

ARTICLES OF ASSOCIATION

Swiss Federation for Hinduism SFH

1. Name and headquarters

An Association is formed under the name of "Swiss Federation for Hinduism" (*German: "Schweizerischer Dachverband für Hinduismus"*) within the meaning of Art. 60 ff. ZGB, headquartered at Anton-Graff-Strasse 41, 8400 Winterthur.

2. Objective and Purpose

The purpose of the Association is:

- to promote Hindu traditions, also known as *Sanātana Dharma* or *Hindu Dharma*, in Switzerland;
- to maintain the rights and interests of organisations and individuals in Switzerland who deem themselves as part of the Hindu traditions, schools of faith and practices;
- to promote cooperation and solidarity among members; and
- cooperation with like-minded umbrella organisations and institutions in Switzerland and abroad.

The Association does not pursue any commercial aims. All members operate on a voluntary basis.

The Association has no political affiliations.

3. Financial resources

The income of the Association essentially consists of

- Membership fees;
- Voluntary contributions;
- Investment income;
- Subsidies
- Income from own events;
- Income from agreed services; and
- Voluntary donations and bequests

The resources of the Association exclusively serve to fulfil the purpose of the Association. A profit is not pursued.

For any liabilities the funds of the Association shall be liable exclusively. Personal liabilities of the members shall be excluded.

The business year is identical to the calendar year. The annual financial statement contains the income statement and a balance sheet statement as of 31 December. The budget is to be approved in advance for the upcoming financial year.

4. Membership

Members can be natural and legal persons who with their confirmation of membership commit themselves to morally supporting the purpose of the Association and to pay the corresponding membership fees. The Association consists of *collective, individual, benefactor and honorary members*.

Collective members can only include Associations or other legal persons who support the purpose of the Association and are domiciled in Switzerland. Legal persons without the status of an Association must be entered in the commercial register.

Individual members can include natural persons who support the Association morally or financially and who are Swiss citizens or resident in Switzerland.

Benefactor members can include natural or legal persons who are interested in the purpose of the Association and support the Association with a minimum contribution.

Honorary members can include natural persons who have committed themselves to the Association or to the Hindu traditions in Switzerland or Europe in a special manner.

Admission into the Association is possible at any time. Applications for admission are to be conveyed to the President of the Association in writing or verbally. The Committee shall decide on the admission with a majority vote. The Committee can deny admission without stating reasons.

It is within the discretion of the Committee to set up an *Advisory Board* for the Association and to appoint members of the *Advisory Board*. The *Advisory Board* has an exclusively advisory role. Advisory Board Members have no decision-making authority or controlling function but are focused on advice and counsel.

5. Dissolution of Membership

Membership dissolves

- through departure, exclusion or expiry in case of natural persons
- through departure, exclusion or dissolution of the legal person in case of legal persons

Leaving the Association is possible at any time. Notification should be addressed to the Committee in writing.

A member can be excluded from the Association at any time if he/she acts against these Articles of Association or the purpose of the Association. If the Committee is discordant about the exclusion, the Assembly of Members shall decide on the exclusion. Prior to any exclusion the member involved should be heard fully.

6. Organs of the Association

The organs of the Association are:

- a) the Assembly of Members
- b) the Committee
- c) the Auditor

7. The Assembly of Members

The foremost organ of the Association is the Assembly of Members. A General Assembly of Members usually takes place in the first half of the year.

All members are invited to the General Assembly of Members thirty (30) days in advance in writing under provision of the agenda.

Invitations by letter or e-mail are valid. Agenda requests to the Assembly of Members are to be sent to the President no later than ten (10) days in advance.

The Committee or 1/5 of the members can request an extraordinary Assembly of Members at any time by indicating the purpose for this. The Assembly is to take place no later than 45 days after the request has been submitted.

The Assembly of Members has the following inalienable and non-transferrable duties and competences:

- Electing the president and the remaining members of the Committee;
- Electing the auditor;
- Approving the minutes of the last Assembly of Members;
- Approving the annual report;
- Approving the annual financial statement and the balance sheet statement;
- Receiving the report of the auditor;
- Discharging the Committee;
- Discharging the auditor;
- Determining the annual budget;
- Determining of the annual contribution fees of Members;
- Approving the general activities programme;
- Deciding on other requests of the Committee and the Members;
- Deciding on changes to the Articles of Association;
- Appointing honorary Members;
- Decision on the exclusion of Members in the case of an appeal; and
- Decision on dissolution of the Association

The Assembly of Members has a quorum if organised according to the proper form, regardless of the number of present Members.

