



Mitte SuperSonics e.V.

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Statutes of the Mitte SuperSonics e.V. association

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§ 1 Name, registered office, financial year

1. The association, founded on 4 May 2021, bears the name Mitte SuperSonics and has its registered office in Berlin. It shall be entered in the register of associations and shall receive the suffix 'e.V.' after registration.
2. The association shall seek membership in the professional associations of the Landessportbund Berlin e.V. (Berlin State Sports Federation) whose sports are practised in the association and shall recognise their statutes and regulations.
3. The financial year shall be the calendar year.

§ 2 Purpose, tasks and principles of activity

1. The association pursues exclusively and directly charitable purposes within the meaning of the section 'tax-privileged purposes' of the German Tax Code, namely through the practice of sport. The purpose is achieved in particular through the promotion of sporting exercises and achievements in the sport of basketball. The association promotes recreational and competitive sport, as well as health-related sport. Members are entitled to participate in regular training and competitions.
2. The association is a non-profit organisation; it does not primarily pursue its own economic interests.
3. The organs of the association (§ 8) perform their duties on a voluntary basis.
4. Funds received by the association may only be used for purposes in accordance with the statutes. Members shall not receive any share of profits and, in their capacity as members, shall not receive any other benefits from the association's funds. No person may be favoured by expenses that are not related to the purposes of the association or by disproportionately high remuneration.
5. The association grants equal rights to members of all nationalities and population groups and upholds the principles of political, religious and ideological tolerance and neutrality.

§ 3 Membership

1. The association consists of:
 - a. Ordinary members
Ordinary members are entitled to participate in training and matches in the league and have full voting rights. Members under the age of 14 are exempt from this voting right.
 - b. Supporting members
Members who do not regularly participate in training or matches. They enjoy all internal club benefits and advantages, but do not have voting rights. The annual membership fee for supporting members is at least £30.

§ 4 Structure

1. If necessary, the executive committee may establish a separate department for each sport practised within the club. The departments regulate their sporting and financial affairs as well as their external representation as legally independent branches in the legal form of a non-registered association with legal capacity in accordance with § 54 BGB (German Civil Code). The departments shall draw up their own rules for departmental meetings and the composition and election of departmental executive committees, which must, however, be in accordance with the overall interests of the club.

§ 5 Acquisition and loss of membership

1. Any legal or natural person may become a member. Legal entities may only acquire supporting membership.
2. Membership must be applied for in writing, acknowledging the association's statutes. The executive committee decides on admission. Rejection does not need to be justified. In the case of applications for admission by minors, the consent of their legal representatives is required.

Membership shall expire through:

- a. Resignation
 - b. Expulsion
 - c. Death
 - d. Dissolution of the association
3. Resignation must be declared to the executive committee in writing. Notice of resignation shall be given with one week's notice to the end of the contribution year, half-year or month.
 4. Upon termination of membership, the obligation to pay any amounts due up to that point shall remain. Expelled members are entitled to a refund of any membership fees paid beyond the date of their expulsion.
 5. Members who have resigned or been expelled have no claim to any share of the association's assets. Any other claims of a member who has resigned or been expelled must be submitted in writing by registered letter within three months of the expiry of membership.

§ 6 Rights and obligations

1. Members are entitled to participate in the association's events within the scope of the association's purpose.
2. All members are obliged to behave in accordance with the statutes, the other regulations of the association and the resolutions of the general meeting. Members are obliged to show mutual consideration and sportsmanship.

3. Membership fees, admission fees, levies and charges are determined by the executive committee.
4. Membership fees are monthly/half-yearly/annual fees and are payable in advance on the first day of the month. Levies may only be decided upon to fulfil the purpose of the association and to cover a larger financial requirement of the association that cannot be met by the regular contributions. They may be levied at most once per year and, as a rule, only up to the amount of a single annual membership fee.
5. The executive committee is authorised to defer, reduce or waive contributions upon justified request.
6. Trainers and officials may receive an expense allowance of up to £250 per month for their part-time work.
7. Trainers and officials of the association are entitled to reimbursement of expenses in accordance with Section 670 of the German Civil Code (BGB) for expenses incurred in the course of their work for the association. These include, in particular, travel expenses, postage and telephone costs. Reimbursement requires prior authorisation by the executive committee and shall only be made to the extent and in the amount recognised as tax-free by law.

