

# Statutes

Gesellschaft für Anglophone Postkoloniale Studien  
(GAPS) e.V.

(Association for Anglophone Postcolonial Studies)

Adopted on 16 June, 1989

Amended on 23 May, 2009

Amended on 30 May, 2014

## **§ 1 Name and seat of the Association**

The name of the Association is the Gesellschaft für Anglophone Postkoloniale Studien (GAPS) e.V. (Association for Anglophone Postcolonial Studies). The Association has its seat in Frankfurt am Main and is registered in the Vereinsregister (Register of Association) at the Amtsgericht (Frankfurt am Main District Court).

## **§ 2 Purpose of the Association, non-profit status**

1. The purpose of the Association is:
  - a) The promotion of analytical and theoretical study relating to global Anglophone literatures, the varieties of the English language and other cultural forms, practices and media influenced by the English language in research and teaching.
  - b) The promotion of critical debate on the history of European colonialism and its local and global, societal, cultural, literary and linguistic repercussions as well as on theories and methods of Postcolonial Studies.
  - d) The promotion of young and emerging academics in these areas.
  - e) The transfer of knowledge, including beyond the university setting, for example in schools or adult education courses.
2. The Association shall primarily achieve its task by:
  - a) Holding academic meetings, conferences, readings, advanced training and continuing education events, exhibitions and other events in accordance with the Association's purpose.
  - b) Awarding and giving appropriate prizes and awards and the promotion of publications in accordance with the Association's purpose.
  - c) Cooperating with private and public institutions in Germany and abroad that represent interests comparable to those of the Association.

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3. The Association exclusively pursues non-profit purposes in the sense of §§51-68 of the German tax code. The Association is a not-for-profit organisation and does not primarily pursue profit-making objectives.
4. The Association finances its operations through membership fees and donations. The Association's funds may only be used for the above-mentioned purposes. Members shall not receive any financial donations from the Association's funds.
5. No individuals may benefit in particular from expenditure that is contrary to the purpose of the Association, nor may they benefit from disproportionately high remuneration.
6. Any surpluses may only be used for purposes which are in accordance with the statutes.

### **§ 3 Financial year**

The financial year is the calendar year.

### **§ 4 Association roles**

The positions in the Association are unpaid.

### **§ 5 Membership**

1. The Association has full and associate members in terms of the Public Association Law.
2. Full members:
  - a) Full members can only be natural persons. Any person is entitled to apply for admission to the Association.
  - b) The Board decides on membership applications. No reason is required for the rejection of admission applications. If their application is rejected, the affected person has the right to submit their application to the Annual General Meeting for a final decision. A simple majority of the members present is sufficient for making a decision.
  - c) Membership ends upon death, resignation or expulsion. Resignation may only be announced with at least three months' notice before the end of the year. The expulsion of a member may be decided by the Board, with at least 2/3 of the members present, if:
    - The member grossly harms the interests of the Association.
    - The member does not pay their membership fees despite two written requests and without justifying the reason why they have not paid.The member concerned can appeal against expulsion within one

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month of receiving the decision. The next ordinary Annual General Meeting shall decide on the appeal. Membership is suspended until this point in time.

d) Insofar as the written form is stipulated in these Association statutes for the submission of declarations of intent, compliance with the written form pursuant to § 126b of the German Civil Code (BGB) shall also be sufficient, i.e., submission by fax, email or scanned document.

3. Associate members:

a) Associate members can be natural or legal persons, associations or institutions that contribute to the achievement of the Association's purposes.

b) The start and termination of an associate membership are subject to the same conditions as those for full members.

## **§ 6 Association bodies**

The bodies of the Association are:

1. The Annual General Meeting.
2. The Board.

## **§ 7 The ordinary Annual General Meeting**

1. The ordinary Annual General Meeting takes place once a year and generally as part of the Association's annual conference. It shall consist of the voting members of the Association in attendance and it shall be open to the public.

2. The President or the Vice President shall invite all members in writing, observing a notice period of at least two weeks. The invitation must include an agenda which contains at least the following items:

- a) Receipt and approval of the annual report and balance sheet for the previous financial year.
- b) The Auditors' report.
- c) Discharge of the Board.
- d) Election of the new Board (biennial) and Auditors (biennial).
- e) In addition to the resolutions listed here, the agenda shall also contain other resolutions to be voted on at the Annual General Meeting.

3. In particular, the Annual General Meeting has the task of:

- a) Defining the principles of the Association's work.
- b) Accepting the financial report of the Board and the Treasurer as well as approving the annual financial statements.
- c) Electing, dismissing and discharging the Board.
- d) Adopting resolutions on the focus of the Association's annual conference.