Annual meetings and meetings during the year can take place on a rotating basis at the respective organisations of the collective Members.

The right to vote and the right to elect shall be reserved for collective Members. Individual, honorary and benefactor members have an advisory vote with the right to propose motions.

Members take decisions with a simple majority. A request is deemed as accepted if it is supported by more Yes than No votes. If required by $\frac{1}{4}$ of those present entitled to vote, a secret ballot shall be applied.

The President does not cast a vote; in the event of a tied vote he/she has the casting vote.

A qualified majority is required for the following decisions:

- $\frac{2}{3}$ of the votes cast in order to adjust the Articles of Associations
- $\frac{3}{4}$ of the votes cast in order to dissolve the Association.

In place of an extraordinary meeting of Members the Committee can carry out a written by-election or vote (decision by circular).

- a) An election shall be valid if one of the nominated individuals receives an absolute majority of the valid votes cast.
- b) A decision by vote shall be valid if the application requested receives a majority of the votes cast.
- c) Insofar as a minimum half of those entitled to vote request an Assembly of Members, the by-election or vote shall take place at the next Assembly of Members. Decisions by circular shall be excluded concerning the complete restructuring of the Committee as well as concerning transactions for which the Articles of Association require a qualified majority.

Decision minutes are to be prepared concerning the decisions taken.

8. The Committee

The Committee constitutes itself. It consists of a minimum of three, maximum nine persons. The Committee assigns individual members with specific tasks and sets up working groups if required.

The term of office is two years. Re-election is possible.

The Committee holds all competencies which are not transferred to another organ by Law or in accordance with the Articles of Association. It is responsible in particular for:

- Representing the Association externally;
- Managing current affairs;
- Employing or mandating individuals against appropriate remuneration to achieve the purposes of the Association;
- Issuing rules of procedure; these shall not grant sole signature to anyone;
- Issuing a financial policy;

- Electing advisory panels and commissions;
- Determining the field of topics of the work groups;
- Taking out loans;
- Exclusion of Members; the decision of the Committee can be appealed against to the Assembly of Members within twenty (20) days; and
- All transactions which are not explicitly assigned to another organ.

The Committee meets as often as required by business. It meets on the request of the President, but minimum once a year in order to prepare for the Assembly of Members. The President is further obligated to request a meeting of the Committee if two members of the Committee request so in writing and by providing an agenda of the matter to be discussed.

The Committee has a quorum if a minimum half of its members are present. Votes are open and with a simple majority. The President casts a vote. In the event of a tied vote he/she has the casting vote. Decision minutes are taken concerning the meetings.

In special cases decisions can be taken by circular if no member of the Committee requests a verbal consultation. These decisions are to be included in the minutes of the next meeting.

The following functions are represented in the Committee:

- a) President
- b) Vice-President
- c) Secretary
- d) Members of the Committee

9. Auditor

The auditor (controlling organ) consists of minimum two (2) natural persons who are not members of the Committee, or who are part of a recognised auditing firm.

The auditor is elected by the Assembly of Members for a duration of one (1) year.

The auditor examines the annual financial statement of the Association submitted by the Committee and prepares the report and proposal for the Committee to be presented to the next Assembly of Members.

10. Power of signature

The Association is subject to the collective signature of the President together with one other member of the Committee.

11. Dissolution of the Association

The Association may be dissolved by means of a meeting of the Assembly of Members convened solely for this purpose through a majority of votes of the Members under the provision that at least three quarters ($\frac{3}{4}$) of the Members are in attendance. If less than three quarters ($\frac{3}{4}$) of Members are in attendance, a second meeting is to be held within one month's time. At this meeting the Association can be dissolved with a simple majority even if less than three quarters ($\frac{3}{4}$) of Members are in attendance. A merger may take place only with another legal entity located in Switzerland and dedicated to a charitable or public purpose.

In the event of dissolution any profit or capital shall be transferred to another legal entity located in Switzerland and dedicated to a charitable or public purpose.

Distribution of the assets of the Association among its members shall be excluded. This provision is irrevocable.

12. Coming into force

These Articles of Association were accepted during the founding assembly on 2nd April, 2017 and come into force on the below date.

Date, Place: Winterthur, 2nd April, 2017

The President

Swami Vivekananda

The Keeper of the Minutes

Acharya Vidyabhaskar