

Statutes of the Leibniz Association

Adopted by the General Assembly on 27 November 2015 with additions from the General Assemblies of 30 November 2017 and 18 November 2021

This English translation of the Statutes is provided for information purposes only. In the event that the English and German versions permit different interpretations, the German text shall prevail.

Preamble

The Leibniz Association stands for collaborative research of outstanding quality and relevance, and for scientific competition and quality assurance.

The Leibniz Association connects scientifically and financially independent research institutions that address questions of future relevance to society.

Leibniz institutions conduct knowledge-oriented research with prospects for application, manage scientific infrastructure, run research museums and offer research-based advice and services. They play a part in global scientific communities, compete at national and international level and undergo regular evaluations for quality assurance purposes, the results of which are made public.

Leibniz institutions are active in areas of particular scientific importance and of high relevance for society, the economy and human life. They communicate their knowledge gains to the public, policymakers and industry.

Leibniz research puts its disciplinary diversity to use in inter- and transdisciplinary partnerships. Collaboration between the humanities and social sciences and the natural, life and engineering sciences is especially important here, as is the particularly close collaboration with the universities.

§ 1 Name and location

- (1) The name of the association is “Wissenschaftsgemeinschaft Gottfried Wilhelm Leibniz e. V.” (Leibniz-Gemeinschaft or Leibniz Association for short).
- (2) The registered office of the association is in Berlin.

§ 2 Mission and purpose

- (1) The Leibniz Association promotes and supports its member institutions and their cooperation and looks after their common interests.
- (2) It serves exclusively and directly public-benefit purposes within the meaning of the “Tax-Privileged Purposes” chapter of the German Fiscal Code (*Abgabenordnung*). It operates

altruistically and does not primarily pursue its own financial interests. Leibniz Association resources may only be used for purposes aligned with the statutes. The member institutions do not receive any financial contributions from Leibniz Association funds. No individual may benefit from spending that is alien to the purpose of the Leibniz Association or from disproportionately high remuneration.

- (3) The purpose of the Leibniz Association is to promote science and research.

It achieves this purpose in particular by:

- Looking after the common concerns in dealings with the federal government, the *Länder*, other scientific organisations and the public,
- Strengthening the quality, capability and competitiveness of member institutions, in particular by developing and carrying out performance evaluation and quality assurance procedures and by running scientific competitive processes and promoting scientific projects,
- Promoting scientific collaboration between the member institutions, and the sharing of experience and information on scientific, science policy and administrative matters, and running and promoting seminars and scientific conferences,
- Promoting collaboration with universities and other national, European and international scientific institutions, and initiating and cultivating European and international contacts,
- Promoting gender equality and diversity,
- Promoting early-career scientific and scientific support staff, including through the granting of scholarships and by recruiting and training scientific and scientific support staff,
- Ensuring a proper research ethic, especially compliance with the principles of good scientific practice,
- Promoting the transfer of scientific findings to all areas of society, and the provision of scientific services and open access to research results and research data.

§ 3 Members

- (1) Members of the Leibniz Association are the member institutions it admits that are jointly funded by the federal government and the *Länder* on the basis of the implementing agreement for the Joint Science Conference agreement on joint funding of member institutions of the Leibniz Association (*Ausführungsvereinbarung zum GWK-Abkommen über die gemeinsame Förderung der Mitgliedseinrichtungen der Wissenschaftsgemeinschaft Gottfried Wilhelm Leibniz e. V.*).
- (2) Decisions on written applications for admission are taken by the General Assembly.
- (3) Membership ends when the joint institutional funding by the federal and *Länder* governments comes to an end, when notice of resignation is submitted, or when the

General Assembly decides to terminate the membership for good cause. Leaving the Leibniz Association is only permissible at the end of a calendar year and the Board must be given at least six months' notice in writing.

- (4) The member institutions should indicate their membership of the Leibniz Association in their name, in their governing legal documents and in their public presentation.
- (5) The member institutions pay membership fees. The amount and calculation method of the membership fee is decided by the General Assembly.

§ 4 Governing bodies

- (1) The governing bodies of the Leibniz Association are:
 - the General Assembly
 - the Senate
 - the President
 - the Board
 - the Executive Board
- (2) The governing bodies may draw up their own rules of procedure.
- (3) Where necessary, the President may stipulate appropriate electronic and/or written procedures for the meetings and/or voting of the General Assembly, Senate, Executive Board and Board.
- (4) The liability of the governing bodies and committees and their members towards the association and its members is limited to wilful misconduct and gross negligence.

§ 5 General Assembly

- (1) The General Assembly decides on matters of fundamental – especially strategic – importance to the Leibniz Association.
- (2) The General Assembly is composed of the member institutions. They are represented by the responsible scientific and/or administrative directors.

