

Charter of the Federation of European Quarter Horse Association e.V.

Revised Version August 21, 2010

§1

The Association shall be called

Federation of European Quarter Horse Association e.V..

It shall be registered with the Society Register of the Schorndorf Amtsgericht (local court) under the register number VR694. The Association shall be seated in Schorndorf.

§2 Purpose and aim

- 2.1. The purpose and aim of the Association is the promotion of the inbreeding of the American Quarter Horse following the rulebook (handbook) of the American Quarter Horse Association (AQHA) as well as the promotion of the equestrian sport, popular sport, of racing and chart racing with Quarter Horses.

The Association shall be active in all European countries.

- 2.2. The Association shall exclusively and directly serve non-profit purposes according to section “tax-privileged aims” of the *Abgabenordnung* (tax code). The activities of the Association shall be selfless; the Association shall not seek its own profit in the first place. Financial means of the Association may only be used for purposes laid down in the Charter. The members shall not receive personal grants, allowances or gifts from the Association. No person shall be favored by tasks alien to the purposes of the Association or by disproportionately high benefits or privileges.
- 2.3. The purpose and aim of the Charter will be realized especially by the organization of breeding and performance shows (tournaments) for the American Quarter Horse with international participants, above all from the countries and members of the European member organisations as well as by the organization of the European Championships.

§3 Membership

- 3.1. Each European national organisation may become member of the Association having as their aim and purpose the control and promotion of the inbreeding of the American Quarter Horse following the rulebook (handbook) of the American Quarter Horse Association (AQHA) as well as the promotion of the equestrian sport, popular sport, of racing and chart racing with Quarter Horses and which are approved by the AQHA.
- 3.2. The body of members shall decide on an admission by simple majority after the organisation has made its application by a written request.

- 3.3. The withdrawal from the Association has to be filed in writing three months before the end of the year and will be effective at the end of the year. Membership fees that have already been paid will not be reimbursed.
- 3.4. A member can be excluded from the Association if its behavior contravenes seriously the interests of the Association. The body of members shall decide on the exclusion by simple majority. The concerned member has no right to vote. Members who are about to withdraw shall be obliged to pay the membership fee for the current financial/membership year by the end of the current financial year.
- 3.5. The membership ends with the termination of the member.
- 3.6. The member having withdrawn, the excluded or terminated member does not have any rights or titles on the property of the Association.
- 3.7. The members have to pay the membership fees (initiation fees, current fees and charges) according to the scale of charges which have been calculated and fixed by the body of members.

§4 Rights and obligations of the members

- 4.1. The members shall have the right to request the carrying out of the tasks by the Association laid down in the Charter as far as the Association is able to.
- 4.2. The members shall be obliged to:
 - 4.2.1 follow decisions that have taken in conformity with the Charter and to see to their realization in the national associations.
 - 4.2.2. pay the membership fee annually in advance-but 30 days after the beginning of the membership year at the latest or by April 30 of the new financial year. After this period a dunning charge shall become due. Only one single reminder is needed to start the collection procedure.

§5 Offenses and punishment

Should a member fail in any of its duty laid down in the Charter, especially its obligation to pay the membership fee the body of members can take measures to maintain the order.

Such measures are:

- 5.1. Reprimand

The reprimand shall be sent to the concerned member by a registered letter explaining the reasons. The concerned member shall have the right to lodge a complaint about the reprimand with the body of members who shall have to decide on it. The concerned member has no right to vote on the decision.

5.2. Exclusion

An exclusion is only permitted by important reason. Such important reason could be for example:

- 5.2.1. A grave or repeated infringement of the regulation of the Charter.
- 5.2.2. Offending or insulting remarks or deeds that damage the image or reputation of the Association or of its organs or of the representatives seriously.
- 5.2.3. Default of payment of due and owing fees and charges after a single written reminder.
- 5.2.4. The concerned member shall be notified of the exclusion by the Executive Committee by a registered letter. The concerned member has the right to lodge a complaint about the reprimand within one month after notification of the reprimand. The body of members shall decide on the exclusion by simple majority. The concerned member has no right to vote on the decision.
- 5.2.5. The exclusion become effective shall be reported to the AQHA and may be published.

§6 Organs of the Association

The organs of the Associations are:

- body of members
- the Executive Committee
- the Committees

§7 Executive Committee

- 7.1. The Managing Executive Committee of the Association shall consist of the President, the Vice-President and the Treasurer.
- 7.2. The Executive Committee shall consist of the President and the Vice-President according to §26 of the *Bürgerliches Gesetzbuch* (German Civil Code). Each of them shall be authorized to represent the Association individually.
- 7.3. The members of the Executive Committee shall be elected by the body of members for a period of two years on the understanding that their post shall continue until the new election.
If a member of the Managing Executive Committee is about to withdraw – without regards to the reason –the Executive Committee shall reconstitute itself.
A new election to replace the member having withdrawn shall take place in the first meeting after the withdrawal.
- 7.4. On the occasion of elections members of the Executive Committee shall be authorized to be voted to other functions in the Executive Committee without having to withdraw previously.

