

# **Statutes of the Association "European Trails"**

## **Preamble:**

Outdoor trails are used by a broad target group, including, for example, the local population for recreation, leisure and sporting activities and clubs that incorporate the trails into organized activities such as hiking or mountain biking tours. The trails include, among others: Hiking trails and marked networks; cycling and mountain biking trails; unmarked trails in remote areas; winter trails (snowshoeing, winter hiking) and water trails (canoeing); pilgrimage trails.

There is no state mandate for the construction and maintenance of paths. This leads to a lack of structural funding, dependence on voluntary work, especially in associations; increasing maintenance costs due to weather-related erosion, damage caused by climate-related storms, overgrowth and natural wear and tear.

Responsibility for the construction and maintenance of trails lies with a large number of organizations: Associations (e.g. Alpine clubs, hiking clubs, mountain bike clubs); local authorities (municipalities, districts); large protected areas (national parks, nature parks); forestry authorities.

The aim of the association is to support the organizations and individuals who are responsible for the construction, care and maintenance of the paths.

The association aims to promote the challenges of trail management through a structured, sustainable and cooperative approach. With a clear vision and well thought-out strategies, the quality of people's lives, nature conservation and the cultural significance of paths can be promoted in the long term.

Properly designed paths protect nature by ensuring that people use the path and do not intrude into sensitive areas of nature. A good network of paths is conducive to environmental/climate protection by encouraging more people to walk, cycle and use public transport rather than use their cars.

## **§ 1 Name, registered office, financial year**

The association is called: "European Trails". The registered office of the association is Immenstadt. The association is to be entered in the register of associations and will then bear the legal form affix: "e.V." in its name. The financial year is the calendar year.

## **§2 Purpose of the association**

1. The association pursues exclusively and directly charitable purposes within the meaning of the section "Tax-privileged purposes" of the German Tax Code.
2. The purposes of the association are the promotion of culture, nature conservation, environmental and climate protection and healthcare.
3. The purposes of the association are realized in particular through:
  - a. Development and transfer of expert knowledge in the field of trail management, e.g. on sustainable construction and design of trails and their nature-friendly design as well as nature-friendly maintenance methods and the use of environmentally friendly materials and the accompanying infrastructure along the trails, such as bridges, barriers, trail grates, fences, railings, signage, overview boards, markings, waste bins, toilet facilities, parking lots, viewpoints, rope safety devices, drainage,
  - b. Communicating this knowledge to experts (e.g. route managers) and the public by addressing citizens and organizations in a target group-oriented manner, training courses, workshops and webinars and publishing manuals and guidelines.
  - c. Creation of information materials that make the work of the route managers visible and the establishment of a central platform for networking all those involved as well as the creation of regional working groups for specific topics.
  - d. Development of uniform standards for difficulty information, signage and markings and hazard assessments. This should lead to improved user communication and greater safety.
  - e. Nature should also be protected by promoting environmental education through the development of an app in which information about nature is conveyed in the form of stations along the trail (themed trail) or in the form of digital information that is fed into a navigation or hiking or nature conservation app in the right context along the trail, e.g. on flora, fauna, habitats, geology (environmental education). The development of a central app for navigation, safety instructions and environmental education should

also overcome the challenges of trail management through a structured, sustainable and cooperative approach. Well thought-out strategies can sustainably promote people's quality of life, nature conservation and the cultural significance of trails.