Each member institution has one vote. They may transfer their vote to another representative of a member institution who is entitled to vote. The transfer must be made in writing. Instructions may be attached, specifying how to vote on individual proposals. A representative of a member institution who is present in a meeting and entitled to vote may hold no more than two additional votes in addition to their own.

Meetings of the General Assembly are called and chaired by the President. If s/he is unable to attend, another Board member chairs the meeting.

- (3) The ordinary General Assembly is held once a year. Invitations to the General Assembly are sent to the member institutions in writing at least four weeks before the meeting, along with the agenda.

- (4) An extraordinary General Assembly is called if required, or if at least a quarter of the member institutions request one, or at the request of the Executive Board. In this case, the member institutions must be invited and informed of the agenda at least a week in advance.
- (5) The General Assembly is quorate if at least half of the members are represented. In the absence of a quorum, a second General Assembly with the same agenda must be called within four weeks; this meeting is quorate regardless of the number of member institutions represented.
- (6) The General Assembly has the following main tasks:
- To elect the President, Vice Presidents and Finance Committee and, should the situation arise, to vote them out,
 - To decide on the additional member of the Board, in accordance with § 26 of the German Civil Code, from among the Vice Presidents,
 - To admit and, should the situation arise, exclude a member institution,
 - To set up, name and dissolve Sections,
 - To receive reports and recommendations from the Finance Committee,
 - To take note of the annual accounts, to approve the actions of the President, the Board (in accordance with § 26 of the German Civil Code) and the Executive Board,
 - To approve the appointment of the auditor of the annual accounts,
 - To approve the budget and to set the amount and calculation method of membership fees and cost allocations,
 - To receive the annual report by the President, Board and Executive Board,
 - To make changes to the Statutes,
 - To pass and modify the General Rules of Procedure,
 - To pass and modify the compensation and remuneration regulations,
 - To dissolve the association.
- (7) The General Assembly generally passes resolutions by a simple majority of votes cast.

Resolutions on modifying the Statutes, dissolving the association or excluding member institutions for good cause require a majority of two-thirds of the member institutions of the Leibniz Association.

The election of the President and Vice Presidents and their deselection require a majority of all member institutions of the Leibniz Association; the same applies to resolutions to approve the budget.

Minutes are kept of the General Assembly, and especially of its resolutions.

- (8) Proposals may be submitted by the member institutions and the governing bodies of the Leibniz Association. Proposals for the General Assembly must reach the Board five weeks before the General Assembly; they should include a rationale.

The General Assembly decides whether or not to deal with other proposals made during the General Assembly.

- (9) The General Assembly establishes a permanent Finance Committee that advises the General Assembly on approving the association's annual budget, approving the appointment of the auditor for the annual accounts and, in the role of auditor, advises on taking note of the annual accounts and approving the Board's actions.

The Finance Committee consists of three scientific and three administrative directors of member institutions, who are elected by the General Assembly for a term of two years. A representative of the Joint Science Conference (GWK) takes part in the meetings of the Finance Committee in an advisory capacity.

§ 6 Senate

- (1) The Senate consists of:

official members:

- a. from the public sector, federal and Land ministers responsible for joint research funding, whereby the federal government and the Länder each have three votes,
- b. from the scientific sector, presidents and chairpersons of other national scientific organizations in Germany, each with one vote, and
- c. the chairperson of the Senate Evaluation Committee as a non-voting member.

elected members with one vote each:

- d. up to thirteen public figures,
- e. up to ten scientists from Germany and abroad,
- f. one member representing a scientific organisation in Europe,
- g. four members of university leadership teams: two presidents or rectors and two chancellors (heads of administration) or full-time vice presidents.

All elected members and those under b. are proposed by the President and elected by the Senate for four years. Elected members under e. are proposed by means of nomination by the Sections. Members may be re-elected once. Elected members may not belong to member institutions.

If an elected member of the Senate resigns before the end of their term of office, the Senate may co-opt a replacement for the remainder of their term of office.

Elected members remain in office until the newly elected members take up their posts.

- (2) The President of the Leibniz Association is a non-voting member of the Senate. S/he calls, prepares and chairs the Senate meetings.
- (3) The Senate meets at least once a year. The Senate is quorate if at least half of its members are present or properly represented.
- (4) The Senate supports and advises the Leibniz Association on matters of scientific policy.

Its main tasks are:

- To pass recommendations on the strategic development of the Leibniz Association and its member institutions and on increasing the efficiency and competitiveness of research and research services,
- To develop criteria and procedures to safeguard and strengthen the quality and performance of the member institutions and to manage such procedures,
- To help perpetuate joint research funding,
- To adopt resolutions on implementation of the evaluation procedure and, in the context of this procedure, to pass funding recommendations for the Joint Science Conference (GWK).
- To adopt resolutions on the implementation of the Leibniz Competition and to pass funding recommendations in this context,
- To pass recommendations on gender equality and the promotion of diversity in the Leibniz Association, and
- To elect an ombudsperson and a deputy ombudsperson of the Leibniz Association for a term of three years.

