

Statutes of the Deutscher Kyudo Bund e.V.

Adopted on June 1st, 1994 - last revision on October 31st, 1999

§ 1 [Name, registered office] The name of the Association shall be 'Deutscher Kyudo Bund e.V.', abbreviated as DKyuB. The registered office of DKyuB shall be in Hamburg/Germany.

§ 2 [Purpose and objective] (1) DKyuB shall have exclusively and directly non-profit objectives as defined by the section on 'tax-privileged objectives' of the German tax regulations. DKyuB shall act in a disinterested way and not primarily pursue economic or commercial purposes. The association's funds may only be used for the purposes laid down in the Statutes. Members shall not receive payments from the Association's funds. Nobody may be favoured by expenses not compatible with the purposes of DKyuB or by extraordinarily high remuneration.

(2) The purpose shall in particular be to unite the German regional Kyudo clubs and the maintenance and promotion of Kyudo as physical and intellectual exercise in the spirit of amateur activities.

(3) The assets of DKyuB may only serve these purposes in the field of sports. The DKyuB shall be impartial regarding party politics, racial and religious issues.

(4) For the achievement of the objectives the Association shall engage in instructions in Kyudo, the organisation of regular sports activities among members and with friendly or superior associations as well as the organisation of competitions, examinations and public relations.

(5) DKyuB shall be an extraordinary member of Deutsche Judo Bund¹ and may be a member of national and international bodies and associations. DKyuB is striving for independent membership in Deutsche Sportbund² and will leave Deutsche Judo Bund as soon as this objective has been achieved.

§ 3 [Membership] (1) The Regional Associations shall be the regular members of DKyuB. Within the meaning of these Statutes Regional Associations shall be independent regional DKyuB associations at the level of the German Federal States or the DKyuB divisions of the respective regional Judo associations according to the federal organisation of Deutsche Sportbund. No more than one Regional Association may be a member in the Sportbund organisational structure.

(1a) The following shall have an equal standing with the Regional Associations for a transition period ending December 31st, 2007 upon direct application of clubs, DKyuB divisions or groups of these:

- individual clubs or Kyudo divisions,
- groups of clubs or Kyudo divisions,

provided that the locally responsible Judo association is not a member of DKyuB and that no independent Regional Kyudo Association exists.

¹ Deutscher Judo Bund - official name of the German Judo Association

² Deutscher Sportbund - official name of the German Association of Sports Clubs

(1b) The interests of the above clubs or groups within one Regional Association towards the DKyuB must be represented uniformly and according to democratic principles.

(1c) If an individual club represents the interests of a certain Regional Association it shall form a group with any other clubs seeking membership.

(1d) If an independent Regional Association can be established DKyuB may set a time limit for the clubs/divisions concerned to establish the same. The membership of the clubs/divisions in the area of this Regional Association shall end upon expiry of said time limit.

(2) DKyuB and its Regional Associations must permit any person or group intending to pursue Kyudo as an amateur (i.e. non commercially) to do so, unless reasons exist which would give rise to an expulsion from membership under section 6 or any corresponding provision of the Statutes of the member associations. To examine such reasons the expulsion proceedings provided for in the Statutes shall be applied in analogy.

(3) Membership shall cease when the member is dissolved, cancels its membership or is expelled.

(4) Any rights and obligations arising from membership shall cease at the same time as the membership.

(5) Membership may be resigned at the end of a calendar year and must be notified to the Board at least three months in advance by registered letter addressed to the President.

(6) Members may be expelled from DKyuB by resolution of the General Assembly of members for good cause, in particular if the objectives or reputation of DKyuB have been severely damaged or payments amounting to one yearly membership due are six months overdue. Applications to expel a member must be submitted to the President. Such applications may be submitted by any Board Member or member. The member concerned must be provided with an opportunity to be heard and argue in its defence. The details shall be governed by general legal provisions. An expulsion shall require a three quarters majority of the attending members with voting rights in secret ballot.

(7) No expelled member shall be entitled to any part of the federal assets.

(8) The proceedings in § 3, section 6 shall apply in analogy in case of violations of the Federal Statutes, regulations or resolutions of the General Assembly by a member of a member association (club, division or individual).

§ 4 [Membership dues] (1) The General Assembly shall determine the amount of the membership dues each year in advance. Annual dues shall be payable by March 1st of each fiscal year. On application the Board may grant deferment for the payment of dues.

