

statutes

1st name and location

- 1.1. The club is called:
allotment association "Am Hastebach" eV and is based in Hameln
- 1.2. It represents the association of allotment gardeners within the association area (district, etc.) and includes the allotment garden complex "Am Hastebach".
- 1.3. He is a member of the Hameln District Association of Allotment Gardeners and thus also of the Lower Saxony State Association of Allotment Gardeners, Hanover
- 1.4. The association is registered in the register of associations.

In addition, it will meet the requirements for tax exemption (Section 59 AO) and carry out the actual management (Section 63 AO) in accordance with the statutes.
- 1.5. The financial year runs from January 1st to December 31st.

2nd purpose and tasks

- 2.1. The Union
 - pursues exclusively and directly non-profit purposes within the meaning of allotment garden law and within the meaning of the section "Tax-privileged purposes" of the German Tax Code.
 - is politically and religiously neutral,
 - acts selflessly and rejects any economic activity with profit-making intentions.
- 2.2. The association aims to:
 - a) to promote the creation and maintenance of allotment gardens as part of public green spaces in the interests of maintaining the health of the entire population.
 - b) to arouse and intensify interest in allotment gardens as part of public green spaces among the population in order to maintain people's close connection to nature,

- (c) to promote all measures to ensure that public green spaces and allotment gardens serve the common good,
- d) to provide child and youth care, to promote the German Schreber Youth,
- e) to maintain the allotment gardens and to provide professional advice to the members,
- f) to expand the allotment gardens in line with modern urban development.

2.3. Non-profit regulations:

- a) The association's funds may only be used for statutory purposes. Members will not receive any donations from the association's funds.
- b) No person may benefit from expenses that are unrelated to the purpose of the association or from disproportionately high remuneration.

3. membership rights and obligations

3.1. Membership is voluntary. All members have the same rights and obligations.

3.2. Membership is personal, not inheritable and not transferable. Any person with legal capacity can apply.

3.3. Membership is acquired upon written application by resolution of the board. The notification of admission must be given in writing. The reasons for any rejection do not need to be stated.

3.4. By declaring his membership, the new member acknowledges the statutes and the garden regulations as legally binding.

3.4.1 The member has the right

- a) to exercise the active and passive right to vote within the association,

- b) to submit and present motions and proposals,
- c) to participate in the decision-making process at the general meetings and to participate through his vote,
- d) to inspect the minutes of the general meetings,
- e) to attend events and training courses of the association and to use the association's facilities in accordance with the decisions taken,
- f) to cultivate and design the allotment garden made available to him for allotment gardening purposes on the basis of membership, in compliance with the applicable statutory provisions, the garden regulations and the sublease agreement.

3.4.2. The right to use allotment gardens is not a special right within the meaning of Section 35 of the German Civil Code (BGB).

3.4.3 The member has the obligation

- a) to protect and promote the reputation of the association and to represent its interests at all times,
- b) to meet the financial obligations to the association by the set dates. – Payments are initially credited to the membership fees and levies. Instructions to the contrary regarding payments are deemed not to have been made. If payment deadlines are not met, reminder fees and collection costs must be paid.
- c) to carry out the community work determined by the general meeting, to take part in any necessary night watches, emergency work (storm damage, fire, etc.), and to participate in nature and bird protection measures as decided by the board. - The general meeting decides on the maximum number of working hours to be performed, options for replacement work or financial compensation.
- d) to carry out plant protection and pest control in the allotment garden, while observing the legal provisions for the protection of the environment.
- e) not to start the construction of gazebos until the approvals of the board and the authorities have been obtained,

- f) to refrain from using the sheds as permanent living space,
- g) to observe the garden regulations and to follow any other instructions given by the board or its representatives (chairmen, etc.).
- h) Any change of address or name must be reported to the Board of Directors immediately in writing.

3.4.4 The rights and obligations of members who do not have a garden may be restricted by resolution of the General Meeting.

4th termination of membership

4.1 Membership expires:

- a) by dissolution of the association,
- b) by resignation, which can only take place at the end of a financial year and must be notified in writing / by registered letter *) by 31 July at the latest,
- c) by death. The garden reverts to the association. The board can award the garden to a family member or other heir.
- d) by exclusion. This can only be pronounced by the board if the person concerned has been given the opportunity to justify himself within a period of at least two weeks. The exclusion decision and the reasons must be communicated to the member in writing / by registered letter *). The member has the right to object to the exclusion in writing within one month of the notification and to request a decision from the general meeting. The general meeting will make the final decision, subject to judicial review.

4.2 The reasons for exclusion are:

- a) improper management of the garden despite two written warnings from the board,
- b) dishonorable or immoral conduct. Exclusion should occur if the member or one of his family members is guilty of theft within the premises managed by the club.

- c) Failure to meet payment obligations despite two written reminders from the Board of Directors,
- d) three refusal to perform community work or its substitute services,
- e) intentional damage to the interests of the association,
- f) gross insult to the board,
- h) subletting or transferring the garden to a third party,
- i) loss of legal capacity,
- (j) loss of the ability to hold public office and to obtain public election rights and punishment for crime during membership,
- k) Storage and unauthorized use of firearms in the allotment area

4.3 Unless there are conflicting or amending provisions of the special allotment garden law, the sublease agreement concluded between the allotment garden association and the member expires when membership ends. Furthermore, all rights arising from membership and to the association's assets expire. To cover any obligations, garden facilities and objects (buildings, fruit trees and others) that are the property of the member can be used by the association to meet its claims.

