

EUHA

Europäische Union der
Hörakustiker e.V.

Statutes

of the

European Union of
Hearing Aid Acousticians

Version of
15 September 2021

Preamble

to the Statutes of the European Union of Hearing Aid Acousticians

The European Union of Hearing Aid Acousticians is an association for all persons working in the sector of hearing protection, hearing prevention, hearing improvement and rehabilitation for the benefit of people with impaired hearing.

It comprises members both in Germany and abroad who are involved in dispensing and fitting, selling and producing hearing aids. The term “Union” was chosen to express the joint co-operation of the whole group of interested parties from the hearing aid sector. The definition of “hearing aid acoustician” characterises the limited field of activity targeted at hearing aids on an acoustic and technical level, which is shared by its members for providing qualified care to people with impaired hearing.

Due to the increasing legislative involvement on the part of the European Union (EU), the General Meeting of the Union of Hearing Aid Acousticians, on 15 October 2003, passed a vote in favour of renaming the organisation “European Union of Hearing Aid Acousticians”. This will ensure that the interests of its members are efficiently represented in the whole of Europe.

As of 1 September 2016, the German job title of *Hörgeräteakustiker* was changed to *Hörakustiker*. On 19 October 2016, the General Meeting of the European Union of Hearing Aid Acousticians passed a vote in favour of adapting the name of the organisation to match the new job title, changing the German name to *Europäische Union der Hörakustiker e. V.*

The statutes printed in the following pages were put together taking these principles into account.

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Statutes
of the
European Union of Hearing Aid Acousticians, based in Mainz

§ 1

Name and Registered Office

The association is known by the name of

Europäische Union der Hörakustiker e.V.
(European Union of Hearing Aid Acousticians).

The association is based in Mainz.

§ 2

Aims and Tasks

The association aims at bringing together hearing aid acousticians, scientists and laymen with an interest in trade-specific and economic issues, who want to take part in specialised further education and vocational training in order to provide the best possible care for persons with impaired hearing.

This aim is aspired to in particular by the following:

1. Encouraging and broadening specialist knowledge by means of lectures, courses, conferences, congresses, publications, and personal exchange of experience, the latter of which may be achieved by specialised working groups.
2. Providing further education and vocational training for our members as well as establishing contact with specialist institutions, educational establishments, especially the Academy of Hearing Aid Acoustics (Akademie für Hörakustik), and co-operating with representatives of the medical profession as well as organisations established by people with impaired hearing and self-help groups.
3. Attending to the trade-specific, specialist, economic, and ideational interests of hearing aid acousticians, if necessary, this may be achieved by specialised working groups.
4. Carrying on negotiations with public authorities, professional associations, health insurance companies, and government agencies.
5. Protecting the ethics of the profession, especially based on current legislation and regulations.
6. Supporting institutions of vocational training.
7. Maintaining close relations with similar organisations in Germany and abroad for the purpose of promoting trade-specific concerns and exchanging ideas.
8. Honouring individuals who have rendered outstanding services to hearing aid acoustics.

Political, religious or ideological endeavours have no room within the association. Its work is not aimed at profit-making business activity. Potential profits may only be used for the aims laid down in these statutes. The members of the association receive no shares of profits and, in their capacity as members, no other benefits from the association's funds, even if the association should be dissolved.

No individual may be favoured by any administrative tasks which are alien to the Union's aims or by disproportionately high reimbursements.

§ 3

Membership

- A) Any natural person working in the sector of hearing aid acoustics and properly dispensing hearing aids, is eligible, upon written application, to become a full EUHA member, insofar as they are self-employed or the managing director or chief executive of a legal entity.
- B) Any other natural person working in the sector of hearing aid acoustics is eligible to become an extraordinary EUHA member.
- C) Any individual or legal person, company or corporation, disposed and in a position to offer spiritual and material support to the Union's purposes and aims, is eligible to become a supporting EUHA member.
- D) Members and persons who have rendered outstanding services to our trade may be appointed honorary EUHA members upon resolution of the general meeting by way of a four fifths majority of members in attendance (secret vote).
- E) Full EUHA members are eligible to change their status and become extraordinary members upon written request, provided they are no longer self-employed or managing directors or chief executives of legal entities.

If a member has already benefited from the advantages of regular membership in the current year, his membership fee will not change until the following year.

F) Trial membership

Any individual that benefits from a EUHA voucher for EUHA events (conferences, seminars, training courses, etc.), automatically becomes a trial member of the EUHA for one year.

After conscientious examination of the membership requirements, the Executive Committee decides whether to allow an application for EUHA membership according to sections A), B), or C). No reasons need to be given for a decline of membership.