(2) The fiscal year shall correspond to the calendar year.

§ 5 [Participation in organisations other than DKyuB] The members of DKyuB and their members shall be free to participate in events and cooperate with superior umbrella organisations (EKF and its members, ANKF). The Board shall be informed of any participation in such events and must approve thereof. Co-operation with other organisations and groups is not allowed in general but may be permitted by the Board. Reasons for the permission must be given and submitted to the next General Assembly for its information. The allocation of duties among the Board Members shall provide for the details.

§ 6 [Executive bodies] DKyuB shall have the following executive bodies:

- a) the General Assembly of members
- b) the Board
- c) the Legal Committee
- d) the Council of Elders

§ 7 [General Assembly of members] (1) The General Assembly of members (GA) shall be the supreme executive body of DKyuB.

(2) A regular General Assembly (Annual Assembly) shall be held every two years in the second half-year. Between regular assemblies meetings may be called as extraordinary or working meetings as required.

(3) The Annual Assemblies' duties shall be to

- determine that the meeting has been called in due form,
- verify the voting rights,
- elect a chairman for the meeting,
- bestow honours and awards,
- adopt the minutes of the last meeting,
- resolve on the agenda,
- take note of the reports of the extended Board,
- take note of the reports of the cash auditors,
- discharge the extended Board and the cash auditors, each individually,
- elect the new Board in total,
- elect the new cash auditors and the members of the Legal Committee, if required,
- resolve on the membership dues,
- approve the draft budget for the current fiscal year,
- resolve on amendments to the Statutes,
- resolve on the place for the next meeting.

(4) Amendments of the Statutes shall require a two thirds majority of all members entitled to vote. Modifying the purpose of DKyuB shall require the consent of all members.

(5) The President must include any resolutions on matters covered in section 3 which were required outside of an Annual Assembly in the agenda of the next General Assembly with special notification. In this matter the meeting shall have the same quorum as the Annual Assembly and shall act according to the same rules.

(6) For all cases covered by section 5 a General Assembly must be called within a period of no longer than one month, if applied for by at least two members in writing stating their reasons.

§ 8 [Rules of procedure for the General Assembly] (1) Written invitations for the meetings as per § 7, paragraph 2 shall be sent out no later than six weeks before the date of the meeting and include the agenda. All motions for items to be included in the agenda must be submitted to the President no later than three weeks before the date of the meeting in writing. The final agenda shall be resolved on at the respective meeting.

(2) Urgent motions may be submitted at any General Assembly; they shall be discussed, if no less than half of the attending members with voting rights approve of such discussion.

(3) Only General Assemblies that have been duly convened shall have a quorum.

(4) Regular members and the members of the DKyuB's Executive Committee shall have one vote each.

(5) In addition to the regular members of the entire Board also the chairman of the Legal Committee and the cash auditors shall have a right to speak. The General Assembly's rules of procedure shall provide for the regulations governing the meeting.

(6) Unless other procedures have been expressly provided for resolutions shall be taken by simple majority of the members present and entitled to vote. In the event of a tied vote the casting vote shall rest with the President. If required by the circumstances the Executive Committee may hold a vote by post on urgent matters (except for amendments to the Statutes) during the year. The Executive Committee shall fix a time limit to respond of at least twenty days. Any replies not received within this term shall be considered abstentions.

(7) Unless the ballot was irregular only one ballot on a matter may be taken during the same meeting. Objections against the irregularity must be raised during the same or at the latest at the beginning of the next meeting, otherwise the resolutions shall be effective.

(8) Minutes shall be kept of all meetings and signed by the recorder and the President. The minutes shall be submitted to the members no later than six weeks after the meeting.

(9) All elections required by the Statutes shall be held separately. On motion by one member the vote shall be taken by secret and written ballot. Eligible to stand for election are persons present or such who have previously consented in writing to assume a certain office. Anybody receiving more than half of the votes of the attending members entitled to vote shall be elected.

§ 9 [Board of Directors] (1) The Board shall operate as

- a) Executive Committee (Präsidium) consisting of the President and the two vice Presidents. The President or both of the Vice-Presidents together may represent DKyuB externally as defined by § 26 German Civil Code. The Executive Committee shall take care of routine administration unless the Statutes provide otherwise,
- b) Extended Board consisting of Executive Committee and Treasurer and the Commissioner for Public Relations.

