

Statute of the Oberland Section of the German Alpine Club (DAV).

Resolved in the Members' Meeting on 30 April 2019

GENERAL

§ 1

Name and registered office

The association bears the name: "Sektion Oberland des Deutschen Alpenvereins (DAV) e.V." and has its registered office in Munich. It is recorded in the Register of Associations of the Munich District Court.

§ 2

Purpose of the association

1. The section's purpose is to promote and maintain mountaineering and alpine sports, especially in the Alps and the German low mountain ranges, especially for young people and families, to preserve the beauty and originality of the mountains, to expand knowledge about the mountains and in doing so, to cultivate the bond with habitat and promote further sporting activities.
2. The section is politically neutral; it represents the principles of religious, ideological and ethnic tolerance; it pays attention to equal opportunities for women and men.
3. The section exclusively and directly pursues non-profit purposes within the meaning of the section "Tax-Privileged Purposes" of the German Fiscal Code (AO, Abgabenordnung). The non-profit purposes in this sense are the promotion of sport, nature and environmental protection, youth welfare and education as well as cultivation of the home region and local history.
4. The section does not pursue goals primarily serving its own economic interest and does not strive for profit. The section's funds may only be used for purposes stipulated by the statutes. Members do not receive any grants out of the funds of the Association. Departed members have no claim to the section's assets. No person shall be favoured through expenses alien to the purpose of the section or through disproportionately high remuneration.

§ 3

Means to achieve the association's purpose

1. The association's purpose is to be achieved through the ideal and material means listed in paragraphs 2 and 3.
2. Ideal means to achieve the purpose of the association include:
 - a) Mountaineering and alpine sports training as well as the promotion of mountaineering and alpine sports activities. This includes, in particular, the various forms of alpine skiing and climbing, kayaking and mountain biking, as well as support for alpine rescue services;
 - b) Corresponding sports instruction and sports courses, including teaching mountain rescue techniques and mountain medical science knowledge;
 - c) Collective mountaineering, alpine sports activities and hikes;
 - d) Organization of expeditions;
 - e) Organization of alpine sports competitions including the fight against doping in accordance with the criminal sports regulations of the Deutscher Alpenverein e.V. (DAV);
 - f) Construction, maintenance and operation of artificial climbing facilities and the organization of training opportunities on such facilities that are operated by third parties;
 - g) Maintaining and operating the hut locations as bases for practising mountaineering and alpine sports as well as establishing and maintaining paths and routes;
 - h) Protection and maintenance of nature and countryside (in accordance with the relevant nature conservation laws) as well as of the flora and fauna of the Alps and the German low mountain ranges, in particular when practising mountain sports and maintaining huts and paths;
 - i) Youth welfare and comprehensive youth and family work;
 - j) Promotion and collection of literary, scientific and artistic works in the alpine area; issuing publications;
 - k) Arranging, organizing and holding meetings, lectures, courses, information events and information events in connection with the realization of the association's purpose;
 - l) Establishment of a library and lending of mountain sports equipment, safety and map material as well as relevant specialist literature;
 - m) Promotion of basic and advanced training for skilled workers;
 - n) Continuous information for members and the public about the section's work, about current developments in the area of association purposes, as a members' magazine or other media respectively;
 - o) Cultivation of local history;
 - p) Establishment and operation of a website or other electronic media;
 - q) Cooperation with people, organizations and institutions that pursue the same or similar purposes or support the association's goals.
3. The necessary material resources should be raised by:
 - a) Membership fees and admission fees in the respectively determined amount;
 - b) Subsidies and grants;
 - c) Donations, collections, bequests and other contributions;
 - d) Asset management (such as interest, other capital income, income from participations, income from rental and leasing);

- e) Sponsorships;
- f) Advertising revenue,
- g) Income from the operation of refuges and artificial climbing facilities;
- h) Income from the rental of movable assets (such as mountain sports equipment, etc.);
- i) Income from the distribution of publications;
- j) Income from the sale of equipment, hut and association items;
- k) Income from club events (club parties, competitions, lectures, classes, courses, guided tours, etc.).

