

Non binding – Free translation of German Version

CONSTITUTION

§ 1 Name, Seat

- (1) The association carries the name "John F. Kennedy Friendship Center e.V." and is officially entered into the Vereinsregister.
- (2) The association will have its domicile in Berlin.

§ 2 Purpose: Non-profit, public service

- (1) The association's goals are exclusively and directly non-profit based in the sense of §§ 51 ff.AO.
The purpose of the association is to encourage international understanding, promote education and support youth projects.
The association fulfils its purpose mainly by operating institutions for children and youth, for example day care centers, and by organizing activities, offering possibilities to bring together Americans and Germans in Berlin/Brandenburg and encouraging cultural exchange. The association aims to support the goals of international understanding and friendship, by enabling bicultural interaction, as exemplified by the John F. Kennedy School.
- (2) The association is non-profit based; it does not primarily pursue economic purposes. The association's resources may only be used for its statutory purposes. Members do not receive benefits out of the association's funds. No person is allowed to gain profit from expenses rendered for a purpose diverting from the association's goals or is allowed to receive unproportionated compensations.
The members do not participate in the association's resources.

§ 3 Fiscal year / Club year

The fiscal year of the JFK Friendship Center e.V. will be identical with the calendar year. (Change of constitution 28/10/1992)
The Club year is identical to the school year and runs from August 1st through Juli 31st.

§ 4 Offices

- (1) The offices within the association are volunteer positions.
- (2) Should the amount of responsibilities outweigh what can be reasonably expected of those holding volunteer offices, a business manager and/or assisting personnel for offices or the administration of club facilities may be hired.

§ 5 Members

- (1) The association includes regular members, family members and honorary members.
- (2) Family members are relatives living together in the same home with the regular member
- (3) Honorary members will be announced as declared in § 12.

§ 6 Attainment of Membership

- (1) Every person regardless of nationality, age, sex, race or religion is eligible to acquire membership in the association. Minors under 18 years of age need written parental permission.
- (2) Admission requires submission of a written application upon which the board decides. Upon signing the application, the applicant acknowledges the constitution of the John F. Kennedy Friendship Center e.V., which can be viewed at the business office of the association or on the Internet at www.jfkfc.org.
- (3) Membership can be acquired at all times, however a full club year's fee must be paid.

§ 7 Rights of Members

- (1) All members are eligible to use the facilities of the association and to participate in all activities as stated in the constitution or as decided by the Board.
- (2) All regular members and family members are eligible to attend general meetings of the association. Regular members, if they are over 18 years of age, are eligible to vote.
- (3) Honorary members have the same rights as regular members. However, they are exempt from the payment of membership dues.

§ 8 Obligations of Members

All members are obliged to support the goals of the JFK Friendship Center as expressed in the constitution and to fulfill the duties necessitated thereby. Members are bound to the constitution and to the decisions of the Board of directors and those of other officers of the organization.

§ 9 Membership Fees

All regular members are required to pay a yearly membership fee. The amount due will be determined by the Board of directors at the end of each club year for the upcoming club year. The membership dues are to be paid to the club by August 1st of every club year.

§ 10 Termination of Membership

The membership ends:

- (1) by death
- (2) by submitting a written statement to the Board declaring termination upon notice of one month to the end of the month. The obligation regarding payment of the membership fee in full for the year in progress remains unaffected by termination.
- (3) by expulsion.

Deposited fees will not be reimbursed, neither in part nor in full.

§ 11 Loss of Membership

- (1) A member can be expelled from the association by a decision of the Board if the member:
 - (a) culpably seriously damages the reputation or interests of the association or violates his or her duties under the association's constitution more than once, or
 - (b) is past due on membership fees for longer than three months and despite written warning in which expulsion from the association is mentioned as a consequence does not pay the past due amounts.
- (2) The decision regarding expulsion must contain reasons therefor and the member must be informed of this in writing by registered mail at the member's last address known to the association. The decision is also effective if the mail is returned as undeliverable.
- (3) The member has the right to appeal the Board's decision at the General Membership Meeting. The appeal must be made within one month of the receipt of the decision on expulsion. The Board must then include the appeal on the agenda of the next regular General Membership Meeting. Until the meeting the membership is on hold. The General Membership Meeting will decide on the expulsion.

§ 12 Honorary Membership

Honorary membership is granted through a proposition made to the Board and is agreed to by a simple majority of the general assembly.

§ 13 Divisions of the JFK Friendship Center

The two divisions of the Friendship Center are the Board and the general assembly.

