

Statutes of the Deutscher Kyudo Bund e.V.

dated January 6th, 1994, last amended on August 21st, 2023

§ 1 [Name, seat]

The name of the association is "Deutscher Kyudo Bund e.V.", abbreviated to DKyuB. The DKyuB is based in Hamburg, Germany.

§ 2 [Purpose]

(1) The DKyuB pursues exclusively and directly charitable purposes within the meaning of the section "Tax-privileged purposes" of the German Tax Code. The DKyuB is a non-profit organization; it does not pursue primarily its own economic purposes. The association's funds may only be used for statutory purposes. Members shall not receive any benefits from the association's funds. No person may benefit from expenses that are alien to the purposes of the DKyuB or from disproportionately high compensation.

(2) The purpose of the association is the promotion and cultivation of sport. The purpose is realized in particular through the promotion of the sport of Kyudo in the sense of the amateur idea.

(3) The assets of the DKyuB may only be used for these sporting objectives.

(4) The DKyuB is neutral in terms of party politics, ethnicity, denomination and gender.

(5) The means to achieve the purpose are the teaching of Kyudo, the implementation of orderly sports activities among the members and with friendly and superordinate associations as well as the organization of competitions, examinations and public relations work.

(6) The DKyuB is an associate member of the DJB (German Judo Federation) and may be a member of national and international committees and associations. The DKyuB strives for independent membership in the DOSB and will leave the DJB upon achieving this goal.

§ 3 [Membership]

(1) Members of the DKyuB are the state associations. State associations in this sense are independent kyudo state associations or kyudo sections of the responsible judo state association in accordance with the federal structure of the German Olympic Sports Confederation. No more than one state association may be a member of a sports federation.

(2) At the direct request of clubs, kyudo sections or groups thereof, the following shall be treated equally to the state associations:

- individual clubs or kyudo departments,
- groups of clubs or kyudo departments,

insofar as the respective local judo association does not permit sections or no independent national kyudo association exists.

- (3) The representation of interests of the above-mentioned clubs or groups in the area of a national association must be uniform and based on democratic principles with respect to the DKyuB.
- (4) If representation by an individual club or department already exists in the area of a national association, a group must be constituted if further clubs apply for membership.
- (5) If there is the possibility of founding an independent national association, the DKyuB may set a deadline for the clubs/divisions concerned to constitute such an association. After expiry of this deadline, the membership of the clubs/divisions in the area of this national association shall end.
- (6) Membership in the parent or governing association is independent of its (the parent association's) non-profit status. Membership expires if the member association no longer fulfills the tax requirements for non-profit status in accordance with §§ 51ff. Tax Code are no longer fulfilled.
- (7) The DKyuB and its regional associations are obliged to grant this opportunity to all persons and groups who wish to practise amateur Kyudo (i.e. non-commercial), unless there are reasons that would lead to exclusion in accordance with paragraph 6 or the corresponding provisions of the statutes of the responsible member association in the case of existing membership. The exclusion procedure provided for in the Articles of Association shall apply mutatis mutandis to the examination of the reasons.
- (8) Membership shall end upon termination of the membership, resignation or exclusion.
- (9) Upon termination of membership, all rights and obligations arising from membership shall expire.
- (10) Resignation is only possible at the end of a calendar year and must be announced to the Board of Directors at least three months in advance by registered letter.
- (11) A member may be expelled from the DKyuB by resolution of a general meeting for good cause, in particular in the event of serious damage to the purpose or reputation of the DKyuB or if payment of the annual membership fee is more than six months in delay after the due date. Applications for the expulsion of a member must be addressed to the Executive Board. The Board of Directors and the members are entitled to submit applications. The member concerned must be given the opportunity to be heard and to justify their decision. Further details are set out in the legal regulations. Expulsion requires a majority of three quarters of the participants in the meeting entitled to vote in a secret ballot.
- (12) No expelled member shall be entitled to the Association's assets or any part thereof.
- (13) In the event of violations of the Association's statutes, regulations or resolutions of the General Assembly by a member (association, department or individual), the procedure shall apply in accordance with § 6 section 3.

§ 4 [Beiträge]

- (1) The General Meeting shall determine the amount of the membership fees in advance.
- (2) The financial year covers the period from October 1 to September 30.

§ 5 [Participation in organizations outside the DKyuB]

Members of the DKyuB and their members are generally permitted to participate in events and cooperate with higher-level governing organizations of which the DKyuB is a member. Participation in events of these organizations must be reported to the Executive Board and requires its approval, insofar as the superordinate organizations so provide. Participation in events of organizations and groups outside the DKyuB that are not superordinate governing bodies is regulated by § 6 Section 3 of the Sporting Regulations.

