

European Association for South Asian Studies
Büro EG
Adolfstr. 39
53111 Bonn
Germany

Constitution of the European Association for South Asian Studies e. V.

§ 1 Name, Seat and Business Year of the Association

(1) The name of the Association shall be ‘The European Association for South Asian Studies’. The abbreviation of the name is ‘EASAS’. It is registered in the registry of associations in Bonn and has the suffix ‘e.V.’.

(2) The seat of the association is Bonn. The business year is the calendar year.

§ 2 Objects of the Association

The objects of the Association are the cultivation and promotion of scholarship and research in the field of South Asian Studies in all countries of geographic Europe.

The Association pursues solely and directly objects of public interest in accordance with respective tax law definitions of objects eligible for preferential tax treatment. The objects of the constitution shall be achieved especially through the following activities:

- organization of workshops, study events, conferences and symposia in the field of South Asian Studies,
- support of young scholars in Europe, for example through the organization of PhD workshops or through the donation of grants for a limited period of time; the respective research results will be made publicly available,
- publications in the field of South Asian Studies, especially publications of scientific research results,
- publication and distribution of a Newsletter for members,
- The Association shall encourage the formation of national and regional organizations of South Asian Studies that pursue similar objects and shall co-operate with them to foster the objects of the Association, especially through the regular exchange of information on planned events, the invitation of representatives of such

organizations to events organized by the Association and the dispatch of its own representatives to events of such organizations.

The Association works on an altruistic basis and does not pursue any private interest; it has no primarily commercial aims. The funds of the Association are only to be used for the objects stated in this Constitution. Members do not receive any financial transfer from the funds of the Association. No person shall benefit from expenses that contradict the stated objects of the Association or through unreasonably high compensations.

§ 3 Membership

(1) Any individual of full age interested in the achievement of the objects of the Association can become an ordinary member, irrespective of residence and nationality. Associations and corporations can become supporting members, if they wish to support the Association through annual payments, irrespective of their domicile or administration. The precondition for membership is a written application addressed to the Council of the Association and the payment of the first membership fee. Standardized application forms may be used. On applying, the applicant, or an authorized representative in the case of associations and corporations, declares to adhere to the terms of this Constitution by supplying his or her name and address. The Full Council decides on the application.

(2) Membership ends

- a) by voluntary resignation, possible only at the end of the calendar year, to be declared in written form to the Council,
- b) by expulsion due to lack of interest, which can be decided by the Council if membership fees have not been paid for more than one year without just cause in spite of reminders, or if the member's address is not known.
- c) by expulsion: The Full Council can decide on the expulsion on the basis of a simple majority of the votes cast, if the member has grossly violated the interests of the Association. Before the decision is taken, the member must be informed about the accusation and must be given the opportunity to justify herself/himself personally or in written form to the Full Council. The expulsion supplemented with reasons must be communicated to the member in written form or by email.
- d) by death.

(3) Members have to pay a membership fee. Modifications of the amount, the due date, or the means of payment are to be decided by the General Meeting.

(4) A member terminating membership has no claims towards the assets of the Association.

(5) Individuals who have contributed eminently to the objects of the Association can be elected as Honorary Members by the General Meeting after having been nominated by the

Council. Honorary members do not pay a membership fee. Their number should not exceed ten.

§ 4 Bodies of the Association

The bodies of the Association are:

- a) the General Meeting (§ 5),
- b) the Executive Board (§ 6) and
- c) the Advisory Committee and the Full Council (§ 7).

§ 5 General Meeting

(1) An ordinary General Meeting must be held at least once in two years, preferably in the 3rd calendar quarter. It decides on the following items:

- a) Amendments to the Constitution.
- b) Approval of the budget planned by the Council for the next two years, receipt of the Council's report of activities in the past two years, exoneration of the Council.
- c) The appointment and dismissal of Council Members.
- d) Amount, due date, and means of payment of the membership fees.
- e) The dissolution of the Association and the use of its assets.
- f) The appointment of honorary members nominated by the Council.

Members who cannot attend the General Meeting can participate in the votes on the executive board and the Full Council by postal vote. The federal electoral code (Bundeswahlordnung) apply to the formalities of postal vote.

(2) The Executive Board shall call a General Membership Meeting in writing detailing the agenda. The invitation must be sent by mail at least four weeks ahead of the membership meeting. The invitation shall be considered received by a member if it is sent to the member's last known postal address. The invitation may also be distributed by fax or email. The same regulations apply with respect to the time line and to the assumed valid address. The Council sets the agenda of the meeting. Any member may apply to include additional items for consideration up to two weeks ahead of the meeting. Applications to put pressing issues on the agenda belatedly may be granted. Any member may suggest to the Council additional items for the agenda up to two weeks before the meeting. The Council can reject any such proposal if, in its view, the topic does not fall within the aims and objectives of EASAS. Applications to put pressing issues on the agenda belatedly may be granted with the permission of the Chair of the meeting.

(3) The General Meeting shall be chaired by the President, or if he or she is absent, by the Secretary. The General Meeting shall appoint a chairperson if no Council member is present. The General Meeting is quorate if it has been convened in due form.

(4) In the General Meeting members are permitted to vote even if they also hold a proxy vote for other members. Votes regarding the appointment of Full Council Members in written form have to reach the Association one week in advance of the General Meeting. Votes which are either received late or that are not cast according to the rules are not considered. Supporting members (according to §3(1)) have one vote each. Decisions are taken by the majority of votes. If there is a parity of votes, the vote of the President will be decisive. Abstentions are not counted as votes. The Council decides on the voting procedure. Elections and decisions with respect to amendments to the Constitution shall be decided by show of hands if they are not approved unanimously by acclamation. Amendments to the Constitution and the decision to dissolve the Association require a two-thirds majority of valid votes.