§ 14 Board of Directors

- (1) The Board of Directors, on which only club members of age are eligible to serve, consists of 5 members. It needs to include at least two members who are native English speakers and at least two members who are native German speakers. It needs to include at least one parent from the JFKFC hort and at least one parent from a JFKFC kita
- (2) These five members of the Board are elected for a period of two years by the general assembly.
- (3) The old Board remains in office until a new directorate is elected.
- (4) Should a member of the Board resign before his term of office has ended, the board may appoint a successor to serve the remainder of the term.
- (5) The Board of directors assigns one of the following positions to each of its members:
 - president
 - vice-president
 - secretary

- treasurer
- assessor

- (6) Paid employees of the organization and their direct relatives may not be elected to the Board of directors.
- (7) The Board is responsible for all matters concerning the JFK Friendship Center, unless appointed to another office by the constitution. The main responsibilities are calling for general meetings and writing the agenda, executing the decisions of the general membership meetings, overseeing the budget and bookkeeping and issuing a yearly report.
- (8) The Board of directors represents the JFK Friendship Center in judicial proceedings and in all other affairs having a financial worth up to 5,000 Euro by the president, the vice-president or the treasurer singly, or two other officers jointly. In matters involving a greater sum, two officers must always represent the Board.
- (9) A meeting of the Board must take place when at least two officers present reasons for a meeting. Also, the Board of directors should meet at least once monthly. The directorate is competent to pass resolutions when all members have been invited and at least three members are present. Decisions are final when voted upon by a simple majority of those members present. Should a vote be tied, the president and in his absence his/her vice-president decides the vote. To the extent the law does not otherwise specify, decisions of the Board may be made in writing, telegraphically, orally, as well as by telephone, e-mail, or other form of electronic communication, when every Board Member participates in making the decision.
- (10) Board Members perform their duties on a voluntary basis. They can be compensated for their actual expenses. The Board Members can receive a flat rate in accordance with § 3 Nr. 26a EStG.

§ 15 General Meeting

- (1) At the general meeting each regular and honorary member who is of age has a vote. A voter may appoint another member as proxy, but must do so in writing. A proxy must be newly appointed for each meeting. One member may represent no more than three proxy votes.
- (2) The general assembly is responsible for:
 - a) Receiving and accepting the treasurer's report for the previous fiscal year.
 - b) Passing a resolution concerning the club's budget.
 - c) Releasing the members of the Board of directors.
 - d) Voting in the members of the Board of directors and accepting their withdrawals.
 - e) Making decisions concerning amendments to the constitution and about disbanding the organization.
 - f) Naming honorary members.
 - g) exclusion of a member of the association.
 - h) setting the amount and due date of the membership fees.

§ 16 Calling a General Meeting (Assembly)

- (1) A general meeting must take place every year before May 31st. It must be announced by the Board of directors in written form or via E-mail at least two weeks prior to the scheduled meeting. An agenda must accompany the announcement.
- (2) Every member may request a change in the agenda if presented in writing at least one week prior to the general meeting.

§ 17 Exceptional General Meetings

An exceptional general meeting is to be called by the Board of directors if the interests of the organization require such a meeting or when at least one tenth of the members present a written request, stating purposes and goals for the meeting.

§ 18 Passing Resolutions at the General Meeting

- (1) The president is required to preside over the general meeting, or in his/her absence, the vice-president or the treasurer. In the absence of all of the above, a member of the general meeting is to be elected to chair the meeting.
- (2)
 - a) All business matters can be decided by a simple majority of the members in attendance at the meeting provided that a different majority is not stipulated in the constitution.
 - b) A change in the constitution can only be decided by three quarters (3/4) majority of the members in attendance at the meeting, if all the members have been informed about the proposed change in written form or via E-mail at least two weeks in advance of the meeting.
- (3) A person is considered elected onto the Board if he/she receives the relative majority of the valid votes cast.
- (4) The resolutions are to be noted in the protocol which must be signed by the secretary.

§ 19 Committees

The Board of directors is authorized to set up committees to advise and support the association.

§ 20 Auditor

- (1) The General Membership Meeting will select an auditor annually, whose will audit whether the accounts are being properly maintained and financial resources being properly used each year at the end of the financial year. The auditor will confirm this in a signed writing.
- (2) The auditor cannot be a Board Member. The auditor's activities are performed on a voluntary basis.
- (3) The auditor will report to the General Membership Meeting regarding the results and will recommend the release of the Board.
- (4) The audit can take place by an independent expert (tax consultant, attorney, auditor) engaged by the Board annually to perform the audit. The independent expert cannot belong to any organ of the associaton. The auditor will provide a report to the Board and the General Membership Meeting regarding the results of the audit and will recommend the release of the Board. The work performed by the independent expert will be monetarily compensated.

§ 21 Liquidation of the Organization

- (1) The organization may be disbanded only at a general meeting by a vote of more than four fifths (4/5) of the valid votes.
- (2) If the general assembly does not prescribe otherwise, the president and the vice-president jointly are authorized to liquidate the organization.
- (3) The capital remaining at the liquidation of the organization will be given to the "Verein der Eltern und Freunde der JFKS e.V." who are to use it solely and exclusively for non-profit, public service purposes.

The original constitution was founded on May 13th, 1983.

New constitution on Oct. 27th 2003

Change of constitution on Jan. 21st 2004, Nov. 9th 2004, April 23rd 2008, May 18th 2010 (§6, Abs. 2 u. 4; §10, Abs. 2; §18, Abs. 3), May 22nd 2012 (§11, Abs. 1, 2, 3; § 14, Abs.9, 10; § 15, Abs. 2; § 20; § 21), 12.05.2016 (§ 2, Abs. 2; § 14, Abs. 10).