

**Act to Establish the “Law Forum Foundation”
Law Forum Act**

§ 1

Name, seat and legal form of the Foundation; Seal; Location

(1) A federal Foundation under public law with its seat in Karlsruhe and with legal capacity, shall be established with the name “*Stiftung Forum Recht*” (“Law Forum Foundation”). The Foundation shall be established upon the entry into force of this Act.

(2) As its service seal, the Foundation shall utilise the small *Bundessiegel* surrounded by the words “*Stiftung Forum Recht*.”

(3) The Foundation shall establish a branch location in Leipzig.

§ 2

Purpose of the Foundation

(1) The purpose of the Foundation shall be to take up current issues associated with law and the rule of law in the Federal Republic of Germany in a forum of communication, information and documentation targeted at citizen participation as a basic condition for a functional and vibrant democracy. The use of exhibitions and activities, both locally and in the virtual realm, shall allow all social groups to engage with these issues. In this context, the historic, European and international dimensions shall appropriately be taken into account.

(2) In particular, the fulfilment of this purpose shall be served by:

1. Furnishing, maintaining and continuing to develop exhibitions in a Law Forum to critically address questions of law and states governed by the rule of law,
2. Developing and making available communicative formats for cooperation partners at the federal and *Länder* levels,
3. Carrying out events, providing media services on the Internet and based on virtual reality, as well as training for educational events,
4. Engaging in research, documentation and publishing,
5. Maintaining public relations,
6. Engaging in cooperation with national, European and international organisations and institutions.

(3) The Foundation exclusively and directly pursues purposes for the public good within the meaning of the “Tax-privileged purposes” chapter of the Fiscal Code.

§ 3

Support from Bodies of the Federation

In fulfilling the purpose of the Foundation, the Foundation shall be provided support by bodies of the Federation, in particular by the *Haus der Geschichte der Bundesrepublik Deutschland* (House of History of the FRG), the *Deutsches Historisches Museum* (German Historical Museum) and the *Bundesarchiv* (National Archives).

§ 4

Assets of the Foundation; Place of Establishment

(1) The Foundation shall have its own assets.

(2) For the fulfilment of its purpose, the Foundation shall receive an annual allocation from the Federation based upon the respective federal budget.

(3) The Foundation shall have the right to accept funding from third parties. Acceptance shall be permissible only if the funding is not connected to conditions which would hinder fulfilment of the purpose of the Foundation.

(4) Any profits made by the Foundation assets and other income shall be used only for the purpose of the Foundation.

(5) The *Forum Recht* (§ 2 paragraph 2 no. 1) shall be built directly adjacent to the building of the Federal Court of Justice in Karlsruhe on the property complex between Karlsstrasse, Kriegsstrasse, Herrenstrasse, Ritterstrasse and Blumenstrasse. Carrying out the construction project in Karlsruhe and the office in Leipzig shall be completed within the scope of a uniform property management.

§ 5

Statute

The Foundation shall establish a statute for itself, which shall be resolved by the Board of Trustees.

§ 6

Organs of the Foundation

The organs of the Foundation shall include

1. the Board of Trustees
2. the office of the Director
3. the Foundation Advisory Board.

§ 7

Board of Trustees

(1) Members of the Board of Trustees, whose term shall be five years with the possibility of repeated appointment, shall consist of the following:

1. Eleven members of the German Bundestag,
2. One member each from the Federal Ministry of Justice and the Federal Ministry of the Interior and

Community.

3. One member each from the city of Karlsruhe and the city of Leipzig,
4. One member from the Federal Constitutional Court,
5. One member each from the Federal Court of Justice and the Federal Administrative Court,
6. One member from the Federal Prosecutor General at the Federal Court of Justice,
7. One member of the Federal Bar Association,
8. A total of one member from the *Land* justice administrations.

The chairperson of the Foundation Advisory Board shall be a member of the Board of Trustees by virtue of his or her office. In the case of unavailability, a deputy member shall be designated for every member. The designation shall be made by the office authorised to appoint members. If the deputy member is unavailable as well, the voting right may be exercised by another member or deputy member of the Board of Trustees; in such a case, the member shall issue a power of attorney to the other member or deputy member by statement to the chairperson of the Board of Trustees. Women and men should be represented in equal numbers on the Board of Trustees.

(2) The members to be sent from the German Bundestag (section 1, first sentence, no. 1) shall be appointed by the parliamentary groups in proportion to their respective strength. In determining the number of members appointed from each parliamentary group, the Sainte-Laguë/Schepers procedure is to be used. The members appointed from the German Bundestag must remain members of the Bundestag throughout their tenure.

(3) The office authorised to appoint members may at any time withdraw any member it has appointed. If a member or deputy member leaves his or her position, for the time period until five years have passed a new member or deputy member shall be appointed.

(4) The Board of Trustees shall be competent to take decisions when more than half of the appointed members are either present or represented.