§ 7 Disciplinary measures

1. The executive committee may impose disciplinary measures on members:
 - a. for significant breaches of statutory obligations or violations of rules and resolutions.
 - b. due to arrears in membership fees of more than half a year's membership fee despite reminders
 - c. due to conduct detrimental to the association, a serious violation of the interests of the association or gross unsportsmanlike conduct
 - d. due to dishonourable actions
2. Disciplinary measures are:
 - a. reprimand
 - b. temporary ban on participation in sports activities and events of the association
 - c. Exclusion from the association
3. In the cases referred to in § 7.1. a, c, d, the member concerned shall be given the opportunity to comment before a decision is made. The member shall be invited in writing to the Executive Board's hearing on the disciplinary measure, observing a minimum period of 7 days. This period shall commence on the date of dispatch. The decision on the disciplinary measure shall be sent to the person concerned by email. An appeal against the decision may be lodged with the general meeting. The appeal must be lodged in writing within two weeks of receipt of the decision. The general meeting shall make the final decision. The decision shall be deemed to have been received on the third day after it has been posted to the last address of the person concerned known to the club. The right to judicial review of the decision remains

unaffected. bs. 1. Levies may only be decided upon to fulfil the purpose of the association and to cover a larger financial requirement of the association that cannot be met by the regular contributions. They may be levied at most once per year and, in principle, only up to the amount of a single annual membership fee.

§ 8 Organs

1. The organs of the association are:
 - a. General meeting
 - b. The executive committee

§ 9 The general meeting

1. The supreme organ of the association is the general meeting. The most important general meeting is the annual general meeting. It is responsible for:
 - a. Receiving the reports of the executive committee
 - b. Receiving the report of the cash auditor
 - c. Discharge and election of the executive committee
 - d. Election of the cash auditors
 - e. Setting of membership fees and levies as well as their due dates
 - f. Approval of the budget
 - g. Amendments to the statutes
 - h. Passing resolutions on motions
 - i. Negotiating appeals against disciplinary measures (§ 7.3)
 - j. Appointment/dismissal of honorary members in accordance with § 12
 - k. Dissolution of the association
2. The general meeting shall take place at least once a year; it should be held in the first quarter of the calendar year.
3. General meetings shall be convened by the executive committee by means of a written invitation. Members who have provided the executive committee with an email address shall receive the invitation by email to the last email address known to the association. Sending the invitation to the last known (e-mail) address of the association is sufficient proof of timely and proper invitation. Members present at the general meeting are considered to have been duly invited. There must be a period of at least three and at most six weeks between the date of the invitation and the date of the meeting. The agenda must be communicated with the written invitation to the general meeting. Motions to amend the Articles of Association must be communicated verbatim when the agenda is announced.
4. The general meeting is quorate regardless of the number of members present. Resolutions and elections are decided by a simple majority of the valid votes cast. Abstentions shall not be counted as votes cast; a tie vote shall mean rejection.
5. Amendments to the Articles of Association and changes to the purpose of the Association require a two-thirds majority of the valid votes cast.

6. Elections must be held by secret ballot if requested by at least one vote of those present and entitled to vote.
7. Motions may be submitted:
 - a. by any member entitled to vote (§ 3.1)
 - b. by the executive committee
8. An extraordinary general meeting must be convened by the executive committee if the interests of the association so require or if at least 25% of the members request such a meeting in writing, stating the purpose and reasons.
9. Motions must be received by the association's executive committee in writing at least three weeks before the general meeting. Motions received later may only be dealt with at the general meeting if their urgency is approved by a simple majority. Motions to amend the Articles of Association that are not on the agenda shall be dealt with at one of the next General Meetings. Urgent motions to amend the Articles of Association are excluded.

§ 10 Voting rights and eligibility

1. Members who have reached the age of 14 have the right to vote and stand for election.
2. Voting rights can only be exercised in person.
3. All members of the association who are of legal age and have legal capacity are eligible for election.
4. Members who are not entitled to vote may participate in the general meetings.

