

DIAKONIA World Federation e.V. Constitution

**This Constitution is the valid English translation of the original and
legally valid Constitution in German
June 29, 2018**

DIAKONIA is called by the Lord of the Church to the service of reconciliation in the world by means of the word of faith and the action of love.

DIAKONIA World Federation was founded in the Netherlands in 1947. The decrease of Members within the Netherlands made it necessary to relocate the official location of the Association into the Federal Republic of Germany in 2017.

Article 1 - Name, Place of Registration

1. The Association is called, "DIAKONIA Weltbund ". After registration with the Public Register of Associations it has the addition "e.V." The name of the Association has also the addition "DIAKONIA World Federation of Diaconal Associations and Diaconal Communities." In German: "DIAKONIA: Weltbund von Verbänden und Gemeinschaften der Diakonie".

It continues the work of the Foundation in the Netherlands "Stichting DIAKONIA: Wereldfederatie van diakonale verenigingen en diakonale gemeenschappen". This foundation was domiciled in Utrecht, NL and was dissolved by the Executive Committee according to the constitution. All substantial and insubstantial assets are transferred to the registered Association.

2. The registered Association is domiciled in Neuendettelsau, Germany. It is registered with the Public Register of Associations at the courthouse in Ansbach.

3. The registered Association is working in German and English.

Article 2 - Basis and Aims

Aim of the Association is to further diakonia in community worldwide.

The Association is doing this by:

a. furthering worldwide ecumenical relationships among diaconal associations and diaconal communities.

b. reflecting on the nature and task of *diakonia* and to further the understanding of the diaconate.

- c. strengthening a sense of community among its members and to organize World Assemblies on a regular basis.
- d. rendering mutual aid.
- e. undertaking common tasks of international diaconal collaboration.

Article 3 - Non-profit Association

1. The registered Association has only aims which are charitable and church-related and that are in accordance to the aims that are listed as tax privileged in the German Fiscal Code.
2. The registered Association acts in a selfless manner; it does not pursue an aim that primarily serves its own economic interests.
3. Assets of the Association can only be used for aims according to the constitution. No Member receives dividends or other distributions from assets of the Association.
4. The Association is allowed to contribute idealistically and financially to other non-profit organizations, to public cooperation or to international organizations to foster the aims mentioned above (§ 58 Nr.1 AO).
5. To fulfil its aims the Association is allowed to accept the help of supporting people according to § 57, Paragraph 1, Sentence 2 AO.
6. No person may benefit by expenditures that are alien to the aim of the Association or by disproportional high reimbursements.

Article 4 - Finances

The funds of the Association will be formed by:

- a. the annual contributions of its Members;
- b. donations, gifts, bequests, and legacies;
- c. return on assets
- d. all other income and profits.

Article 5 - Members

1. The basis of belief required of Members is that recognized by the World Council of Churches. "The World Council of Churches is a fellowship of churches which confess the Lord Jesus Christ as God and Saviour according to the Scriptures and therefore seek to fulfill together their common calling to the glory of the one God, Father, Son and Holy Spirit."

2. Members of the Association, coming from Germany or any other country may be:
 - a. Federations of Diaconal Communities and Diaconal Associations;
 - b. Diaconal Communities and Diaconal Associations which do not belong to a Federation.

No individual person is admitted as member.

All member Communities and Associations are represented by their representatives (normally leaders).

3. The application for Membership goes to the Executive Committee in written form. Members of the organization predecessor “DIAKONIA Foundation” join in a simplified act via collective resolution at the assembly that dissolves the predecessor organization.
4. The Executive Committee decides about the admission of new Members.
5. The Executive Committee keeps a register of the names and addresses of the Members. This register may be inspected by the Members.
6. Members pay an annual Membership fee. The amount is set by the Executive Committee. The Executive Committee is entitled to free Members from this obligation.
7. Membership ends with a written notice of resignation of the Member, addressed to the Executive Committee. Paid Membership fees are not refundable.
8. The Executive Committee is entitled to end Membership for those Members who act or work against the aims of the Association.

Article 6 - Assembly of Members

1. Usually, the Assembly of Members takes place every four years. On top of that there has to be an Assembly of Members if the interest of the Association calls for it or on request of a minimum of 1/10 of the members. This request has to come in written form and must include the purpose and reason for this Assembly.
2. Member Federations, - Associations and – Communities appoint delegates, one for every 250 of their own members. The maximal amount of delegates is five. The delegates attend the Assembly of Members. Each delegate has one vote.
3. The Executive Committee will summon an Assembly of Members 4 weeks prior to the event in written form. Together with the invitation there will be an agenda.
4. The President of the Executive Committee is also the president of the Assembly of Members. If the President is not able to be present, their alternate will preside. If both are not present, the Assembly elects a presiding chair for this Assembly.

The minutes are taken by a member of the Executive that is especially appointed for this purpose (Secretary). This member can use the help of others. If the Secretary is not present, the Assembly of Members assigns a person as Secretary.

5. The Assembly of Members is able to make decisions as long as correct processes have been followed to invite members and if at least 1/10 of the members are participating.

6. Members can attend the Assembly of Members in person or vote online, for example via Email or video-chat. For this purpose proposed resolutions need to be attached to the invitation. The vote on these resolutions must be returned to the President in written form prior to the Assembly.

7. Decisions of the Assembly of Members are taken by simple majority vote. Amendments to the Articles of Constitution or purpose of the Association need a $\frac{3}{4}$ majority vote.