§ 7 Senate committees

To perform its tasks, the Senate can make use of committees and can decide on rules of procedure for them.

§ 8 Senate Evaluation Committee

- (1) The Senate sets up a permanent Senate Evaluation Committee that elects a chairperson from within its own ranks. The chairperson reports to the Senate.
- (2) The members of the Senate Evaluation Committee are appointed by the Senate. They should reflect the scientific spectrum of the Leibniz Association. The committee consists of the members appointed by the Senate from within its own ranks, representatives

delegated by the federal and Länder governments, and other scientists nominated by the Senate Evaluation Committee for appointment by the Senate based on proposals from the Sections and members of the Senate Evaluation Committee. Employees of member institutions may not be committee members.

- (3) The Executive Board delegates one representative who has the right to take part in the meetings of the Senate Evaluation Committee.
- (4) The task of the Senate Evaluation Committee is to carry out regular evaluations of the Leibniz Association institutions and to advise the Senate on all matters relating to evaluation. The committee prepares Senate resolutions and position statements, which are used by the federal government and Länder to decide whether the institutions are eligible for support.
- (5) The Senate Evaluation Committee carries out its tasks with full autonomy.

§ 9 President

- (1) The President represents the Leibniz Association internally and externally and draws up the key features of the association's research policy. S/he is supported in the exercise of his/her duties by the Board and, if unable to attend, is represented by a member of the Board.
- (2) The President has the following main additional duties:
 - S/he represents the common interests of the member institutions in dealings with the federal and Länder governments, other research organisations and the public, and plays a role in national and international scientific policy bodies and organisations.
 - S/he chairs the General Assembly, the Board and the Executive Board and leads the Senate meetings.
- (3) In the event that a decision cannot be brought about in time by the Board, the Executive Board or the General Assembly, the President takes the necessary steps and informs the relevant governing bodies immediately.
- (4) The President is elected and, should the situation arise, voted out by the General Assembly by a majority of member institutions. The election and, should the situation arise, deselection, are prepared by the Executive Board.
- (5) The office of President is a full-time position. The term of office is four years. Re-election is possible. The President remains in office until the elected successor takes up the post; this does not apply in the event of deselection or resignation.

§ 10 Board

- (1) The Board consists of the President and at least four Vice Presidents, who are proposed by the President and elected by the General Assembly by a majority of member

institutions. One of them is chosen from within the ranks of the Administrative Committee. The Administrative Committee has the right to nominate a candidate from within its ranks. The term of office of the Vice Presidents is two years. Re-election is possible.

- (2) The Board manages the business of the Leibniz Association and is responsible for carrying out the resolutions passed by the governing bodies. The Board is responsible for putting into effect generally binding rules for all the committees, such as rules and principles of procedure and election regulations.
- (3) The Board must involve the Executive Board in important matters and must also involve the General Assembly in fundamental matters, especially strategic matters.
- (4) The members of the Board have the right to take part in meetings of all governing bodies and committees in an advisory capacity.
- (5) In accordance with § 26 of the German Civil Code, the Board is made up of the President, the Vice President chosen from within the ranks of the Administrative Committee, and another Vice President, proposed by the President and appointed by the General Assembly.
- (6) The Leibniz Association is jointly represented in and out of court by the President and another member of the Board, in accordance with § 26 of the German Civil Code. In the event that the President is unable to attend, the Leibniz Association is jointly represented by the other two members of the Board, in accordance with § 26 of the German Civil Code.

§ 11 Executive Board

- (1) The Executive Board consists of the President (chair), the Vice Presidents and the Spokespersons of the Sections and of the Administrative Committee. The Secretary General takes part in Executive Board meetings in an advisory capacity.
- (2) The Executive Board is convened by the President as required, but at least twice a year, and when requested by at least three of its members.
- (3) The Executive Board advises the Board; the Board involves the Executive Board in all important matters.
- (4) The Executive Board has the following main tasks:
 - Deciding on the measures in the strategic fund line of the Leibniz Competition; all or part of this task may be delegated to the President,
 - Deciding on the transfer of a member institution to a different Section,
 - Deciding whether to call an extraordinary General Assembly,
 - Appointing a member of the Executive Board as a representative for the Senate Evaluation Committee,

- Preparing the election and, should the situation arise, deselection of the President.
- (5) The Executive Board can appoint representatives for certain subjects for a limited period of time. They must not be members of the Executive Board.

The role of the Executive Board representatives is to support the Executive Board on a particular subject and to help position the Leibniz Association in this context in public and in external bodies.

The representatives report on their work to the Executive Board as required, and at least once a year.

