

Statutes of the association: Montfort Records - association for the promotion of alternative music and sound carriers

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General data of the association

Name, location and field of activity

1. The name of the association is: Montfort Records - Association for the Promotion of Alternative Music and Sound Carriers
2. The association is based in Vienna 1020 Leopoldstadt, Principality of Vienna, Austria
3. The Musikverein extends its activity mainly to Austria, in musical club activities and promotion of various kinds and abroad.

Purpose

The Musikverein, whose activities are non-political and not profit-making, aims generally to promote musicians who devote themselves to alternative music or music sources. The cultural common good and the union of people doing the same job are the top priority.

Activities and means of achieving the purpose of the association

1. The purpose of the association is to be achieved through the idealistic and material means listed in paragraphs 2 and 3.
2. Serve as ideal means:
 - a. Provision of a suitable test and reception location
 - b. Providing a homepage for promotional purposes
 - c. Promotion on various social media platforms
 - d. Creating conditions for the development of musicians
 - e. Conducting musical events of all kinds, especially of parties
 - f. musical participation in events for companies, other associations or individuals
 - g. Care of the community
 - h. Meetings and meetings for the coordination of club interests.
3. The necessary material resources should be raised by:
 - a. Income and earnings from own and foreign events and activities
 - b. Contributions from active and supporting members
 - c. Donations, subsidies and other benefits.
 - d. Revenues from the sale of promotional material (clothing, record accessories lighters, USB sticks and key fobs)
 - e. Revenue from the sale of music and musical recordings (CDs, records and cassettes)

Association membership

Types of membership

1. The members of the association are divided into active members, supporting members and honorary members.
2. Active members are functionaries who participate fully in the work of the association and have a say in club changes.
3. Supportive members are those who promote association activity in various ways, at least by paying membership fees.
4. Honorary members are persons who are appointed for special merit or long-term membership.

Acquisition of membership

1. Active members of the association can become all physical persons, who can help and optimize the association in its projects and purpose, future-oriented.
2. The board of directors, which can refuse admission without stating reasons, decides on the admission of active and supporting members.
3. The appointment as an honorary member takes place at the request of the executive committee in a meeting of the active members. Prerequisite for the appointment as an honorary member is the approval of 2/3 of the active members of the association.
4. A member of the music club is a person only from the date of the first payment of the membership fee.

Membership fee

The membership fee must be transferred to the club account by all active and supporting members on January 1st each year. If this is not paid must be notified to the cashier verbally or in writing after two weeks at the latest. From the time of the notification the person concerned has another four weeks to submit them, otherwise he will be deprived of his membership. The amount of the membership fee will be agreed at the ordinary General Meeting at the request of the Executive Board.

Termination of membership

1. The membership expires:
 - a. through death
 - b. by voluntary withdrawal
 - c. by exclusion
 - d. if you do not pay the membership fee
2. The withdrawal can take place at any time. He must be informed verbally or in writing to the board.
3. The board can exclude a member for important reasons, especially if this repeatedly violates the statutes, ignores the club's decisions, damages the reputation or interests of the association or otherwise behaves dishonorably or immoral. About the exclusion decide the executive committee and the active members by simple majority of votes.
4. The revocation of the honorary membership can be decided on the basis of the criteria mentioned in (paragraph 3).

Rights and obligations of the members

1. The active members are entitled to participate in all events and activities of the association and to claim the facilities of the association. The voting rights in the General Meeting as well as the active and passive voting rights belong to the active members. For functions on the board only active members are eligible, whereby these must have completed at least the age of 16 years.
2. Active members are obliged to promote the interests of the association and to refrain from anything that could damage the reputation and purpose of the association. They must observe the statutes of the association and the resolutions of the association organs. Active members are obliged to actively support the musical direction in all musical endeavors. You also have to keep the items entrusted to you by the association in a clean and good condition.
3. Supporting members are required to pay at least the membership fee. Through special achievements and commitment, you can be appointed active members at the proposal of the Board.
4. The amount of the membership fee will be agreed at the ordinary General Meeting at the request of the Executive Board. All active members are entitled to vote. Decisions are made with a simple majority of votes.