§ 4

Membership in the German Alpine Association

The section is a member of the German Alpine Association (DAV). It is subject to the statutes of this association and thus has all rights and obligations arising therefrom. The duties include:

- a) Presenting the annual report and the annual accounts as approved by the Members' Meeting;
- b) Paying the contributions (association contributions) and levies decided by the Members' Meeting in good time;
- c) Notifying the DAV immediately of changes in the section's executive committee;
- d) Carrying out the statutory resolutions of the Members' Meeting of the DAV, in particular, to adopt those provisions of the model statutes for the sections which the Members' Meeting has designated as binding;
- e) Limiting the liability of the DAV in the statutes for damages incurred by members of the section when using DAV facilities or when participating in DAV events;
- f) Having amendments to the statutes approved by the presidium of the DAV;
- g) Allowing the DAV to approve any sale or encumbrance of property or huts, insofar as it concerns AV huts;
- h) Overseeing its area of work.

§ 5

Association year

The association's year is the calendar year.

§ 5 a

Compensation regulations

1. Personal expenditures and costs, including travel expenses, will be reimbursed to Executive Board members or members of the association if they were necessary in the interest of the section. The Executive Board is authorized to resolve a corresponding reimbursement regulation. Reimbursements are made either against proof of specific expenses or in accordance with the agreed flat-rate expenses. The flat-rate expenses may not exceed the applicable tax-free payable lump sums under wage tax law.
2. An executive position in the association is in principle voluntary and without entitlement to remuneration. Deviating from this, a resolution of the Executive Board may grant an appropriate remuneration for time spent; when determining the amount, § 2.4 must be observed. Section 181 BGB (German Civil Code) does not apply in this respect.
3. Insofar as members of the section work full-time or part-time or occasionally for the association and are to receive remuneration for this, the specifics are based on the commission or contract concluded by the Executive Board or management on a case-by-case basis.

MEMBERSHIP

§ 6

Membership rights and limitation of liability

1. The adult members have a seat and vote in the Members' Meeting; they can vote and stand for election. They can use the section's property and all other section facilities under the conditions provided and enjoy all member rights.
2. The underage members are entitled to the membership rights mentioned in paragraph 1 with the exception of the right to vote or elect. Notwithstanding this, members from the age of 16 can vote and elect, but not be elected.
3. The members of the section are indirect members of the German Alpine Club. They are entitled to use its facilities under the conditions provided for this.
4. Liability of the section and the persons commissioned by it for damage incurred by a member when using the club's facilities or when participating in club events shall be limited beyond the scope of the insurance taken out by the DAV to cases in which a member of the Executive Board or any other person working for the section, for whom the section is responsible according to the provisions of civil law, is culpable for intent or gross negligence. The same restriction applies when using club facilities or participating in events in another section of the German Alpine Club.
5. A liability of the German Alpine Club (DAV) and the persons commissioned by it for damage incurred by a section member when using the facilities of the DAV or when participating in events of the DAV shall be limited beyond the scope of the insurance taken out by the DAV to cases in which a member of a body of the DAV or another person working for the DAV, for whom the DAV is responsible according to the provisions of civil law, is culpable for intent or gross negligence.

§ 7
Member obligations

1. Each member must pay the annual fee to the section by 31 January of the current year at the latest. The Members' Meeting determines the respective amount. This is based on how member categories are divided, as decided by the Members' Meeting of the DAV.

For members who take part in the SEPA direct debit procedure, the membership fee is always charged on the first bank working day of the year, stating the creditor ID and the mandate reference number of the Oberland section of the German Alpine Association (DAV) e.V.

2. Membership rights are only available to members for the period for which they have paid the annual fee.
3. Members joining during the current year must pay the full annual fee.
4. The section amount may be reduced or waived in special circumstances by the Executive Board on request.
5. Every member is obligated to notify the section of any changes to their address as soon as possible.

§ 8
Honorary members and supporting members

1. The Members' Meeting may appoint honorary members at the suggestion of the Executive Board who have made outstanding contributions to the Section. They will receive the membership card for their category; they are released from the obligation to contribute to the section.
2. Individuals or legal entities may become supporting members of the section. More detailed provisions on admission including the determination of any contributions are decided by the Executive Board. Support membership requires recognition of the section's statutes. Supporting members of the section are not indirect members of the German Alpine Club, they do not receive a membership card, they do not enjoy the rights of full members. In the section's Members' Meeting, they have the right to speak, but no right to vote. The support membership ends by leaving at the end of a year, immediately upon expulsion by the Executive Board.

