

Statutes

Bureau for the Implementation of Equal Treatment (BUG)

Preamble

The Association pursues the vision of transforming Germany into a predominantly non-discriminatory society, in which the human right to equal treatment and non-discrimination is realised in all spheres of life for all people living in the Federal Republic of Germany.

§ 1 Name, location, fiscal year

1. The name of the Association is the “Bureau for the Implementation of Equal Treatment” (BUG). It has its headquarters in Berlin. The Association is to be registered with the Charlottenburg district court Register of Associations. Hereafter, the name will be the “Büro zur Umsetzung von Gleichbehandlung (BUG) e.V” (Bureau for the Implementation of Equal Treatment).
2. The fiscal year is the calendar year.

§ 2 Objectives and functions

1. The purpose of the Association is the promotion and implementation of equality and a culture of non-discrimination in the Federal Republic of Germany.
The Association has the following objectives:
 - a) The Promotion of equal and non-discriminatory coexistence of German and non-German citizens, men and women, whatever their ethnic origin or identity, religion, sex, age, disability or sexual identity may be.
 - b) The promotion of diversity while respecting human rights.
2. The Association’s objectives will be achieved in particular through the following activities:
 - a) Free support and advice for people in the event of discrimination, especially in court and complaints proceedings, in order to ensure the legal protection of the individual concerned;
 - b) Advising public bodies and decision-makers through the identification of strategies to combat discrimination;
 - c) Networking with relevant stakeholders in the anti-discrimination field;
 - d) Educating the public about legal instruments and measures to tackle discrimination;
 - e) Awareness-raising to prevent discrimination;
 - f) Free support and advice for disabled people in the event of discrimination, in order to achieve full and equal inclusion and accessibility to all spheres of life.

- g) Providing information and advice regarding issues of consumer protection law in conjunction with protection from discrimination and precedent-setting processes to ensure the enforcement of the law in this area.
3. The Association is a politically and religiously independent national organisation. The Association may join national and international organisations where their goals are in line with the objectives of the BUG Statutes.

§ 3 Registration as charity

1. The Association pursues goals which are exclusively and directly charitable within the meaning of the section on "tax-privileged purposes" of the Fiscal Code, through the promotion of equality of all people in the Federal Republic.
2. The Association acts altruistically, it does not primarily pursue its own economic ends.
3. Funds received by the BUG may only be used for purposes which are in line with the Statutes.
4. The members of the Association, in their capacity as members, may not receive funds from the Association. No individual may benefit from grants for purposes outside the scope of the Association or receive disproportionately high payments.
5. The members do not receive any share of the profits and, in their capacity as members, do not receive any other benefits from Association funds. The members have no share in the assets of the Association.

§ 4 Membership

1. Members may only be natural persons who support the goals of the Association.
2. Individuals over 18 years of age may become members. They must submit a written application for membership. The request for membership will be considered by the Board.
3. Membership is non-transferable and non-hereditary.
4. The Association does not charge a membership fee.

§ 5 Termination of Membership

1. Membership is terminated by resignation, exclusion or death.
2. Resignation must be made in writing to the Board. Provided a notice period of two months is served, resignation is permissible at any time. The notice period begins on receipt of the resignation letter.
3. A member may be excluded from the Association
 - due to a gross violation of the Statutes or the interests and objectives of the Association or
 - because of dishonourable behaviour.

Decisions concerning exclusion are taken by the Board.

§ 6 Funding

The Association obtains the necessary funds for its purposes chiefly through funding grants and donations.

§ 7 Bodies

The bodies of the Association are:

- The Board
- The General Assembly
- The Advisory Board

§8 The Board

1. The Board consists of:
 - The Chairperson
 - The Deputy Chairperson
 - The Treasurer

who are members of the Association.

2. The Board conducts the business of the Association in accordance with the Statutes and the current version of the Rules of Procedure. The Board is responsible for the execution of the decisions made by the General Assembly. It works on a voluntary basis and meets at least once a year. A compensatory fee may be paid for voluntary work. The Board shall take its decisions by simple majority. It may appoint a Director, in accordance with § 30 of the BGB [German Civil Code], in order to carry out the business of the daily running of the Association. Full-time members of staff are not entitled to stand for office. All other matters are regulated by the Rules of Procedure.

The Board is involved in decisions of strategic significance to the Association and adopts:

- the multi-annual strategic plans and annual work programmes,
- the annual budgets and audits
- the appointment of a Director
- membership applications

All other matters are regulated by the Rules of Procedure.

3. The Board meetings are opened and closed by the Chairperson or, in his/her absence, the Deputy Chairperson. The decisions of the Board are recorded and signed by the Chair. Board meetings may be held and Board decisions taken in writing or by electronic or telephonic means if all Board members consent to this procedure.
4. The Association is represented, in or out of court, by two Board members together.

§ 9 Term of office for the Board

The Board is elected by the General Assembly for a term of three years. The Board remains in office until new elections are held, in accordance with the regulations. Re-election of a Board member is permitted for one additional term.

