

BYLAWS of the Kwan Um School of Zen /Europe

The bylaws were discussed at the foundation meeting on March 9th 2013 in Warsaw, Poland and endorsed and adopted in the current form on the Meeting of Members at 16./17. August 2014 in Warsaw.

It is intended to register the association into the register of associations of the magistrate's court in Berlin, Germany.

As part of the process to register the foundation the Council followed the modification specifications of the Magistrates Court Berlin-Charlottenburg and of the tax office for corporations and adapted these bylaws as authorized on 10th February and on 02nd July 2015 in the following areas: §§ 3, 4, 6, 9, 10, 14th

Preamble

In keeping with the mission of saving all beings, as formulated by Zen Master Seung Sahn, and based on his teaching and that of his Dharma heirs, the European Kwan Um School of Zen will guide and support all the Kwan Um School of Zen Sanghas in Europe, Russia, and Israel.

§1 Name: The name of the association is “The Kwan Um School of Zen /Europe e.V.¹” (KUSZEU). This includes the European continent, Russia and Israel.

Seat: The seat is in Berlin, Germany.

Business Year: The business year shall be the calendar year.

§2 The Teaching Tradition

(1) of the Kwan Um School of Zen traces its roots as follows: Buddhism began in India; from India it spread to China and other Asian countries; from China it traveled to Korea; one of the lineages of Korean Zen has come to the West through Zen Master Seung Sahn, 78th Patriarch in the direct Zen lineage tracing back to Buddha Shakyamuni.

(2) The Kwan Um School of Zen was founded by Zen Master Seung Sahn at Providence, Rhode Islands, USA in 1978 and spread to Europe through his teachings in Europe during the following years.

(3) The Kwan Um School of Zen has an elected School Zen Master as the spiritual head for the worldwide school. The School Zen Master is elected by all the regional Teachers Groups composed of the authorized Zen Masters (Soen Sa Nim) and Dharma Masters (Ji Do Poep Sa Nim) in Asia, Americas, Africa,

¹ After registration at the magistrate's court as “Registered Non Profit Association”; in German: “eingetragener gemeinnütziger Verein (e.V.)”

Australia and Europe.

- (4) The interconnectedness and integration of the KUSZEU within the worldwide school is ruled in the Teachers Compact, which is endorsed by all authorized Zen Masters and Dharma Masters worldwide.
- (5) The teaching authority for the Kwan Um School of Zen/ Europe is thus vested in the Regional Head Zen Master and the Zen Masters and Dharma Masters of our school residing in Europe, who together form the Board of Trustees. They will observe the teaching forms approved by Zen Master Seung Sahn, the School Zen Master and the Regional Head Zen Masters.
- (6) The members of the European Board of Trustees are the spiritual guides of the Sangha (community) in Europe, i.e. monks and nuns, dharma teachers, five precepts students and no precepts students.
- (7) The Regional Head Zen Master in Europe is elected by the European Board of Trustees.
- (8) This Teaching Tradition is the base of our Zen practice inside the European Sangha. The administrative body as laid out in these bylaws is designed to support the teaching and practice of Zen in the European Sangha of the KUSZ.

§ 3 Goals of the Kwan Um School of Zen /Europe (KUSZEU)

It is the goal of the association

- (1) to follow the above teaching tradition and principles thus forming the region Europe of the Kwan Um School of Zen called The Kwan Um School of Zen /Europe (KUSZEU)
- (2) to form a non-profit association umbrella to band together the Kwan Um School of Zen Sangha (the community of Zen practitioners who meet and practice together, and who are members of Kwan Um School of Zen organizations) in Europe, Russia and Israel with all its local Sanghas organized in temples, centers and groups and corporate bodies of local Sanghas, organized in national Sanghas
- (3) The purpose of the association is together practice, study and spread of the Buddhist teachings under the guidance of the Zen Masters and Dharma Masters deployed by the Board of Trustees
- (4) In order to fulfill this task the association organizes particularly public talks and meditation retreats
- (5) The association supports the founding, construction and development of Kwan Um School of Zen temples, centers and groups in Europe as well as Buddhist temples, monasteries and Zen centers worldwide

- (6) It is the goal of the association to help as an act of charity teachers, monks and nuns of our school and monks and nuns of the Jogye Order with accommodation, food, clothes and medicine for their individual need, if they reside in Europe, work for the benefit of the KUSZEU and cannot support themselves as well as to support charity projects worldwide
- (7) The association can become part of an international association of the Kwan Um School of Zen if such an association is appropriate and constituted legally. This entry must be done if the above goals of the KUSZEU are also the goals of the international association and their non-profit character is approved.

