

# Articles of Association Naad Yoga Council (NYC) e.V.

## **§ 1 Name, Seat**

- (1) The association named Naad Yoga Council (NYC) e.V. is to be registered in the responsible association register.
- (2) It henceforth has its seat in Lohmar. The articles of association were established on the 12<sup>th</sup> of November 2011, the association was entered into the register of associations on the 1<sup>st</sup> of March 2012.
- (3) The association is politically, ethnically and religiously neutral.
- (4) The financial year is the calendar year.
- (5) The association pursues exclusively and immediately non-profit and selfless, non-economic purposes in accordance with the section "Steuerbegünstigte Zwecke" (=tax-privileged purposes) of the German Fiscal Code.

## **§ 2 Purpose of the Association**

- (1) For the sake of promoting science and research, the teachings of Naad Yoga (Yoga of Sound) as taught by Professor Surinder Singh in the tradition of Siri Guru Granth Sahib should be preserved and spread. Naad Yoga is an ancient Indian science, which uses sound and music for the benefit of physical, mental and spiritual balance. Naad Yoga can be practiced by all humans regardless of culture, language, religion, age and gender and is non-religious.
- (2) The association supports a careful and respectful interaction and communication between all humans, cultures and religions.
- (3) It serves to support the international network of students and practitioners of Naad Yoga in the whole world and thus enhances mutual understanding and intercultural tolerance.
- (4) The association actively works on research on and the dissemination of the traditional Indian science of Naad Yoga and its application for the betterment of the psychological state and physical health of human beings for the sake of public health care.
- (5) A long-term goal of the association is the foundation of a center which will be open to all individuals to learn Naad Yoga and experience relaxation, healing and encouragement through Naad Yoga.

### **§ 3 Tasks**

The purpose will be realised particularly through:

- (1) Organisation of events like courses, workshops, seminars, talks, trainings and continuing education, retreats and educational concerts by Professor Surinder Singh and by members of the association. In particular, the association supports the training programs of Raj Academy through material as well as personnel resources.
- (2) Support of association members in realising their initiatives in the sense of the association's purpose
- (3) Support for the formation and extension of centres where Naad Yoga is taught
- (4) Quality assurance of all events which are run using material and teaching contents of Professor Surinder Singh by means of awarding the Naad Yoga Council seal. Through the seal it will be ensured that such events conform to the basic principles of Naad Yoga which are described in the purpose of the association.
- (5) Support for the publication of articles, scientific papers and case studies as well as other publications which are related to Naad Yoga
- (6) Creation of a network to support practitioners and users of Naad Yoga as well as building connections with international institutions which work with Naad Yoga, by which the association serves the international understanding
- (7) Support of media projects like sound and video recordings which will be made available for the public to contribute to raising public awareness of Naad Yoga
- (8) Creation of a platform for advanced training and exchange between association members
- (9) Special support for prisoners and ex-prisoners through teaching Naad Yoga, especially to reduce their aggressive and emotional tensions
- (10) Special support for the work with senior citizens and hospital projects

### **§ 4 Use of Funds**

- (1) The resources for the delivery of the association's purpose are raised through membership fees, donations, grants, course fees, fees for the participation in other courses, events and other grants. We intend to work with trust and foundations to support the association.
- (2) Contributions are made by the members of the association. The amount of the contribution and the due date are set by the general assembly. Honorary members are exempt from payments.
- (3) The funds of the association may only be used for statutory purposes. The association members do not receive endowments from the funds of the association.

- (4) No person may be favoured by expenses which are not in accordance with the purpose of the corporation or by disproportionately high remuneration.
- (5) Volunteers can only be reimbursed for proven expenses.

