

Statutes of the association „Kanupolo Salzburg“

§1 Name and seat

The association bears the name "Kanupolo Salzburg" (short: KPS) and has its seat and place of jurisdiction in Salzburg city.

§2 Purpose of the association

2.1. The purpose of the association, whose activity is not aimed at financial gain, is to promote and practice the sport of "canoe polo" and, in a broader sense, to practice canoeing of any kind and sport in general to achieve the club's goals. It is a non-profit, apolitical and non-partisan association.

2.2. „Kanupolo Salzburg“ pursues the purpose of the association in particular through:

- Regular canoe polo training for all ages.
- Supply and organization of national and international competitions in the sport of "canoe polo".
- Contact to national and international clubs, associations and organizations for the promotion of canoe polo.
- Events, courses, etc. for club members, the public and other organizations.
- Spiritual, social and technical education as well as training in specific sports areas.
- Other joint sporting and non-sporting activities of the club members.

§3 Funds of the association

The funds required to achieve the purpose of the association are raised as follows:

- Membership fees.
- Grants, sponsorship, gifts, donations and subsidies (money and material).
- Income from events and club activities.

Use of funds:

- Acquisition and maintenance of the necessary sports equipment (boats, safety equipment, etc.).
- Entry fees for competitions.
- Travel costs and reimbursement of expenses for members at sporting events.
- Any contributions to associations, etc.
- Marketing, press and public relations.
- Means to maintain regular club operations.

MEMBERSHIP

§4 Members

The members of the „Kanupolo Salzburg“ association are divided into:

- a. ordinary
- b. extraordinary
- c. honorary members

a: All physical persons interested in canoe polo can be accepted as full (ordinary) members. Requirements for full members: swimmers (safe swimming in standing water) and their own insurance for sports and leisure accidents.

- b. Extraordinary members (physical persons) can take part in the club's activities for a limited time period in order to get to know the sport. Same requirements as under ,a.‘
- c. Honorary members (physical and legal persons) are appointed for special services to "Kanupolo Salzburg".

§5 Creation of membership

- a. Ordinary members: The application for admission must be submitted in writing to the board of directors in the form of a membership application and approved by the board with a simple majority. For minors under 16 years of age, written consent from a parent or legal guardian is required. The beginning of membership is based on the date noted on the membership application and is valid for an unlimited time period. Membership can be refused without giving reasons.
- b. Extraordinary members: Admission by registering with a board member. Admission can be refused without giving reasons.
- c. Honorary members: Admission by application of a member of the board and resolution (simple majority) by the general assembly.

§6 Termination of membership

- Voluntary resignation: Voluntary resignation can take place at any time and must be addressed in writing (email, letter, etc.) to the board of directors. In the case of voluntary resignation, membership ends on December 31 of the current year and is confirmed in writing (email, letter, etc.) by the board. Any resignations must be communicated accordingly before the beginning of a new year in accordance with this paragraph.
- Death.
- Exclusion: The board of directors can resolve the exclusion of a member with a simple majority if the member contravenes the purpose of the association, damages the association's reputation, violates the association's statutes or acts in a dangerous or grossly negligent manner towards club members when exercising the sport, as well as if the membership fees are not met (two reminders are in arrears by more than a month; according to §7). The board of directors must notify the exclusion in writing (email, letter, etc.). The excluded member has the option of appeal. A court of arbitration (according to §11) must be set up in this regard within seven days of the delivery of the decision. The appeal has suspensive effect until the final decision by the arbitral tribunal.

Upon termination of membership, all rights against the association are lost. Association property must be returned and outstanding membership fees paid.

§7 Rights and obligations of the members

7.1. Members‘ rights:

- a. Ordinary members:
 - Right to vote, active and passive right to vote at the General Assembly.
 - Participation in competitions, tournaments and championships.
 - Participation in canoe polo training.
 - Use of club facilities and materials.
 - Participation in internal and external events.
- b. Extraordinary members:
 - Participation in canoe polo training.
 - Use of the club's facilities and materials (only in the presence of full members).
 - Participation in internal and external events.
- c. Honorary members:
 - Use of club facilities and materials.
 - Participation in internal and external events.
 - Participation in the general assembly (without voting rights).