Every member receives a membership card.

§ 4

Members' Rights and Duties

1. Full members (§ 3 A) are obligated to provide the best possible support for those affected while observing current legislation and regulations as well as professional codes of conduct, as far as they exist.

2. In accordance with the statutes and the decisions made by the organs, all the members referred to under § 3 are entitled to participate in the facilities of, and events and courses organised by, the EUHA. Every member is entitled to receive information and specialist reports published by the EUHA.

The members referred to under § 3 A) are permitted to use the “EUHA” designation.

Decisions made by the Executive Committee and by the general meeting are binding on all members according to current legislation.

3. The members are obligated to pay an annual contribution to be fixed by the general meeting.
 - a) The association is authorised to collect membership fees using the SEPA direct debiting scheme or based on credit card authorisation.
 - b) Membership fees from members resident in the Single Euro Payments Area (SEPA) are generally collected using the SEPA direct debiting scheme. When joining the association, members have to undertake to issue a SEPA direct debit mandate, and to make sure they have sufficient funds in their bank accounts.
 - c) Membership fees from all other countries are generally collected based on credit card authorisation. When joining the association, members must undertake to issue a permanent credit card authorisation for the period of membership, and to make sure they have sufficient funds in their bank accounts.
 - d) Membership fees are collected annually, stating our creditor ID and the mandate reference (EUHA membership number).
 - e) In case the direct debit cannot be honoured for reasons which the member is accountable for, the bank charges incurred by the association have to be reimbursed by the member.
4. The annual contribution to be paid by supporting members is to be fixed individually. Honorary members enjoy free membership.
5. In justified cases, the Executive Committee can waive, or defer, membership fees in whole or in part.
6. There is no membership fee for trial members.

§ 5

Right to Vote, Eligibility

Every EUHA member referred to under § 3 A), 3 B), and 3 D), has the right to vote.

Members as referred to in § 3 A) and 3 D), have three votes each. Members referred to in § 3 B), have one vote each.

Members as referred to in § 3 A) and 3 D), are eligible for office. Members referred to in § 3 B), are eligible for office provided that they have been members of the EUHA for at least five years.

Members as referred to in § 3 F) do not have the right to vote. Neither are they eligible for office.

§ 6

Termination of Membership

Membership may be terminated in one of the following ways:

1. by notice of resignation. Notice of resignation must be given no less than 6 (six) months before the end of the year (legal year) and must be served upon the EUHA office in writing.
2. by exclusion, which may be pronounced upon judgement passed by the Council of Honour or upon a decision made by the Executive Committee, if a member has violated the EUHA's statutes, or fails to comply with decisions made, or orders given, in compliance with the statutes, or if he has failed to pay his annual contributions for more than 6 (six) months, two reminders notwithstanding.

Before exclusion is effected, except in cases of arrears, the member involved must be given an opportunity to comment on the matter. A member has the right to raise an objection against exclusion from the EUHA before the next general meeting, which will then decide by simple majority vote of members in attendance, except in cases in which exclusion is based on a final judgement passed by the Council of Honour.

An appeal to a court of law is excluded insofar as such exclusion is in accordance with the legal provisions.

3. upon a member's demise.
4. A trial membership automatically ends after a period of twelve months. Upon application, a trial membership may be converted into a regular membership.

§ 7

Organs of the EUHA

The organs of the EUHA include:

1. The General Meeting.
2. The Executive Committee, which consists of one chairman (President) and two vice-chairmen (Vice Presidents), one of whom also acts as treasurer, as well as up to six members of the Executive Committee and the chairman of the Council of Honour.
3. The Council of Honour.

The Council of Honour consists of the chairman of the Council of Honour, two assessors and two deputy assessors.

§ 8

Election of the Executive Committee and the Council of Honour

The President, his two deputies as well as the other members of the Executive Committee are elected by the general meeting for the term of 3 (three) years by way of a simple majority vote of members in attendance. Re-election is permissible. The previous Executive Committee will remain in office until new members have been elected or re-elected.

The chairman of the Council of Honour and his two assessors as well as the two deputy assessors are elected by the general meeting by way of a simple majority vote of members in attendance. Re-election is permissible.

Election by acclamation is permissible if no objection is raised.

The election procedure has to be recorded in the minutes, which have to be duly signed by the chairman of the meeting and countersigned by the managing director. The minutes must be approved by the next general meeting.

