

**Statute  
of the Munich Section of the German Alpine Club (Deutscher Alpenverein  
e.V. with its registered office in Munich**

**Formal notice**

We would like to point out that—for the purpose of better readability—we have dispensed with gender-specific formulations. Of course, all chosen personal terms refer to both genders.

§ 1

**Name and registered office**

The association bears the name: "Sektion München 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 under the register number 854.

§ 2

**Purpose of the association**

1. The section's purpose is to promote and maintain summer and winter mountaineering, climbing, hiking, skiing and other 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, countryside conservation and youth welfare 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 clauses 2 to 7.
2. Ideal means to achieve the purpose of the association include:
  - a) Mountaineering and alpine sports training, the promotion of mountaineering and alpine sports activities, as well as skiing and sport climbing;
  - b) Corresponding sports instruction and sports courses, including teaching mountain rescue techniques and mountain medical science knowledge;
  - c) Group mountaineering, alpine sports activities and hikes as well as guided tours such as in the area of alpine skiing, alpine youth hiking, sport climbing, alpine tours, natural history hikes, kayaking and mountain bike tours;
  - d) the organization of and participation in events in the field of other sporting activities, such as fitness training, gymnastics, sport and competitive climbing;
  - e) the construction and maintenance of paths and routes in order to ensure environmentally friendly and safe practice of mountain sports in accordance with the purposes of the statutes;
  - f) the 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 in the foothills of the Alps and in the high mountains as bases and safety shelters for mountain climbing, hiking, skiing and other alpine sports;
  - h) conducting expeditions for mountaineering training;
  - i) organizing appropriate lectures and information events;
  - j) lending mountain sports equipment, safety and map material as well as relevant specialist literature;
  - k) the promotion of basic and advanced training for skilled workers;
  - l) holding of events such as meetings, lectures, courses and guided tours;
  - m) the establishment and operation of a website or other electronic media;
  - n) issuing publications;
  - o) establishing a library;
  - p) the cooperation with people, organizations and institutions that pursue the same or similar purposes or support the association's goals.

3. The promotion of nature and environmental protection as well as countryside conservation within the meaning of the relevant state and federal nature conservation laws occurs in particular:
- a) by protecting and maintaining nature and countryside, fauna and flora of the Alps and the German low mountain ranges, especially when practicing mountain sports as well and maintaining huts and paths, for example by environmentally friendly supply and disposal measures in the mountains and through the production and maintenance of an environmentally friendly infrastructure;
  - b) through measures to maintain pathways and protected areas, in particular, the flora-fauna-habitat protected areas assigned to the section, for example through path rehabilitation, erosion control and planting;
  - c) through participation in the decision-making process and political decision-making in the field of nature and environmental protection.
4. Youth welfare is promoted in accordance with the youth regulations of the German Alpine Club and the principles governing the educational goals of the youth of the German Alpine Club through extensive youth work and family work, in particular
- a) through organizing education and training measures;
  - b) through group work and supervised communal, youth welfare measure, such as mountain sports.
5. Promoting cultivation of the home region and local history takes place through measures to promote solidarity with the local mountains in particular
- a) through the establishment and maintenance of summit and path crosses, monuments and chapels;
  - b) through researching and promoting alpine pilgrimage;
  - c) through organizing nature and local history excursions and lectures.
6. In addition, the purposes of the statutes are realized through 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, as well as through information events.
7. 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 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 year is the calendar year.

## **MEMBERSHIP**

### **§ 6**

#### **Membership rights**

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. 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 membership fee (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.
2. Each member must pay an allocation decided by the Members' Meeting to cover an unscheduled financial requirement. This may amount to a maximum of 0.5 times the annual membership fee.
3. Membership rights are only available to members for the period for which they have paid the annual fee.
4. The section amount (membership fee minus the association fee to be paid to the DAV) 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 achieving the association's purpose. 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.
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 membership 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. Leaving must be declared 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 Executive Board decision. They shall therefore be deemed to have left at the end of the calendar year, without the need for notification; however, they remain obligated to pay this annual fee.

#### § 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 in writing.

#### § 13

#### **Departments and 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. A youth department must be set up for youth mountaineers, juniors and children.

3. The departments or groups can set their own rules of procedure. The rules of procedure 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 the youth department, provided that these agree with the "model section youth statute".

4. A special membership fee may only be set by the responsible body of the department or group, as specified in the necessary rules of procedure, in compliance with the procedure specified therein with the Executive Board's approval. The department's or group's 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.