7.2. Obligations of the members:

- punctual payment of membership fees:
For existing members, fees are paid in January / February of each year. The payment must be received on the club account by the last working day of February at the latest. If this is not complied with for more than a month (i.e. last working day of March) after two reminders, this will result in exclusion from the association (according to §6).
If you join a new club within a year, the fee must be paid within 4 weeks, otherwise membership will be declared void.
Contributions to expenses can be charged depending on the occasion.
- Disclosure of data such as address (and its change), dates of birth, etc. to the board of directors for internal use as well as for the purposes of reporting to the association.
- Active efforts to promote the club's goals.
- Follow the statutes and the resolutions of the general assembly.
- Confidentiality about resolutions and contents of the General Assembly vis-à-vis third parties.

CLUB BODIES

- General Assembly (§8)
- Board of Directors (§9)
- Auditor (§10)
- Arbitration Court (§11)

§8 General Assembly

8.1. Activities of the general assembly:

- a. The ordinary general assembly (general assembly - GV) is to be called by the chairman once a year.
- b. An extraordinary general meeting has to take place by resolution of at least half of the board members or the general assembly or upon written request by at least one tenth (10%) of the full members.
According to the Association Act, the auditors can call for a general meeting or call one themselves.
- c. All members must be invited in writing to both ordinary and extraordinary general meetings at least two weeks (14 days) before the date. The general meeting is called by the board of directors, stating the agenda.
- d. Applications for the general meeting must be submitted in writing to the board at least three days in advance.
- e. All full members and honorary members (without voting rights) are entitled to participate in the general assembly.
- f. Resolutions and elections are usually made with a simple majority of the ordinary members present, with abstentions not counting towards the votes cast. Resolutions on changing the statutes or dissolution of the association must be made with a two-thirds majority, abstentions are not permitted.
- g. Valid resolutions can only be passed on the agenda.
- h. The general meeting has a quorum after a regular announcement if at least half of the board members are present.
- i. The chairman of the general assembly is chaired by the chairman, in his absence the chairman's deputy, otherwise the oldest member present.

8.2. Rights of the general assembly:

- a. Receipt of the report of the board of directors.
- b. Resolution on the closing of accounts for the past financial year as well as the proposal for the next financial year and the auditor's report.
- c. Determination of the amount of the membership fees on the proposal of the board.
- d. Election of the board and two auditors.
- e. Amendment of the statutes.
- f. Advice and resolution on properly submitted applications.
- g. Appointment of honorary members on the proposal of the board.
- h. Resolutions about the termination of the association.

§9 Board of Directors

9.1. Composition of the board:

- The board consists of three voting members, the chairman, his deputy and the treasurer.
- Working groups can be set up by the board of directors, the heads of which belong to the board with the seat and the right to apply in the area of their activity.
- Only full members of "Kanupolo Salzburg" can belong to the board.
- The term of office of the board is three years. It is elected and discharged at the ordinary general assembly. A re-election of the individual board members is permitted indefinitely.
- If a board member resigns during the current term of office, another eligible member must be co-opted in his place, for which the subsequent approval must be obtained at the next general meeting.

9.2. Convening and quorum:

- The board is convened in writing by the chairman.
- The board has a quorum if all members have been invited and more than half of the voting members are present.
- The chairman is chairman, while his deputy is unable to do so.
- The general assembly can at any time remove the entire board or individual members with a two-thirds majority.
- The board members can declare their resignation in writing at any time. The resignation will only become effective with new elections or co-opting of a new board member.

9.3. Duties of the board:

The management of the association is incumbent on the board. It is responsible for the tasks that are not incumbent on another association body by the statutes, in particular:

- Concern for the financial situation of the association and administration of the association's assets.
- Preparation and invitation to the general meeting.
- Admission and exclusion of full and extraordinary members of the association as well as suggesting honorary members.
- Appointment of working groups and speakers to complete special tasks in the association.

9.4. Organs of the board:

a. Chairman:

The chairman is the legal representative of the "Kanupolo Salzburg" association. He chairs all meetings and has to implement the resolutions of the association's bodies. The chairman calls the board of directors and all ordinary and extraordinary general meetings.

He is authorized to sign in all affairs of the association. Furthermore, he acts as an authorized delivery representative of the association.

- b. Vice chairman:
The deputy chairman represents the chairman in his absence and in this case performs his duties.
- c. Treasurer:
The treasurer is responsible for the financial management of the association. In particular, he is responsible for correct bookkeeping and the administration of accounts and cashiers, as well as material assets.