§4 Non Profit Guidelines

- (1) The association pursues solely and directly the non-profit guidelines outlined in the German law: *Abschnitte "Steuerbegünstigte Zwecke" der Abgabenordnung 1977 (§§52 ff AO)* in the current version. The association acts purely in an altruistic manner and does not primarily pursue commercial purposes of its own.
- (2) Capital funds of the association must be spent only for purposes stated in the articles of the association. The members do not receive or are paid from the capital funds of the association. No person can receive payment for administration tasks, which do not serve the purpose of the association, or through a disproportional high allowance.

§5 Membership

- (1) All local and national Sanghas in Europe, Russia and Israel, respectively its corporate bodies, who want to become part of the KUSZEU and who agree with the teachings, purposes and tasks of this association can apply for membership.
- (2) Each local Sangha can become part of the KUSZEU directly or in case it is part of a corporate body then through its corporate body.
- (3) The European Sangha of the KUSZEU is therefore composed of local Sanghas organized in Zen centers, Zen groups and Zen temples as well as national Kwan Um Schools of Zen corporate bodies, each of which is organized and administrated independently through abbots, group leaders and directors, especially in all matters concerning
 - a. its structure of administration
 - b. its organization of its board of directors and other positions in the Sangha
 - c. its local finances, public relation work and activities
 - d. its choice of venue and dates of its activities
- (4) Only those local and national Sanghas which geographically are part of Europe, Russia or Israel can become members of the KUSZEU. They cannot be member of another KUSZ organization. Membership applications from

Sanghas outside these regions/countries will be referred to those KUSZ organizations responsible for this region.

- (5) The local or national Sangha must apply for membership in order to become part of the KUSZEu.
 - a. Individuals cannot become members, except for
 - a.i. the authorized Zen Masters and Dharma Masters, who are forming the Board of Trustees
 - a.ii. Honorary members, who are defined by the Board of Trustees
 - b. Each affiliated Zen center, Zen group or Zen temple (whether or not part of a national corporate body) of the KUSZEu has a representative in the Meeting of Members, who is proposed by the local or national Sangha and approved by its Guiding Teacher, respectively the national Guiding Teachers Group.

- (6) Admission process for local and national Sanghas who seek to be affiliated with the KUSZEu:
 - a. Written application for admission addressed to the Board of Trustees, to the Council or to the European Office
 - b. Every local Sangha must have a Guiding Teacher or the support of a teacher who is approved by the Board of Trustees
 - c. The application will be granted by the Council and the admission will be confirmed by the Board of Trustees in its annual meeting.

- (7) Termination of the membership
 - a. The withdrawal of the membership needs written application
 - b. The Council and the European Office need to confirm the legitimacy of the application and investigate whether it represents the wish of the majority of the Sangha
 - c. The acknowledgment of the termination is given by the Meeting of Members after their annual meeting

- (8) The association can exclude members if they act against the goals of the association or if they don't comply with the teachings, rules and responsibilities.
 - a. The Guiding Teacher or the Council declare the reason for the possible exclusion and inform the member in written form
 - b. They ask the member to correct the problems in a certain period of time (maximum 90 days) and to comply with the rules, teachings and responsibilities
 - c. The affected member may object to the exclusion within three weeks by registered mail to the European Office
 - d. If the affected member does not comply within the time limit the European Office can order the suspension for a certain period of time or the exclusion
 - e. The Meeting of Members needs to confirm the final decision on their annual meeting.

- (9) In case of termination of the membership or exclusion, and in case of the closing of a local Sangha, or because of their separation from the KUSZEu, the KUSZEu lay claim to all assets, capital funds and donations gained through

being a member in the KUSZEU. In order to avoid conflicts, the local Sangha and its Guiding Teacher should have agreed on an individual contract that clarifies how the possession of the local Sangha has to be split in case of termination or exclusion. This contract has to be filed by the European Office. Otherwise the current regulation of the European Office regarding termination or exclusion of members will be applied.