- f. Development of new funding opportunities by influencing funding bodies to set up specific programs for the promotion of nature and climate protection.
- g. Collection of membership fees and donations and direct forwarding of the funds to tax-privileged path organizations and corporations under public law.
- h. Organization of conferences for route managers.
- i. Avoiding trespassing on ecosystems and the accompanying infrastructure along the trails and supporting the creation of themed trails and digital information systems for environmental education (flora, fauna, geology).
- j. Information for trail managers and other responsible parties in connection with the preservation and maintenance of culturally significant trails and infrastructure, e.g: Pilgrims' paths, mule tracks, trade routes, historic mountain paths, old bridges, wayside crosses and chapels and how these elements can be integrated into hiking and themed trails.
- k. Environmental/climate protection should be promoted through sustainable mobility. Well-developed paths lead to less car traffic.
- l. Health promotion: Exercise in nature contributes to physical and mental health and relieves the burden on the health system through its preventive effect.
- m. The association does not intend to make a profit. For members, participation in events that are classified as special-purpose operations is free of charge. Other participants only pay participation fees to cover costs.
- n. The association is selflessly active; it does not primarily pursue its own economic purposes. The association's funds may only be used for the purposes set out in the articles of association. Members shall not receive any benefits from the Association's funds. No person may benefit from expenses that are alien to the purpose of the association or from disproportionately high remuneration.

### **§ 3 Membership in other organizations and cooperation**

1. The association can also become a member of other organizations.
2. Optionally, the association can also act as the European Hub of the World Trails Network. In this cooperation, arrangements can also be made so that the

members of the association are automatically considered members of the World Trails Network and part of the membership fees are transferred there.

3. Participation in other organizations and the transfer of funds is only permitted if this serves the purpose of the association in accordance with § 2

#### **§ 4 Asset commitment**

1. If the association is dissolved or its tax-privileged purposes cease to exist, the assets of the association shall be transferred to a legal entity under public law or another tax-privileged body that pursues exclusively and directly charitable purposes for the purpose of promoting nature conservation.
1. Resolutions to amend this paragraph may only be implemented in consultation with the responsible tax office.

#### **§ 5 Organs of the association**

1. The General Meeting
2. The Executive Board

#### **§ 6 Membership**

1. Any natural or legal person or any partnership can be a member of the association.
2. The application for membership must be sent to the Executive Board in text form. The Executive Board shall decide on the application for admission. The applicant has the appeal against the rejection, which does not require justification, to the General Meeting, which then makes the final decision.

#### **§ 7 End of membership**

1. Membership ends with the death or liquidation of a legal entity, exclusion or withdrawal from the association or the deletion of the association.
2. Resignation is made by declaration in text form to the association's head office or a member of the Executive Board authorized to represent the association. It can only be declared with three months' notice to the end of a financial year.
3. A member can only be expelled for good cause. The member must first be given the opportunity to be heard. Important reasons include, in particular, behavior that is detrimental to the objectives of the association, the violation of statutory obligations or contribution arrears of at least 6 months. The Executive

Board shall decide on the expulsion. The member has the right to appeal against the expulsion to the General Meeting, which must be submitted in writing to the Executive Board within one month.

4. The General Meeting shall make the final decision within the Association. The member reserves the right to review the measure by appealing to the ordinary courts. The appeal to an ordinary court has a suspensive effect until the court decision becomes final.

## **§ 8 Membership fee**

Members are required to pay contributions. The amount and due date of the contributions are determined by the General Meeting.

## **§ 9 Executive Board**

1. The Management Board consists of:
  - the first chairman
  - the second chairman
  - the cashier
  - up to four further members of the Executive Board

The association is represented in and out of court by the first chairman, the second chairman and the treasurer in accordance with Section 26 BGB. Two board members represent the association jointly.
2. The Board of Directors is elected by the General Meeting for a term of 3 years. The Board of Directors remains in office until a new Board of Directors is elected. Re-election is permitted.
3. Each member of the Board of Directors must be elected individually.
4. Only members of the association can be elected to the Executive Board. In the case of legal entities, a representative of the legal entity may become a member of the Board
5. Upon termination of membership in the association, the office as a member of the Board of Directors also ends.
6. If a member of the Board of Directors resigns prematurely, the remaining members of the Board of Directors can manage the business until the next scheduled election or schedule a new election.