§ 9
Admission

1. Anyone wishing to be admitted to the section must apply in writing—including using modern communication options.
2. A fee may be charged upon admission, which is determined by the Members' Meeting.
3. The Executive Board decides on the application; it may delegate the decision-making authority.
4. Admission becomes effective only after payment of the admission fee and the first annual fee.

§ 10
Termination of membership

The membership ends
a) by leaving; b) by death; c) by deletion; d) by exclusion.

§ 11
Leaving, deletion

1. Members may leave by declaring this in writing; it is effective at the end of the current association year. The section must be notified of the member's leaving by 30 September at the latest.
2. A member who has not paid their dues by 31 May can be deleted by the Executive Board or by the managing director through a general-abstract board decision. They are therefore deemed to have departed without the need for special notification.

§ 12
Exclusion

1. At the request of the Executive Board, a member may be excluded by the Honorary Council.
2. Reasons for exclusion are:
 - a) gross violation of the purposes of the section or the DAV, of resolutions or orders of the association's organs or of the peace within the association;
 - b) serious damage to the reputation or interests of the section or the DAV;
 - c) gross violation of alpine camaraderie.
3. An appeal to the Members' Meeting against the exclusion are permissible. It must be submitted to the Executive Board within one month of receipt of the notice of exclusion.

4. Before the decision by the Honorary Council and the Members' Meeting, the member shall be granted a fair hearing in a reasonable period. The decision on the exclusion must be justified and notified to the member by registered letter.

§ 13 Departments, groups

1. The members of the section can join together to form departments or groups within the section with the Executive Board's approval. The Members' Meeting can dissolve them by resolution.
2. Separate groups must be set up for youth mountaineers, juniors and children.
3. The departments and groups can set their own rules of procedure. This must not contradict either the statutes of the section or those of the DAV. It requires the approval of the Executive Board; the Executive Board may not refuse to approve the rules of procedure for young people (section youth statute), provided that these agree with the model section youth statute.
4. The departments and groups elect a leader from among their members.
5. A special membership fee may only be set with the Executive Board's consent. The departments' or groups' budget is part of the general section budget, even if a special membership fee is charged there, and is administered according to the section's budgetary principles.
6. Notwithstanding the regulation in paragraph 3, the adoption of a section youth statute by the section's youth plenary assembly requires a resolution of the Members' Meeting to be effective. Subsequent changes to the section youth statute must also be approved by the Members' Meeting. The Members' Meeting may not refuse to approve the section youth statute as long as it complies with the model section youth statute.
7. The departments and groups do not have their own legal personality.

SECTIONAL ORGANS

§ 14 Organs

- Organs of the section are
- a) the Executive Board;
 - b) the Advisory Board;
 - c) the Members' Meeting;
 - d) the Honorary Council

EXECUTIVE BOARD

§ 15 Composition and election

1. The Executive Board consists of the first chairperson, the second chairperson, the treasurer and the representative of the youth section (Executive Board) as well as three members.
2. The members of the Executive Board are elected by the Members' Meeting for a period of three years in written and secret ballot; other legally valid methods may be used if no objection is raised. Re-election is permissible. If a new Executive Board has not yet been elected by the deadline, the term of office is extended until a new Executive Board is elected.
3. If an Executive Board member resigns during their term of office or is impeded from carrying out their affairs for a longer period of time, the next Members' Meeting elects a successor for the remainder of the term of office. The remaining Executive Board appoints a substitute member until the election.

§ 16 Representation

The section is represented externally in and out of court by the Executive Board. The first chairperson, the second chairperson and the treasurer have sole power of representation. In the case of legal transactions involving an asset of more than EUR 20,000, the participation of another Executive Board member is required. Internally, the second chairperson may only act if the first chairperson is impeded and the treasurer is only permitted to act if the first and second chairpersons are impeded from doing so.

§ 17 Duties

The Executive Board sets the agenda for all meetings of the section, unless this statute expressly contains a different regulation. It executes the resolutions of the Members' Meeting and decides in all matters that are not

reserved for the Members' Meeting. It draws up the budget and informs the Members' Meeting thereof. Deviations from the budget are permitted, provided that they are necessary to fulfil statutory tasks.