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- e) Adopting resolutions on amendments to the Association's statutes and on the dissolution of the Association.
4. Only full members have the right to vote.
5. Associate members do not have the right to vote, however they have the right to participate in the Annual General Meeting and discuss items there.
6. The duly convened Annual General Meeting shall constitute a quorum if at least one quarter of the full members are in attendance. If this number is not reached, a simple majority of the full members present shall decide on the holding of the Annual General Meeting. Resolutions on the amendment of the Association's statutes and the dissolution of the Association require the vote of at least 3/4 of the members eligible to vote. If the convened Annual General Meeting does not have a quorum, a new meeting shall be convened, which shall have a quorum regardless of the number of members present.
7. Resolutions are passed by a simple majority of the members present. In the event of a tied vote, a motion shall be rejected. A 3/4 majority of the full members present is required for resolutions on amendments to the Association's statutes and the dissolution of the Association.
8. Minutes shall be taken of the proceedings and resolutions of the Annual General Meeting, which shall be signed by a member of the Board and subsequently made available to the members.

## **§ 8 Board**

- 1 The Board in the sense of § 26 BGB are the President and the Vice President. Both of them are individually authorized to represent the Association.
- 2 The Board consists of the President, the Vice President and the Treasurer. If necessary, the Board may include Advisory Board members whose number is determined at the Annual General Meeting and who are elected at it. In this case, at least one Advisory Board member must be a student. Half of the roles on the Board referred to in this paragraph shall be held by women. The roles and may not be held exclusively by professors. Hereinafter, the term Board shall mean the roles designated here. The Treasurer and any possible Advisory Board members have no power of attorney to represent the Association.
- 3 The Board is elected at the ordinary Annual General Meeting for a period of two years. They shall remain in office until a new election is held. Members of the Board may be re-elected only twice in uninterrupted succession. The election of the Board shall be held publicly. At the request of just one single member, the election of

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the Board shall be held by secret ballot.

- 4 Only full members of the Association may be elected as members of the Board. Upon termination of full membership, the role of being a Board member is also terminated. If a member of the Board resigns before the end of their term in office, the Board may appoint a temporary successor, who shall be confirmed at the next Annual General Meeting.
- 5 The Board shall pass its resolutions at board meetings, which are convened by the President or the Vice President. Board meetings shall be convened if at least half of the Board members request that a meeting be convened. With the consent of all Board members, resolutions may also be adopted outside of Board meetings in writing, by fax or email. Failure to respond to the request to vote in writing or to vote by fax or email within the set deadline shall be deemed a rejection of the resolution in the circular document.
- 6 The Board may adopt rules of procedure for its work.
- 7 The Board:
  - a) Handles the day-to-day business of the Association.
  - b) Prepares and convenes the Annual General Meeting.
  - c) Implements the resolutions of the Annual General Meeting.
  - d) Ensures proper accounting and prepares the annual financial statements of the Association.
  - e) Passes resolutions on the admission and expulsion of members.
  - f) Supports the organiser of the annual conference.

## **§ 9 Extraordinary General Meeting**

1. The Board may convene an Extraordinary General Meeting at any time, if this appears necessary in the interests of the Association.
2. An Extraordinary General Meeting must be convened if at least one quarter of the members request this in writing, stating their reasons.
3. The same rules apply to the Extraordinary General Meeting as to the ordinary Annual General Meeting.

## **§ 10 Auditors**

1. The Auditors appointed at the Annual General Meeting are responsible for auditing the financial accounts. They shall report to the Annual General Meeting with the results of their audits. The Auditors may not be members of the Board.
2. The Auditors are elected at the Annual General Meeting for a period of two years.

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## **§ 11 Dissolution of the Association**

1. The dissolution of the Association may only be decided on at the Annual General Meeting with a 3/4 majority of the votes cast.
2. In the event of the dissolution of the Association, two Liquidators shall be appointed at the Annual General Meeting. Their rights and duties are governed by § 47 ff. of the BGB. In the event of the dissolution of the Association or the discontinuation of its tax-exempt status, the Association's assets shall be transferred to a public body or to another tax-exempt body for the purpose of promoting international understanding and tolerance.

## **§ 12 Entry into force of the Statutes**

The statutes of the Association are based on the resolution adopted at the founding meeting of 16 June 1989 as amended by the first amending resolution of 23 May 2009 and the second amending resolution of 30 May 2014.

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