## **§ 5 Organs of the Association**

- (1) The executive board
- (2) The general assembly
- (3) The advisory board

## **§ 6 The Executive Board**

- (1) The executive board following § 26 BGB (German Civil Code) consists of a maximum of 3 members
  - the chairperson
  - the second chairperson
  - the recording clerk
- (2) The executive board has the following tasks:
  - Preparation of the General Assembly and drafting the agenda
  - Convocation of the General Assembly
  - Execution of the resolutions of the general meeting
  - Administration of the association's assets
  - Preparation of the annual report and the cash report
  - Resolution on the admission and exclusion of association members
  - Lastly, the executive board is responsible for all business that are not assigned to other organs by the articles of association or by law
- (3) The executive board leads the businesses of the association and represents the association legally and out-of-court. Every member of the executive board is authorized to represent the association individually. The executive board can transfer the businesses of the association to a manager who is a member of the association.
- (4) The members of the executive board can receive (lump-sum) payment for their work or expenditure of time. The general assembly can decide that the executive board receives an adequate payment. Scale of adequacy is the non-profit purpose of the association.

## **§ 7 Period of Office for the Executive Board**

The members of the executive board are elected by the general assembly for a period of 2 years from the day of election. They remain in office at the end of their term until the next elections.

If a member of the executive board leaves during the term of office, the executive board chooses a substitute member (out of the association members) for the remaining term of office of the resigning executive board member.

## **§ 8 Resolutions by the Executive Board**

- (1) The executive board generally passes its resolutions in board meetings which are held at least once a year and which need to be recorded in a protocol. It is also possible for the executive board to make a decision by means of a conference call or via email. The invitation is issued by the chairperson or second chairperson or the manager in writing, via telephone or via e-mail at least two weeks in advance. An announcement of the agenda is not required.
- (2) The board has a quorum if at least two board members are present (connected). Resolutions are passed through the majority of the valid votes. In case of a tie, the vote of the head of the board meeting decides. The chairperson and every other member of the executive board have one voice each. The board meeting is chaired by the chairperson, or, in case of his/her absence, by the second chairperson. The resolutions of the executive board need to be recorded and signed by the chairperson of the meeting for the purpose of evidence.
- (3) The members of the executive board can authorize each other for representation in the board meeting in writing. In this case, a represented member can define his/her voting behavior.

## **§ 9 Membership and the General Assembly**

- (1) Every natural and legal person can become a member of the association.
- (2) Membership fees  
Regular members pay an annual fee, the amount and due date of which is determined by the general assembly. The board can allow deductions for the current year in justified individual cases.
- (3) The general assembly has the following responsibilities in particular:
  - Receiving the annual report of the executive board; discharge of the executive board
  - Determination of the amount and due date of the annual membership fee
  - Election and dismissal of the executive board and the advisory board
  - Resolution about changes of the Articles of Association and the dissolution of the association
  - Appointment of honorary members

Every present member – also honorary members – have one vote in the general assembly.

- (4) The executive board decides upon the written application including the issued information required by the association. The admission is completed as soon as the the applicant has received a confirmation. With the admission, the new member accepts the articles of association.
- (5) The membership ends in case of death, resignation or exclusion by the executive board, for legal entities in case of their dissolution.

- (6) The resignation can only be made at the end of a calendar year and must be communicated 3 months before the end of the year. The announcement must be made by means of a letter or email to the executive board.
- (7) A member may be removed from the list of members by decision of the executive board if payment of the membership fees is in arrears despite two reminders. The removal from the list of members is to be communicated to the member in writing.
- (8) A member can be excluded from the assembly by decision of the executive board with immediate effect, especially if he/she has violated the interest of the assembly. Before the exclusion, this member has the opportunity to explain him-/herself in person. In case of a written statement by the affected member, the statement is to be read out in the general assembly. A separate right of consultation of the general meeting does not exist.
- (9) If required, certain offices can be executed on basis of an employment contracts appropriate to the budget of the association or can be compensated with an allowance according to § 3 Nr. 26a EStG (German Income Tax Law). The decision on paid activities is made by the executive board. The same applies to the contract contents and the contract termination.