- (6) The Executive Board may set up temporary committees for sharing experience and for collaboration and to advise the Executive Board. Committees consist of scientific and/or administrative directors of member institutions.
- (7) A Standing Committee on Research Infrastructure Facilities and Research Museums is for sharing experience and for collaboration and also advises the Executive Board on all matters relating to the research infrastructure facilities and the research museums. This committee is headed by a member of the Board. Its members are the scientific directors of the institutions that have research infrastructure responsibilities and of the research museums.
- (8) On request, the Executive Board may approve the establishment of working groups to tackle certain tasks in greater depth.
- (9) A working group on equal opportunities and diversity is composed of the relevant representatives of the member institutions.

§ 12 Sections

- (1) The Leibniz Association is organised in Sections. The Sections represent the Leibniz Association's scientific profile and specialist expertise. They serve as a platform for specialist scientific exchange and contribute to joint decision-making and strategy relating to scientific policy.

The Sections take on tasks that concern the common specialist interests of their member institutions, especially their collaboration with one another and with other Sections. They deal with their further development within their subject areas, with contributions to the Leibniz Association's strategic objectives and with the implementation of the strategic objectives of the Leibniz Association within their institutions.

They play a role in developing evaluation criteria and in carrying out evaluation procedures.

- (2) The General Assembly decides on the setting up, naming and dissolution of the Sections. The Section decides whether to admit a member institution, on request. The Executive Board, in consultation with the Sections involved, decides whether a member institution can transfer to a different Section, when requested by the member.

- (3) Every member institution has one vote in the Section. The member institutions are represented in the Sections by the scientific directors responsible; if they are unable to attend, their votes may be transferred to another scientific director within the Section.
- (4) Every Section can elect as additional advisory members:
 - a. outstanding scientific personalities,
 - b. member institutions from other Sections as associated member institutions.
- (5) The Sections each elect from within their ranks a spokesperson and a deputy spokesperson for a term of two years. The spokesperson is a member of the Executive Board; if s/he is unable to attend, this function is taken on by the deputy.
- (6) The Sections have the right to send the President their nominations for the elected scientific members of the Senate.

§ 13 Administrative Committee

- (1) The role of the Administrative Committee is to share experience and draw up position statements and recommendations for the Board and the Executive Board, and it contributes to the joint decision-making process in administrative matters.
- (2) The Administrative Committee consists of the administrative directors of the member institutions of the Leibniz Association. The members of the Administrative Committee elect from within their ranks a spokesperson and two deputy spokespersons for a term of two years. The spokesperson is a member of the Executive Board; if s/he is unable to attend, this function is taken on by one of the deputies.
- (3) The Administrative Committee sends the President a nomination for a candidate from among its members for the position of Vice President.

§ 14 Secretary General and Leibniz Headquarters

- (1) The Secretary General heads Leibniz Headquarters and reports to the President and the Board. The details are governed by a set of management instructions.
- (2) S/he is a special representative within the meaning of § 30 of the German Civil Code. When exercising his/her role, s/he is bound by the decisions of the governing bodies.
- (3) S/he is appointed by the Board for a term of six years on the President's proposal and with the Executive Board's approval; the Board is also responsible for cancelling the appointment. Reappointments are permissible.
- (4) S/he regularly informs the Board and the Executive Board about his/her work. S/he is entitled to and, on request, required to attend meetings of the governing bodies and committees.
- (5) Leibniz Headquarters supports the Leibniz Association and its governing bodies and committees; it is financed by membership fees.

§ 15 Financial year and budget

- (1) The Leibniz Association's financial year is the calendar year.
- (2) The Leibniz Association produces an annual budget. The funds for the scientific competition are budgeted for separately from Leibniz Headquarters funds. The budget is presented by the Board, approved by the Executive Board and presented to the General Assembly for approval.
- (3) The budget is managed in compliance with Germany's budget law and the law on the freedom of scientific research (*Wissenschaftsfreiheitsgesetz*). The Leibniz Association grants the federal and Länder governments the right to scrutinise the use of the budgeted funds.
- (4) The budgetary and financial management of the Leibniz Association is subject to scrutiny by the German Federal Court of Auditors (*Bundesrechnungshof*) and the courts of auditors of the Länder.

§ 16 Remuneration and expense allowances

- (1) The President receives an appropriate salary for the role.
- (2) The members of the Board may be paid an expense allowance consistent with public benefit.
- (3) Members of Senate committees may be paid an expense allowance consistent with public benefit.

§ 17 Dissolution

The Leibniz Association may be dissolved by a resolution passed by two-thirds of all member institutions with voting rights, especially if the mission described in § 2 ceases to exist. In the event that the Leibniz Association is dissolved or abolished, or if tax-privileged purposes cease to exist, the assets of the Leibniz Association revert to the German Research Foundation (DFG), which must use them directly and exclusively for public-benefit purposes.