(5) Amendments to the Constitution and the decision to dissolve the Association have to be reported to the tax office.

(6) Discussions in the General Meeting are to be recorded in a minute of the meeting that is to be signed by a Council member appointed as minute taker. It must be counter-signed by the President. The minutes must include the following items: place and time of the meeting, the name of the chair and of the minute taker, the number of members present at the meeting, the agenda, the major subjects of the discussion, the voting results and the voting procedure. In case amendments to the Constitution are passed, the exact wording must be minuted. Members shall receive the minute of the meeting in written form, i.e. via letter or email, within six months. Objections to the minutes can only be raised within one month after the minutes have been made available.

(7) A Special General Meeting requires a quorum of 25% of members. A Special General Meeting shall be summoned by the Full Council within twelve weeks after the request has been made. The invitation to the Special General Meeting should be posted or sent by email at least four weeks in advance of the meeting. § 5 section 2 applies accordingly.

§ 6 Executive Board

(1) The Executive Board shall consist of a President, a Secretary, and a Treasurer. They represent the Association according to §26 BGB unless specified otherwise by this Constitution. Their representative functions include:

- a) Implementation of the decisions of the General Meeting towards external bodies.
- b) Negotiation and termination of employment contracts.

(2) Only members of the Association can be appointed Members of the Executive Board by the General Meeting. Each position in the Executive Board has to be voted for separately. The election can also be held on a block basis, if there is just one candidate applying for

each office. If a member of the Executive Board resigns before the end of his or her elected term, the Full Council may appoint a successor until the end of that term. § 7 section 2 of this Constitution applies.

(3) Office bearers according to § 26 section 2 BGB (the members of the „Executive Board”) may each represent the Association individually. However, both the Treasurer and the Secretary are bound internally to use the right to represent the Association individually only when the President is prevented from doing so.

(4) Office bearers and members of the Advisory Committee meet at least once a year in a Full Council meeting to make decisions. The deliberations of the meeting must be recorded in writing. The President must send out the invitation two weeks ahead of the meeting by mail, fax, or email. In case the President is not in a position to do so, the Secretary must send out the invitations. Decisions of the Full Council, unless another form is prescribed by law, may be made in meetings of the Full Council, or in writing, by mail, telegraph, fax, email or orally, including by telephone, if every council member participates in the decision making process and none of the members disagrees with the procedure. Full Council Meetings can be convened in electronic form as video conference or telephone conference or via skype, or an equivalent computer supported software. In the invitation to the Full Council Meeting the form of the conference must be noted and if necessary, the required access data also have to be provided. The Executive Board (according to §26 BGB) decides on the basis of a simple majority. Decisions by the Full Council must be based on at least four votes.

(5) The members of the Executive Board (according to § 26 BGB) and the members of the Advisory Committee are - within the framework of the charitable regulations - entitled to be reimbursed fully or partially from the funds of the Association for appropriate travel and accommodation expenses incurred by attending the Full Council meetings. This does not apply to the conference of the Association and the General Meeting. The General Meeting can decide to grant a flat rate of honorarium to members of the Executive Board in accordance with § 3 no. 26a EStG.

(6) The Full Council is entitled to decide itself on editorial amendments of the Constitution and on those amendments which are necessary because of the legal requirements of the registration office or of the tax office. These amendments must be announced at the next General Meeting.

§ 7 Full Council of the Association

(1) The Full Council consists of the Executive Board (§ 6) and the Advisory Committee. The Advisory Committee is comprised of at least six and not more than nine members.

(2) The members of the Full Council are elected by the General Meeting for a period of two years. They stay in office until the new election. Members of the Executive Board can only be reelected once (two consecutive terms). Members of the Advisory Committee can be reelected twice (three consecutive terms). The election of a President after two consecutive terms of office to the Advisory Committee is permitted. The Executive Board

can appoint the Immediate Past President as a member of the Advisory Committee, if the Immediate Past President is not elected to the Advisory Committee in the new election.

(3) The Full Council is responsible for matters of the association unless it is a representative function as described in § 5 section 1 or unless the Constitution specifies otherwise. The Full Council has in particular the following duties of management:

- a) Preparation of the General Meeting and setting of the agenda.
- b) Convening the General Meeting.
- c) Implementation of the decisions of the General Meeting within the Association.
- d) Annual and Biennial budget planning according to the statutory accountancy period, bookkeeping of income and expenses, compilation of an annual report to be published in the Newsletter.
- e) Decisions with respect to the expulsion of members.

(4) § 6 section 4 applies to meetings of the Full Council.

§ 8 Dissolution

(1) The dissolution of the Association can only be decided upon by the General Meeting with a two-thirds majority (see also § 5 section 4). The dissolution follows the regulations of the German Civil Code (BGB). Unless the General Meeting decides otherwise, the President and the Treasurer act jointly as representatives in the liquidation process. The regulations with respect to the dissolution also apply if the association is dissolved for another reason or loses its legal status.

(2) In case of dissolution or loss of the objects eligible for preferential tax treatment, the assets of the Association must be transferred to a similar association or institution to be used for non-profit purposes to promote scholarship and research. The General Meeting shall decide the details.

Bonn, July 2018