

Articles of Association

of the association „Gemeinschaft der Physik e. V.“

Important notice: This translation to English must be regarded as a supplement to the articles of association in German. In case of contradictions the German phrasing takes precedence over the English phrasing.

§1 Name and registered office

The association bears the name „Gemeinschaft der Physik“. It is listed in the register of associations under the number: VR 41703 and bears the addition „e. V.“. The association is based in Mainz. The association is democratic in its constitutional order.

§2 Financial year

The financial year is the calendar year.

§3 Purpose of the organisation

The association pursues exclusively and directly charitable purposes within the meaning of the tax-privileged purposes section of the German Tax Code (§§ 51 to 68 AO).

The purpose of the association is to promote exchange between teachers and students of physics/meteorology. It also aims to facilitate an exchange between companies, institutions and students. Furthermore, contact is to be established between current students and alumni. This purpose is realised, in particular, by organising events and passing on information, forming networks and promoting exchange between current and former students, companies, institutions and lecturers. In particular, this includes the physics/meteorology student council at JGU Mainz.

§4 Selfless activity

The association is a non-profit organisation; it does not primarily pursue its own economic purposes.

§5 Utilisation of funds

The association's funds may only be used for the purposes set out in the articles of association. Members do not receive any benefits from the association's funds unless they are working separately on the basis of an agreement with the association (e.g. employment contract) or if the funds are provided as compensation for expenses that have a direct equivalent value. This equivalent value must serve the purpose of the association.

§6 Prohibition of favours

No person may be favoured by expenses that are alien to the purpose of the association or by disproportionately high remuneration.

§7 Acquisition of membership

Any association of persons, natural person or legal entity can become a member. Membership must be applied for in writing to the Executive Board.

The form can be submitted electronically.

The Executive Board decides on the application for membership.

The applicant has the right to appeal against the rejection, which does not require justification, and the general meeting will then make the final decision.

§8 Termination of membership

Membership ends upon resignation, expulsion, death of the member or dissolution of the association.

Resignation is effected by written declaration, which can also be sent electronically. The written declaration of resignation must be submitted to the Executive Board with one month's notice to the end of the financial year. Resignation is only possible at the end of the financial year.

A member can only be expelled with good cause. Good causes include, in particular, behaviour that is detrimental to the objectives of the association, breach of statutory obligations or arrears in membership fees of at least one year. The Executive Board decides on expulsion. The member has the right to appeal against the expulsion to the General Meeting, which must be submitted in writing to the Executive Board within one month of the notification being sent, and the members of the association will make the final decision. The member has the right to review the measure by appealing to the ordinary courts. The appeal to an ordinary court has a suspensive effect until the court decision becomes final.

Upon termination of membership, for whatever reason, all claims arising from the membership relationship shall lapse. A refund of contributions, donations or other support payments is excluded.

§9 Contributions

Contributions levied from members are regulated in the contribution regulations, which are to be voted on at the general meeting.

The General Meeting may also decide whether to waive the charging of membership fees in justified exceptional cases.

§10 Organs of the organisation

The organs of the association are

1. the general meeting,
2. the Executive Board.

§11 General Meeting

The general meeting is the supreme body of the association. Its tasks include in particular

1. Election and deselection of the Executive Board,
2. Acceptance of the reports of the Executive Board,
3. Discharge of the Executive Board,
4. Election of the auditors,
5. Determination of contributions and their due date,
6. Resolution on amendments to the Articles of Association, the Rules of Procedure, the Membership Fee Regulations, the Financial Regulations and the Rules of Procedure of the Executive Board,
7. Resolution on the dissolution of the Association,
8. Deciding on the admission and exclusion of members in cases of appeal as well as other tasks, insofar as these arise from these Articles of Association or by law.

An ordinary general meeting is held in the second quarter of each financial year.

The Executive Board is obliged to convene an Extraordinary General Meeting if at least one quarter of the members, but at least 10 members, request this in writing, stating the reasons.

The General Meeting is convened by the Executive Board in writing or in electronic form, giving two weeks notice and stating the agenda. The notice period begins on the day following the dispatch of the invitation

letter. The invitation letter is deemed to have been sent to the members if it is sent to the last address or e-mail address provided to the association.

The agenda must be supplemented if a member requests this in writing at least one week before the scheduled date. The addition must be announced at the beginning of the General Meeting.

