

Statutes of IG24, Verband zur Förderung der Interessen der 24-Stunden-Betreuer_innen in Österreich

§ 1. Name, seat and field of activity

1. The association bears the name: IG24 – Verband zur Förderung der Interessen der 24-Stunden-Betreuer_innen in Österreich (IG24 – Association for the promotion of the interests of 24-hour carers in Austria).
2. The association has its seat in Vienna and extends its activities to the whole world.
3. The establishment of branch associations is not intended.

§ 2. Purpose

The association is not profit-oriented and pursues exclusively and directly non-profit purposes in the sense of §§ 34ff BAO.

It aims to provide legal, political, social and organisational support for 24-hour carers.

§ 3 Activities and Means to Realise the Association's Purposes

1. The following idealistic means are provided for the realisation of the association's purpose:
 - a. counselling, support and representation of 24-hour carers
 - b. supporting 24-hour carers in asserting their labour and social rights
 - c. taking measures against wage dumping and social fraud
 - d. to represent other interests of 24-hour carers
 - e. promoting the (self-)organisation of 24-hour carers
 - f. to organise and participate in meetings, workshops, seminars, conferences, lectures, panel and public discussions, exhibitions, social

gatherings, other events, rallies, political lobbying, campaigns, projects and other dissemination of information that serve the purpose of the association.

- g. the publication of periodical and non-periodical publications, leaflets and posters, information material, websites, films, videos and other media
- h. networking and cooperation with workers' representatives, migrant (self-)organisations, NGOs, decision-makers, activists and other multipliers.
- i. the organisation and implementation of further training measures for 24-hour caregivers
- j. Public relations and documentation
- k. Implementation of research projects, studies
- l. Provision of infrastructure (sound and lighting equipment ...)

2. The necessary material means are raised by:

- membership fees
- Donations
- Income from fundraising
- Income from crowdfunding
- Collections
- Building Block Campaigns
- Bequests
- Donations
- Subsidies and grants from the public sector
- Support from private individuals and companies
- Other donations
- sponsoring
- flea markets
- Proceeds from events and the association's own undertakings
- Sale of the association's own publications
- Advertising revenue

§ 4 Types of Membership

1. The members of the Association shall be divided into ordinary and extraordinary members.

2. Ordinary members are those who actively participate in the life of the Association. Extraordinary members are those who do not actively participate in the life of the Association but who support the Association by paying higher membership fees.

3. members of the Association shall primarily be other associations which pursue the objectives of the Association.

§ 5 Acquisition of Membership

1. All physical and legal persons may become members of the Association.

2. The governing body shall decide on the admission of ordinary and extraordinary members. Admission may be refused without giving reasons. Excluded from any membership are agencies or persons who have a close personal relationship to agencies, with the exception of the 24-hour caregivers themselves.

3. Until the association is established, the provisional admission of ordinary and extraordinary members shall be effected by the founders of the association or, in the case of an already appointed governing body, by the latter. This membership only becomes effective with the formation of the association. If a governing body is not appointed until after the association has come into being, the definitive admission of ordinary and extraordinary members shall also be effected by the founders of the association until then.

§ 6 Termination of membership

1. Membership shall be terminated by death, in the case of legal persons by loss of legal personality, by voluntary resignation and by expulsion.

2. Voluntary resignation may be effected at any time.

3. The governing body may expel a member who is more than six months in arrears with the payment of membership fees despite two written reminders

with a reasonable grace period. The obligation to pay the membership fees that have fallen due remains unaffected.

4. The governing body may also exclude a member from the association for gross violation of other membership obligations and for dishonourable conduct.

§ 7 Rights and duties of members

1. Members shall be entitled to participate in all events of the Association and to use the facilities of the Association. Only full members shall have the right to vote at the General Assembly and to stand for election.

2. Members are obliged to promote the interests of the Association to the best of their ability and to refrain from doing anything that could damage the reputation and purpose of the Association. They shall observe the Statutes of the Association and the resolutions of the Association's organs. Ordinary and extraordinary members shall be obliged to pay the membership fee and the membership dues on time in the amount decided by the General Assembly.

§ 8 Bodies of the Association Bodies of the Association are

1. the General Assembly (see § 9 and § 10)

2. the governing body (see § 11 to § 13)

3. the auditors (see § 14) and

4. the Court of Arbitration (see § 15).

§ 9 The General Assembly

1. The ordinary general meeting takes place annually.

2. An extraordinary general meeting shall be held within four weeks of a decision by the governing body, the ordinary general meeting or a written request by at least one tenth of the members, or at the request of the auditors, stating the reasons for the request.

3. All members must be invited to both the ordinary and the extraordinary general meetings in writing at least two weeks before the date of the meeting by letter, fax or e-mail to the address last notified by the member. The meeting of the members shall be convened with the provisional agenda. The meeting shall be convened by the governing body.

4. Motions for the general meeting shall be submitted in writing to the governing body at least two weeks before the date of the general meeting.

5. All members are entitled to attend the General Assembly. Only full members are entitled to vote. Each member has one vote. Legal entities shall be represented by a proxy. The transfer of the right to vote to another member by means of a written proxy is permissible.

6. The General Assembly has a quorum irrespective of the number of voting members present.

7. Elections and resolutions at the General Assembly shall normally be by a simple majority of votes.

8. The General Assembly shall be chaired by a person appointed by the governing body.

§ 10 Responsibilities of the General Assembly

The following tasks are reserved for the General Assembly

1. receive and approve the report on activities and financial management
2. to pass resolutions on the budget
3. election, appointment and dismissal of the members of the governing body and the auditors; approval of legal transactions between members of the governing body or the auditors with the association
4. discharge of the governing body

5. to fix the amount of the admission fee and the membership fees for ordinary and extraordinary members
6. to pass resolutions on amendments to the Statutes and the voluntary dissolution of the Association
7. to deliberate and pass resolutions on other matters on the agenda.