The President shall represent DKyuB internally and externally. His duties include:

- representation and the power of direction,
- control and implementation of the resolutions of the General Assembly,
- drawing up the schedule of events,
- determining the objectives in the fields of sports and economy,

- administration, treasury and public relations,
- keeping the records,
- administration of members and statistics,
- administrative support for cash auditors and legal committee,
- management of the national cadre in co-operation with the Vice-President for Competitions and the chief coach,
- processing applications for awards of honours,
- all correspondence related to the above.

(2) The Vice-President (training) shall be responsible for the following issues:

- training and technical aspects (training courses),
- examinations
- training for trainers and coaches.

(3) A second Vice-President (Competition) shall be responsible for the following issues:

- national and international competitions,
- training of referees and their deployment,
- management of the national cadre in co-operation with the President and the chief coach.

(4) The Vice-Presidents shall be entitled to appoint advisers and committees to complete their duties. Said advisers and committees shall support the Executive Committee. They shall be responsible for organising the subjects assigned to them in co-operation with experts, in particular the national coach and the President. Advisers and committees shall be bound by the instructions of the Executive Committee. Pursuant to the principle of delegation they shall prepare proposals for decision-making.

(5) If the members of the Executive Committee are incapable to act or are instructed to do so, they may substitute each other for the various duties.

(6) No member of the Board may exercise more than one office in the Extended Board. If a member leaves the Extended Board the President may appoint a temporary replacement.

(7) Members of the Extended Board shall be bound by the Statutes and resolutions, they shall be responsible to the President and the General Assembly.

(8) The Extended Board shall meet as required.

(9) Any owners and employees of commercial enterprises for Budo sports must inform the Annual Assembly of such capacity when standing for election to the Board.

§ 10 [Treasury] (1) The treasurer shall control the financial matters of DKyuB and ensure due accounting and bookkeeping.

(2) Together with the President he shall draw up the budget.

(3) The treasurer shall administer the DKyuB's assets.

§ 11 [Public relations] The Commissioner for Public Relations shall be responsible for presenting and disseminating information about Kyudo in an adequate way for publication and the media. He shall also be responsible for establishing and maintaining contacts with sports advertising. He shall file information and photographic material and make it available as required.

§ 12 [Cash auditors] (1) The Annual Assembly shall appoint two cash auditors. They shall be entitled and obliged to inspect the ledgers, documents, assets and inventory listings without prior notification, possibly also in the course of the year.

(2) The Executive Committee must be promptly informed of any complaints.

§ 13 a [Legal Committee] The Annual Assembly shall appoint a Legal Committee consisting of three members who may not be members of the Board. The Legal Committee shall be elected for an indefinite period. Its duties and composition shall comply with the provisions set down by law.

§ 13 b [Council of Elders] Every three years the General Assembly shall instruct the Kyudoka of the two top Dans to elect a four member Council of Elders from their midst. The Council of Elders shall be notified of motions and the minutes of the General Assembly. In matters concerning specific aspects of Kyudo (e.g. examinations, competitions, training of trainers and coaches) the Council of Elders shall have the right to submit motions and to veto. The right to veto shall not relate to administrative or organisational issues. The Council of Elders may exercise its veto, if at least three members support such motion.

§ 14 [Federal Statutes supersede regional Statutes] The members of DKyuB agree to honour the present Statutes and all regulations and resolutions of the General Assembly based thereon. Other than this they shall independently arrange for their own matters within the scope of their associations.

§ 15 [Regulations] (1) To arrange for certain issues and tasks the General Assembly may adopt special regulations pertaining thereto.

(2) Until the date of the next meeting the Executive Committee may temporarily enact certain regulations.

§ 16 [Dissolution] (1) The dissolution of DKyuB may only be resolved on by a General Assembly of members called specifically for this purpose.

(2) The resolution on dissolution requires a majority of three quarters of the attending members entitled to vote. A secret ballot must be held.

(3) If the Association is dissolved or the tax-privileged status discontinued all of the Association's assets shall pass to Deutsche Sportbund which must use them exclusively and directly for non-profit, charitable or religious purposes.

§ 17 [Venue] Hamburg shall be the venue and place of performance for all of the members' obligations to DKyuB.