§ 9

Rights and Duties of the Executive Committee

1. Within the meaning of § 26 of the Civil Code, the Executive Committee is formed by the President and the two Vice Presidents. The authority to represent the EUHA always rests with the President and one Vice President or, whenever the President is unable to appear, with the two Vice Presidents. They represent the EUHA as an incorporated society in and out of court.
2. The Executive Committee has the quorum if more than fifty percent of its members are present. In the event of a tie, the President's vote is binding. This provision applies to both face-to-face meetings and virtual (online) meetings of the Executive Committee.
3. The Executive Committee is responsible for the management of, and the execution of decisions made by, the EUHA.

The President, or if he is unable to, one of the Vice Presidents, summons the members to the general meeting and chairs it.

4. The Executive Committee levies the agreed contributions, which are required for the proper fulfilment of the statutory duties.
5. Moreover, the Executive Committee is responsible for the engagement of employees or the assignment of tasks to personnel for carrying out business activities.
6. The Executive Committee is eligible to authorise a EUHA member or a member of the management to represent the EUHA in legal affairs or transactions.

§ 9a

Past President

The Executive Committee within the meaning of Sec. 26 of the German Civil Code (BGB) may elect the outgoing President by unanimous resolution to be Past President. He or she shall bear the title until the end of the first term of office of the President who succeeds him or her.

The Executive Committee within the meaning of Sec. 26 of the German Civil Code shall decide in which meetings and committees of the EUHA the Past President shall take part.

§ 10

General Meeting

1. The General Meeting has a quorum regardless of the number of members in attendance.
2. The regular General Meeting decides on:
 1. The annual report.
 2. The annual financial statement, in which all receipts and expenditures for the previous financial year must be accounted for.
The financial year is the calendar year (legal year).
 3. The auditors' report.
 4. The exoneration of the Executive Committee
 5. The exoneration of the management.
 6. The amount of membership contributions as well as the budget, which is to be drawn up by the Executive Committee for the proper fulfilment of the statutory duties.
 7. The election of a new Executive Committee, election of committee members and auditors.
 8. Amendment of the statutes.
 9. Dissolution of the EUHA.

A regular general meeting must be held at least once a year.

Members may be summoned to an extraordinary general meeting if the EUHA's interests require it, or if at least one fifth of the members file a justified request for the convention of an extraordinary general meeting.

The Executive Committee draws up the agenda of the general meeting. Invitation must be served upon the members at least three weeks before the meeting, calculated from the date the invitation was sent. The use of electronic means of communication is permitted.

§ 10a

Online General Meeting

1. Sec. 32, Para 1, Clause 1 of the German Civil Code (BGB) notwithstanding, the Executive Committee may decide at its own discretion based on a simple majority, and stipulate in the invitation, that the members take part in the general meeting without being present at a meeting place, and can, or must, exercise their membership rights using electronic communication systems (online general meeting).
2. The Executive Committee will take appropriate technical and organisational measures to ensure that only members of the association take part, and exercise their rights, in the general meeting (e.g. by assigning individual login credentials).
3. The online general meeting has a quorum regardless of the number of members taking part.

§ 11

Certification of Decisions

The decisions made in Executive Committee meetings and general meetings must be taken down in writing and duly signed by the respective chairmen and by the recorder, and countersigned by the managing director.

§ 12

Auditing Committee

The auditing committee, consisting of 2 (two) auditors and one deputy who must not be members of the Executive Committee, is elected every two years by the general meeting by way of a simple majority vote of members in attendance. Re-election is permissible.

Election by acclamation is permissible if no objection is raised. The auditing committee is responsible for auditing the annual financial statement and for reporting to the general meeting accordingly.

§ 13

Expenses

Membership of the Executive Committee and of the committees is an honorary office as is the position of Past-President.

Expenses in cash are reimbursed based on vouchers. The Executive Committee fixes the reimbursement granted for representation allowances.

Special disbursements for administration and managing responsibilities may be included in the budget.

§ 14

Amendment of the Statutes and Dissolution

The general meeting must approve any amendment of the statutes and the dissolution of the EUHA.

A three fourths majority of the members present is required for passing a resolution on the amendment or revision of the statutes.

The presence of at least fifty percent of the members and a three fourths majority of the votes cast are required for passing a resolution on the dissolution of the EUHA. Should a general meeting called for the purpose of dissolution not have the quorum, an extraordinary general meeting must be convened within the term of six weeks. This extraordinary general meeting must in any event have the quorum.

Upon dissolution the EUHA's funds shall be awarded to the Academy of Hearing Aid Acoustics (Akademie für Hörakustik) in Lübeck unless the majority of the general meeting decides, by way of a three fourths majority of the votes cast, against this arrangement.

Otherwise the funds will be awarded to a public corporation or a tax-privileged statutory corporation for use on the purposes specified under § 2 of the statutes. The decision on the particular use is taken by the general meeting which has approved of the dissolution.