Institutional bodies

Organs of the association are the general assembly, the board, the auditors and the arbitral tribunal

General Assembly

1. The General Assembly is the "General Assembly" in the sense of the Association Act 2002. The Ordinary General Assembly takes place every 2 years.
2. Extraordinary General Meetings shall be held by resolution of the Board of Directors, the General Meeting or upon written request of at least one tenth of the members or by resolution of the Auditors within 8 weeks. The meeting is convened by the Management Board; if he does not comply with the obligation, by the applicant members or by the auditors.
3. All members must be invited in writing at least 2 weeks before the date of the ordinary General Meeting and the Extraordinary General Meeting.
4. Proposals to the General Meeting must be submitted in writing to the Board of Directors or the other convening members at least 3 days before the date of the General Meeting (paragraph 2).
5. At the General Assembly all members (active members, supporting members and honorary members) are eligible.
6. The General Assembly has a quorum of at least half of the active members.
7. The General Meeting passes the resolutions and election decisions by a simple majority of the valid votes cast. In a tie vote, the chairman decides. To decide on a change of the statutes and the dissolution of the association, however, the vote of the chairman and a qualified majority of two thirds of the valid votes cast is required.
8. The Chairman of the General Assembly is the chairman, in whose absence his deputy; even though this is prevented, the member who has worked the longest time at the club so far.

Tasks of the General Assembly

The general meeting is reserved for the following tasks:

1. Acceptance of the reports of the board about the association activity
2. Acceptance of the reports of the auditors with discharge of the treasurer and the board
3. Election and removal of the members of the board and the auditors
4. Determination of the amount of the membership fee
5. Resolution on amendments to the Articles of Association and the voluntary dissolution of the association
6. Advice and decision-making on the agenda
7. Decision on the amount of the membership fee

Board of Directors

1. The executive committee is the "management organ" in the sense of the association law 2002 and consists of:
 - a. Chairman
 - b. Debuty chairman
 - c. Treasurer
 - d. Secretary
 - e. Music officer
 - f. If necessary, media officer
 - g. If necessary, promotion referent
 - h. If necessary, head of department
2. The Board of Directors (except the Music, Media, Promotion and Department Heads) is elected by the General Assembly for a term of 4 years. The re-election is possible
3. The remaining members of the board, ie the speakers and department heads, are elected by the General Assembly for a term of 2 years. The re-election is possible.
4. In the event of the departure of an elected member, the Executive Board has the right to elect another eligible member. If the Board of Directors fails to make an election at all or for an unpredictably long time without self-supplementation, then each auditor is obliged to convene an extraordinary General Meeting without delay for the purpose of electing a new Board member. Should auditors also be unable to act, any active member who recognizes the emergency situation must convene an extraordinary general meeting.

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5. The board is convened by the chairman, in his absence by his deputy in writing or verbally. If the deputy is also prevented for an unpredictably long time, any other member of the Management Board may call the Executive Board.
6. The Board has a quorum if all its members have been invited and at least half of them are present.
7. The chairman is chairman, in case of hindrance his deputy; if this is also prevented, the chairmanship is the responsibility of the board member, which until now has worked the longest with the association.
8. The Board of Directors passes its resolutions by a simple majority of votes; in case of a tie, the vote of the Chairman decides.
9. Except through the death and expiration of the term of office (para. 3). the function of a member of the Executive Board expires (§ 9) and resignation (§ 10). The General Assembly may at any time withdraw the entire Board or any of its members. The removal takes effect only with appointment of the new executive board or executive board member. Individual members of the board can be relieved of their function by a 2/3 majority vote of the board.
10. The members of the board can declare their resignation at any time. The declaration of resignation is to be directed to the executive committee, in case of the resignation of the whole executive committee to the general meeting.

Tasks of the board

The board is responsible as a "governing body" within the meaning of the Association Act, the management of the association. The scope of the executive board includes in particular the following matters:

1. Management in compliance with the duties of the members of the Management Board as well as in compliance with legal and statutory obligations, as well as the lawful decisions of the relevant bodies of the association. In general, he represents the club internally and externally and is responsible for the organization of a regulated club operation and club climate.
2. Preparation of the General Meeting and convening of the ordinary and Extraordinary General Meetings.
3. Administration of the association's assets.
4. The appointment of specialist speakers and their deputies. After approval of a simple majority of active members
5. Inclusion and exclusion of active and supporting members of the association.