§ 11 Governing Body

1. The governing body shall consist of at least two members.
2. The governing body shall be elected by the general meeting. In the event of the resignation of an elected member, the governing body shall have the right to co-opt another eligible member to replace him/her, subject to subsequent approval by the next general meeting. If the governing body fails to exist at all or for an unforeseeably long period of time without a self-completion by co-optation, each auditor is obliged to immediately call an extraordinary general meeting for the purpose of electing a new governing body. If the auditors are also unable to act or are not available, each ordinary member who recognises the emergency situation must immediately apply to the competent court for the appointment of a trustee, who must immediately convene an extraordinary general meeting.
3. The term of office of the governing body shall be three years. Re-election is possible.
4. the governing body may be convened by any member of the governing body.
5. The governing body shall constitute a quorum if all its members have been invited and at least half of them are present. If the governing body consists of only two persons, it shall constitute a quorum if both members are present.
6. The governing body shall take its decisions by a simple majority of votes; in the event of a tie, the chairperson shall have the casting vote. If the governing body consists of only two persons or if only two members of the governing body

participate in the meeting of the governing body, it shall take its decisions unanimously.

7. The meeting shall be chaired by the oldest member of the management body present.

8. Apart from death and expiry of the term of office, the function of a member of the governing body shall expire by removal (see Article 11/9) and resignation (see Article 11/10).

9. The general meeting may dismiss the entire governing body or individual members at any time. The dismissal takes effect with the appointment of the new governing body or the new member of the governing body.

10. The members of the governing body may resign in writing at any time. The notice of resignation shall be addressed to the governing body or, in the event of the resignation of the entire governing body, to the general meeting.

§ 12 Duties of the Governing Body

The governing body shall be responsible for the management and conduct of the day-to-day business of the Association. It shall be responsible for all tasks not assigned by the statutes to another organ of the Association. In particular, it shall be responsible for the following matters

1. drawing up the annual budget and the report on activities and financial management in accordance with the Association Act 2002.
2. convening and preparing the ordinary and extraordinary general meetings
3. administration of the Association's assets
4. admission and exclusion of members of the Association
5. admission and dismissal of employees of the Association

6. the governing body may entrust a person with the management of current business; this person shall be provided with the necessary powers of attorney by the persons named in section 13 subsection 1.

§ 13 External representation of the Association

1. each member of the governing body shall be entitled to represent the association externally (individual representation).

2. Legal transactions between members of the governing body and the Association (self-dealing) shall also require the approval of a member of the governing body who is not a party to the transaction in order to be valid. If the transaction constitutes an insider transaction for all members of the governing body, the approval of the general meeting shall be required. 3.

3. Authorisations to represent the Association externally or to sign on its behalf may be granted by the persons named in Article 13(1).

4. in case of imminent danger, the governing body shall be entitled to issue orders on its own responsibility, even in matters falling within the scope of the general meeting; these shall, however, require the subsequent approval of the general meeting.

§ 14 Auditing of accounts

1. Two auditors shall be elected by the General Assembly for an unlimited period. Re-election is possible.

2. The auditors are responsible for the ongoing control of the business and the examination of the financial statement for the correctness of the accounting and the use of the funds according to the statutes. They shall report to the General Assembly on the results of the audit.

3. In all other respects, the provisions on the appointment, dismissal and resignation of members of the governing body shall apply mutatis mutandis to the auditors (§ 11 paras. 3, 8, 9 and 10).

§ 15 The Court of Arbitration

1. The Association's internal arbitration tribunal shall be appointed to settle all disputes arising from the Association's relationship.
2. The Arbitration Tribunal shall be composed of three impartial ordinary members of the Association. It shall be formed in such a way that each party to the dispute nominates one impartial member as arbitrator in writing to the governing body within one week. The two nominated arbitrators shall elect a third ordinary member as chairperson of the arbitral tribunal within a further 14 days. In the event of a tie, the nominees shall be decided by lot. If there are no suitable members of the Association available for the arbitrators and the chairperson of the arbitral tribunal, non-members may be nominated and elected for these functions.
3. The arbitral tribunal shall reach its decision in the presence of all its members by a simple majority of votes. It shall decide to the best of its knowledge and belief. Its decisions shall be final within the Association.
4. The Arbitration Tribunal shall not be a court of arbitration under §§ 577 of the Code of Civil Procedure (ZPO).

§ 16 Voluntary dissolution of the Association

1. The voluntary dissolution of the Association may be decided by the General Assembly by a two-thirds majority of the valid votes cast.
2. This General Assembly shall also decide on the liquidation of the Association, provided that the Association's assets are available. In particular, it shall appoint a liquidator and decide to whom this liquidator shall transfer the Association's assets remaining after the liabilities have been covered.
3. The last governing body shall notify the competent authority of the Association in writing of the voluntary dissolution within four weeks of the resolution.

§ 17 Use of the Association's assets in the event of the withdrawal of members, the dissolution of the Association or the discontinuation of the beneficiary purpose

In the event of the dissolution of the Association or in the event of the discontinuation of the previous beneficiary purpose of the Association, the assets of the Association remaining after the liabilities have been covered shall be used for charitable, benevolent or ecclesiastical purposes within the meaning of §§ 34ff of the Federal Fiscal Code (BAO). As far as possible and permissible, these assets shall be allocated to institutions that pursue the same or similar purposes as this association.