9.5. Other organs:

- The board of directors can set up working groups with responsible managers to carry out special tasks for an indefinite period of time (e.g. training, general competition organization, public relations, etc.) or for a fixed period of time (e.g. course implementation, etc.).
- The speakers belong to the board with an advisory vote and with the right to submit proposals in their area of responsibility. They have to submit a report on their work to the board of directors.

§10 Auditors

- Two auditors are to be elected at the General Assembly for the duration of one term of office.
- Ordinary and honorary members can be appointed auditors.
- The auditors are obliged to check the accounts and to report on them to the general assembly.
- They have the right to inspect cash and bookkeeping at any time.

§11 Court of Arbitration

- The association's internal arbitration tribunal is to be used to arbitrate all disputes arising from the association. It is an "arbitration institution" within the meaning of the Association Act 2002 and not an arbitration tribunal according to §§ 577 ff ZPO.
- The arbitral tribunal is composed of three full association members. It is formed in such a way that the plaintiff names the board of directors in writing as an arbitrator. At the request of the board of directors within seven days, the other party for its part nominates a member of the arbitral tribunal within a further seven days. After being informed by the board within seven days, the appointed arbitrators elect a third full member to chair the arbitral tribunal within a further seven days. With equality of votes among those proposed lots. The members of the arbitral tribunal may not belong to any body - with the exception of the General Assembly - whose activities are the subject of the dispute.
- The arbitral tribunal makes its decision after granting a mutual hearing in the presence of all its members with a simple majority. It decides to the best of knowledge and belief. Its decisions are final.

§ 12 Relationships with other associations and organizations

- The association "Kanupolo Salzburg" aims to work closely with the whitewater group of the "Austrian Alpine Association - Salzburg Section".
- Cooperations with other clubs, associations and organizations can be entered into for training purposes, competitions and for public relations work. The board decides on the content and extent of the cooperation.

§ 13 Data protection

- To fulfill the purposes and tasks of the association, personal data on personal and factual circumstances of the members in the association are collected and processed in compliance with the provisions of the EU General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG).
- For the purpose of fulfilling the purpose of the association and the sporting operation, necessary personal data is passed on to sports associations, professional associations, insurance companies, organizers of sports events and the like.
- Insofar as the requirements described in the respective regulations are met, each association member has the following rights in particular:
 - the right to information under Article 15 GDPR,
 - the right to rectification under Article 16 GDPR,
 - the right to erasure under Article 17 GDPR,
 - the right to restriction of processing under Article 18 GDPR,
 - the right to data portability under Article 20 GDPR and the right of objection according to Article 21 GDPR.
- The necessary transfer of personal data serves the fulfillment of the club's purpose and the associated sporting objective similar to the provision of a service. If the fulfillment of the provision of the service activity is so restricted that it can no longer be carried out in the sense of the association's purpose, this means that the association's tasks cannot be fulfilled and results in exclusion from the association.
- The organs of the association, all employees or anyone else working for the association is prohibited from processing, disclosing, making available to third parties or otherwise using personal data for purposes other than the fulfillment of the respective tasks without authorization. This obligation also applies beyond the departure of the above-mentioned persons from the association.

§ 14 Dissolution

- The voluntary dissolution of the "Kanupolo Salzburg" association can only be decided at a general meeting and only with a two-thirds majority of the valid votes cast.
- In the event of dissolution or discontinuation of the previously favored purpose of the association, the remaining association assets are for charitable purposes in the sporting field within the meaning of §§ 34ff. To use BAO.
- This general meeting also has to decide - if there are association assets - on the processing. In particular, it has to appoint a liquidator and make a resolution to whom he or she has to transfer the club's assets remaining after the liabilities have been covered.
- In the event of disagreements in the general assembly (2/3 majority), the UNION regional association has the right to conduct in accordance with §34ff. BAO.

Salzburg, November 19th 2018

Note:

For the sake of better readability, the male form is used within these statutes, which of course includes the female gender.

The English version of the statutes of the club "Kanupolo Salzburg" is based and translated from the German version of the statutes. Translation errors reserved. For any discrepancy the German version is the binding version, because it is the official version at the association authority. This English version is only for better understanding for international club members, who don't or don't speak very well the German language.