§6 Rules and responsibilities of members

The member

- (1) complies with the teachings, goals and purposes of this association, and foster the practice, studies and propagation of Zen Buddhism as taught by Zen Master Seung Sahn and his authorized masters. The member shall within the limits of their own resources and in accordance with the regulations of a non-profit-organization
 - a. help other members and the KUSZEU in cases of distress
 - b. offer all authorized Zen Masters and Dharma Masters as well as every monk or nun of the KUSZEU, of their regional partners in Asia, Africa, Australia and USA or of the Jogye Order accommodation, food, clothes and medicine (see §3, 5)
- (2) conducts regular meditation classes, public talks and meditation retreats
- (3) is represented in the Meeting of Members. The representative is authorized to use the members' right to vote
- (4) respect and follow the teachings and directions of their Guiding Teachers
- (5) must have -in case of a local Sangha- a group leader, an abbot or a speaker, who is appointed by the Guiding Teacher. All Sanghas which are organized as corporate bodies will have their administrative structure according to their individual bylaws
- (6) must denominate contact persons who are responsible for all administrative issues like financial and public relation
- (7) pay membership fees
- (8) must issue a declaration, which is legally binding and in accordance with its national law, that in case of termination or exclusion of the membership it will fulfill its obligations regarding §5 (9)
- (9) must aspire to a non-profit-status as defined in § 4 or must at least manage their administration accordingly. Members who are not tax-deductible corporations as defined by law need to be appropriately charged for benefits they receive from the association
- (10) have the right to get help from the Council or from the European Head Zen

Master in case of conflicts within their Sangha or with the Guiding Teacher

- (11) have the right to refer ethical problems to the Ethics Committee which is appointed by the Board of Trustees
- (12) can ask for organisational or financial help through the association
- (13) must comply and follow with the guidelines of the Council and with the administrative work of the European Office
- (14) must offer reduced fees in their retreats and activities to the practitioners of Sanghas affiliated as a member of the KUSZEU and its regional partners in Asia, Africa, Australia and in the US. Accordingly the practitioners of the members will get reduced fees for all retreats and activities of the KUSZEU and its regional partners in Asia, Africa, Australia and in the US
- (15) must have and will have a Guiding Teacher for each of their local Sanghas (temple, center, groups) who
 - a. is the spiritual guide of the local Sangha
 - b. is connecting the local Sanghas with the teaching tradition of the KUSZEU.
 - c. is proposed by the local Sanghas and approved and appointed by the Board of Trustees. Consequently National Sanghas (national corporate bodies) have national Guiding Teachers Groups
 - d. is in close contact with the Sangha members and helps and guides them in their Zen practice
 - e. communicates the Sangha's needs into the Board of Trustees, and informs and explains the Trustees' resolutions to the Sangha
 - f. supervises the compliance of all decisions made by the KUSZEU on the local Sangha levels with the help of the European Office
 - g. is the first to whom the Sangha can address complaints and receives appeals regarding problems with decisions made by the KUSZEU
 - h. advises the local Sanghas at all points, and can demand clarification from the local Sanghas representatives in every respect
 - i. can demand changes on local levels in case the local Sanghas representatives contradict the purposes and goals of the KUSZEU or in case they do not comply with decisions made by the KUSZEU
 - j. approves the acceptability of Sangha members who want to take 10 or more precepts

§7 Bodies

The bodies of the association are the

Board of Trustees	(§8)
Meeting of Members	(§9)
Council	(§10)
European Office (EO)	(§11)
Sangha Convention	(§12)
Committees	(§13)

§8 Board of Trustees

The Board of Trustees is the governing body of the association and responsible for the alignment with the teaching traditions as outlined in § 2.

On its administrative level it gets reports from the Council and gives guidelines for the future work of the Council. It can request a veto of the European Head Zen Master for decisions made by the Meeting of Members or the Council.

The Board of Trustees

- (1) consists of all teachers in our teaching tradition who are authorized Zen Masters and Dharma Masters residing and teaching regularly in Europe, Russia and Israel
- (2) is responsible that all goals of this association are observed
- (3) provides support, guidance and help to all Sanghas in the KUSZEU in accordance with the teachings, purposes and goals of this association
- (4) approves and appoints the Guiding Teachers for its members from its group
- (5) elects the European Head Zen Master from among themselves. Elects the Council. Determines the appropriate election rules
- (6) meets at least once a year
- (7) can make decisions in meetings and by electronic votes
- (8) makes its decisions according to the majority vote of its members present

The European Head Zen Master is part of the Board of Trustees and acts as the tie breaker. He or she is the spiritual head of the association; the Vice Head Zen Master, who is also elected by the Board of Trustees immediately, takes the place of the Head Zen Master in case he/she is ill or passes away.

The European Head Zen Master

- (9) Notwithstanding anything to the contrary elsewhere in these bylaws, the European Head Zen Master shall have the right to veto any vote taken by the Meeting of Members or by the Council in or within sixty (60) days from the date of documented transmission of the vote. The veto must be supported from the Board of Trustees by a majority of $\frac{3}{4}$. If such a veto does not occur by delivery of written notice (electronic) of the veto to the Meeting of Members or to the Council, such veto shall be of no force and effect

- (10) can transfer parts of his obligations and powers to a representative such as the Vice Head Zen Master or to the Council, particularly if he/she is absent for a longer period of time. Such a move needs to be announced and communicated immediately to the Board of Trustees, to the Meeting of Members, to the Council and to the European Office.

§9 The Meeting of Members

The Meeting of Members is the assembly of the members' representatives, who convene in the general meeting of the association.

The Meeting of Members

- (1) consists of all individual members as well as the representatives of the member Sanghas. The members have certain weighted voting powers according to the following agreements
- a. The main focus for this regulation is the appropriate representation of local sanghas, centers and groups.
 - b. The weight of the voting power of the representatives is as follows:

Zen Groups	(with less than 15 members):	1 vote
Zen Groups	(with 15 or more members)	2 votes
Zen Centers	(place for residential training with minimum of 3 residents)	2 votes
 - c. Each representative in the Meeting of Members can represent up to 5 local sanghas (Zen Groups or Zen Centers). He/she needs a written authorization from the sanghas he/she represents.
 - d. A vote is successful if the majority of the weighted voting power of the representatives and the majority of the Board of Trustees votes is yes. The rules applies analogically for different approval rates (e.g. 2/3 yes).
- (2) happens annually. The invitation to the Meeting of Members shall be made by the Council at least one month in advance by written notice to all members in electronic form, a proposed agenda being enclosed
- (3) resolves the agenda. Additions to the proposed agenda shall require the majority of the votes of the members present at the meeting
- (4) shall have a quorum regardless of the number of members in attendance
- a. Unless stipulated otherwise, a motion shall be deemed passed, if more votes are yes than no.
 - b. The following resolutions need an absolute majority of yes votes for approval:
 - b.a.i. changes of the amount of the membership contribution
 - b.a.ii. changes to the power of the votes of the members
 - c. amendments of the bylaws need two thirds of yes votes

- d. changing § 2 and 3 requires a quorum of four-fifths majority of the members and a four-fifths majority vote of the members present
- (5) has, in particular, the following responsibilities:
- a. endorses the Council elected by the Board of Trustees
 - b. approves the business and treasury reports of the Council and the European Office
 - c. formally approves the Council's and European Office's actions
 - d. approves the amount of the membership contribution
 - e. approves the power of the votes of the members
 - f. decides amendments of the bylaws
 - g. informs the local or national Sanghas about all decisions through the Guiding Teachers and representatives
 - h. dissolves the association pursuant to § 14.
- (6) Minutes shall be drawn up on the resolutions of the Meeting of Members. A member who is keeping the minutes and the head of the Council shall sign the minutes.

§10 Council

The Council forms the management committee of the association according to the rule of German law. It legally represents the Kwan Um School of Zen /Europe e.V.

The Council

- (1) consists of three (or more) teachers elected by the Board of Trustees every three years. The Council shall be endorsed by the Meeting of Members. If the Meeting of Members rejects the elected Council the Board of Trustees shall elect alternative teachers to the Council.
- (2) chooses one of the Council members to head it. This head can be named *The European Abbot/Abbess* or *The Chairman* or *Speaker of the association*. He/she is Council according to § 26 BGB and the single representative
- (3) meets through internet communication or in person once a month or more often, as needed
- (4) makes decisions as a team or according to the majority of votes, if necessary. In case of a tie of votes the head of Council functions as the tie breaker
- (5) guides the actions and direction of the association. Day-to-day matters of the KUSZEU in Europe, Russia and Israel and management issues are considered, and courses of action chosen
- (6) reports and refers matters to the Meeting of Members and to the Board of Trustees

- (7) sends regular reports to the Board of Trustees and to the Meeting of Members
- (8) acts for the association and represents it to the outside as well as to its regional partners in Asia, Africa, Australia and in the US
- (9) appoints the members of the European Office and guides their work
- (10) has authority over the European Office.
- (11) In case one Council member drops out ahead of time, the Council can appoint a member from the Board of Trustees to serve as temporary member of the Council until the next Council elections.

§11 The European Office

The European Office of the Kwan Um School of Zen /Europe exists to administrate the association and serve its members.

The European Office

- (1) is the operational and executive board for KUSZEU, with members appointed by the Council
- (2) is a team usually composed of 3-6 Sangha members, who work closely with the Council and are guided by them
- (3) staff has job assignments according to the areas for which they are each responsible, like office director, financial director, records director, internet director as well as personnel for communications and media, if needed
- (4) informs the local and national Sanghas and the Sangha Convention as well as individual Sangha members if appropriate about all decisions taken in the various boards of this association through email messages or through the Guiding Teachers or representatives
- (5) reports regularly to the Council and once a year to the Meeting of Members during their annual meeting
- (6) can appeal to the European Head Teacher as the arbitration body in case of problems with the Council
- (7) makes decisions which affects more than one area of responsibility as a team or according to the majority of votes. In case of a tie of votes the Council functions as the tie breaker.

§ 12 Sangha Convention

The Sangha Convention of the Kwan Um School of Zen /Europe is a forum and a meeting of senior students and Sangha deputies who form the advisory board to the other bodies of the KUSZEU.

The Sangha Convention

- (1) consists of all Senior Dharma Teachers of the KUSZEU, Sangha deputies of the KUSZEU and all Guiding Teachers. The latter have no right to vote in this assembly
- (2) appoints or votes for a head or a board which presides over its meetings
- (3) meets every three or at least every five years during an European Sangha meeting and keeps minutes from its sessions. The Board of Trustees will decide about the date for the Sangha Conventions, and the European Office will invite the participants
- (4) discusses all matters which are important inside the Sangha. They exchange their views regarding innovations or changes, or in respect to new inputs, unresolved topics or voting processes
- (5) participates/deals especially
 - a. in all matters affecting local autonomy
 - b. in financial and administrative issues which affect local structures
 - c. with the minutes of the annual Meeting of Members
 - d. with the records of the Board of Trustees
 Excluded are all spiritual matters and rules concerning the Zen practice
- (6) can hold a vote on matters which are disputed inside the Sangha Convention
- (7) presents their results to the appropriate bodies of the KUSZEU, who consider them in their decisions
- (8) can ask to form a Committee (see § 13) in case complex topics cannot be solved inside the convention or in case the convention is not in favour of decisions from the Council or Board of Trustees
- (9) Each Sangha can delegate up to two deputies into the convention.

§ 13 Committees

Committees serve the advancement of this association. They can be appointed to prepare decisions, provide advice or do various tasks.

Committees

- (1) are appointed by the Board of Trustees or by the Council, which define a clear assignment and identify the necessary resources as well as the responsibilities and decision powers
- (2) work temporary or for an unlimited period of time as defined by the Council
- (3) can consist of individual Sangha members who are students and teachers or only students or only teachers. External experts can be invited to a committee, if appropriate. Usually members to a committee are invited publicly in the whole Sangha
- (4) are headed by an individual who is appointed by the Council. The head of a committee can decide about the composition of the committee in accordance with the Council. The head decides about the form (internet communication, email-, phone-conferences or in person) and the periods of its meetings and informs the Council, which can participate. The Council can change the head anytime, if it feels that it is necessary
- (5) decisions are taken by simple majority. The head breaks the tie
- (6) must respect the strategic decisions of the Board of Trustees and the Council
- (7) report to the Board of Trustees, to the Council or to the European Office as defined
- (8) may counsel and advise the Board of Trustees, the Council or the European Office upon request
- (9) may help in specific areas, which need further investigation. Thus a committee may discuss and provide new ideas or propositions which may result in decisions by the Board of Trustees or the Council
- (10) might be appointed to deal with ethical issues, translate texts, prepare a teaching tour of a Zen Master through several countries, prepare new guidelines etc.
- (11) The Council or the European Office control the progress of the committees work and make sure that it is in line with the assignment and responsibilities as defined.

§ 14 Dissolution

- (1) Dissolution of the association requires a three-fourth majority of the present members at the Meeting of Members called especially for this purpose.

- (2) In case of dissolution of the association or loss of tax-privileged purposes, its capital funds and assets will devolve to a legal corporation under public law or another tax-privileged corporation for use for the advancement of religion.
- (3) Decisions about the further use of the capital funds and assets of the association can only be administrated after the consent of the tax authorities.

Note: If the Magistrates Court will demand changes in the bylaws during the application process and due to legal reasons, the Council is authorized to execute these changes, and will inform all members about it.

We hereby confirm the correctness and completeness of this bylaws (according to the § 71 Abs. 1 Satz 4 BGB of the German Law)

Berlin, July 2nd, 2015

Ji Kwang (Dr. Roland Wöhrle-Chon)



Andrzej Piotrowski JDPS



Bogumila Malinowska JDPS



Council of the Kwan Um School of Zen/ Europe e.V.