

Translation provided by Ute Reusch

Stand: Gesetz zur Abmilderung der Folgen der COVID-19-Pandemie im Zivil-, Insolvenz- und Strafverfahrensrecht vom 27. März 2020 (BGBl. I S. 569)

Version information: Act to Mitigate the Consequences of the COVID-19 Pandemic under Civil, Insolvency and Criminal Procedure Law of 27 March 2020 (Federal Law Gazette I, p. 569)

## **Act to Mitigate the Consequences of the COVID-19 Pandemic under Civil, Insolvency and Criminal Procedure Law**

**of 27 March 2020**

The Bundestag has adopted the following Act:

### Section 5

#### **Associations and foundations**

- (1) Members of the board of an association or of a foundation remain in office even after the end of their term of office until such time as they are withdrawn from office or their successor has been appointed.
- (2) By way of derogation from section 32 (1) sentence 1 of the Civil Code (Bürgerliches Gesetzbuch), the board may, even without authority being granted therefor under the articles of association, also enable members of the association
  1. to participate in the general meeting without being physically present at the meeting and to exercise their membership rights by means of electronic communication or
  2. to cast their vote in writing before the general meeting is held without participating in the general meeting itself.
- (3) By way of derogation from section 32 (2) of the Civil Code, a resolution is valid without a meeting of the members of an association if all the members were involved, at least half of the members cast their vote in text form by a date set by the association and the resolution was passed by the required majority.