Motions concerning the deselection of the Executive Board, amendments to the Articles of Association and the dissolution of the Association that have not already been sent to the members with the invitation to the General Meeting can only be resolved at the next General Meeting.

The General Meeting has a quorum regardless of the number of members present.

A secretary must be elected at the beginning of the general meeting.

Minutes must be taken of the resolutions of the General Meeting, which must be signed by the chair of the meeting, a member of the Executive Board and the secretary.

§12 Resolution

Each member has one vote. The right to vote can only be exercised in person or on behalf of a member upon presentation of a written authorisation.

Voting is decided by a simple majority of the votes cast.

Amendments to the Articles of Association and the dissolution of the Association can only be resolved with a majority of 2/3 of the members present.

Abstentions and invalid votes are not taken into account.

§13 Management Board

The Executive Board, within the meaning of Section 26 BGB, consists of two chairpersons, the treasurer and up to three other people. They each represent the association alone in and out of court. With effect against third parties, only two members of the Executive Board are jointly authorised to represent the association for transactions exceeding the amount of 250.00 € (two hundred and fifty euros). With effect vis-à-vis third parties, the Executive Board also requires the approval of the full Executive Board for any legal transaction exceeding 1,000.00 €. All members of the Executive Board form the full Executive Board. The Physics/Meteorology Student Representative Council of Johannes Gutenberg University Mainz may delegate a representative to the extended Executive Board, who has the right to vote at the Executive Board meeting. The association must be informed of this deputy in writing at the beginning of each semester. If the original person is unable to attend, their voting rights can be transferred to another student council member by proxy. In the event of a permanent change, this must also be communicated to the association in writing. The Executive Board is quorate at Executive Board meetings if more than 50 % of the Board members are present.

The Executive Board is elected by the Ordinary General Meeting for a term of one year. In the event of an election to the Executive Board at an extraordinary general meeting, the Executive Board is only elected until the next ordinary general meeting. If members of the Executive Board, the bodies or the departments resign during the term of office, the Executive Board shall appoint a suitable replacement member until the next scheduled election.

Only members of the association may become members of the Executive Board.

Re-election is permitted.

The Executive Board remains in office until it is discharged or a new election is held.

Upon termination of membership in the association, the office as a member of the Executive Board also ends.

§14 Cash audit

The ordinary general meeting elects two cash auditors for a period of one year. In the event of an election of a cash auditor at an extraordinary general meeting, the cash auditor is elected until the next ordinary general meeting. This cash auditor may not be a member of the Executive Board. Re-election is permitted.

§15 Dissolution of the association

If the association is dissolved or its tax-privileged purposes cease to exist, the assets of the association shall be transferred to a legal entity under public law or another tax-privileged corporation for the purpose of promoting education and vocational training, including student aid.

These Articles of Association were established in Mainz on 9 January 2017 and last amended on 4 September 2018.

Rules of procedure

of the association „Gemeinschaft der Physik e. V.“

Important: All § must be regarded as a supplement to the articles of association of the association and there must be no contradiction to the provisions of the articles of association.

This translation to English must be regarded as a supplement to the rules of procedure in German. In case of contradictions the German phrasing takes precedence over the English phrasing.

§1 Scope of application

The rules of procedure apply to all bodies with the exception of Board meetings. The formalities of the Executive Board meeting are regulated in a separate set of rules of procedure.

§2 Convening

The formalities for convening meetings are set out in the Articles of Association.

§3 Quorum

The bodies of the Association are quorate if they are duly convened, regardless of the number of members present.

§4 Chair of the meeting

1. One of the chairmen opens the meeting and appoints the chair of the meeting. This person chairs and closes the meeting.
2. A member of the association draws up the minutes, which must then be signed by a member of the board, the minute-taker and the chair of the meeting.
3. If §4.1 is not feasible, the General Meeting shall elect a chairperson.
4. The chair of the meeting may withdraw the floor, exclude persons permanently or temporarily and interrupt the meeting. The dissolution of the meeting requires a 2/3 majority vote.
5. The chairperson of the meeting or their authorised representative checks that the meeting has been duly convened, the attendance list and the voting entitlement. The chair of the meeting announces the agenda. The meeting decides on objections to the agenda or amendments by a simple majority.
6. The items on the agenda are discussed and voted on in the specified order. The chair of the meeting may propose a change to the agenda and must put this change to the vote.

