

Charter

Of the Association for promotion of the Digital Mechanism and Gear Library (Abbreviation: **DMG-Lib e.V.)**

§ 1

Name, Base and Purpose of the Association

The Association operates under the name:

Association for promotion of the Digital Mechanism and Gear Library
Gesellschaft zur Förderung der Digitalen Mechanismen- und Getriebelbibliothek

and is referred to as the association in the following.

The abbreviation of the association is: **DMG-Lib e.V.** (**D**igital **M**echanism and **G**ear **L**ibrary).

The association is based in Ilmenau and will be registered at the Ilmenau District Court Association Register. After registration it will hold the association sign e.V.

The purpose of the association is the promotion of knowledge, research and learning in the field of mechanism and gear technology. The purpose of this Charter should be realised through:

- the promotion of construction, maintenance and use of the Digital Mechanism and Gear Library (DMG-Lib);
- support by the collection, systemisation, securing and representation of information and scientific knowledge from mechanism and gear technology in the DMG-Lib;
- the support of research, academic education, further education and cooperation with industry, utilising the possibilities of the DMG-Lib;
- activities for questions of science and practice in connection with the development of knowledge in the field of mechanism and gear technology as well as the distribution of results at presentations, seminars and conferences;
- the promotion of Open-Access-Publications;
- the strengthening of the awareness of the coherence of all interested parties in the DMG-Lib and the cooperation between authors and users and
- the giving of prizes as recognition for scientific performance or special merit, which is strongly linked with the association's purpose.

§ 2

Disinterest of the association

The association operates selflessly, it follows exclusive and direct common use purposes in the sense of the tax code. It does not pursue its own commercial purposes. Funds of the association may only be used for charter specified purposes. The members receive no allocation of the funds as part of their membership to the association. No person may benefit from expenditure that is foreign to the purposes of the association, or from disproportionately large reimbursements.

§ 3

Membership

The following may belong to the association:

1. Members

Both people and entities with private and public rights can be accepted as members.

2. Honorary Members

Honorary members can be appointed where the person has promoted the activities of the association.

§ 4

Begin and ending of the membership

The application for acceptance into the association for promotion of the digital mechanism and gear library must be directed in writing to the steering committee.

The acceptance depends on a two-thirds majority consensus. By rejection of the application, the individual may appeal. This is decided upon by the next members meeting with a two-thirds majority. This decision is then final.

The acceptance decision is to be sent in written form to the applicant. The membership begins with the receipt of this notification.

Honorary members are appointed after suggestion from the steering committee during the members meeting.

The membership in the association ends:

- a) for people when death occurs and for entities when termination occurs,
- b) after a written termination is received from a member, effective at the end of the financial year, whereby the termination must be registered with the steering committee at least three months before the end of the financial year.
- c) after expulsion following a ruling by the steering committee for serious reasons, for example

when a member acts against the interests of the association. Such a ruling requires a two-thirds majority agreement from the steering committee. The member in question is to be heard before the taking of this decision by the steering committee. The member has the right to complain in writing to the committee against the ruling, inside one month of the ruling notification. At the following members meeting a final decision will be made. The membership is suspended until the final decision at the members meeting. If no complaint is received by the committee prior to the due date, the membership ends with expiration of the complaint notice period.

§ 5

Rights and Responsibilities of Members

1. Members have the right to submit proposals to the association committee. They have active and passive voting rights.
2. The members have the right to information about the research projects funded by the association, planned scientific presentations and all other potential research grants and their results.
3. The members are obliged to support the elements of the association in the course of its activities of the charter, to the best of their ability.

§ 6

Membership fee

The association collects a yearly membership fee. The amount and method of fee collection is laid out in the fee schedule.

§ 7

Elements of the association

The elements of the association are:

- a) the general meeting (members) and
- b) the steering committee.