5. The departments and groups do not have their own legal personality.

6. The heads of the departments and groups are elected by their members; the elected party requires the approval of the section Executive Board and is proposed to the Members' Meeting for election as a advisor according to §23.

#### § 14

#### **Organs**

Organs of the section are:

- a) the Executive Board;
- b) the members' meeting;
- c) the Honorary Council.

## **EXECUTIVE BOARD**

### §15

#### **Composition and election**

1. The Executive Board within the meaning of Section 26 BGB comprises the chairperson and five deputies, one of whom is the elected representative of the youth section (youth officer).

A deputy represents the chairperson in their business area if they are unable to do so (chairperson's representative); one deputy assumes the role of treasurer.

2. The Executive Board is elected by the Members' Meeting for the duration of three years. In doing so, it elects the chairperson and assigns the deputies to the duty areas set out in § 15 para. 1 p. 2. If requested by a member who is present, a secret vote must be taken in writing. 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. The Executive Board's term of office begins with the acceptance of the election.

4. If an Executive Board member resigns prematurely or is impeded permanently, the next Members' Meeting elects a successor for the remainder of the term of office. The Executive Board appoints a substitute member until the election.

5. The managing director is employed by the section. The Executive Board appoints and concludes the employment contract. They are 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.

### §16

#### **Representation**

1. The section is represented externally in and out of court by the Executive Board. The chairperson, the chairperson's representative and the treasurer have sole power of representation up to a value limit of €25,000.00 per single transaction. In the case of legal transactions involving an asset of more than EUR 25,000.00 the participation of another Executive Board member is required. Internally, the chairperson's representative may only act if the chairperson is unable to attend and the treasurer is only allowed to act if the chairperson and his representative are impeded from doing so.

2. The managing director is authorized to represent the section within the scope of his individual contractual value limits, hereabove jointly with an Executive Board member authorized to represent the section individually.

### § 17

#### **Duties**

1. The Executive Board sets the agenda for all meetings of the section and executes its resolutions.

2. It draws up the budget and informs the Members' Meeting thereof.

3. As part of the fulfilment of their accounting obligations, they create inter alia an activity report and the annual financial statements by 30 June after the end of a year. The accounting includes, among other things, the preparation of proper bookkeeping and the preparation of the annual financial statements including tax returns. The accounting is performed according to income tax rules with special consideration of the requirements of the non-profit status, as far as the regulations under association law do not take precedence. The annual financial statements shall be drawn up in the form of an overview of assets with a profit and loss account, the profit and loss account in the form of an income statement, insofar as this is legally permissible.

4. They decide on all matters that are not reserved for the Members' Meeting.

### §18

#### **Rules of procedure**

1. The Executive Board is called to meetings by the chairperson, if they are impeded, by the chairperson's representative, and if both are impeded, by the oldest deputy. It has a quorum if at least four 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. Abstentions do not count towards determining the voting result.

3. The Executive Board must be convened if at least three of its members request it.

## **MEMBERS' MEETING**

### **§19**

#### **Convening, quorum**

1. The Executive Board convenes an ordinary Members' Meeting annually, to which the members must be invited at least two weeks in advance by posting a notice at the service point; the agenda must be specified. If the agenda provides for a change to the statutes, the provisions of the statutes that are to be changed must also be stated. The period begins on the day it is posted.
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 advisors request this in writing, stating the reason.
3. The Members' Meeting has a quorum with the members present.

### **§20**

#### **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) receiving the budget implementation for the previous year and the budget for the current year.
  - d) setting the membership fee, the admission fee and, in the case of special financial burdens, levies on the section;
  - e) electing the Executive Board members, advisors, Honorary Council, auditors; representatives of both genders should be elected to the Executive Board if possible;
  - f) amending the statutes;
  - g) 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. Abstentions do not count towards determining the voting result.
3. Changes to the statutes require the approval of the DAV.

### **§21**

#### **Rules of procedure**

1. The chairperson or, if they are impeded, the chairperson's representative, and if both are impeded, the eldest deputy present chairs the Members' Meeting.
2. An Executive Board member appointed by the Executive Board shall take the minutes, which must contain the resolutions verbatim. The minutes must be signed by the minute-taker and the meeting chair.
3. Proposals received by the Executive Board in writing by 25 January must be placed on the meeting's agenda. Other proposals from members will only be dealt with if the required number to call an extraordinary Members' Meeting has submitted these proposals in writing to the Executive Board no later than 2 weeks before the meeting and 75% of the members present who are entitled to vote agree to dealing with the proposal.