§5 Allocation of the floor and succession of speakers

1. If there are several requests to speak, a list of speakers is possible by arrangement. Speeches are entered in the order in which they are made.
2. The chair of the meeting gives the floor. Speeches are given in the order in which they are announced or listed.
3. Participants in a meeting must leave the meeting room when instructed to do so by the chairperson if items on the agenda are discussed that affect them personally in a material respect.
4. Rapporteurs and applicants are given the floor at the beginning and end of the debate on their agenda item. They may also speak outside the list of speakers; their request to speak must be honoured by the chair of the meeting.
5. The chair of the meeting may take the floor outside the list of speakers in any case.

§6 Applications

1. The right to submit motions to the General Meeting is set out in the Articles of Association. Motions to the other bodies and committees can be submitted by members of the association.
2. Motions must be submitted one week before the date of the meeting, unless another deadline is stipulated in the Articles of Association.
3. Motions must be submitted in writing, stating the reasons.
4. The special provisions of the Articles of Association apply to motions to amend the Articles of Association.

§7 Urgent motions

1. Urgent motions are permissible if they relate to behaviour that is demonstrably in breach of the Articles of Association.
2. Motions of urgency are only admissible if two thirds of all members of the body are in favour.

§8 Points of order

1. Motions to raise a point of order, to close the debate or to limit speaking time must be voted on immediately outside the speaking time of the list of speakers, after the end of a subsequent new list of speakers.
2. The names of the speakers still entered in the list of speakers must be read out before the vote on a motion to close the debate or to limit speaking time.

§9 Votes

1. Before voting, the order of the motions to be voted on must be clearly announced. The motions must be read out individually.
2. The chair of the meeting must read out each motion again before voting.
3. If several motions are submitted on one item, the most far-reaching motion shall be voted on first. If it is unclear which motion is the most far-reaching, the chair of the meeting shall decide on the order.
4. Additional motions must be voted on separately.
5. Voting is open. A secret ballot may be ordered by the chair of the meeting or decided by a simple majority upon request.
6. Unless otherwise stipulated in the Articles of Association, all votes are decided by a simple majority of the votes cast; a tie means rejection. Abstentions and invalid votes are deemed not to have been cast.

§10 Elections

1. Elections are only possible if they are required by the Articles of Association or become necessary due to the resignation of members of the Board of Directors. They must be announced when the meeting is convened and must be included on the agenda.
2. If the meeting does not decide otherwise, elections must be held in writing and openly in the order prescribed in the Articles of Association.
3. At the beginning of an election, an election management is elected, which may appoint up to two election assistants.
4. The election management conducts the election and announces the result.
5. The examination of the candidates proposed for election with regard to the requirements set out in the Articles of Association is carried out by the election committee prior to the ballot. An absentee may be elected if the election committee has received a written declaration of consent prior to the vote. Clearly attributable documents and emails are considered written declarations.

6. Before the election, the candidates must be asked whether they are standing and after their election whether they accept the office. If the elected persons are absent, they must submit a written and signed declaration to the secretary, which is attached to the minutes.
7. The election result is determined by the election committee and its validity is expressly read out for the minutes.

§11 Minutes

1. Minutes of the General Meeting must be sent to the members and the Executive Board within two weeks. They must be signed by the secretary, the chairman of the meeting and a member of the Executive Board.
2. Minutes of other bodies must be sent to the meeting participants and the Board of Directors within two weeks.

§12 Entry into force

These rules of procedure were adopted by the General Meeting of Members on 27 April 2018 and enter into force on 4 September 2018.

Rules of procedure of the Executive Board

of the association „Gemeinschaft der Physik e. V.“

Important notice: This translation to English must be regarded as a supplement to the rules of procedure in German. In case of contradictions the German phrasing takes precedence over the English phrasing.

§1 Meetings

Board meetings are held regularly at least once a quarter. If this does not occur, the reasons must be explained to the General Meeting.

§2 Agenda

1. The agenda is drawn up by the chairmen.
2. The agenda must include all motions submitted by members of the Association and received by one of the chairpersons up to three days before the meeting.
3. The agenda must be communicated to the members of the Executive Board in writing one day before the date of the meeting.

§3 Confidentiality/publicity

1. The meetings of the Executive Board are open to the public.
2. The Executive Board may decide by simple majority to admit additional persons to the meeting.
3. The “subjects” discussed at the meetings of the Executive Board must be treated confidentially.
4. The public nature of the association can be cancelled for individual agenda items by a simple majority of the Executive Board.