5th organs

5.1 The organs of the association are:

a) the Board of Directors

b) the general meeting

6th The board consists of:

a) the 1st Chairman and his deputy (2nd Chairman)

b) the 1st Treasurer and his deputy (2nd Treasurer)

c) the 1st Secretary and his deputy (2nd Secretary)

d) the specialist advisor

6.2 The 1st Chairman, his deputy, the 1st Treasurer and the 1st Secretary are the board of directors within the meaning of Section 26 of the German Civil Code (BGB). Two of them, including the 1st Chairman or his deputy, are authorized to legally represent the association.

6.3 The remaining board members are assessors with voting rights. Additional assessors, such as chairpersons, youth leaders, press officers, can be called in; they do not have voting rights.

7th board election and management

7.1 The board is elected by election or, at the request of a member, by secret ballot at the general meeting for a period of 2 years. Board members retire every year;

- in odd-numbered years the
second chairman
the first treasurer
the second secretary of the
technical advisors

- in even years the first
chairman
the second treasurer the
first secretary

The term of office runs until the end of the general meeting. Re-election is permitted.

7.2 Committees may be elected by the General Meeting or the Board of Directors to deal with special matters.

7.3 The board and committees work on a voluntary basis. They can be reimbursed for cash expenses and (in urgent cases) for loss of earnings. In addition, a flat rate for voluntary work can be paid after confirmation by the general meeting. The amount of the remuneration must not be unreasonably high. The measure of the measure is the non-profit objective of the association.

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7.4 The Board of Directors decides in accordance with the provisions of Sections 32 and 34 of the German Civil Code (BGB) applicable to the decisions of the members of the association.

7.5 If a declaration of intent is to be made to the association, it must be made in writing. It is sufficient to submit it to a member of the board.

7.6 The board of directors is responsible for all club matters that are not expressly reserved for the general meeting.

7.7 Minutes must be taken of all board meetings and confirmed at the next meeting.

8th general meeting

8.1 Every member/honorary member has a seat and a vote in the general meeting. In the event of an impediment, the right to vote can be transferred to a legally competent family member by written power of attorney.

8.2 The general meeting decides on the affairs of the association insofar as they are reserved for it. For the decision to be valid, the matter must be specified when the meeting was called or placed on the agenda in accordance with section 9.4.

9th Convening and Task of the General Meeting

9.1 The general meeting takes place at least once a year. Additional general meetings are called by the board as required or upon written request from at least one tenth of the members. The request must be justified. The board must call a general meeting if the auditors request it.

9.2 Invitations must be sent in writing two weeks in advance, the last known address being deemed to have been delivered. The agenda must be announced when the meeting is called. Any proposed changes to the statutes must

be announced stating the subject matter.

9.3 The task of the general meeting is:

- a) to receive business, financial and audit reports
- b) to discharge the Board of Directors,
- c) to elect the members of the Board of Directors, assessors and auditors,
- d) to decide on amendments to the statutes,
- e) to determine contributions, levies and payment dates,
- f) to decide on the joint work and its replacement services,
- g) to approve the budget estimate,
- h) to deal with other applications,
- i) to appoint honorary members.

9.4 Applications must be submitted to the board in writing by December 31st at the latest. Applications received late require the support of one third of the members present if they are to be considered, with the exception of applications that require a qualified majority to be passed.

9.5 The duly convened General Meeting shall have a quorum regardless of the number of members present.

9.6 Unless a qualified majority is required, resolutions are passed by a simple majority. Abstentions are deemed to mean that no vote has been cast. A tie vote is deemed to mean a rejection, except in the case of elections.

9.6.1 If the votes are tied in an election, a run-off election shall be held.

If this does not result in a majority, the decision will be made by lot.

9.6.2 Qualified majorities are required

- a) in the event of changes to the statutes
 - three quarters of the members present,

b) when deciding on the dissolution of the association
- three quarters of the members present,

c) when deciding on the early dismissal of members of the Board of Directors
- two thirds of the members present

9.7 To document the resolutions, a record must be made of each meeting, which must be approved at the next meeting and signed by the chairman of the meeting and the secretary.

9.8 A resolution is valid even without a meeting of the members if the majority of the members have declared their consent to the resolution in writing.

9.9 Decisions made in accordance with the statutes are binding for all members.

10th cash and accounting

10.1 Before the start of each financial year, the board must prepare a budget estimate in which all expenditure must be covered by expected income. This estimate is provisional until it is confirmed or amended by the general meeting. Excess and unscheduled expenditure must be approved by the general meeting unless it can be covered by savings elsewhere or by additional income.

10.2 Each year, the general meeting elects two auditors and one representative who may not be members of the board. The auditors - or the representative if an auditor is unavailable - must audit the association's cash, books and receipts as required, but at least once a year, without prior notice. The auditors must also audit the annual financial statements and the financial report. Minutes must be taken of each audit, which must be signed by the auditors and the treasurer. The board or the general meeting must be informed of the audits.

11th Change of purpose - dissolution

- 11.1 The change of the purpose of the association as well as the dissolution of the association can only be decided at an extraordinary general meeting, which must be specially convened for these purposes.
- 11.2 If the association is abolished or dissolved or if its previous purpose ceases to exist, the association's assets will pass to Behindertensport Hameln eV, which must use them directly and exclusively to create new allotment gardens and to maintain old allotment gardens.
- 11.3 Resolutions that entail a change in the purpose of the association or, in the event of dissolution, a disposal of assets may only be implemented after the consent of the tax office has been obtained.

12th amendment to the statutes

- 12.1 The Board of Directors is authorized to make any restrictions or additions to these Articles of Association required by the Registry Court, provided they are insignificant, particularly of an editorial nature, independently.

These statutes were established and approved at the general meeting on December 2, 1978.

The general meeting of November 29, 2014 decided to amend the statutes in § 1, § 7, § 8, § 9, § 10 and § 11.

The association is registered at the Hameln District Court under number 493. The change is recorded in the Association Register at the Hanover District Court Registered under VR 100071.