

CONSTITUTION OF THE SOCIETY " THE NIGERIAN COMMUNITY AUGSBURG"

PREFACE

Nigeria is a complex system of human beings, peoples and languages. The result of our diversity is disagreement .this affects our daily lives .In principle civilisation and preservation of cultural unity, however, are based on simultaneous cooperation of the peoples. Such cooperation is a way to oppose backwardness, decline and prejudices. Thus the society aims at supporting the integration into German society and at the same time at contributing to international understanding

§ 1 NAME AND SEAT

The society shall bear the name ``THE NIGERIAN COMMUNITY AUGSBURRG`` with the addition e. V. (registered society) because it has been duly registered by the appropriate authorities in Augsburg

The seat of the society shall be Augsburg.

The financial year shall correspond with the calendar year

§ 2 PURPOSE AND RESPONSIBILITIES OF THE SOCIETY

- A) To support and advise Nigerian residing in Augsburg on social matters.
- B) Creation of opportunities for social contacts between Nigerians and German fellow citizens in order to support integration.
- C) Carrying out of social and cultural events
- D) Payments for charity purposes and humanitarian aid addressed to persons in need organisations or groups of Nigerians regardless of ethics culture or religion :

Politically, racially and confessionally the society shall be neutral.

§3 CHARITABLE STATUS

The society's activities shall be selfless. Its intentions shall solely and directly be charitable according to the spirit of the paragraph steuerbegünstigte Zwecke (tax-privileged purposes) of abgabenordnung (tax law). It does not primarily pursue economical purposes serving its own benefit

Resources of the society may sole be used in accordance with its constitution. The members shall not receive payments taken from the resources of the society nobody may benefit from expenditure which is in appropriate to the purpose of the society or from excessively high payments or reimbursements

§4 ADMISSION OF MEMBERS

Any person may become a member if he or she is residing in Augsburg or the Augsburg area, has completed his/her 18th year and recognizes the purpose of the society

Admission shall be achieved upon written application due to the decision of the managing board. such a decision is to be conveyed to the applicant in writing the same shall apply to the rejection of an admission by the managing board the reason of which do not have to be furnished

§5 TERMINATION OF MEMBERSHIP

II The membership ends

- 1 As a result of death
- 2 As a result of withdrawal

This has to be presented to the managing board by was of a written statement. The withdrawal can be presented until Sept. 30. of each year with effect from the end of the year.

3 As a result of expulsion

Such an expulsion can be the result of the fact that a member

- a) has seriously offended against the rules and regulations of the constitution
- b) has seriously hurt the reputation and interest of the society
- c) deliberately violates the interest of the society
- d) has fallen behind with the payment of dues or other commitment in spite of reminder and without haven given sufficient reasons

II Decisions concerning the expulsion of members shall be made by the assembly of the members with the simple majority of votes. Prior to such a decision the affected person shall be granted a fair hearing. The reasons for a decision concerning an expulsion are to be given and the decision is to be made known to the member in writing

III On termination of the membership all posts and rights concerning the society shall expire paid dues shall not be refunded. There shall be no title to the property and assets of the society. Documents of the society are to be returned.

§6 RIGHTS AND OBLIGATIONS OF MEMBERS

- 1 The members shall have the rights to take part in the assemblies and events of the society as well as to use the utilities of the society
- 2 Dues shall be collected from the members the amount of annual dues and dates when payment is due shall be subjected to decision of the assembly of the members
- 3 The members shall be under the obligation to punctually pay the membership fees due and to fulfil other obligations agreed upon
- 4 The members shall be under obligation to fulfil and support the purpose and tasks of the society.

§7 ORGANS OF THE SOCIETY

Organs of the society are:

- 1 The assembly of the members
- 2 The managing board,
- 3 The supervisory board

§8 THE MANAGING BOARD

- 1 *The managing board shall consist of eight members: a president, an assistant president,

a general secretary, a treasurer, a finance secretary, a public relations secretary, a cultural secretary and a social secretary.