## **HONORARY COUNCIL**

### **§22**

#### **Honorary Council**

1. The Honorary Council consists of three members, one of whom is a member of the section's Executive Board; the others are not allowed to hold any office in the section. All members should have belonged to the section for at least 10 years.
2. The member of the Honorary Council belonging to the Executive Board is elected by the Executive Board, the others by the members' meeting.
3. The Honorary Council is called to
  - a) settle disputes of all kinds within the section;
  - b) conduct honour proceedings and

c) carry out expulsion proceedings.

4. It can: express disapproval of members, restrict members in the exercise of their membership rights for a certain period of time (with the exception of the right to participate in the Members' Meeting), order expulsion from the section.

5. Before making any decision, those involved must be given the opportunity to comment. Resolutions are passed with a simple majority and, with the exception of exclusion, are final.

## **ADVISORS, AUDITORS**

### **§ 23**

#### **Advisors**

1. The Members' Meeting elects advisors to perform certain tasks.

With the exception of urgent cases, they must be invited to Executive Board deliberations regarding decisions on questions that affect the tasks assigned to them. They are not members of the Executive Board in the sense of Section 26 BGB. They have an advisory vote and can submit motions at any time, on which the Executive Board must pass a resolution within a reasonable period.

2. § 15 para. 2, 3 and 4 apply accordingly.

### **§ 24**

#### **Auditor**

1. The Members' Meeting elects two auditors. They have the same term of office as the Executive Board. Members of organs of the association cannot be elected as auditors.

2. The auditors must audit the accounting, financial reporting and management according to the instructions of the Members' Meeting, in particular with regard to the compatibility with the statutes and the resolutions. The audit extends, among other things, to whether larger expenses are covered by a proper resolution of the Executive Board or, if necessary, by the Members' Meeting.

3. The annual financial reporting must be checked promptly after the annual financial statements prepared by the Executive Board are available.

4. At any time during the year, the auditors can request—in by setting a reasonable deadline—the accounting records, the supporting documents and the business documents, and can inspect and examine them.

5. A protocol of the results of each examination must be made and forwarded to the Executive Board, when auditing the accounts of section bodies, with a proposal to the Members' Meeting on the question of the discharge of the Executive Board or other organs of the association.

## **REIMBURSEMENT OF EXPENSES, REMUNERATION, LIABILITY**

### **§ 25**

#### **Reimbursement of expenses, remuneration**

1. All positions on the Executive Board, in the Honorary Council, as well as the activities of the advisors and auditors are honorary positions. Personal expenditures and costs, insofar as they were necessary in the interest of the section, will be reimbursed according to an expense reimbursement regulation to be resolved by the Executive Board; Section 181 BGB does not apply in this respect. The reimbursement should be made against individual proof of expenses, the settlement of flat rates is permitted under applicable tax regulations on the reimbursement of travel expenses for business trips and for trips between home and work.

2. An activity remuneration is paid to the group of persons specified in para. 1 through the free use of offers by their own section up to a maximum of the tax-free amount in accordance with Section 3 No. 26 a EStG (Income Tax Act). The type and scope of use shall be governed by usage regulations to be resolved by the Executive Board.

3. If a member of the Executive Board acts as a trainer, they shall be granted—provided all other requirements are met—remuneration for this activity up to the amount of the tax exemption for trainers in accordance with Section 3 No. 26 EStG.

## §26

### **Liability**

Regardless of the amount of its remuneration, the Executive Board shall only be liable to the association for damage caused in the performance of its Executive Board duties in the event of intent or gross negligence. The same applies to Executive Board members and special representatives, as well as to association members who work for the association free of charge, when performing the statutory association tasks assigned to them, insofar as the statutory liability regulations of Sections 31 a BGB and 31 b BGB do not apply.

## **DISOLUTION**

### § 27

#### **Dissolution, liquidation of assets**

1. The Members' Meeting decides on the dissolution of the section with a 3/4 (three-quarter) majority of votes cast by the members present. 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.
2. The Members' Meeting that decides to dissolve also disposes of the section's assets according to the following requirements.
3. 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 necessary 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.

The revised statute was resolved by the Members' Meeting on 24 April 2014. The first amendment was made on 12 April 2018.