## **§ 10 Convocation of the General Assembly**

- (1) At least once in a year, if possible in the last quarter, the general assembly should hold a regular general meeting.
- (2) The invitation is made by the executive board at least four weeks in advance in written form stating the agenda. Fax and email as forms of communication are explicitly permitted for this purpose. The deadline starts with the working day following the sending of the invitation. The letter of invitation is considered as received by the member when it has been sent to the address or email address which has most recently been communicated to the association in writing.
- (3) The agenda is set by the executive board.

## **§ 11 Resolutions by the General Assembly**

- (1) The meetings of the general assembly should be led by the chairperson of the executive board, the second chairperson or any other member of the executive board. If no executive board member is present, the general assembly chooses a leader.
- (2) The minutes shall be kept by the recording clerk. If he/she is not present, the general assembly chooses a minute keeper.
- (3) The type of vote shall be determined by the chairperson of the meeting. The voting must be done in written form, if one third of the present members requests that.
- (4) The general assembly may be held either in real contact, by telephone or video conference or virtually (online procedure) in a chat room which is only accessible to members with their legitimation data and a separate access password. The general

rules of the meeting apply to the convocation. The type of meeting is decided by the chairperson of the association.

- (5) The general assembly may basically be transmitted to members audio-visually.
- (6) Members may cast their vote in writing or electronically (with appropriate authentication or electronic signature) or by oral declaration in the virtual room before and during the meeting, if they do not attend the meeting.
- (7) Voting rights may also be exercised by authorized representatives who are members of the association.
- (8) Meetings of the general assembly are not open to the public. The chairperson of the meeting can allow guests.
- (9) Each duly convened general assembly has a quorum, irrespective of the number of participants.
- (10) The general assembly generally passes resolutions by a simple majority of the votes cast; Abstentions are therefore not considered. However, to change the Articles of Association (including the purpose of the association) and for the dissolution of the association, a majority of two-thirds of the valid votes cast is required. Membership rights can only be exercised personally by members; however, each member of the general assembly may be represented by another member who has been authorized in writing.
- (11) The following applies to the elections: If, in the first round of elections no candidate has achieved the majority of the valid votes cast, a runoff election will be made between the candidates who have achieved the highest number of votes.
- (12) A record of the resolutions of the general meetings shall be drawn up and signed by the respective chairperson and the secretary. It should contain the following information: place and time of the meeting, the person of the chairperson and the recording clerk, the number of members present, the agenda, the results of each vote and the manner of voting. In the case of amendments to the Articles of Association, the respective provision must be stated.

## **§ 12 Subsequent Requests for the Agenda**

- (1) Each member may apply in writing to the executive board that further matters be subsequently put on the agenda no later than one week before the day of the general assembly meeting.
- (2) The chairperson of the meeting must supplement the agenda accordingly at the beginning of the general assembly meeting.
- (3) Requests for supplementing the agenda which are made in the meeting, will be decided upon by the general assembly. A majority of three quarters of the valid votes cast is required to accept the request.

- (4) Amendments to the Articles of Association, the dissolution of the association and the election and dismissal of members of the executive board can only be decided if the motions have been announced to the members with the agenda.

### **§ 13 Extraordinary meetings of the General Assembly**

The executive board can call an extraordinary meeting of the general assembly at any time. This must be convened if the interest of the association so requires or if the convocation is requested by 40% of all members in writing to the executive board, stating the purpose and reasons. For the extraordinary general meetings, the aforementioned provisions apply accordingly.