The Executive Board should give itself rules of procedure.

§ 18

Rules of procedure

1. The Executive Board is called to meetings by the first chairperson, if they are impeded from doing so by the second chairperson, and if they are impeded from doing so by the treasurer. It has a quorum if at least three of the members are present.
2. The resolutions are passed by a simple majority of the members present; in the event of a tie, an application shall be considered rejected.
3. The Executive Board must be convened if at least three of its members request it.
4. The section can employ workers for remuneration. A managing director employed by the Executive Board is a special representative of the association (Section 30 BGB), limited to the business group assigned to them. They are not a member of the Executive Board within the meaning of Section 26 BGB. The managing director and their deputy are authorized to represent the section alone in transactions involving an asset of up to EUR 10,000, and in the case of an asset of up to EUR 20,000, together with another Executive Board member appointed as sole representative.

ADVISORY BOARD

§ 19

Composition, duties

1. The Advisory Board includes: the heads of the departments and groups according to § 13 of this statute, other speakers appointed by the Members' Meeting to carry out certain tasks and elected honorary members according to § 8 para. 1. The section youth can each propose for election to the Advisory Board—with seat and vote—one youth leader respectively for three active and independent youth groups according to § 13.2 of these statutes who, according to § 13.2 is actively involved in youth work. The managing director has a seat and vote on the Advisory Board. Executive Board members cannot concurrently be members of the Advisory Board.
2. They are elected for a period of 3 years by the Members' Meeting. If a member of the Advisory Board resigns during their term of office or is impeded from carrying out their affairs for a longer period of time, the next Members' Meeting elects a successor for the remainder of the term of office. The board appoints a substitute member until the election after hearing the Advisory Board.
3. The Advisory Board elects a speaker from among its members. The speaker calls the meetings of the Advisory Board as required, stating the agenda, and chairs them.
The Advisory Board must be convened if at least 15 of its members request it. The Advisory Board has a quorum if at least 25 of its members are present. Resolutions are passed by a simple majority of the members present; in the event of a tie, an application shall be considered rejected.
4. The Advisory Board has the task of advising the Executive Board on all important association matters. Before the Executive Board takes an important decision, the relevant members of the Advisory Board must be heard. The Advisory Board can request information and access to inspect files from the Executive Board in all important association matters as well as call a joint meeting with the Executive Board.
5. The Advisory Board can issue rules of procedure analogous to § 13 No. 3.
6. The Executive Board should be given the opportunity to participate in the meetings of the Advisory Board. The Executive Board does not have a voting right.
7. Joint meetings of the Executive Board and Advisory Board are convened and chaired by the first chairperson stating the agenda. Should they be unable to attend, § 16 sentence 4 applies accordingly. Resolutions must be passed separately.

MEMBERS' MEETING

§ 20

Convening a members' meeting

1. The Executive Board convenes an ordinary members' meeting annually, to which the members must be invited at least four weeks in advance either through an advertisement in the association newspaper and notice at the service point or alternatively through publication in the Süddeutsche Zeitung and Münchner Merkur; the agenda must be stated. If the agenda provides for a change to the statutes, the provisions of the statutes that are to be changed must also be stated. In the case of a convocation through an advertisement in the association newspaper and through a notice at the service point, the notice period begins on the day of the notice.
2. The Executive Board can call an extraordinary Members' Meeting according to the same provisions as in paragraph 1. It must be convened if at least 2.5% of the members or more than half of the members of the Advisory Board request this in writing, stating the reason.

§ 21 Duties

1. The following are reserved for the Members' Meeting:
 - a) receiving the Executive Board's annual report and the annual financial statements;
 - b) discharging the Executive Board;
 - c) electing and dismissing the members of the Executive Board, the Advisory Board, the Honorary Council (with the exception of the members of the Honorary Council belonging to the Executive Board) and auditors;
 - d) receiving the budget for the current year;
 - e) setting the membership fee, the admission fee and, in the case of special financial burdens, levies on the section;
 - f) amending the statutes;
 - g) approving a section youth statute resolved by the youth plenary assembly and its amendment;
 - h) dissolving the section.
2. A resolution shall be passed with a simple majority of the valid votes cast; changes to the statutes require a majority of two-thirds of the valid votes cast. Abstentions do not count towards determining the voting result.
3. Changes to the statutes require the approval of the DAV.

