

Statute

§1 Name, registered office, business year

1. The association bears the name
“**Informationsdienst Wissenschaft – idw –**”.

It is to be entered in the register of associations; following the entry, the name shall be
“**Informationsdienst Wissenschaft e.V. - idw -**”.

2. The registered office of the association is Bayreuth.
3. The business year of the association covers the period from 1 January to 31 December of each year.

§2 Purpose of the association

1. The purpose of the association is to promote science and research. This purpose is fulfilled in particular by the fact that the association promotes the presence of science and research in public and in the media. This is achieved in particular through the following activity:
The association operates and develops service offers on the Internet and makes them public. Its members promote and use these offers as instruments of their press, public relations and information policies and thus contribute to public distribution of the contents and results of science and research.
2. The association exclusively and immediately pursues non-profit purposes within the meaning of the section “Tax-privileged Purposes” of the General Tax Code. The statutory purpose is fulfilled in particular through the activity referred to in subparagraph 1.
3. The association operates for the benefit of others; it does not primarily pursue economic purposes of its own.
4. Funds of the association may only be spent on statutory purposes. The members of the association do not receive any benefits from funds of the association. If a member leaves the association, this shall not give rise to any financial claims against the association. No person is allowed to benefit from expenditure unrelated to the purpose of the association or from a disproportionately high remuneration.

§3 Infrastructure, property and trade mark rights

1. The University of Bayreuth, the Ruhr-University Bochum and the Clausthal University of Technology support operation of the idw within the scope of their ability, in particular by making available workrooms, means of communication and technical devices for the employees. In return, a basic amount of money is allocated to them each year.
2. The University of Bayreuth, the Ruhr-University Bochum and the Clausthal University of Technology are entitled to regulate fulfilment of the tasks referred to in §9 subparagraph 1 in greater detail by means of internal co-operation agreements.
3. Property and trade mark rights acquired by the University of Bayreuth, the Ruhr-University Bochum and the Clausthal University of Technology in relation to development and operation of the idw prior to the establishment of the association will not be affected by the foundation of the association.

§4 Acquisition of membership

1. As members, private individuals and legal entities as well as other scientific institutions can be accepted, from whom / which active contributions to the purpose of the association can be expected. The membership of institutions requires that they
 - a) are engaged in scientific research, academic teaching, research promotion, science policy or the transfer of research and technology and
 - b) pursue independent press, public relations and information policies in relation to these fields of activity.
2. The decision on whether a person or entity shall be admitted to the association is taken by the executive committee.
3. Membership is to be applied for in writing. It begins upon acceptance of the application; a user agreement countersigned by the idw is regarded as acceptance. This agreement specifies on which conditions and to what extent the idw may be used for the member's press, public relations and information policies.
4. Following its admission to the association, every institution shall appoint an authorised representative as contact person for all questions relating to the membership of the institution. This representative should work in the area of press communication, public relations, marketing or transfer of technology.

§5 Termination of membership

1. The membership ends
 - a) by withdrawal or
 - b) by removal from the list of members or
 - c) by loss of legal capacity / death or
 - d) by exclusion from the association.

If a legally effective user agreement is not in place, the executive committee will decide on the termination of the membership.

2. From beginning of the membership until the end of the subsequent month, the membership can be cancelled with immediate effect and without giving reasons (probation period). Subsequently, withdrawal is admissible only at the end of a business year subject to compliance with a two months' period of notice. The withdrawal requires a written declaration to the executive committee.
3. A member can be removed from the list of members by resolution of the executive committee if it is in arrears with its payment obligations despite two reminders. The resolution on removing a member from the list of members may only be taken following expiry of six weeks after the second written reminder was posted and the owed fees have not been paid. The member is to be notified of the removal in writing.
4. A member can be excluded from the association by resolution of the executive committee for an important reason. An important reason is in place, for instance, if a member grossly violates the interests of the association or repeatedly infringes the user agreement with or without prior warning by the executive committee. Prior to the passing of a resolution, the member is to be provided with an opportunity – subject to setting of a reasonable deadline – to state its position. The resolution on the exclusion is to be substantiated and communicated to the member in writing. The exclusion of a member takes effect immediately upon adoption of the resolution.

§6 Membership fees

Members are under an obligation to pay membership fees. The amount of the fee and its due date are fixed by the executive committee.

§7 Bodies of the association

The bodies of the association are

- a) the executive committee
- b) the general meeting

§8 The executive committee

1. The executive committee has seven members.
2. The Chancellor of the University of Bayreuth, the Chancellor of the Ruhr-University Bochum and the full-time Vice President of the Clausthal University of Technology are members of the executive committee by virtue of office; they are the chairpersons of the executive committee.
3. Four executive committee members are elected by the general meeting for a three-year term of office, calculated from the day of their election onwards; the candidate having received the most votes is elected; re-election is possible. Every elected executive committee member remains in office until the next election. If an elected executive committee member retires – for whatever reason – ahead of time, a successor for the resigned executive committee member’s remaining term of office will be elected at the next general meeting.
4. The association is represented in court and out of court by the chairpersons of the executive committee in accordance with § 26 BGB (German Civil Code); every chairperson has power of sole representation.
5. The executive committee adopts its resolutions at executive committee meetings; circulation procedures and similar procedures are possible. The executive committee passes resolutions by a simple majority; amendments to the statute are subject to §13 subparagraph 4 sentence 2.
6. At the inaugural meeting, an interim executive committee will be formed, to which – along with the executive committee members pursuant to subparagraph 2 – four further executive committee members will be elected. This executive committee will hold office until re-election by the first regular general meeting according to subparagraph 3. This general meeting is to be held no later than six months after the inaugural meeting.