### **§ 14 The Advisory Board**

- (1) The advisory board consists of co-opted members and at least three elected persons from the ranks of the members. The maximum size of the advisory board is fixed at 7 members.
- (2) It will be elected by the general assembly for a period of two years. Each member of the advisory board is to be elected individually. The general assembly may elect a maximum of three persons who are not members of the association to be advisors. These individuals must have previously consented to a possible election.
- (3) The advisory board remains in office until its re-election. If an elected member resigns during the term of office, the advisory board elects a substitute member for the remainder of the term of office of the departing member.
- (4) Executive board members can not be members of the advisory board.
- (5) The advisory board has the task of advising and supporting the executive board in all affairs of the association and of carrying out individual tasks/projects assigned by it.
- (6) Meetings of the advisory board shall be convened in writing by the chairperson of the executive board or the second chairperson at least once a year (also possibly by e-mail or fax) with a notice period of at least four weeks. In addition, the advisory board must be called if at least three advisory board members request this in writing from the executive board. If this is not complied with within two weeks, the advisory board itself may invite to a meeting by the members who have requested convocation. The members of the executive board are to be informed of the meetings of the advisory board. They may attend the advisory board meetings in an advisory capacity. Meetings of the advisory board are chaired by a member of the advisory board who is determined by it the board.
- (7) Resolutions of the advisory board shall be passed by a simple majority of the valid votes cast. The resolutions must be entered in a resolution book and signed by the respective chairperson of the meeting.
- (8) The advisory board may set up its own statutes, which, however, require the approval of the general assembly.

- (9) In addition, the advisory board shall assume the duties assigned to it by the general assembly or the executive board, which according to the Articles of Association are not indispensably reserved for these organs.

### **§ 15 Special Representatives**

The executive board is authorized to appoint special representatives for the discharge of special legal transactions specified in a resolution of the executive board in the business sphere assigned to them and for the stated duration. They may be given the right to attend executive board meetings for this purpose.

### **§ 16 Treasurer and Cash Auditor**

The general assembly elects a treasurer and a cash auditor from the ranks of voting members for a term of office of two years each.

The treasurer has to keep track of the cash transactions and has to prepare an annual overview.

The cash auditor is responsible for the examination of all funds of the association, including any special funds. The cash auditor is entitled and obliged to comprehensively check the cash desks, including the voucher system, in a factual and computational manner. Examination reports are to be presented and read out in the meeting of the general assembly. If any objections have been found, the executive board must be informed in advance.

### **§ 17 Dissolution of the Association and Seizure Rights**

- (1) The dissolution of the association can only be decided in a meeting of the general assembly with the already stated majority of votes.
- (2) Unless the general assembly decides otherwise, the first chairperson and the second chairperson are jointly authorized liquidators. The preceding provisions shall apply in the event that the association is dissolved for another reason or loses its legal capacity.
- (3) In case of dissolution of the association or the loss of tax-privileged purposes, the remaining assets after the end of the liquidation shall be transferred to the city of Lohmar, which must exclusively and directly use them for a charitable or benevolent purpose.
- (4) Resolutions shall be recorded by the recording clerk or a member of the executive board and may only be challenged within one month after the meeting of the general assembly.

### **§ 18 Data Protection**

- (1) With the admission of a member, the association records all data that is relevant for the membership in the association (name, address, date of birth, bank account). The members are obliged to provide their respective data always updated to the association. This information is stored electronically. The personal data is protected by appropriate technical and organisational measures against the knowledge of third parties.



- (2) Other information about members and information about non-members shall in principle only be processed or used if they are useful for the promotion of the association's purpose and if there are no indications that the data subject has a legitimate interest that precludes their processing or use.
- (3) Every member has the right
- (a) to obtain information about the data stored about him/her
  - (b) that the data stored about him/her is corrected if it is incorrect,
  - (c) that his/her stored personal data is blocked if neither the accuracy nor the inaccuracy of the alleged errors can be determined,
  - (d) that his/her stored personal data is deleted, if the storage was inadmissible or the purposes for which it was collected and stored are no longer necessary or the member desires the deletion,
  - (e) to object to the processing of his personal data,
  - (f) to obtain his/her data in a structured, common and machine-readable format
- (4) The organs of the association, all employees or other persons working for the association are prohibited from processing, disclosing, making available to third parties or otherwise using personal data unauthorized for purposes other than that which belong to their respective task. This obligation also exists beyond the resignation of the aforementioned persons from the association.

The above statutes were passed by the general assembly on \_\_\_\_\_, they are valid by entry in the register of associations.

Place and date

Signature of chief executive and secretary