membership

1. Any person who supports the objectives of the Association and who is willing to contribute to the realisation of these objectives may be a member of the Association. The application must be submitted in written to the Executive Board, the admission takes effect by signature of the declaration of enrollment to the Association.
2. Membership ceases by death, withdrawal or expulsion. The withdrawal from the Association is effected immediately upon

written notification to the Executive Board. The Executive Board will pronounce expulsions, in case the member violates the interests of the Association. The person concerned has the right to appeal to the General Assembly.

§ 4 General Assembly

1. The General Assembly is composed of the members of the association. It shall meet at least once a year. It shall be convened by the Executive Board with a 2-weeks notice by means of sending a regular letter, to the last known address, announcing the agenda.

2. The Executive Board may summon an extraordinary General Assembly at any time. The Executive Board shall summon an extraordinary General Assembly with a 3 days notice if it is in the best interest of the Association or if one quarter of members request the same.

3. The General Assembly is responsible for the following matters:

- a. Election of Executive Board, election of comptrollers;
- b. Acceptance and discussion of statement of accounts from the Executive Board and reports from the comptrollers;
- c. Acceptance of the budget drawn up by the Executive Board;
- d. Decisions on proposals submitted by the Executive Board concerning projects, utilization of funds or general activities of the association;
- e. The approval of the General Assembly is obligatory if the Executive Board intends to purchase, sell or mortgage property, take up a loan or stand surety.
- f. Decisions on statutory changes and dissolution of the Association.

4. The General Assembly is quorate in its composition, as long as 25% of all members eligible to vote are present. Decisions are taken upon a simple majority if at least 40% of all members are present and upon a 2/3rd majority if less than 40% are present. Members may delegate their vote by authorization. Changes to the statutes require a 3/4th majority of all present members.

5. The General Assembly is conducted by the President or the Vice-President in case of his or her absence. A protocol is kept on decisions taken by the General Assembly, which must be signed by the President and the Secretary.

§ 5 Executive Board

1. The Executive Board consists of the President, the Vice-President and two other members of the Executive Board. It is elected for a term of 3 years. If a member of the Executive Board is dismissed or resigns, he must be replaced by election until the end of the term.

2. If necessary, the Executive Board takes decisions during the board meetings which are convened by the President in due form.

3. The Executive Board represents the Association in and out of court in terms of § 26 BGB (German Civil Code). Effective representation of the Association is guaranteed by participation of at least two members of the Executive Board. The Executive Board is entitled to grant power of attorney or confer the conduct of financial affairs upon a member of the Executive Board acting as a treasurer.

4. The Executive Board conducts current operations and the use of funds to accomplish the objectives of the Association which have been decided by the General Assembly. The Executive Board draws up a budget and, if necessary, an annual statement of account and is responsible for fiscal and accounting compliance according to the law.

§ 6 Budgeting and Financing

1. The Association does not charge a membership fee. All financial requirements are covered by voluntary donations contributed by members, friends or third parties.

2. The funds have to be employed economically and appropriately to ensure the accomplishment of the Association's objectives. Account has to be given annually to the General Assembly in the form of an annual statement of account which may be inspected by all members. Report on the audit is given to the General Assembly by the comptrollers.

§ 7 Amendment of statutes

1. Amendment of statutes require a 3/4th majority of all members present at the General Assembly. The Executive Board shall include the proposal in comparison to the content in question that is currently relevant in the statute on the agenda included in the invitation for the General Assembly.

2. The Executive Board shall have the right to determine changes of the statutes on behalf of the General Assembly which are required by the district court or the fiscal authorities to attain registration in the register of associations or confirmation of the charitable status.

§ 8 Dissolution of the Association

1. The dissolution of the Association requires a majority of three quarters of all members present at the General Assembly.

2. In case of dissolution of the Association or the omission of tax-deductible purposes, the resources of the Association will devolve upon a domestic tax-privileged non-profit corporation which is to be designated in the decision of dissolution and which is obliged to use it solely for charity purposes. Prior to the decision, approval of the local tax office has to be obtained.