§ 6 [Bodies]

The bodies of the DKyuB are

- a) the General Assembly,
- b) the Board of Directors,
- c) the Legal Committee,
- d) the Council of Elders,
- e) the Panel of Trainers.

§ 7 [General Assembly]

(1) The supreme body of the DKyuB is the General Meeting (GM).

(2) The ordinary General Assembly shall take place once per calendar year. An extraordinary General Assembly of Members shall be convened if the Executive Board deems an extraordinary General Assembly of Members to be necessary in the interests of the Association or if 30 percent of the regular members so request.

(3) The tasks of the general meeting are

- Determining whether the meeting has been duly convened,
- Determination of voting rights,
- Election of a chairman of the meeting, election of a keeper of the minutes
- Honors,
- Approval of the minutes of the last meeting,
- Resolution on the agenda,
- Acceptance of the reports of the Board of Directors,
- Acceptance of the auditors' reports,
- Discharge of the Board of Directors and the auditors, whereby discharge must be granted individually,
- New election of the Executive Board,
- Election of the auditors and, if applicable, the members of the legal committee,
- Determination of contributions,
- Approval of the budget estimate for the current financial year,
- amendments to the Articles of Association,
- determination of the next meeting venue.

(4) A majority of two-thirds of the members entitled to vote is required to amend the Articles of Association. A change to the purpose of the DKyuB requires the approval of all members. Editorial changes can be decided by the Board of Directors. The members must be informed of this.

(5) If a resolution on matters in accordance with paragraph 3 is required outside a general meeting, the Board of Directors must place these items on the agenda of the next general meeting with a special reference. This meeting shall then have the same quorum in these matters as the general meeting and shall proceed according to the same rules.

(6) In the cases referred to in paragraph 5, a general meeting must be convened within one month at the latest if at least two members submit a written request to this effect, stating the reason.

§ 8 [Rules of procedure for general meetings]

(1) Written invitations to the meetings in accordance with § 7 section 2 shall be issued at least six weeks in advance, stating the agenda. Motions must be submitted in writing to the Board of Directors at least six weeks before the General Meeting. The final agenda shall be decided at the respective general meeting.

(2) The General Meeting shall only constitute a quorum if it has been duly convened.

(3) Each ordinary member and the DKyuB Executive Board shall have one vote each.

(4) Resolutions shall be passed by a simple majority of the members present and entitled to vote, unless otherwise expressly stipulated. In the event of a tie, the Executive Board shall have the casting vote. The Board of Directors may also hold a postal vote on urgent matters (with the exception of amendments to the Articles of Association) during the course of a year if the situation so requires. The Board of Directors shall set a response deadline of at least 20 days. Responses not received by this deadline shall be deemed omitted. (5) Each election required by the Articles of Association must be held individually. At the request of one of the members, the election must be conducted in writing and by secret ballot. Only those who are present or who have previously given their consent in writing to accept a particular office may be elected. Anyone who receives more than half of the votes of those present and entitled to vote is deemed to be elected.

§ 9 [Board of Directors]

(1) The Board of Directors consists of at least three to a maximum of five members with equal rights, hereby two members each represent the DKyuB externally within the meaning of § 26 of the German Civil Code (BGB). One member of the Executive Board shall be elected by the General Meeting as Treasurer. The allocation of tasks among the other members of the Executive Board is governed by the rules of procedure of the Executive Board. The Executive Board is responsible for day-to-day administration, finance and public relations, unless otherwise stipulated in the Articles of Association. The Executive Board represents the DKyuB internally and externally. The Board makes decisions by simple majority.

(2) The Board of Directors is authorized to appoint speakers and commissions to carry out its tasks. The officers and commissions support the Board of Directors. They are responsible for the organization of the area assigned to them, whereby experts should be consulted for cooperation. The speakers and commissions are bound by the instructions of the Board of Directors. In accordance with the principle of delegation, they must prepare proposals that are capable of decision.

(3) The individual members of the Board of Directors may represent each other in carrying out individual tasks if they are unable to do so or if instructed to do so.

(4) If a member of the Management Board resigns, the Management Board may appoint a temporary representative.

(5) Each member of the Board of Directors is bound by the Articles of Association and resolutions and is responsible to the General Meeting.

(6) The Board of Directors shall meet as required.

