



**KONG O SOCIAL-CARE e. V.**

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**KONG O SOCIAL-CARE e. V.**

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**STATUTES**  
**of the Association **KONGO SOCIAL-CARE e. V.****

## **§ 1 Name and Registered Office of the Association**

1. The Association was founded on March 23, 2014, and it is called **Kongo Social-Care e. V.** (abbreviation, KSC e. V.). The logo of the association is a three-member family, symbolising the unity of humankind. The colours of the association are light blue, red and gold.
2. The association has its registered office in Viersen and was inscribed on September 30, 2014 in the register of associations of the local court Mönchengladbach with the No.: VR 5055.
3. The fiscal year of the association shall be the calendar year.

## **§ 2 Purpose of the Association**

1. The purpose of the association is the promotion of the right to peace, education, health, food supply and support for development projects in the Democratic Republic of the Congo as well as the promotion of international understanding.
2. The association solely and directly pursues non-profit purposes in the sense of the "tax-privileged purposes" section of the fiscal code. It especially pursues following charitable purposes:
  - a. Cultivation of the friendly relations and partnership between the Democratic Republic of the Congo and the Federal Republic of Germany;
  - b. Support development projects in the D. R. of the Congo and cultural exchange between the D. R. of the Congo and Germany and regions of the European Union, in particular in terms of "help for self-help".
  - c. Improve the medical condition of the Congolese population;
  - d. Promotion of the education of the Congolese population.
3. These purposes shall contribute to the reputation of the Federal Republic of Germany abroad.
4. The purposes of the association are pursued in close collaboration with other NGOs in Congo and Germany.
5. The statute purposes are achieved in particular through fundraising. This is accomplished by means of contributions, donations and publicity events, designed to promote these purposes. The association publishes its own newspaper on the Internet and issues publications.
6. The Association is non-profit-making and does not pursue economic purposes.

## **§ 3 Application of funds**

1. Association funds may only be used for purposes of the statute. Members receive no dividends and in their capacity as members, no other payments from the funds of the association. You will receive no compensation for your membership on termination or dissolution of the association.
2. No person may be favoured by payment – opposed to the association's purposes - or by disproportionately high remuneration.
3. No political parties shall not be promoted or supported directly or indirectly with the funds of the association.

#### **§ 4 Membership**

1. Natural persons or legal persons can be members of the association.
2. The association consists of regular full members, supporting members and honorary members.
3. Full members can be only natural persons. They have the right to vote at the general meeting.
4. Supporting Members may be any individual or legal entity or legal partnership or associations that are willing to morally and financially support the association's purpose, without having the rights and obligations of a full member.
5. As honorary members can be appointed individuals, companies and institutions who selflessly contributed to the purposes of the association. They do not pay a membership fee. The board decides on their appointment.
6. Membership of the association must be made in writing by signing the declaration of accession. The board decides on the application. In case of a refusal which needs no justification, the candidate has the right to appeal before the general meeting which finally decides.

#### **§ 5 Termination of membership**

1. Membership shall end with the resignation, exclusion, death or dissolution of the legal person.
2. The notice of resignation must be submitted to the board in writing and within one month's notice before the end of the fiscal year.
3. The exclusion of a member can only be effected for important reasons. If a member fails to comply with the association aims or if a member violates statutory obligations, it can be excluded by resolution of the board of the association. The board shall decide on the exclusion, after prior consultation of the member. The member shall be informed about the decision in writing by registered letter.

The expelled member has the right to appeal in writing and within four weeks from receipt of the notification of the decision. The appeal shall be sent to the board. Until the decision of the general meeting, membership and functions of the affected member are suspended. The general meeting makes the final decision.

#### **§ 6 Annual Fee**

1. Full and supporting members shall pay an annual minimum contribution. The annual general meeting will decide on the amount of the fee. The membership fees shall be transferred at the beginning of each calendar year or will be debited within the first quarter of the calendar year by the head office.

#### **§ 7 Organs of the Association**

1. The organs of the association are the board and the general meeting.

## **§ 8 Board of the Association**

1. The board consists of the chairman, the vice-chairman, the treasurer and the secretary.
2. The initiator and founder of the association "Kongo Social-Care e. V." is Dr. Dr. Jean-Bertrand MADRAGULE BADI.
3. The chairman, the vice-chairman, the treasurer and the secretary shall represent alone the association in court and out of court.
4. The chairman shall call a regular annual meeting with a notice period of one month in writing or electronically via e-mail stating the time, place of the meeting and the provisional agenda. The invitation can be sent by mail to the last known address of the members or via e-mail. The chairman shall preside over the annual meeting.
5. The vice-Chairman supports the chairman in the performance of her or his duties. If the chairman is prevented, the vice-chairman shall assume her or his responsibilities.
6. The treasurer is responsible for the management of cash and finance. She or he shall submit a report to the general meeting.
7. All accounts of the association shall be kept in the name of "Kongo Social-Care e. V."
8. The secretary is responsible for the minutes of the general meeting and the list of speakers. The minutes shall be filed. She or he is responsible for keeping the homepage of the association up to date (regular reports on activities of the association).
9. The board has following responsibilities:
  - a. Management of the association according to the statutes and the decisions of the general meeting.
  - b. Consultation and decision on matters of the association referred to in the statutes, if they are not reserved to the general meeting.
  - c. Consultation and decision on cooperation with other organisations, on the accession to parent organisations and on the establishment of institutions.

## **§ 9 General Meeting**

1. The ordinary annual general meeting will take place in the first quarter of each year.
2. The agenda shall be amended in case a member requests it in writing not later than a week prior to the scheduled date of the meeting.
3. The board is obliged to convene an extraordinary meeting, if it is demanded by at least one third of the members in writing and specifying the reasons.
4. The general meeting shall elect the members of the board for a period of four years. Re-election is permitted.
5. The general meeting decides on all basic issues of work with a two-thirds majority of the members present. -a. the dismissal of the board; -b. the election of the board.

The general meeting constitutes a quorum, if the meeting has been properly convened.

6. The change of the non-profit purposes of the association can only be made with the approval of a two-thirds majority of the members of the association.

7. The decisions of the general meeting shall be written down in the minutes that shall be signed by the chairman or the secretary.
8. Certification of decisions for important reasons remains unaffected.

### **§ 10 dissolution of the Association**

1. In the event that the association is dissolved or its tax-privileged purpose does no longer exist, the liquidation shall be effected by the current members of the board at the time of the decision on dissolution.

Upon dissolution of the association / loss of tax-privileged purposes, the remaining assets shall exclusively go to Action medeor e. V - The German Medical Relief Organization) - (St. Töniser Str. 21, 47918 Tönisvorst; Tax No.: 115/5756/0401) and shall be used directly and exclusively for charitable purposes. If this organisation does no longer exist, the association can transfer the assets to other tax-deferred organisations or public corporations to achieve tax-privileged purposes for development projects in the Democratic Republic of the Congo.

### **§ 11 Amendments of the Articles and coming into force**

1. The board is authorised to make amendments to the articles, which must be approved by the general meeting.
2. The statute of the association shall enter into force with the registration of the association in the register of the district court.
3. In addition, the provisions of the Tax Code § 51-68 shall apply accordingly, unless the statute does not contain different provisions.
4. Viersen 23 March, 2014