

## **Articles of the "European China Law Studies Association"**

### **§ 1 Name, Seat, Fiscal Year**

- (1) The association is named „European China Law Studies Association"
- (2) The association is a registered association with its seat in Hamburg.
- (3) Fiscal year is the calendar year.

### **§ 2 Purpose, Common Public Interest**

- (1) The association solely and directly pursues purposes in the common public interest in terms of the paragraph „Tax-privileged Purposes“ (“Steuerbegünstigte Zwecke”) of the General Tax Code (Abgabenordnung).
- (2) Purpose of the association is the ideational and material promotion of jurisprudential China-studies in Europe.
- (3) The objective of these articles of the association will especially be put into practice by events, which serve the exchange of practical experiences and academic insights as well as legal exchange between Europe and China, by financial support of academic works in the field of Chinese Law in terms of grants and awards (e.g. grants for printing costs). The allocation of grants and awards will follow allocation guidelines which have to be approved by the tax office; this applies also in case of these guidelines being modified.
- (4) The association does not operate for its own ends; it does not primarily follow its own commercial interests.
- (5) Funds of the association are only to be devoted to purposes according to these articles of the association. The members of the association in their capacity as members are not permitted to receive benefits out of the association's funds.
- (6) It is not permitted that a person may benefit from spendings, which are not in accord with the purpose of this association, or from unproportionally high allowances.

### **§ 3 Membership**

- (1) Every natural person, who supports the aims of this association, may become a member of the association, irrespective of his or her place of living or place of work.
- (2) The board of directors decides about the admission as member.
- (3) The membership expires
  - a) in the event of death,
  - b) in the event of resignation at the end of the calendar year, if the declaration of resignation is submitted to the board of directors with six weeks notice to the end of calendar year,
  - c) by decision of the board of directors, which is possible in the following cases:
    - aa) if a member profoundly violates the articles of association or the decisions of the general meeting;
    - bb) if a member despite overdue notice fails to pay his or her fees for a period of over two succeeding years;

cc) for other important reasons.

(4) To react to an unanimous proposal of the board of directors the general meeting may offer the honorary membership to a personage of outstanding merit

#### **§ 4 Membership Fee**

(1) The association collects an annual membership fee, the amount of which is determined by the general meeting. The board of directors can, at its own discretion, decide about the exemption or reduction of fees, especially in case of exchange rate disparity or foreign currency restrictions. Honorary members are exempt from the commitment to pay membership fees.

(2) The annual fee is due on the 31st of January of each year.

#### **§ 5 Bodies of the Association**

Bodies of the association are:

a) the board of directors,

b) the general meeting.

#### **§ 6 Board of Directors**

(1) The board of directors of the association is constituted of not less than two and not more than six members.

(2) Its members are elected for the period of four years and remain in office until a new board of directors is elected. Reelection is permitted.

(3) The board of directors determines the principles of the association's management. The board of directors decides with the majority of votes. At a parity of votes the chairperson decides. Representation and written procedure are permitted.

#### **§ 7 Management**

(1) The board of directors elects from its midst a chairperson and a vice chairperson of the board of directors.

(2) The chairperson and the vice chairperson constitute the board of directors in terms of § 26 BGB. They represent the association each respectively and in single cases can get exempt from the restrictions of § 181 BGB by the board of directors (§ 6).

#### **§ 8 General Meeting**

(1) The general meeting usually takes place in the proximity of time of an academic symposium of the association. The general meeting, however, shall be convened at least every four years.

(2) The general meeting shall also be convened, if members, who represent at least 1/5 of all votes, demand this in written form, stating reasons and purpose.

(3) For every general meeting the invitations shall be in writing, including an agenda. The invitation must be posted at the latest 30 days in advance to the meeting day. Members, who have submitted their e-mail-address for this purpose to the board of directors, can also be invited to the general meeting by e-mail. The period of time mentioned in sentence (2) is applicable accordingly, whereby the calculation of the period shall be based on the date of sending the e-mail.

(4) The general meeting constitutes a quorum, if seven members are present. Every member has one vote. Every member can authorize another member to exercise his or her membership rights in a general meeting. The authorization shall be in writing and may be shown on request of the chairperson of the board of directors.

(5) The general meeting decides with the majority of votes cast. At a parity of votes the proposal to be voted on is turned down.

(6) If the general meeting has been duly convened, but does not have a quorum due to poor attendance, a second invitation can be sent out keeping up the agenda and submitted in time. The second meeting then has a quorum irrespective of the number of attendants as long as this fact has been mentioned in the second invitation.

(7) The decisions of the general meeting are recorded in the minutes, which shall be signed by the chairperson.

### **§ 9 Dissolution**

In case of dissolution or termination of the association or in case of discontinuation of the tax privileged purpose the then remaining association funds shall fall to the German Research Foundaton (Deutsche Forschungsgemeinschaft) for the purpose of promoting jurisprudential China-research.

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Raimund Behnes

Dr. Thomas von Hippel

Katja Levy

Prof. Dr. Marian Paschke

Dr. Knut Benjamin Pißler

Prof. Dr. Ulrich Ramsauer

Prof. Dr. Christiane Wendehorst

Dr. Wolfgang Wurmnest

This English translation of the articles of the association is for information only; solely the German version is of legal effect.