§ 22 Rules of procedure

1. The first or second chairperson chairs the Members' Meeting. A person appointed by the Executive Board shall take the minutes, which must contain the resolutions verbatim. The minutes must be signed personally by the chairperson of the meeting and by the minute-taker.
2. Proposals for the ordinary Members' Meeting received by the Executive Board in writing by 15 December of the previous year must be placed on the meeting's agenda.
3. Resolutions may only be passed on items on the agenda.

HONOURARY COUNCIL, AUDITOR; DISSOLUTION

§ 23 Honorary Council

1. The Honorary Council consists of 5 members, one of whom is a member of the section's Executive Board. The others may not hold any office in the section.
2. The members of the Honorary Council are elected by the Members' Meeting, the member belonging to the executive committee therefrom.
3. The Honorary Council is called to
 - a) settle disputes of all kinds within the section;
 - b) conduct honor proceedings and
 - c) carry out expulsion proceedings.

Decisions are made with a simple majority of vote after hearing the person concerned. With regard to the quorum, § 18, para. 1 sentence 2 applies accordingly. With the exception of expulsion proceedings, decisions are final.

§ 24 Auditors

1. The Members' Meeting elects two auditors. For the election, term of office and dismissal of the auditors, § 15 para. 2 and 3 applies accordingly. Members of organs of the section cannot be elected as auditors.
2. The auditors shall check the accounting and financial reporting. They shall supervise the section's cash transactions and bookkeeping. The annual financial reporting must be checked immediately after the annual financial statements prepared by the Executive Board are available.
3. At any time during the year, the auditors can request—in writing by setting a reasonable deadline—the accounting records, the supporting documents and the business documents, and can inspect and examine them.
4. An audit report must be prepared in writing for each audit and sent to the Executive Board. When auditing the accounts of section bodies, the written audit report must contain a proposal to the Members' Meeting on the question of the discharge of the Executive Board or other organs of the association. The auditors shall verbally explain to the members' meeting their annual audit report and their proposal regarding discharging the Executive Board or other organs of the association.

§ 25 Dissolution

1. The Members' Meeting decides on the dissolution of the section with a three-quarter majority of votes cast by the members present.
2. If fewer than 200 of the members are present, the dissolution can only be resolved by a second Members' Meeting, which is called immediately and again observing the notice period and which has a quorum regardless of the number of those present.

3. The Members' Meeting that decides to dissolve also disposes of the section's assets according to the following requirements. In the event of dissolution or annulment of the section or if its tax-privileged purposes cease to exist, the remaining section assets after covering the liabilities shall be used exclusively and directly for non-profit tax purposes (including within the meaning of Austrian tax laws). For this purpose, the remaining section assets shall be transferred to the DAV or to its legal successor or to one or more of its sections with the mandatory condition of the exclusive and direct use for non-profit tax purposes if the receiving body fulfils the requirements for tax relief (including within the meaning of Austrian tax laws).

In this context and under these conditions, all rights to path and hut constructions shall be transferred free of charge to the DAV or its legal successor or the specific section.

If the above-mentioned bodies no longer exist at the time of the asset settlement or no longer meet the necessary requirements (including Austrian) for tax relief or if, for other reasons, the transfer of assets in the sense of the above is not possible, the remaining section assets shall be transferred to a legal entity under public law or another (including within the meaning of Austrian tax laws) tax-privileged body with the mandatory condition of exclusive and direct use to preserve the beauty and originality of the mountains and to promote mountaineering and alpine sports.

Resolved in the Members' Meeting on 8 April 1997, amended in the Members' Meeting on 8 May 2001, 28 April 2005, 25 April 2006, 24 April 2012, 29 April 2014, 25 April 2017; 30 April 2019.

Section Oberland of the DAV e.V.

Andreas Roth
2nd Chairperson

Stamp

Andreas Mohr
Managing Director

Approval by the DAV according to §§ 7 para. 1 g) and 13 para. 2 l) of the DAV statute

Date
for the Presidium of the DAV

Stamp

Signature