- 2 In accordance with §26 BGB (German Civil Code) the managing board shall be represented by the president and the assistant president. Each one of them shall have individual authority; for the assistant president such an individual authority shall be restricted to cases in which the president is unable to be present.
- 2 The managing board shall decide all matters concerning the society unless such decisions are reserved for other organs by the constitution or under the imperative provisions of the law.
- 3 The president shall supervise the management of the remaining members of the Managing board. All members of the managing board shall be under the obligation to cooperate in the execution of the society's responsibility
- 4 the members of the managing board shall be elected by the assembly of the members for a period of two/four years. They shall stay in office until the next valid election.
A member of the managing board may at best hold two posts in the managing board. In case a member of the managing board retires during the electoral period the managing board may appoint another person to the managing board until the following assembly of the members where such an appointment has to be decided.
- 5 Meetings of the managing board shall be summoned by the president, in case he is unable to be present, by the assistant president. The managing board shall constitute a quorum with the presence of at least four members, one of whom has to be the president or the assistant president. Decisive for the making of a decision shall be the majority of the valid votes cast. In case of the equality of votes the president's vote shall be decisive and if he is unable to be present, the vote of the assistant president respectively

Decisions made during the meetings are to be recorded. They are to be signed by the chairman of the meeting

§9 ASSEMBLY OF THE MEMBERS

- 1 *Assemblies of the members are to take place at least semi annually during each calendar year. Such an assembly of the members shall be summoned in writing by the president with a fixed period of time of at least three weeks. The invitation has to include the agenda. The invitation is to be made in writing and sent to the latest address given by the member. Petitions are to be considered if they are received in writing by the president at least ten days in advance of the assembly. petitions concerning the supplementation of the agenda which are made during the assembly of the member shall be subject to the decision of majority of the assembly of members. for acceptance of the petition a simple majority of the valid votes cast shall be required
- 2 the tasks of the assembly of members include
 - a) receipt of the reports of the managing board as well as the of the supervisory board
 - b) giving of approval to the actions of the managing board
 - c) election of members of the managing board
 - d) election of members of the supervisory board

- e) approval of the estimate of the budget, fixing of fees and further obligation of the members
 - f) alteration of the constitution
 - g) decisions on petition of the managing board and the members as well as petition concerning the expulsion or other measures against members
 - h) renting or acquisition of rooms or estates for the realisation of the purpose of the society.
- 3 the managing board also is to summon an assembly of the member within two months if
- a) one third of the members who are entitled to vote has petitioned in writing for a summoning and has included the reason for such a petition.
 - b) the supervisory board petitions for the summoning
- 4 any assembly of the members shall constitute a quorum regardless of the number of members present and entitled to vote, if summoned correctly with respect to form and period of time .The assembly of members shall make its decisions with a simple majority of the votes cast, if something different is not laid down by law or by this constitution
- 5 Each meeting is to be minuted in such a way that at least all petitions, decisions and results of elections are to be included .The minutes are to be signed by the respective chairman of the meeting and the general secretary.

§10 SUPERVISORY BOARD

The supervisory board shall consist of three members who shall be elected by the assembly of the members for a period of three years .They shall stay in office until the next valid election

The supervisory board shall check the constitutional activities and the accounting of the managing board. Thus no member of the managing board may be a member of the supervisory board.

At least once a year the supervisory board is to report on such a check .The members of the supervisory shall be entitled to be present and have an advisory function at all meetings of the managing board, the supervisory board shall have no right to vote

§11 DISSOLUTION AND LIQUIDATION

The society can only be dissolved as a result of an assembly of the members summoned solely for this special purpose. A two thirds majority of the members shall be required for such a decision.

In the case of dissolution of the society, loss of its legal status or cessation of the present purpose, the assets of the society remaining after discharge of all obligations devolve upon the city of Augsburg for charitable purpose in accordance with the spirit of §2 of this constitution

§12

The president shall be authorised to make possible formal alterations and amendments of the constitution if required for official approval and registration of the society.

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