§9 Responsibilities of the executive committee

1. The executive committee is responsible for:

- a) Decision on applications for admission to the association and conclusion of user agreements
 - b) Preparation of general meetings and compilation of agendas
 - c) Convocation of the general meetings
 - d) Amendments to the statute in accordance with §13 subparagraph 4
 - e) Submission of resolution proposals regarding amendments of the statute to the general meeting
 - f) Compilation of an annual financial statement for every expired business year as well as of an annual budget for every forthcoming business year
 - g) Determination of the amount and due date of membership fees
 - h) Decision on the removal of members from the list of members in accordance with §5 subparagraph 3
 - i) Decision on the exclusion of members in accordance with §5 subparagraph 4
 - k) Decision on the annual basic allocation of money to the institutions referred to in §3 subparagraph 1
 - l) Further development of the idw in terms of content and technology
 - m) Securing of the idw's technical operability
 - n) Member and user support, marketing, advertising
 - o) Handling of ongoing business through conclusion of purchase contracts, contracts for work and labour and employment contracts in the areas technology, marketing and advertising
 - p) Compilation of an annual activity report for the members
2. The executive committee is entitled to conclude co-operation agreements for fulfilment of the tasks referred to in subparagraph 1.

§10 The general meeting

1. Once a year, the executive committee calls a regular general meeting. The meeting is to be called no later than six months after expiry of the business year.
2. An extraordinary general meeting is to be called if one third of the members demand the executive committee to do so in writing under specification of the purpose and the reasons.
3. Members are to be invited in writing no later than one month before the date of the general meeting. The invitation letter must contain the agenda and be sent to the

address most recently communicated to the association or by e-mail to the e-mail addresses known to the association.

4. Motions regarding the agenda and proposals of candidates for the executive committee to be elected are to be communicated to the executive committee in writing no later than two weeks prior to the date of the meeting. If the executive committee refuses to put a motion on the agenda, the applicant can demand a decision from the general meeting on whether the motion shall be put on the agenda; in case of amendments to the statute, §13 is to be complied with.
5. On the course and the resolutions of the general meeting, minutes are to be kept and signed by the chairperson of the general meeting and the keeper of the minutes.

§11 Responsibilities of the general meeting

1. The general meeting is responsible for:
 - a) Election of the executive committee members in accordance with §8 subparagraph 3
 - b) Resolutions on proposals made by the executive committee
 - c) Resolutions on proposals made by members
 - d) Approval of the annual budget
 - e) Selection of auditors for the annual financial statement
 - f) Acceptance and approval of the annual financial statement
 - g) Approval of the executive committee's actions
 - h) Resolutions on motions to amend the statute submitted by the executive committee
 - i) Resolution on the dissolution of the association
2. The general meeting may establish a board of trustees advising the executive committee and the general meeting and supporting the executive committee in fulfilling its tasks.

§12 Procedures for the general meeting

1. One of the chairpersons of the executive committee chairs the general meeting following assignment by the executive committee. If this chairperson is unavailable, an executive committee member assigned by him / her will chair the general meeting.
2. Every member has one vote. The general meeting passes its resolutions by a simple majority of votes of the members present unless stipulated otherwise in this statute. In the event of a tied vote, a motion is regarded as turned down.

3. As regards dissolution of the association, the general meeting only has a quorum if 2/3 of the members with voting power are present. If the general meeting does not have a quorum, the executive committee is under an obligation to call a second general meeting with the same motion for dissolution within one month; this meeting will have a quorum without respect of the number of members appearing. This fact is to be pointed out in the renewed invitation.

§13 Amendments of the statute

1. Resolution proposals regarding amendments of the statute may only be introduced to the general meeting by the executive committee. The general meeting passes resolutions with a 2/3 majority of votes cast, with abstentions being counted as votes not cast. If this majority is not reached, §12 subparagraph 3 sentences 2 and 3 are applicable accordingly. This also applies to modifications regarding the purpose of the association.
2. All motions of the executive committee to amend the statute are to be communicated to members at the latest together with the agenda.
3. Every resolution proposal for amendment of the statute shall be submitted to the competent registration court and the competent tax and revenue office for purposes of preliminary examination before being introduced to the general meeting.
4. As regards amendments of § 3 subparagraph 1 and § 8 subparagraph 2, the executive committee may also pass a resolution by a majority of its members without involvement of the general meeting. It is required that at least two chairpersons of the executive committee approve of the amendments.

§14 Dissolution of the association

1. A resolution on dissolving the association can only be passed by a 3/4 majority of the votes cast, with abstentions being counted as votes not cast.
2. If the association is dissolved, legal capacity is withdrawn or the non-profit purpose ceases to be pursued, the assets of the association shall go in equal shares to the institutions referred to in §3 subparagraph 1 in their capacity as public corporations, which are to use them immediately and exclusively for the promotion of science and research.

The statute is established on 3 June 2002.

On 21 October 2002, the executive committee decided by resolution of the executive committee to replace the phrase “and the Chancellor of the Clausthal University of

Technology” in § 8 no. 2 with “and the full-time Vice President of the Clausthal University of Technology”. The University and Higher Education Act of Lower Saxony required transition of the office to that of a full-time vice president with effect from 30 September 2002.

On 6 November 2003, the general meeting decided to change § 1 no. 3 from the original: “The business year of the association covers the period from 1 July of each year to 30 June of the subsequent year.” to: “The business year of the association covers the period from 1 January to 31 December of each year.”

On 23 March 2006, the general meeting decided to complement § 10 no. 3 by the clause: “...or by e-mail to the e-mail addresses known to the association.”