§ 15

Approval of the Statutes

The statutes of the Union of Hearing Aid Acousticians were approved by the General Meeting of the Union held in Würzburg on 11 September 1960, and entered into the register of associations at the local court in Düsseldorf under no. 2592 on 23 December 1960.

Founder members:

Dr. Werner Pistor	Erwin Brink
Kurt Iffland	Andreas Becker
Rudolf Hohnhold	Fritz Zapletal
Heinz Hegener	

The German Hearing Aid Group (Deutscher Hörmittel-Ring e.V., DHR) – founded on 21 June 1952 – and the Association of German Hearing Aid Traders (Verband Deutscher Hörmittelhändler e.V., VDH) – founded on 13 January 1957 – have continued their tradition by merging into the Union of Hearing Aid Acousticians (Union der Hörgeräte-Akustiker e.V.).

The addenda, deletions, and amendments, which were unanimously approved by the General Meeting of the Union held in Würzburg on 8 September 1961, were appended to the register of associations at the local court in Düsseldorf under no. 2592 on 27 March 1962.

Würzburg, 8 September 1961
Düsseldorf, 27 March 1962

Furthermore, the following addendum was made to the register of associations at Düsseldorf local court under VR 2592 on 14 August 1963:

By virtue of a resolution passed by the General Meeting held in Bonn on 9 March 1963, the statutes were amended concerning § 6 (Termination of Membership) and § 7 (Organs of the EUHA).

Düsseldorf, 14 August 1963
Bonn, 9 March 1963

The statutes of the Union of Hearing Aid Acousticians, which with their respective amendments had been entered into the register of associations at Düsseldorf local court in compliance with § 15 of these statutes, were amended by virtue of a resolution passed by the General Meeting held in Baden-Baden on 19 October 1979, and in their new version were entered into the register of associations at Düsseldorf local court as VR 4343 on 30 July 1980.

Baden-Baden, 19 October 1979
Düsseldorf, 30 July 1980

By virtue of a resolution passed by the General Meeting held in Nuremberg on 15 October 2003, §§ 1 and 2 of the statutes were amended and the revised version was entered into the register of associations at Düsseldorf local court as VR 4343 on 23 April 2004.

Nuremberg, 15 October 2003
Düsseldorf, 23 April 2004

By virtue of a resolution passed by the General Meeting held in Frankfurt am Main on 29 June 2012, the statutes were amended and the revised version was entered into the register of associations at Düsseldorf local court as VR 4343 on 5 September 2012.

Frankfurt am Main, 29 June 2012
Düsseldorf, 5 September 2012

By virtue of a resolution passed by the General Meeting held in Hanover on 19 October 2016, the statutes were amended and the revised version was entered into the register of associations at Düsseldorf local court as VR 4343 on 16 February 2017.

Hanover, 19 October 2016
Düsseldorf, 16 February 2017

By virtue of resolutions passed by the General Meetings held in Nuremberg on 18 October 2017 and in Hanover on 17 October 2018, the statutes were amended and the revised version was entered into the register of associations at Düsseldorf local court as VR 4343 on 16 January 2019.

Hanover, 17 October 2018
Düsseldorf, 16 January 2019

By virtue of resolutions passed by the General Meeting held virtually on 7 October 2020, § 3 (Membership), § 4 (Members' Rights and Duties), and § 15 (Approval of the Statutes) of the statutes were amended.

By virtue of resolutions passed by the General Meeting held in Hanover on 15 September 2021, § 1 (Name and Registered Office), § 3 (Membership), § 4 (Members' Rights and Duties), § 5 (Right to Vote, Eligibility), § 6 (Termination of Membership), § 9 (Rights and Duties of the Executive Committee), and § 15 (Approval of the Statutes) of the statutes were amended, § 10a (Online General Meeting) was added, and a resolution was passed on the transfer of the registered office from Düsseldorf to Mainz. The revised version of the statutes was entered into the register of associations at Mainz local court as VR 42298 on 10 July 2023; the amendment of the registered seat was entered into the register of associations at Düsseldorf local court as VR 4343 on 17 July 2023.

Mainz, 7 October 2020
Hanover, 15 September 2021
Mainz, 10 July 2023
Düsseldorf, 17 July 2023

EUHA

Europäische Union der
Hörakustiker e.V.

Specialised Scientific Association of
Hearing Aid Acousticians

Saarstraße 52 · 55122 Mainz · Germany

Phone: +49 (0) 61 31/28 30-0

Fax: +49 (0) 61 31/28 30-30

E-mail: info@euha.org

Internet: www.euha.org