7. The Board of Directors is responsible for all matters of the association, unless they are assigned to another body of the association by the Articles of Association. It has the following tasks in particular:
  - a. Preparing and convening the General Meeting and drawing up the agenda;
  - b. Execution of resolutions of the General Meeting;
  - c. Accounting and preparation of the annual report;
  - d. Resolution on the admission of members.
8. The Board of Directors may employ a managing director. This person is entitled to participate in the meetings of the Board of Directors in an advisory capacity.
9. The Board of Directors can set up committees to deal with individual tasks. These can also be made up of people from outside the Executive Board and external specialists.
10. The Board of Directors passes resolutions by simple majority. Resolutions may also be passed in writing (by e-mail or online) or by telephone if all members of the Board of Directors declare their consent to this procedure in writing or by telephone. Board resolutions passed in writing or by telephone must be recorded in writing, as must resolutions passed at Board meetings.

## **§ 10 General Meeting**

1. The Chairman of the Board of Directors convenes an ordinary General Meeting within six months of the end of each financial year.
2. The invitation is issued in text form with a notice period of 30 days and specifies the agenda. The notice period begins on the day following the dispatch of the invitation letter. The letter of invitation is deemed to have been received by the member if it is sent to the last address provided to the association by the member.
3. The agenda is set by the Executive Board. The General Meeting decides on requests for additions to the agenda that are made at General Meetings.
4. At the ordinary general meeting, the treasurer presents the accounts and has them approved. In addition, the Executive Board or, if available, the Managing Director submits the annual report.
5. The General Meeting is chaired by the Chairman of the Board of Directors. If the Chairman is not present, it is chaired by his deputy or, if the latter is also not present, by another member of the Board of Directors. If no Executive Board member is present, the General Meeting elects a chairperson from among its members.

6. The General Meeting is responsible for the following matters:
  - a. Election of the Executive Board
  - b. Election of the auditors
  - c. Resolution on the annual report of the Executive Board;
  - d. Discharge of the Executive Board
  - e. Resolution on the budget
  - f. Determination of membership fees
  - g. Resolution on the appeal against an exclusion (§ 7 para. 3)
  - h. Amendments to the Articles of Association
  - i. Dissolution of the association
7. Resolutions are passed by a simple majority, unless otherwise stipulated by law or the Articles of Association. Resolutions on amendments to the articles of association and the purpose of the association require a majority of 3/4 of the votes cast. The type of voting is determined by the chairman of the meeting. A vote must be conducted in writing and by secret ballot if 1/3 of the members present request this.
8. An Extraordinary General Meeting shall be convened by the Executive Board if at least 1/3 of the members request this in writing or if the Executive Board deems it necessary on its own initiative.

Every properly convened General Meeting has a quorum regardless of the number of participants; members may be represented by a proxy authorized in writing.
9. The General Meeting elects at least one auditor, who may not be a member of the Executive Board. The auditors are elected for a period of three years.

Re-election is possible.

### **§11 Minutes of the resolutions**

The resolutions of the General Meeting are recorded in the minutes. The minutes are signed by the secretary and the chairman of the meeting.

### **§ 12 Amendment of the Articles of Association by the Executive Board**

The Board of Directors is authorized to adopt amendments to the Articles of Association that are required by a court or an authority.

### **§13 Dissolution of the Association**

1. The dissolution of the association can only be decided in a general meeting with a majority of 3/4 of the votes cast.
2. Unless the General Meeting decides otherwise, the Chairman of the Board of Directors and his deputy are jointly authorized liquidators.

The statutes were adopted at the founding meeting of the association on...

Signatures of the founding members / Unterschriften der Gründungsmitglieder:

	<b>First name</b>	<b>Name</b>	<b>Organization</b>	<b>Signature</b>
1	Hartmut	Wimmer	Outdooractive AG	
2	Hartmut	Wimmer	Digitize the Planet e.V.	
3	Fivos	Tsaravopoulos	Paths of Greece KOINSEP	
4	Misha	Crumbach	Trail Therapy GmbH	
5	Pedro	Pedrosa	Portugal A2Z (Ytraval, Ida)	
6	Elsi	Rizvanolli	—	
7	Alin	Uşeriu	Asociația Tășuleasa Social	
8	Andy	Lamb	Wales Outdoors	
9	Ian	Spare	Union of International Mountain Leader Associations	
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