Gaming Aid e. V.

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Gaming Aid e. V.
Bylaws

as of February 2024

§ 1 Name, Location, and Fiscal Year

1 The association is named "Gaming Aid e.V.". It is based in Berlin and registered in the association register under the number VR 32612 since August 21, 2013.

2 The official location of the association is Berlin.

3 The fiscal year corresponds to the calendar year.

§ 2 Purpose of the Association

1 The association exclusively and directly pursues charitable and benevolent purposes as defined in the "tax-advantaged purposes" section of the Fiscal Code.

2 The purposes of the association are as follows:

2.1 Promotion of charitable purposes

2.1.1 This purpose is realized through the selfless support of individuals who are dependent on the help of others due to personal or economic reasons, in accordance with § 53 of the Fiscal Code.

2.2 Promotion of civic engagement for charitable purposes

2.2.1 This purpose is realized through the execution of actions, for example, by calling for support for needy individuals.

2.3 Promotion of education

2.3.1. Promotion of education

This purpose is fulfilled by conducting various age-appropriate gaming events for children and teenagers to promote media competence and social skills. This includes, for instance, small tournaments for racing simulations or sports games, shared experiences with adventure games, or learning with serious games.

2.3.2. Promotion of elderly assistance

This purpose is achieved by training on electronic devices to maintain mental vitality and promote media competence. For example, this can include individual or group lessons to familiarize seniors with laptops, mobile phones, or tablets, as well as training through the execution of a sports tournament with a console like the Wii.

2.4 Promotion of public education, including student aid

2.4.1 This purpose is realized by conducting actions, for example, by offering lectures and courses on preventive topics such as resilience strengthening.

2.5 Promotion of welfare services, youth welfare, education, elderly assistance, and charitable purposes

2.5.1 This purpose is realized through fundraising for public-law corporations and other tax-advantaged corporations according to § 58 No. 2 of the Fiscal Code to promote welfare purposes, especially the purposes of officially recognized associations of free welfare work (§ 23 of the Sales Tax Implementation Regulation), their sub-associations, and their affiliated institutions and establishments, as well as particularly for providing clothing, household items, and electronic communication options for refugees. This purpose is also achieved by sending toy packages to sick children and their families.

3 Suitable funds for achieving these statutory purposes shall be obtained through contributions, levies, donations, grants, and other benefits.

4 The association operates selflessly; it does not primarily pursue its own economic purposes. The funds of the association may only be used for statutory purposes. Members do not receive benefits from the funds of the association.

5 The association is politically and denominationally neutral. It is authorized to cooperate with all tax-advantaged organizations if this serves the association's purpose and does not endanger its existence or neutrality.

6 The association maintains relationships with all tax-advantaged institutions that strengthen the association's reputation and support its goals.

§ 3 Acquisition of Membership

1 Any natural person as well as legal entities willing to actively support and promote the aims and statutory purposes of the association can become a member. Minors under eighteen years of age require the consent of their legal guardians. Members are entitled to vote in meetings only upon reaching legal age.

2 The executive board decides on the written application for admission with a simple majority. If the application is denied, the board is not obligated to disclose the reasons to the applicant. The applicant can file an appeal against the rejection within one month of receiving the notice. The next general meeting will decide on the appeal.

3 The association may appoint honorary members. Members who have made significant contributions to the association can be nominated as honorary members, which requires a resolution by the general meeting. Honorary members are exempt from paying dues but have the same rights and obligations as regular members, including the right to participate in all meetings and sessions.

§ 4 Rights and Obligations of Members

1 Members have the right to participate in meetings and events of the association. Each member has one vote. If unable to attend a meeting in person, for example, a general meeting, a member may delegate their voting right to another member. This must be communicated to the management board in writing (by letter or email) in advance.

2 Members are obligated to:

a. Fulfill and promote the purpose and goals of the association.

b. Timely pay the due membership fees.

3 Membership rights are suspended as long as any due fees or other set obligations remain unfulfilled.

§ 5 Membership Fees

1 The amount and due date of annual membership and support fees are determined by the fee schedule valid at the time, which is decided by the general meeting.

2 Waiver, reduction, or deferral of fees are decided by the management board upon a member's request. Such decisions are effective for a maximum of twelve months.

§ 6 Termination of Membership

1 Membership ends due to:

a. Voluntary resignation.

b. Expulsion.

c. Death.

d. Dissolution of the legal entity.

2 Voluntary resignation is effected by written declaration to the executive board with a quarter's notice to the end of the calendar year. Until then, the departing member remains obliged to pay the membership fee.

3 A member can be expelled with immediate effect by the executive board for gross violations against the interests of the association. Before deciding, the member must be given a reasonable period to justify their actions. The decision must be justified in writing and communicated to the member.

4 The death of a member results in immediate termination of membership.

5 The dissolution of a legal entity also results in immediate termination of membership.

6 Upon termination of membership, for any reason, all claims from the membership relationship cease. A refund of contributions, donations, or other support services is generally excluded. The association's claim to unpaid membership fees remains unaffected.

§ 7 Organs of the Association

The organs of the association are:

a. The General Meeting

b. The Management Board

§ 8 The General Meeting

1 The supreme organ of the association is the General Meeting. Its particular duties include:

a. Receiving and discussing the executive and financial reports

b. Discharging the Management Board concerning the management and financial affairs

c. Electing the Management Board (in election years)

d. Deciding on amendments to the bylaws as well as the dissolution of the association

e. Determining the membership fee schedule and other obligations of the members.