§4 Chair of the meeting

The meetings are chaired by a chairperson.

§5 Quorum

1. The Executive Board is quorate if at least half of the members of the Executive Board are present.
2. The quorum must be established by the chairperson at the beginning of the meeting.

§6 Voting

1. Only the members of the extended Executive Board present at the Board meetings are entitled to vote. Voting by proxy counts as presence. Voting rights may not be transferred.
2. Votes are taken in the form determined by the chair of the meeting.
3. The Executive Board decides on motions by simple majority. In the event of a tie, the vote is repeated after further discussion at the next meeting. If, in the event of a repeat vote, a new tie is established, a vote is taken on whether the motion should be postponed again or voted on at the General Meeting. If the vote on postponement or presentation at the general meeting results in a further tie, the general meeting shall decide. If there is a further tie in the third vote on the motion, the General Meeting shall decide.
4. The simple majority is determined on the basis of the elected members of the Executive Board, including the extended Executive Board.

§7 Minutes

1. The proceedings of each Board meeting must be recorded in writing by the secretary.
2. A copy of the minutes of the meeting shall be sent to each member of the Executive Board.
3. Any member of the Executive Board may raise written objections to the content of the minutes within two weeks of receipt. A decision on objections will be made at the next Board meeting. If no objections are raised by the end of the deadline, the minutes of the meeting are deemed to have been approved.

§8 Entry into force

These rules of procedure were adopted by the Annual General Meeting on 27 April 2018 and enter into force on 27 April 2018.

Financial regulations

of the association „Gemeinschaft der Physik e. V.“

Important notice: This translation to English must be regarded as a supplement to the financial regulations in German. In case of contradictions the German phrasing takes precedence over the English phrasing.

§1 Principles of efficiency and economy

1. The organisation must be managed in accordance with the principles of economic efficiency. This means that expenses must be in economic proportion to the income generated and expected.
2. As a matter of principle, the principle of cost recovery applies to the association within the framework of the established budget.
3. The Association's funds may only be used for the purposes set out in the Articles of Association.
4. The level of expenditure must be appropriate. Allowances must not be excessive.

§2 Budget

1. A budget must be drawn up by the Executive Board for each budget year. It must include all income and expenditure planned for the budget year in question as well as all expected financial inflows and outflows.
2. The budget year runs from 1 April to 31 March of the following year.
3. The draft budget must be submitted to the members with the invitation at least two weeks before the General Meeting.
4. The treasurer monitors compliance with the budget and reports to the Executive Board on its implementation on an ongoing basis.

§3 Annual financial statements

1. All income and expenditure of the association for the past financial year must be documented in the annual financial statements. The annual financial statements must also include a statement of the association's assets and liabilities.
2. The annual financial statements must be audited by the elected auditors in accordance with Section 14 of the Articles of Association. In addition, the auditors may request to inspect the cash management at any time. The verification of the consistency of records and receipts is carried out on a sample basis if necessary.

§4 Cash audit

1. The cash auditors monitor compliance with the financial regulations and the budget. They check whether
 - (a) The financial and asset balances correspond to the disclosures in the annual financial statements,
 - (b) The accounting is factually justified, mathematically correct and correctly documented,
 - (c) The funds were used economically in accordance with §1.1.
2. The auditors fulfil their duties conscientiously and impartially. They are obliged to maintain confidentiality.
3. The cash auditors report to the General Meeting on the cash audit.

§5 Vote on financial proposals

1. Applications in which expenses and/or income of the association are part of the application count as financial applications.

2. In the case of a financial application, the Executive Board decides whether there is a precedent for this in the last twelve months or whether the Executive Board will make a new decision on this application.
3. A financial motion is voted on as set out in the Executive Board' Rules, §4, except that the Treasurer has the right to postpone the motion until the next meeting before or during the vote on the motion under discussion. If this right is exercised, the next meeting shall take place after a maximum of two weeks. The treasurer may postpone any financial proposal in this way exactly once.

§6 Management of financial resources, payment transactions

1. The treasurer manages the association's finances via an association treasury and a standardised current account at a German bank with deposit protection.
2. Payments shall only be made by the Treasurer if they are properly recognised in accordance with these Financial Regulations and if sufficient funds are still available within the framework of the budget.
3. The treasurer is responsible for compliance with the budget.
4. Special accounts or special funds may be authorised by the Executive Board upon request in exceptional cases.
5. A receipt must be available for each expenditure. The receipt must be a valid document under German law.