§ 10 Internal auditor

1. The General Assembly elects an internal auditor for a period of three years. The auditor is not a member of the Board.
2. For the election of the auditor the rules for the election of the Board apply.

§ 11 General Assembly

1. The ordinary General Assembly (GA) will be held at least every third year.
2. An extraordinary GA takes place if the interests of the Association require it or if one third of the members submit a request in writing to the Board, indicating the reasons for doing so.

§ 12 Competence of the ordinary General Assembly

The ordinary General Assembly, as the highest decision-making body of the Association, is primarily responsible for:

- receiving the reports of the Board
- receiving the reports of the Treasurer and Auditor
- electing and discharging the Board
- electing and discharging the Treasurer
- electing the auditor
- adopting changes to the Statutes and the dissolution of the Association.

§ 13 Convening of General Assemblies

1. An ordinary General Assembly will take place at least once a year. It will be convened in writing by the Board, with a minimum of four weeks' notice and stating the agenda of the meeting. The notice period begins the day after the invitation letter is sent. The invitation letter may be considered to have been received by a member if it was posted to the member's last known address.
2. The General Assembly decides on requests to include items on the agenda. In order for additional items to be included, a two thirds majority of valid votes cast is required.
3. Motions for amendments to the Statutes must be included with the invitation to the General Assembly. The exact wording of the new or amended paragraphs must be provided with the invitation.

§ 14 Procedures and decision-making at General Assemblies

1. The General Assembly elects an Assembly chairing team made up of three people.
2. The General Assembly is quorate if at least five members are present. Each member present has one vote which is not transferable. Decisions are taken by a simple majority of the members present. In the event of an eventual tie, the motion is not carried. In the event of a tie, the Assembly Chair has the casting vote. Abstentions are not considered to be votes cast. All other matters are regulated by the Rules of Procedure.
3. Unless otherwise regulated by the Rules of Procedure, non-members are not permitted to attend a General Assembly.
4. Amendments to the Statutes can only be passed with a two thirds majority of the members present. Amendments to the Statutes which are required by the regulating authorities, including judicial and financial authorities for official reasons may be made by the Board of its own accord. All amendments will be brought to the attention of the members of the Association. For the dissolution of the Association, a two thirds majority of the members present who are eligible to vote is required. Other decisions are taken by simple majority.
5. The election of Board members shall be taken by simple majority. Elections are held by means of an open vote and a separate election is held for each position, unless a member calls for a secret ballot. If a member of the Board resigns during their term of office, the vacancy may be filled by another member of the Board until a new election is held. The Board continues to be fully competent and may co-opt an Association member to the vacant position.
6. The decisions of the General Assembly must be recorded in minutes which are signed by the Assembly Chair and the minute-taker.
The minutes should contain the following:
 - place and time of the meeting
 - name of the Assembly Chair
 - name of the minute-taker
 - the number of members present
 - the agenda
 - the individual voting results and the type of vote

In the event of amendments to the Statutes, the clause to be amended must be included in the minutes.

§ 15 Right to vote and eligibility

All ordinary members have the right to vote. The right to vote may only be exercised in person. Unless otherwise determined, decisions are taken by a simple majority.

§ 16 Advisory Board

The Association may appoint an Advisory Board of up to seven people to support the work of the Association on a voluntary basis and without remuneration. All other matters are regulated by the Rules of Procedure.

§ 17 The office of the Association

The Association sets up an office, headed by a Director. He/she supervises the running of the organisation in the spirit of the Association Statutes. All other matters are regulated by the Rules of Procedure.

§ 18 Auditing

1. The annual audit is performed by the internal auditor.
2. The internal auditor examines the accounts of the Association, including the books and other documents, once a year and reports to the Board in writing. The Treasurer and the Internal Auditor report to the General Assembly every three years and, provided the accounts are correct, the Internal Auditor proposes that the actions of the Treasurer and the members of the Board be approved.

§ 19 Regulations

For the implementation of the objectives set out in the Statutes, the Board shall adopt Rules of Procedure. The adoption and amendment of the Rules of Procedure shall require a two thirds majority of the members of the Board. In addition, the Board may adopt additional regulations.

§ 20 Dissolution of the Association

1. The dissolution of the Association may be undertaken at an ordinary or extraordinary General Assembly, in accordance with the voting majority requirements as outlined in Section 14.

Unless the General Assembly decides otherwise, the Chairperson and the Deputy Chairperson are appointed jointly as liquidators (to supervise the dissolution of the Association).

The above provision applies mutatis mutandis in the event that the Association is dissolved for reasons other than those mentioned above or loses its legal capacity.

2. If the Association is dissolved or loses its charitable status, the assets of the Association will be transferred to the non-profit organisation, GLADT e.V., which is a member of the Berlin branch of 'Der Paritätische'. GLADT e.V. is active in the field of gays and lesbians from Turkey and is bound to use the assets for charitable purposes only. In the event of GLADT e.V. losing its charitable status or leaving 'Der Paritätische', the assets of the BUG shall be transferred to the national 'Der Paritätische' association.

§ 21 Entry into force

These Statutes have been amended by the General Assembly of the Association on 2 July 2011.

Berlin, 2 July 2011