(5) The member appointed from the Federal Ministry of Justice shall convene the constituent meeting of the Board of Trustees at the earliest one month after the entry into force of this Act. The Board of Trustees shall be capable of acting as soon as ten members have been appointed to it.

(6) The Board of Trustees shall elect from its midst a chairperson and a deputy chairperson. The chairperson shall convene meetings of the Board of Trustees and shall chair these meetings. The chairperson shall direct the business of the Foundation and shall represent the Foundation both in and out of court, so long as no director or deputy director has been appointed.

(7) After hearing the Foundation Advisory Board, the Board of Trustees shall appoint the director and deputy director for a period of five years. Repeated appointments shall be permissible. The director and deputy director may be terminated for an important reason by resolution of the Board of Trustees after hearing the Foundation Advisory Board.

(8) The Board of Trustees shall decide on all fundamental questions of the foundation, in particular on the statute, the basic elements of programming, the budget and the appointment of auditors. The Director's office shall report to the Board of Trustees regarding these questions

pursuant to section 90 (1), first sentence of the Stock Corporation Act.

(9) Resolutions regarding the statute and its amendment shall require a majority of two-thirds of the votes of the members of the Board of Trustees. Otherwise, resolutions shall require a majority of votes cast. The statute may provide for qualified majorities for additional decisions. In the case of a tie, the chairperson shall have the deciding vote.

(10) The Director should participate in a consulting capacity in the meetings of the Board of Trustees.

(11) The Board of Trustees shall meet at least once per year. Upon application by the Director, upon application of at least one-third of the members of the Board of Trustees, or upon application by the foundation Advisory Board, the chairperson shall call a meeting of the Board of Trustees.

(12) Details shall be regulated by the statute.

§ 8

Director's Office

(1) The Director's Office shall consist of a Director and a deputy Director.

(2) The director shall direct the business of the Foundation. He or she shall implement the resolutions of the Board of Trustees and shall decide all matters of the Foundation to the extent that the Board of Trustees is not responsible therefor. He or she shall represent the Foundation both in and out of court. If a Director has not been appointed or if he or she is not available, the deputy director shall exercise the above-mentioned authority.

(3) For legal business and actions of considerable significance, the Director shall obtain the approval of the chairperson of the Board of Trustees. In particular, this shall include establishments, participations and investments of more than 50,000 euros.

(4) Details shall be regulated by the statute.

§ 9

Foundation Advisory Board

(1) The Foundation Advisory Board shall consist of at least 20 and at the most 30 members. As members of the Foundation Advisory Board, they are both representatives of the institutions or academic areas to which they have been appointed, as well as representatives of civil society.

(2) The FORUM RECHT developmental association, the German Association of Lawyers, the German Judges' Association, the New Association of Judges, and the German Female Lawyers' Alliance shall each send one member to the Foundation Advisory Board.

(3) The Board of Trustees shall elect additional members to the Foundation Advisory Board. These members should represent the civil-society initiatives as well as institutions in the fields of law, history, humanities, social and societal sciences, art history, cultural, image and media sciences as well as museums and cultural institutions. Elections shall be held on the basis of recommendation by the respective initiatives, institutions and establishments.

(4) Appointments shall be made for five years. Reappointment once shall be permissible. Women and men should be represented in equal numbers in the Foundation Advisory Board.

(5) The Foundation Advisory Board shall elect a chairperson and a deputy chairperson. The Foundation Advisory Board shall consult with the Board of Trustees and the Director's office.

(6) Details shall be regulated by the statute.

§ 10

Volunteer work

The members of the board of trustees and the foundation advisory board carry out their activities on a volunteer basis. Reimbursement of travel costs and other expenses shall be undertaken pursuant to the provisions applicable to the direct federal administration.

§ 11

Supervision; Budget; Audit

(1) The Foundation shall be subject to the legal supervision of the Federal Ministry of Justice and Consumer Protection.

(2) The provisions applying to the direct federal administration shall also apply to the budget, cash flow management and accounting, as well as to the Foundation's invoicing. The Foundation's budget and finances shall be subject to review by the Federal Court of Audit. The Federal Ministry of Justice and Consumer Protection shall audit the account.

§ 12

Reporting

Every two years, the Board of Trustees shall issue a publicly accessible report on the activities and plans of the Foundation.

§ 13

Employees

(1) As a rule, the Foundation shall employ non-civil servants. The staff members' employment relationship shall be governed by the respectively valid tariff agreements for employees of the Federation as well as additional provisions. The second sentence shall also apply to apprentices.

(2) The Foundation shall have the right to employ civil servants. The superior service authority shall be the Board of Trustees. The superior federal authority responsible for supervision within the meaning of section 144 (1) of the act on Federal Civil Servants shall be the Federal Ministry of Justice and Consumer Protection.

§ 14

Free membership; fees

(1) Membership in the Law Forum shall be free of charge.

(2) The Foundation shall be allowed to charge fees for the use of the Foundation's premises and for special events.

(3) Details shall be regulated by the statute.

§ 15

Entry into Force

This Act shall enter into force on the day following its promulgation.