(7) Owners and employees of a company for Budo sports aimed at making money must notify the general meeting if they are running for a board office.

(8) The term of office of the Executive Board is regulated in the rules of procedure of the General Assembly.

§ 10 [Financial Auditors]

(1) The General Meeting elects two financial auditors. These auditors have the right and the duty to inspect account statements, ledgers, receipts and inventories as well as inventory lists unannounced, even within the financial year.

(2) Complaints must be reported to the Board of Directors without delay.

(3) The financial auditors must submit an annual audit report to the General Meeting.

§ 11 [Legal Committee]

(1) The General Meeting shall elect a Legal Committee consisting of four persons. The Legal Committee is elected for an indefinite period. Its tasks and composition are set out in the legal regulations.

§ 12 [Council of Elders]

(1) Every three years, the General Assembly shall require the Kyudoka from the 5th Dan upwards to elect a Council of Elders consisting of four members from among their members. The Council of Elders must be informed of motions and minutes of the general meeting. The Council of Elders has the right of motion and veto with regard to kyudo-specific content (e.g. examinations, competitions, instructor and trainer training). There is no right of veto for administrative and organizational issues. The Council of Elders can make use of its right of veto if at least three members vote in favor.

§ 13 [Panel of Trainers]

(1) All Kyudo instructors of license levels A/B competitive sport are members of the coaching staff.

(2) The Trainer Panel performs the following tasks, among others:

- the content and conceptual development of national courses
- the content and conceptual organization of German championships
- the content and conceptual development of examinations
- training and further education
- Supervision of the national team
- quality assurance according to the specifications of the DJB

(3) The coaching staff shall organize and carry out its tasks at its own discretion. The Executive Board shall decide on the prioritization and implementation of the proposals of the coaching staff with regard to the financial possibilities.

(4) The coaching staff shall be represented at the General Assembly by a spokesperson from among its members.

§ 14 [Federal statutes violate state statutes]

The members of the DKyuB undertake to observe these statutes and the regulations and resolutions of the General Assembly based on them. In all other respects, they shall regulate their affairs independently within their areas of association.

§ 15 [Regulations]

(1) The General Meeting may issue regulations to regulate specific issues and tasks.

(2) The Executive Board may temporarily put regulations into force until the next General Meeting.

§ 16 [Dissolution]

(1) The dissolution of the DKyuB can only be decided by a general meeting convened specifically for this purpose.

(2) Dissolution requires a majority of three quarters of the voting members of the meeting. The resolution must be passed by secret ballot.

(3) If the association is dissolved or if tax-privileged purposes cease to exist, the association's assets shall be transferred to the German Olympic Sports Confederation, which shall use them directly and exclusively for non-profit or charitable purposes.

§ 17 [Jurisdiction]

(1) Hamburg shall be the place of jurisdiction and fulfillment for all obligations of members towards the DKyuB.

§ 18 [Compensation for association activities]

(1) The offices of the association and its bodies are generally held on an honorary basis, unless otherwise stipulated in these Articles of Association.

(2) Association offices may be exercised in return for payment on the basis of an employment contract or in return for payment of an appropriate annual expense allowance up to the amount of the applicable honorary office allowance under tax law within the scope of budgetary possibilities.

(3) The decision on any paid association activity in accordance with paragraph (2) shall be made by the general meeting of members. The same applies to the content and termination of contracts.

(4) The Board of Directors is authorized to commission activities for the Association from external persons against payment of appropriate compensation or reimbursement of expenses. The Association's budgetary situation shall be decisive.

(5) The Board of Directors is authorized to hire full-time employees to carry out management tasks and to run the office within the scope of budgetary possibilities.

(6) In addition, the representatives of the members, the members of the Executive Board, the trainers appointed by the coaching staff in the course of their duties and employees of the association are entitled to reimbursement of expenses in accordance with § 670 of the German Civil Code (BGB) for expenses incurred as a result of their work for the association. The amount of the reimbursement of expenses shall be determined in accordance with the DKyUB's Expenses and Fees Regulations (SpHO).

(7) The claim for reimbursement of expenses can only be asserted within a period of 6 months after it arises. Reimbursements shall only be granted if the expenses are substantiated with verifiable and comprehensible receipts and statements.

(8) The General Meeting may decide to limit the reimbursement of expenses in accordance with paragraph 2 and the reimbursement of expenses in accordance with paragraph 6 to the applicable lump sums and flat rates within the scope of tax law.

(9) Further details are regulated by the Association's expenses and fees regulations.