Special obligations of individual members of the Management Board

1. The chairman represents the association internally and externally and presides at all meetings. All documents issued by the association must be signed. If no media officer is present, he manages all online platforms and the association's homepage. He is also the contact person for all members of the association and is obliged to pay attention to the common good of the association and to resolve internal conflicts. He has to perform his tasks transparently and independently.
2. The deputy chairman represents the chairman in his absence and supports him in all decisions and tasks.
3. The cashier manages the cash register, takes care of the entire financial management of the association, is responsible for the proper payment of money and for the current recording of income and expenditure. After the end of the accounting year, the cashier must prepare a statement of income and expenditure within 5 months including the balance sheet. He also has to submit the required documents at the request of the auditors and to provide necessary information.
4. The Secretary shall record the minutes at all meetings, meetings and meetings and shall assist the Board in all written work.
5. The music consultant is responsible for the musical education of the musicians and for the support of their projects
6. The media officer (if available) is responsible for the creation of logos and flyers, as well as the administration of the homepage and social media accounts if he is authorized to do so by the chairman.
7. The doctoral reviewer (if available) is responsible for the marketing and promotion of the association.
8. The department heads (if available) devote themselves to an area of the association's goal in order to promote their members and musicians through their expertise

Auditor

1. The association has to appoint at least two auditors, who are elected by the general assembly with the board for a period of 2 years. A re-election is possible. They must be independent and impartial and must not belong to any body except the General Assembly whose activity is the subject of the examination.
2. The audit report to the Management Board and the General Meeting shall indicate any deficiencies or risks to the existence of the association. Particular attention is to be paid to unusual revenues and expenses. The competent bodies must remedy the identified deficiencies and take measures against identified dangers.
3. If the auditors find that the board of directors persistently and seriously violates its obligation to provide financial reporting, without the expectation that the association will provide effective remedy in the foreseeable future, then the management board must call a general meeting desire. You can also call a general assembly yourself.
4. Otherwise, the provisions contained in the Articles of Incorporation for the members of the Board of Directors shall apply to death, expiry of the term of office, removal and resignation from the auditors.

Arbitration tribunal

1. For arbitration of all disputes arising from the association relationship, an arbitral tribunal shall be convened. It is a "mediation facility" within the meaning of the Association Act 2002 and not an arbitral tribunal according to § 577 ff. ZPO.
2. The arbitral tribunal is composed of 3 members. It is formed in such a way that a dispute makes the member a member of the board as a referee in writing. At the request of the Board of Directors within 7 days, the other party to the dispute within 14 days in turn makes a member of the Arbitral Tribunal known. After agreement by the executive committee within 7 days, the two nominated arbitrators shall elect a third member within another 14 days as chairman of the arbitral tribunal. In case of a tie, the lot is decisive among the nominees. The members of the tribunal must be independent and free and may not belong to any body other than the General Assembly whose activity is the subject of the dispute.
3. The arbitral tribunal shall make its decision after granting of mutual hearing in the presence of all its members by a simple majority of votes. It decides to the best of my knowledge and belief. Its decisions are final.

Voluntary dissolution of the association

1. The voluntary dissolution of the association can only be decided in a general meeting with 2/3 majority of the valid votes cast, although the chairman of this decision must also agree.
2. This General Assembly also has, insofar as the association's assets are available, to decide on the resolution thereof. In particular, it has to appoint a liquidator and decide on whom the liquidator has to transfer the remaining assets of the association.
3. As far as possible and permitted, this association's assets should be transferred to another association with similar objectives. If no corresponding club is found, the assets of the city of Vienna should be handed over, which it manages until a new club with the same charitable purpose is formed in the same city. Should this not be the case within 10 years, the City of Vienna shall use the remaining assets of the association for charitable purposes within the meaning of § 34 et seq. Of the Federal Tax Code (BAO).

Gender neutral name and leadership

Insofar as personal names are used only in male form in these statutes, they refer to women and men in the same way. There is no quota for certain genders in the association, but at any time a gender-independent decision is made and chosen.

Wien, am 24.04.2018

Für den Musikverein Montfort Records:

Vereinsgründer: Justin Winsauer