§ 8

General Meeting

1. The ordinary general meeting takes place annually.
2. Extraordinary general meetings are to be called promptly:

- a) when the association's interests require it,
 - b) at the request of at least a quarter of the members of the association with indication of the purpose and reason.
3. The calling of the general meeting is to be directed to the steering committee in writing or per email, noting the meeting place and time as well as disclosure of the agenda, at least four weeks before the meeting.
4. Tasks of the general meeting are:
 - a) Election of the steering committee,
 - b) Acceptance of the activity reports from the committee and checking of the finance report,
 - c) Exoneration of the steering committee,
 - d) Approval of the budget plan,
 - e) Election of the financial controller,
 - f) Pass resolution over applications and complaints,
 - g) Pass resolution over changes to the charter,
 - h) Decide over the fee schedule
 - i) Appointment of Honorary members
 - j) Pass resolution over the disbandment of the association and
 - k) Other activities for which no other element of the association is responsible for.
5. Every member has a vote. Transfer of vote to other members is not allowed. A cooperative entity can be substituted by a delegate.
6. The general meeting does not take into account the number of attending members to proceed. Resolutions of the general meeting hold when a simple majority vote exists, provided the charter does not stipulate otherwise. The steering committee can lead a written ballot of the members in urgent cases. The motion is passed when more than half of the votes are for the motion.
7. Meeting minutes are to be recorded for every general meeting, which is to be signed by the chairman and the minute taker. The minute taker is to be suggested by the steering committee at the beginning of the general meeting, and approved by the attendees with a simple majority vote.

§ 9

The steering committee

1. The steering committee consists of six to ten members, who are working in a voluntary capacity.
2. The steering committee is elected from the general meeting for a period of two years. Re-election is possible. The committee stays in office after their term ends until the new

election. If a member resigns from the committee, leaving less than six members, a successor is to be elected at the next general meeting.

3. The committee is responsible for the association administration, the enforcement of association resolutions and the management of association funds.
4. From the committee the managerial committee is formed, with respect to the § 26, Abs. 2 BGB. This consists of:
 - the chairman
 - the deputy chairman and
 - the treasurer.
5. The managerial committee leads the current transactions of the association according to the relevant charter.
6. The association is to be represented judicially and extra-judicially by two members jointly of the managerial committee
7. For the undertaking of association business, a special representative can be chosen via the steering committee for its discharge according to § 30 BGB, accredited with power of representation.
8. The meeting of the steering committee has the quorum when the chairman or his deputy and three other committee members are present.
9. The resolutions are valid when the majority of the present committee members agree. By a tie of votes, the chairman has the final say, or his deputy when the chairman is not present.
10. The steering committee can resolve financial orders and by-laws, and has the right to issue addition regulations
11. The steering committee is responsible for the production of the budget.
12. The steering committee is accountable to the general assembly of members.

§ 10

Financial control

1. The ordinary general meeting elects two financial controllers each year, who are not members of the steering committee.
2. The financial controllers have to check the annual accounts and document the outcome.

§ 11

Responsibility limitations

1. The association only takes responsibility for the association funds.
2. The steering committee members take no responsibility for damages, which occur in the

course of their position representation while carrying out their assigned activities, and which are based solely on negligent conduct.

3. The association takes no responsibility for damages through its servants. This is also valid for damages, which are grossly negligent or deliberately caused.

§ 12

Charter alterations and disbandment of the association.

1. Charter alterations with the exception of § 12, clause 2, can only be resolved through the general meeting with a two-thirds majority vote. The proposal to alter the Charter must be written (as text) in the invitation to the general meeting.
2. The association can only be disbanded after the calling of a general meeting for the purpose of a disbandment resolution.
3. The disbandment resolution requires a three-quarter majority from the attendee votes.
4. By disbandment or rescission of the association or by the repeal of its statutory purpose, the assets of the association are to be transferred to another tax deductible body with non-profit aims. The decision about the receiver falls to the last general meeting. If no suitable receiver can be found, the association's assets are to be equally distributed to the Rheinisch-Westfälische Technische Hochschule Aachen, the Technische Universität Ilmenau and the Technische Universität Dresden, and is to be used for the advancement of scientific knowledge in the field of mechanism design.
5. Resolutions through which:
 - a. essential statutory provisions for tax benefits are changed retrospectively, additionally inserted into the Charter or removed from it, plus
 - b. the association dissolves, is incorporated into another body or its funds are taken over completely,are to be disclosed to the tax office without delay.
6. At the disbandment of the association, the agreement of the respective tax office is to be obtained before the implementation of the fund use resolution.

The charter was accepted on the 21st July 2005.

Ilmenau, 21st July 2005

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RWTH Aachen