§7 Entry into force

These Rules of Procedure were adopted by the General Meeting on 27 April 2018 and enter into force on 27 April 2018.

Contribution regulations

of the association „Gemeinschaft der Physik e. V.“

Important notice: This translation to English must be regarded as a supplement to the contribution regulations in German. In case of contradictions the German phrasing takes precedence over the English phrasing.

§1 Principle

These contribution regulations are not part of the articles of association. It regulates the contribution obligations of the members as well as the fees and levies. They can only be amended by the general meeting of the association.

§2 Dues

1. The Executive Board proposes the membership fee regulations to the General Meeting. These are accepted by a simple majority. The membership fee regulations are valid until a new membership fee regulation is adopted. These are valid until a new resolution stipulates a change.
2. The membership fees are transferred by the members within the following two months after joining the association.

§3 Contribution amount

Contribution class	Membership form	Minimum contribution amount per year
1	Pupils and students	0 €
2	Non-students	12 €
3	Companies and other organisations	50 €
4	Research groups	50 €

A donation receipt can be issued for all voluntary contributions that exceed the minimum amount of 20 €. Donations can be made at any time to the specified account.

§4 Account

Bank Mainzer Volksbank
IBAN DE44 5519 0000 0945 3800 12
BIC MVBMD55

Transfers to other accounts are not permitted and will not be recognised as payment.

§5 Entry into force

These rules of procedure were adopted by the Annual General Meeting on 27 April 2018 and enter into force on 27 April 2018.

Data protection regulations

of the association „Gemeinschaft der Physik e. V.“

Important notice: This translation to English must be regarded as a supplement to the data protection regulations in German. In case of contradictions the German phrasing takes precedence over the English phrasing.

§1 Persons responsible for personal data

1. Members of the organisation who have access to personal data collected in the course of the organisation's activities are considered to be data controllers with regard to personal data.
2. Those responsible are elected by the Executive Board at a meeting. Those elected hold this position until further notice.
3. The association's email address is available to members as a contact address for enquiries about personal data. The responsible persons can also be contacted.

§2 Processing activities

1. At least one controller is appointed for each processing activity.
2. The processing activities are recorded in accordance with Art. 30 of the General Data Protection Regulation (GDPR) using the current model forms of the Rhineland-Palatinate data protection authority.
3. The association does not endeavour to collect any data for other purposes (in accordance with Art. 6 para. 1 lit. f) of the GDPR), i.e. no data other than that for the pursuit of the association's own objectives and for member support and administration.

§3 Consent

1. Consent to the storage of personal data for membership administration and possibly contribution administration is part of the membership registration form. Consent to the two categories mentioned above is therefore given upon joining.
2. Additional personal data that the association collects (e.g. B. pictures of association parties, contact details for external parties) are collected with the separate consent of the association members.
3. The Executive board must provide correctly formulated forms in accordance with this data protection regulation for the above-mentioned consent.

§4 Stored data

1. The following data is stored in writing and digitally in the university's internal cloud system at Johannes Gutenberg University.
2. For the purpose of member administration and support, the association stores the first and last name, an address with place of residence, an e-mail address and the date of birth. Optionally, a telephone number can be stored.
3. For the purpose of membership fee administration, if a membership fee or voluntary contribution is paid, the consent to this is stored. Optionally, if consent is given for a SEPA direct debit mandate, the relevant IBAN, BIC and consent are stored. This data is stored in writing.
4. Additional consents in accordance with paragraph 3 are kept in writing.

§5 Viewing the data

1. Every member of the association can request the inspection, correction, deletion, restriction of processing and right to object to the processing of all their stored personal data. This request must be

executed by the respective controller as soon as possible.

2. Every member of the association can withdraw the consent given to the association for the storage and/or publication of personal data at any time. The deletion of the relevant data must be carried out as quickly as possible by the person responsible.

§6 Data breach

If a data breach occurs (e.g. due to a hacker attack or a break-in) and member data is lost, this constitutes a breach of the protection of personal data in accordance with Art. 33 and 34 of the GDPR. In this case, the Executive Board or those responsible must report the minimum information specified in Art. 33 para. 3 to the responsible data protection supervisory authority in Rhineland-Palatinate. In addition, the affected members of the association will be contacted and informed about the data breach.

§7 Entry into force

These rules of procedure were adopted by the Executive Board on 19 September 2018 and enter into force on 19 September 2018.