2 A regular General Meeting is convened by the Chairperson or their deputy as needed, but at least once per fiscal year. The invitation to the General Meeting must be sent at least one month in advance in writing or via email by the Management Board, with the preliminary set agenda, to the last known member address.

3 The agenda for a regular General Meeting must particularly include:

a. Executive and financial reports

b. Discharge of the Management Board and the financial affairs

c. Elections of the Chairperson, if due

d. Elections of the two auditors, if due

e. Determination of contributions/levies for the current fiscal year or the adoption of membership fee schedules

f. Decision-making on existing proposals

4 Member proposals for the agenda must be submitted to the Management Board in writing at least two weeks before the General Meeting. Agenda items submitted later must be communicated to the members in time before the start of the General Meeting. Later proposals – including those made during the General Meeting – must be added to the agenda if the majority of the present voting members agree to address the proposals (urgent motions).

5 The Management Board must immediately convene an extraordinary General Meeting if the interests of the association require it or if the convening is requested in writing by at least one-third of the members, stating the purpose and reasons.

6 The General Meeting is chaired by the Chairperson or one of their deputies. At the proposal of the Chairperson, the General Meeting may designate a special meeting leader.

7 Resolutions of the General Meeting are recorded in minutes within two months after the meeting and signed by two jointly authorized members of the Management Board and the minutes taker. Any member may view the protocol at the association's office.

8 Each member has one vote. The voting right can only be exercised personally or for another member with a written power of attorney. Proxy votes must only be exercised in the interest of the absent member. In votes, a simple majority of the cast votes decides.

9 A vote must be conducted SECRETLY if at least one member requests it.

10 The General Meeting can also be held as a telephone or video conference, or using voice chat or other internet-based communication technologies. Any necessary software should be available for free. The General Meeting must be conducted in person if a member demonstrates within 14 days of receiving the invitation that it is technically impossible for them to participate in such a conference call.

§ 9 The Management Board

1 The Management Board may consist of up to five members, composed as follows:

a. A Chairperson
b. A Deputy Chairperson
c. A Treasurer/Financial Secretary
d. A Scholarship Coordinator
e. Vacant

2 The duties of the Management Board include, in particular:

a. Leading the association
b. Representing the association externally
c. Convening working groups
d. Processing membership applications
e. Appointing project managers
f. Determining project budgets
g. Supervising projects
h. Handling all affairs of the association not otherwise regulated by the bylaws

3 According to § 26 BGB (German Civil Code), the Management Board consists of the first Chairperson, the Deputy Chairperson, and the Treasurer.

4 Executive Board meetings are convened by the Chairperson or their deputies.

5 The Management Board is responsible for appointing project managers and allocating project budgets, as well as for all affairs of the association not expressly assigned to the General Meeting by the bylaws.

6 Resolutions of the Management Board are recorded in minutes and signed by at least two jointly authorized members of the Management Board.

7 For external representation of the association, joint authorization of two members of the Executive Board is always required. Following a unanimous decision of the Management Board, representation by a single Management Board member may be permitted.

8 Should an Management Board member resign before the end of their term, the Management Board is entitled to appoint a provisional Management Board member. Such appointed members remain in office until the next General Meeting.

9 Members of the association's organs are entitled to reimbursement of necessary expenses and outlays. The General Meeting may decide on a reasonable compensation for the members of the Management Board. No person may be favored by expenses that are foreign to the purpose of the association or by disproportionately high remuneration.

10 If certain contents of the bylaws oppose the registration in the association register or the recognition of tax-exempt status by the responsible tax office, the Management Board is authorized to make corresponding changes independently.

§ 10 The Chair

1 The chairpersons are elected by the General Meeting for a term of three years.

2 The duties of the chairpersons include, among others:

a. Leading the association.

b. Convening the General Meetings and Management Board meetings.

3 The unlimited re-election of the chairpersons is permissible.

4 After the term expires, the executive members remain in office until their successors take office.

§ 11 The Treasurer/Financial Secretary

1 The Treasurer is elected by the General Meeting for a term of three years.

2 The duties of the Treasurer include:

a. Proper management of the association's finances.

b. Managing membership fees.

c. Proper management of levies and donations.

d. Preparing a financial report for the General Meeting.

3 The unlimited re-election of the Treasurer is permissible.

4 The unlimited re-election of the Treasurer is permissible.After the term expires, the Treasurer remains in office until their successor takes office.

§ 12 Liability

The association's liability for any legal transactional activities by its organs and representatives is limited to the association's assets in all cases. A personal liability of individual members or organs is excluded.

§ 13 Dissolution of the Association

1 Upon dissolution of the association, its assets shall be transferred to the charitable association Aktion Mensch e.V., which must use it directly and exclusively for charitable purposes.

2 The acting management board members are designated as liquidators unless the General Meeting decides otherwise. The content of the bylaws as presented was mandated by the General Meeting on September 23, 2015, and unanimously approved by the Management Board on December 7, after prior approval by the members with 22 yes votes, 0 no votes, and 0 abstentions..

The Management Board certifies the correctness and completeness of the bylaws in accordance with §71 paragraph 1 of the German Civil Code (BGB).

Christiane Gehrke Stefan Marcinek