§ 11 Executive Board

1. The Executive Board pursuant to § 26 BGB consists of 3 persons, two of whom are jointly authorised to represent the association in external relations. Internally, each member of the executive committee is authorised to represent the association individually. The executive committee shall decide on the internal distribution of tasks in its rules of procedure, which shall be announced to the general meeting.
2. Two members of the executive committee shall jointly represent the association in court.
3. The executive committee shall conduct the business of the association in accordance with the statutes and the resolutions of the general meeting. It passes its resolutions by a simple majority. The Executive Board organises and supervises the affairs of the association and reports to the General Meeting on its activities. The Executive Board

is authorised to set up committees for specific purposes. It may issue binding regulations.

4. The members of the Executive Board are elected for a term of three years. They remain in office until a new Executive Board is elected. If a member of the Executive Board resigns before the end of their term of office, the General Meeting shall elect a new member of the Executive Board for the remainder of the term. If this General Meeting cannot be held in a timely manner, the Executive Board is authorised to temporarily fill this position on an interim basis.
5. The General Meeting is chaired by a member of the Executive Board or a person appointed by them. Minutes shall be taken of the general meetings and board meetings and shall be signed by the chairperson or her/his representative and the secretary.
6. The members of the board may receive an expense allowance of up to £60 per month for their voluntary work in accordance with § 3 No. 26a EStG (German Income Tax Act).
7. The Executive Board may appoint special representatives of the association in accordance with Section 30 of the German Civil Code (BGB). They are accountable to the Executive Board and implement the resolutions of the General Meeting and the Executive Board, insofar as these provide for this. The special representatives are solely authorised to represent the association in the performance of the tasks assigned to them. Further regulations on the performance of duties may be contractually agreed upon by resolution of the Executive Board. This also includes the regulation of remuneration, insofar as the Executive Board has decided to deviate from the principle of voluntary work.

§ 12 Honorary members

1. Persons who have rendered outstanding services to the association may be appointed honorary members by a simple majority of the members present and entitled to vote at the General Meeting. Honorary members shall be appointed until revoked by the general meeting with a three-quarters majority. They shall have no voting rights and shall pay a voluntary contribution.

§ 13 Cash auditors

1. The general meeting shall elect two cash auditors for a term of three years, who may not be members of the executive committee or any other committee.
2. The cash auditors shall audit the cash accounts/bank accounts of the association, including the books and receipts, at least once per financial year in terms of content and arithmetic and shall report to the executive committee in writing.

3. The cash auditors shall submit an audit report to the general meeting and, if the cash accounts have been properly kept, shall propose that the treasurer and the other members of the executive committee be discharged.

§ 14 Dissolution

1. The dissolution of the association shall be decided by a general meeting convened specifically for this purpose with a three-quarters majority of the voting members present.
2. The liquidators shall be the first chairperson and the treasurer. The general meeting is entitled to appoint two other association members as liquidators.
3. In the event of dissolution or termination of the association or discontinuation of its tax-privileged purpose in accordance with § 2 of these Articles of Association, the association's assets, insofar as they exceed existing liabilities, shall fall to the Landessportbund Berlin e.V., which shall use them exclusively and directly for the promotion of sport as a non-profit purpose within the meaning of the German Tax Code.

§ 15 Entry into force and invalidity of parts of the Articles of Association

1. The Articles of Association were adopted in their present form on 4 May 2021 by the general meeting of the Mitte SuperSonics e.V. association. They shall enter into force upon entry in the register of associations.
2. If parts of the provisions contained in the statutes are invalid, the remaining parts of the statutes shall remain fully effective.

Note: We certify the accuracy and completeness of the statutes in accordance with Section 71 (1) sentence 4 of the German Civil Code (BGB).

Leonie Jamoko Kossi

David Parmeggiani Rojo

Berlin, 30 May 2022

Executive Board Mitte SuperSonics e.V.

Note: *In the event of any discrepancies or inconsistencies between the English and German versions of this document, the German version shall prevail. The German version is the legally binding version.*