



### § 1 Name, Seat

The Association bears the name of „Interessengemeinschaft der Bahnspediteure (IBS) e.V.“ (Community of European Rail Forwarders).

The Association has its seat in Berlin and has been entered into the Register of Associations of the District Court of Berlin-Charlottenburg.

### § 2 Purpose, Objective

The Interessengemeinschaft der Bahnspediteure (IBS) e.V. has the objective of creating framework conditions facilitating the promotion of the position of rail forwarders, of companies interested in rail freight transport and of the rail as a means of transport in Europe in general.

The Association, founded for this purpose, directs its activities mainly towards the following areas:

- promoting and improving the performance of the rail as a mode of transport,
- harmonising and simplifying the business and legal foundation for European rail freight transport,
- promoting the role of forwarders and logistics companies as organisers of complex transport solutions including the rail as a means of transport,
- influencing transport policy decisions in favour of the rail system,
- acting as a contact for European and national transport politics as well as the customers in the economy,
- cooperating with other associations and organisations interested in rail freight transport.

### § 3 Membership

Companies conducting rail forwarding business primarily for third parties and maintaining a separate organisational structure for this purpose may be accepted as members to the IBS Plenary Assembly.

The Plenary Assembly decides on the acceptance of members on a simple majority of the members present. In case of a parity of votes, the Chairman of the Board has the decisive vote.

Individuals, companies and organisations that support and promote the purpose and objectives of the Association may be accepted as associate members.

The Board decides on associate membership on a simple majority.

### § 4 Withdrawal of Members

A member may declare the withdrawal from the Association to a Member of the Board in writing. Annual subscriptions already paid shall not be reimbursed.

### § 5 Votes

Every member of the Plenary Assembly has one vote, also when represented by several persons.

In case a member of the Plenary Assembly is represented by several persons, the person casting the vote shall be identified before the vote is taken.

Associate members have an advisory function.



### **§ 6 Bodies of the Association**

The Board, the Plenary Assembly and the Members' Meeting are the bodies of the Association.

Further organisational units, particularly committees with special tasks, may be set up at the decision of the Members' Meeting.

### **§ 7 Board of the Association**

The Plenary Assembly elects a Board for a period of 2 years, on a simple majority of the members present. The Board is composed of a Chairman and a maximum of 4 board members with a separate field of responsibility respectively.

The Chairman acts as a Board in the sense of § 26 BGB (German Civil Code). He represents the Association in court and out of court.

He is responsible for the organisation of events of the Association and the preparation of the respective minutes.

The Board conducts the business on a voluntary basis and agrees on rules of procedure.

The Plenary Assembly decides on the discharge of the Board on a simple majority of the members present.

### **§ 8 Plenary Assembly**

The Plenary Assembly takes place at least twice a year.

The Plenary Assembly decides upon the discharge of the Board, amendments in the Articles of Association and elects the Board.

An extraordinary Plenary Assembly is to be convened at the request of at least one third of the members.

The Board convenes the Plenary Assembly with a one week period of notice in writing, announcing the agenda.

The Plenary Assembly is attended both by the members as well as the associate members.

### **§ 9 Members' Meeting**

The Members' Meeting takes place at least twice a year.

An extraordinary Members' Meeting is to be convened at the request of at least one third of the members.

The Members' Meeting decides upon the member's subscription, at the suggestion of the Plenary Assembly. The Board convenes the Members' Meeting with a one week period of notice in writing, announcing the agenda.

### **§ 10 Minutes**

Minutes are to be drawn up on the Plenary Assembly and the Members' Meeting to be signed by the Chairman or his deputy as well as a secretary to be elected by the respective meeting.

### **§ 11 Working Groups**

The Members' Meeting as well as the Board may install working groups on a voluntary basis for selected working tasks to achieve the objectives of the Association.



#### **§ 12 Authorised Representatives**

The Members' Meeting as well as the Board may appoint individual members as authorised representatives of the Association for special tasks.

#### **§ 13 Member's Subscriptions**

Member's subscriptions are levied, differentiated as to members of the Plenary Assembly and associate members, whose amount is decided upon by the Members' Meeting on a simple majority of the members present.

#### **§ 14 Amendments of the Articles of Association**

Amendments of the Articles of Association may only be decided on a 2/3 majority of the members present. At least half of the members need to be present.

#### **§ 15 Business Year**

The business year corresponds with the calendar year.

#### **§ 16 Legal Recourse**

Disputes between the Association and the members of the Association as well as between members of the Association among one another are ruled upon by the Members' Meeting, excluding legal proceedings.

Before the Members' Meeting has not put forward their position, legal proceedings may not be initiated.