8. All decisions of the Assembly of Members are recorded in minutes and signed by the Chair and Secretary of the Assembly.

Article 7 - Tasks of the Assembly of Members

1. The Assembly of Members elects the President of the Executive Committee. The election of the President is decided by a written ballot with a two-thirds majority of valid votes. Blank votes are treated as not cast.

2. The Assembly of Members endorses all other Members of the Executive Committee with a single majority. Candidates for the Executive Committee in the first rank are the Regional Presidents, elected by the regions. The regions may propose additional candidates.

3. The Assembly of Members is authorized to amend the constitution following a reasoned submission of the Executive Committee. Other tasks are:

- a. receive a written record of assets and liabilities for the last four years
- b. formally approve the action of the Executive Committee
- c. decide on the budget for the four years to come.

Article 8 - President, Executive Committee and Acting Board

1. The Executive Committee of the Association consists of a minimum number of four and a maximum of ten Members. The President chairs the Executive Committee.

2. The Executive Committee elects the Regional Presidents to serve as Vice-presidents. President and Vice-Presidents form the Acting Board (§ 26 BGB).

Two members of the Acting Board can represent the Association jointly.

3. The term of office of the Executive Committee shall be four years, from the end of one meeting of the Assembly of Members until the end of the corresponding meeting four years later. A member of the Executive Committee does not terminate their office until a successor is elected.

4. The Executive Committee acts on behalf of the Association in between the Assembly of Members. Its meetings will be recorded and the minutes are distributed to the members.
5. The Executive Committee meets at least once a year. In between the meetings of the Executive Committee the Acting Board is acting on behalf of the Association.
6. The Executive Committee is authorized to establish bylaws. They have to be approved by the Assembly of Members.
7. If a member of the Executive Committee steps down during their term of office, the Executive Committee co-opts a member from the same region.

Article 9 -Tasks of the Executive Committee

1. The Executive Committee is entrusted with responsibility to administer the Association in every respect.
2. The Executive Committee is authorized to conclude contracts for buying, selling or encumbering registered goods of the Association, provided the decision has been made with at least a two-thirds majority of votes.
3. The Executive Committee is not authorized to conclude contracts whereby the Association commits itself as debtor of a guarantee towards a third party. The Executive Committee cannot conclude a contract that causes liabilities that exceeds the possibilities of the Association.
4. The Association is exclusively represented in court and out of court by at least two Members of the Acting Board acting jointly.
5. No Member of the Executive Committee is allowed to act as principal and agent, according to § 181 BGB.
6. Before the beginning of the financial year the Executive Committee prepares a budget and presents a financial report at the end of the financial year.
7. The Executive Committee chooses a tax consultant or an auditor. The audited financial report is presented together with the financial report to the Assembly of Members. After that the Assembly of Members approves the reports.

Article 10 - Amendments to the Constitution

1. The Executive Committee is authorized to amend the Constitution of the Association. The decision to do this shall be taken in a meeting scheduled especially for this purpose; the proposals for amendments to the Articles must be added to the letter of notification for the meeting.
2. A decision to amend the Constitution may only be taken by a majority of at least three-quarters of the votes cast in an Executive Committee meeting, in which at least two-thirds of the Members are present.

3. The decision of the Executive Committee is to confirm by the Assembly of Members by simple majority.
4. The amendment of the Constitution must be validated by notarial deed and deposited at the office of the Public Register of Associations under the penalty of invalidity.

Article 11 - Dissolution and Liquidation

1. The Association can only be dissolved by an extraordinary Assembly of Members, which is summoned solely for this purpose. The invitation for this assembly needs to be sent at least three months prior to the assembly. The dissolution needs a majority of two thirds of all cast valid votes.
2. This Assembly of Members decides the process for liquidation.
3. The liquidation is done by the Executive Committee.
4. If the Association has a credit balance after dissolution, liquidation or omission of its aims, this will go to a non-profit diaconal institution that has to spend these assets in accordance to the aims that are listed as tax privileged in the German Fiscal Code.

Article 12 - Coming into Effect

This constitution comes into effect with the founding assembly held June 29, 2018 and is valid after registration at the Public Register of Associations.

Neuendettelsau, June 29, 2018

Signatures of 9 founding Members (see page 7)

Founding Members:

Boyce, Sandra Elisabeth, born February 6, 1953

P.O. Box 506, Marleston SA 5033, Australia

Cherry, Jan Marie, born October 1, 1952

6603 182nd St SW, Lynnwood, WA 98037, USA

Dodd, Ted Jeffrey, born April 8, 1953

162 West Gate, Winnipeg, Manitoba, Canada R3C 2E1,

Canada

Kuricava, Meresiana Nayagodamu, born March 9, 1967

29 Moala Street, Samabula, Suva, Fidji

Meier, Elisabeth, born September 12, 1946

Gellertstraße 140, 4052 Basel, Switzerland

Oworu, Ibronke Oluyemisi, born July 26, 1959

20. Ogunfunmi Street off Akobi Crescent Suru-Lere

Lagos, Nigeria

Pennykid, Gordon, born August 24, 1975

8 Glenfield, Livingston, Scotland

Uri Øverland, Marianne, born September 25, 1952

Bjarne Aas gate 7, 1606 Fredrikstad, Norway

Russell - Brighty, Anne Shirley, born September 26, 1954

27 Kotuku Crescent, Christchurch 8023, New Zealand