§8 Tasks of the Executive Committee

- 8.1. The Executive Committee shall be committed to all management tasks of the Association- as long as the Charter does not confer them to another organ of the Association.
- 8.2. The Executive Committee shall especially committed to:
 - 8.2.1. manage the Association
 - 8.2.2. draw the annual statement of accounts and annual report
 - 8.2.3. draw the annual budget
 - 8.2.4. work out proposals for the meeting of members with reference to the single and current fees as well as the charges for services.
 - 8.2.5. prepare motions for the meeting of members
 - 8.2.6. proper administration and use of property of the Association
 - 8.2.7. hire and fire employees of the Association
 - 8.2.8. prepare, call in and chair the ordinary and extraordinary meetings of the organs of the Association
 - 8.2.9. invite the Executive Committee members for meetings
- 8.3. Should there be less than two members of the Executive Committee present at the meeting of the Executive Committee that had been duly called, a new meeting must be called the latter being a quorum without regards to the number of the members of the Executive Committee present.
- 8.4. The Executive Committee shall have the right to rely on third persons, experts in the respective field, especially for the controlling of the annual statement of accounts and the budget proposals.

§9 Committees

The body of members shall elect committees determining the tasks and number of members within a committee.

§10 Meeting of members

- 10.1. Each member shall have one vote per 500 connected members reported to AQHA the previous year – but five votes at the maximum.
- 10.2. The President and the Vice-President as well as the Treasurer have one vote no matter what member country they belong to.
The Executive Committee has the right to invite guests to individual items or the whole agenda- they shall not have any right to vote.

- 10.3. The body of members shall meet at least once a year, in the first quarter of the financial year.
- 10.4. An extraordinary meeting of members must be called in by the President – according to a decision of the Executive Committee – or upon a written request by at least a third of the whole number of votes.
- 10.5. A meeting of the members shall be announced at least three months before the date. The members shall be invited in writing and informed about the agenda at least four weeks before a meeting.
- 10.6. Any requests for the agenda shall be filed in writing with the President or the Vice-President or the Secretary at least two weeks before the meeting.
- 10.7. The meeting shall be a quorum without regards to the absent members. Within a member country a representation or assignment of votes shall be permitted by giving written authority.
- 10.8. The ballot shall be open unless an associated member or at least three representatives of a member country request a secret ballot by ballot papers.
- 10.9. In case of an equal number of votes the motion/request shall be considered rejected.
- 10.10. Alterations to the Charter must be on the agenda and must have the consent of at least two thirds of the present member countries entitled to vote.
- 10.11. Alterations to the Charter shall be effective with the date of the registration in the Society Register. Alterations to the Charter must be filed for registration by the Executive Committee within two months from the resolution.
- 10.12. Resolutions of the meeting must be entered in the minutes. The minutes have to be signed by the chairperson of the meeting and by the keeper of the minutes.

§11 Tasks of the meeting of members

The meeting of members shall especially committed to:

- 11.1. receive the business report and accounts and the financial report
- 11.2. decide on the approval of the actions of the Executive Committee
- 11.3. elect the Executive Committee
- 11.4. elect committees for the period of two years
- 11.5. elect two internal cash auditors for the term of office of the Executive Committee
- 11..6. fix the fees and charges – after a proposal from the Executive Committee
- 11.7. impose measures to maintain the order

§12 Validity Clause

Should a regulation of the Charter be partially or totally invalid the rest of the regulations shall remain valid.

§13 Dissolution, Go of the property of the Association

- 13.1. Only the Executive Committee may ask for a dissolution of the Association. If there is no other legal obligation the Executive Committee must call in an extraordinary meeting of members whose main task is to decide on the dissolution of the Association. The decision on dissolution must be taken by four-fifths majority of the valid votes.
- 13.2. In case of dissolution of the Association a liquidator shall be named. The President shall be the liquidator unless the meeting of members decides otherwise.
- 13.3. In case of dissolution of the Association, withdrawal of the legal responsibility or termination of the tax-privileged aims the property of the Association shall fall to another tax-privileged corporation which uses the property directly and exclusively for non-profit purposes in the field of breeding of the American Quarter Horse as well as for the promotion of the equestrian sport, popular sport, of racing and chart racing with Quarter Horses and are approved by the AQHA.
In the case that there is no European association which is approved for non-profit purposes in Germany the property goes to the *Deutscher Tierschutzverein e.V.* (German Society of animal welfarists), Amtsgericht Bonn, VR 3836.

§14 Effective Date

The altered Charter has been decided on August 21, 2010 in Kreuth.
It will be effective from date of decision.

Signature of the present members: