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1. **INTRODUCTION**

The eTEN funding of the euromuse.net project is going to end with the beginning of 2011. Starting with a much enhanced service, the euromuse.net project will stand on its own feet. One of the important tasks within the funding period was the setup of a concept including how to continue the work after the end of the funding period. The result of this work related to the legal background will be presented in this Deliverable.

**Strategy**

There are various possibilities for running services like euromuse.net. The international and multilingual dimension of the service gives special need for an intense analysis of the future platform of the service. Some models have been excluded very early in the discussion, while others were discussed and evaluated in more detail. Retrospectively, it emerged to be a decision process of three main steps:

1. Identification of external requirements towards the service like services needed, operation models etc.(2008-2009)
2. Collecting information about different legal forms of organisations, legal backgrounds in different countries within the EU and screening the adequacy for the purpose (2010) --> Results presented in the Deliverable D6.2
3. Decision on a legal form (end of 2010)

The analyses undertaken helped to identify the best legal form for the future service and organisation. The specific requirements for different legal forms and the criteria for and against some specific form were presented in extenso in the preceding Deliverable D6.2.

Investigation on how to reach sustainability was assigned to an internal working group made up by Thorsten Siegmann (SPK), Manfred Hackl (ECCA), Peter Wouters (OKV), Enzo Finocchiaro (PrRN), Svenja Pokorny (Amitié). In this context several working group meetings were organized over the last year. The working group held meetings on 17th December 2008, 4th September 2009, 22nd October 2009 and 17th December 2009. In 2010 the Sustainability issue was discussed in the consortium meetings.

It is clear that the service continues. Therefore, further aims by all the partners need to be decided on as well as a plan how to reach these aims. The detailed conditions of this plan are laid down in the Draft Sustainability concept (current version always available at the project website at [www.euromuse-project.net](http://www.euromuse-project.net)). The agreed Sustainability concept and Business plan will be published in its final version at the end of December this year.
2. **DESCRIPTION OF THE SERVICES (STATE OF THE ART)**

**Basic principles**

euromuse.net project offers a public access portal giving accurate information on major exhibitions and collections in European museums. Within the last three years it has become more and more evident that the quality of information is what makes this service unique. The quality of information in terms of accuracy and completeness provided by the platform differs significantly from average event calendars. This former expectation has been confirmed by several surveys held within the different target groups of euromuse.net, but also within the comprehensive benchmark of museum and exhibition portals held in 2010.

The content displayed on euromuse.net is updated and validated by the host museums themselves. Each museum's information is available in the native language and in English. An editorial service is provided to ensure stylistic consistency. Not only by these features, but also by its various languages, the euromuse.net service is out-standing in comparison to the tremendous amount of uncontrolled information on the web.

**Main outcomes**

The service has developed considerably within the last three years. The following is not an exhaustive summary of all the changes and improvements, but a spot on the main areas of action.

**Multilinguality**

Initially website interface and search functions of euromuse.net were available in English only. By then the service has been enhanced significantly. Both are now available also in Dutch, German, Italian, Portuguese Spanish, French and Finnish, while each exhibition as well as each museum text on euromuse.net is published in two languages. To cover most of the major languages spoken in Europe, the service is being extended by a Romanian, a Croatian and a Polish language version which will be available until the end of 2010. Exhibition descriptions are available in nineteen languages: Catalan, Croatian, Czech, Danish, Dutch, English, Finnish, French, Galician, German, Greek, Italian, Latvian, Polish, Portuguese, Romanian, Slovene, Spanish and Swedish.

**Participant/member development**

The member increase in 2010 is the highest since the beginning of the project. In the end of November 2010 there are more than 390 museums from 24 European countries participating in euromuse.net. At the beginning of December 2009 the number of registered museums had reached 217 participants coming from over 19 European countries. The number of participating museums and countries is growing more and more rapid. At the same time, this means, that the project obligation has been met nearly one year in advance.

**Services**

The exhibition alert, a customisable newsletter service for euromuse.net users has been designed to allow euromuse.net to increase the numbers of registered users, find out about their interests and
receive information for optimising the portal steadily. The newsletter is part of the development of innovative services to strengthen the user involvement. It is sent out once a month. Additionally, users can sign in for individual exhibition reminders.

![Screenshot: Newsletter subscription form for euromuse.net (available since the beginning of 2010).](image)

**Coverage**

Euromuse.net still offers an unique service without comparable competitors – one of the main results of the benchmark held in 2010. Our main competitor, the European Museum Guide (www.europeanmuseumguide.com), seems to be out of work, the number of exhibitions presented at this portal decreased from 209 exhibitions from 686 museums in 2009 to currently 47 exhibitions. Many of the websites functions seem to be out of order.

While there are plenty of platforms with information on museums, there are much less information on exhibitions. However, no comparable platform currently exists, offering easy access to exhibitions and museums on a multilingual level for several European countries like euromuse.net does.
3. **TARGET GROUPS & BENEFICIARIES**

Generally speaking euromuse.net is meant for tourists, art-lovers, various public or private tourism service providers as well as museum professionals interested in updated information on important exhibitions running throughout Europe. At a more specific level we can distinguish the following user communities and beneficiaries.

Though, the target groups and beneficiaries of euromuse.net have been described before in detail, the main target areas will be described again and linked to significant developments from the last months.

**Tourism industries**

Since the requests of industrial and private users normally differ, a special access for tourism industry users has been set-up. The implementation of the Harmonise tool allows to receive and to export xml formatted data. Tourism services can feed in data from the euromuse.net database in their own tourism portals. The outcome shows a highly specialised and very precise return on little effort for every professional tourism service.

The euromuse.net exhibition information is fed in to the Harmonise network. Beside the euromuse.net partners, further partners of this network, which is mainly used by tourism services, can use the euromuse.net information. Also the European Travel Commission (ETC) interlinks to euromuse.net with the newly re-launched website www.visiteurope.com. ETC intends to integrate euromuse.net information to its new map based information system at visiteurope.com. Lately, TomTom International, the company behind the popular navigation system “TomTom”, declared interest to work together with euromuse.net and to publish the euromuse.net museums as POI (Points of Interest) in the navigation system, which will contribute to a considerable coverage of the euromuse.net information on an international level.

**General public**

Since its beginning, euromuse.net targets the part of the general public, which is interested in exhibitions and museum visits. To open the information produced in the European museum sector to its audiences euromuse.net has undertaken serious improvements within the last three years. Starting with the extension of languages on the web portal, the user oriented approach of the service has been equipped by the integration of various services: the exhibition alert and individual reminder, the publication of exhibition information via facebook.com and twitter.com or the RSSfeed, which can easily be embedded on other websites dealing with similar issues like euromuse.net.

This user interest has been taken into account: euromuse.net even more than before. Only one example, how user requirements have been reflected there are now integrated maps to display the exhibition venues and museum locations on a map.
Friedrich Schiller in Leipzig und Gohlis 1785

in Kürze

Das Schillerhaus, ein sehenswertes authentisches Beispiel ländlich-bürgerschen Architektur in Leipzig, ist eines der ältesten Literaturdenkmäler.

Friedrich Schiller (1759 – 1805) bewohnte von Mai bis September 1785 im damaligen Dorf Gohlis im Haus des Bauern Schneider; einem 1717 erbauten Wohngebäude eines Dreischifflers, eine Stube mit Schillerzimmer im Obergeschoss... Die Ausstellung im Schillerhaus lädt anschaulich und aktiv die Anwesenden und Karten anzuzeigen.

Öffnungszeiten:
- Sa: 10:00 – 17:00
- So: 10:00 – 17:00
- Mo: 10:00 – 17:00
- Di: 10:00 – 17:00
- Mi: 10:00 – 17:00
- Do: 10:00 – 17:00
- Fr: 10:00 – 17:00
- Sa: 10:00 – 17:00

Please note seasonal opening times from November to March.
Open on Wednesday till Sunday 11:00 – 16:00

Im Detail

Der Ausstellungsort auf Google-Maps:

Museen
- Schillerhaus (Deutsch)
- Schiller Haus (Englisch)

Links
- Externe Seite der Ausstellung (Deutsch)
- Schillerhaus - Homepage (Deutsch)
- Schiller Haus - Homepage (Englisch)
- Weitere Informationen über Hausen in der Nähe (Deutsch) (Englisch)

Screenshot: An exhibition on euromuse.net with the integrated Google-Maps Window
Besides the presentation of the euromuse.net project at several events in the museum and tourism sphere, the promotion of euromuse.net is directed to online activities also, in order to channel potential visitors to the website. For example, by search engine optimisation efforts (within others) for euromuse.net, the visitor amount could nearly be tripled within 2009. Events and traditional press media are important but not central if we consider that estimated Internet users in Europe in 2009 are 322.1 million (eMarketer, June 2009). According to eMarketer the Internet has roughly doubled the influence against the second strongest medium - television - and roughly 8 times the influence of traditional printed media.

**Museum staff, like curators, museum educators, exhibition directors, exhibition authors or university researchers working in museum sciences**

As stated before euromuse.net managed to become an important reference service for the art community.

Besides the active dissemination and deployment activities undertaken by the project consortium, the “trend” (which has begun in the last year) is ongoing: Museums are signing in for euromuse.net on their own, without being contacted before. This is a good sign for the need for such services and the opening of museums towards international public relation activities. Detailed information about new entries on euromuse.net – concentrating on Finland, Belgium, Portugal and Spain in 2010 can be found in the Deliverables D4.3 and D3.7.
4. **Long Term Viability**

Euromuse.net is not directly a commercial service, but intends to promote a major use of cultural services and to generate revenues by offering the information to professional user groups. This will take place by subscription fees and models based on the amount of information retrieved. Nevertheless, the value of the project must be measured also in terms of improved access to the European common cultural heritage. Exhibitions, which are the “core issue” of the euromuse.net portal, are fundamental “assets” for museums.

Besides the setup of the association, which will be described further down and which will support the activities around euromuse.net, many of the eTEN consortium partners are going to actively support the service by contributing manpower. Being aware of the strategic importance of a European wide exhibition portal the current lead partner SPK (a public body funded 80% by the German Federal government and 20% by the German Länder) from the very beginning of the project expressed the readiness to support euromuse.net also after the project end.

Described more detailed in the Sustainability Concept, it is foreseen that member museums contribute to the network through an annual fee and/or provide free of charge staff costs for preparing the information on new exhibitions. The direct costs sustained by SPK amounts to 20,000 Euro/year for costs related to basic editorial work, hosting and software maintenance and communication. Further financial support evolves from additional staff for the extension or active dissemination of the service and adaptations of the website to current developments.
5. THE EUROMUSE.NET ASSOCIATION

Based on results of discussions held within the last two years and the intense analysis of ways to pursue the service, the euromuse.net partners have come to the conclusion and decided to set up an association of German law.

A number of requirements for an organisational framework has been analysed from the very beginning of the euromuse.net project. An innovative idea is always accompanied by initial thoughts about its future rollout. The ideas of non-for-profit services and a more associational form than a commercial one have always been kept up.

5.1 Introduction to the euromuse.net – das Ausstellungsporal für Europa e.V. (euromuse.net – the exhibition portal for Europe e.V.) association

The euromuse.net – das Ausstellungsporal für Europa e.V. association is a non-profit association under German law which is organised with a non-profit character.

The association has the following not-for-profit objectives

- support of the members on their way towards the “knowledge society” through the introduction and utilization of information and communication technologies, preferably the promotion of cooperative publishing and documenting information about European museums’ offers
- strengthening the accessibility of the cultural heritage in Europe for interested public and professional user groups

The association will carry out activities such as

- procurement / development and provision of tools and structures in knowledge management for cultural heritage institutions, in particular for museums (web portals, web services, translation tools, editorial support, market surveys, vocabularies, standards) and their active support
- operation and development of data and server infrastructure for use by all members and internet use by the general public
- advising and training members to use these tools
- the provision of digital content on museums and their exhibitions provided by the members
- distributing the digital content of the members to national and international scientific and cultural portals
- conducting / participating in research and development projects in field of cultural and scientific heritage
- cooperation with universities, research institutes and other institutions of cultural heritage and cultural tourism
- support, coordination and implementation of education and training the members
- establishing co-operations and partnerships with services or operators in the tourism sector

The euromuse.net – das Ausstellungsporal für Europa e.V. association will be lead by a 5-7 members board, responsible for the management of its activities and services. It will be funded by its membership fees and through its own activities.
5.2 Comments concerning open questions from the discussion from mid 2010

Financial issues

Cost of establishment & juridical effort
The setup of an “Eingetragener Verein (e.V.)” (association of German law) requires at least seven members. However, the association can be extended easily and be scaled to the current needs and the current financial load. Thanks to the low costs for setting up and keeping an association alive, this will keep the level of dependencies and risks as low as possible.

Need for a non-profit organisation
Due to the fact, that only a marginal percentage of (mostly public) museums in Europe would cooperate with a profit-oriented enterprise, the organisation should preferably be a non-profit organisation.

The association of German law has been identified as an ideal model. While the association can be run on a non-profit-oriented level, it is nevertheless possible to employ editors and other personal according to the needs of the association. Therefore, the association offers the suitable legal form for this purpose. Additionally, the legal constitution of most of the current consortium partners does not allow joining and participating in profit-oriented companies.

Membership model

The membership model currently foresees different member statuses to display different stakeholder interests in the new association.

a) Founding & operating members
   - Will perform the editorial work and accompany its further development (technically and in content)
   - Most of the current project consortium partners will belong to this group. They won’t be obliged to pay a membership fee
   - Four members out of this group have a seat in the associations board

b) Museum members
   - Member status for a single museum, includes the possibility to publish information on the euromuse.net portal and enables to book some special services (--> Sustainability concept)
   - Members in this group will have to pay a basic fee
   - Each member of this group has one vote concerning decisions relevant for the association
   - One member of this group belongs to the board

c) Beneficiaries (or maybe: clients)
   - Member status for a commercial user of the euromuse.net data. Depending on the extent of use, the fee varies
   - Beneficiaries have no right to vote in the general assembly

d) Sponsors & supporters
   - Sponsors and supporters sustain the association
   - They have the status of “honorary members” and as consultants to the board, but have no vote
5.3 Legal Form & Place of establishment

The discussions in the euromuse.net consortium have come to the conclusion, that the legal form of a non-profit-making association will be the most suitable form for future euromuse.net. For a detailed analysis of different legal forms please consult the Deliverable D6.2 (July 2010).

A non-profit making association is a group of members (natural or legal bodies) organising themselves for an objective other than generating profit. This type of organisation is not for profit, i.e. the association’s financial gains are distributed directly towards the day-to-day maintenance and future development of the association’s targets but do not aim at profit maximisation.

While the discussion of a place of establishment had not yet come to a decision in the latest Deliverable, the discussion took a new direction within the last six month, now considering aspects, which had not been taken into account before.

The SPK foundation has declared its readiness to continue the work on euromuse.net and supports it with staff. That is why the consortium prefers to choose an association seated in Germany. There are only small differences between an association of Austrian law and German law. Choosing an association of German law allows closeness in location to the responsible administrative bodies. Therefore the consortium shifted to the decision of setting up the association in Germany instead of Austria.

Advantages which where quoted for the original preference for an Austrian association like being established in an EURO-country or having a position which is geographically located in the centre of Europe holds true for an association under German law as well.

5.4 Statutes

The statutes of the euromuse.net – das Ausstellungsportal für Europa e.V. association presented in the following represent the state of discussion reached at the euromuse.net consortium meeting held in Berlin on 25th and 26th November 2010. It is expected that further refinements will be decided on in December 2010 and that the association will be set up in the beginning of 2011.
Draft-Statutes of
euromuse.net – das Ausstellungsportal für Europa e.V.
association

§ 1 Name, location, legal status and financial year
1) The Association euromuse.net – das Ausstellungsportal für Europa e.V. (following euromuse) has the form of a registered society of German law.
2) The seat of euromuse is Berlin.
3) The association is registered in the register.
4) The fiscal year is the calendar year.

§ 2 Benefit to the public
1) euromuse exclusively and directly pursues charitable purposes within the meaning of the "tax-privileged purposes" of the tax code.
2) The Association is active and it does not pursue economic purposes.
3) Funds may only be used for statutory purposes. The members receive no financial benefits from the association.
4) No person may benefit from expenditures deviating of the purpose and tasks of the association, or from disproportionately high remuneration. The association may use its own personnel to perform their duties and the assistance of other third-party companies and institutions.

§ 3 Purpose and Tasks
Purpose of euromuse is the support of the members on their way towards the “knowledge society” through the introduction and utilization of information and communication technologies, preferably the promotion of cooperative publishing and documenting of information about European museums’ offers. It aims to strengthen the accessibility of the cultural heritage in Europe for interested public and professional user groups.

This is subject to particular
a) the procurement / development and provision of tools and structures in knowledge management for cultural heritage institutions, in particular for museums (web portals, web services, translation tools, editorial support, market surveys, vocabularies, standards) and their active support
b) operation and development of data and server infrastructure for use by all members and internet use by the general public
c) advising and training members to use these tools
d) the provision of digital content on museums and their exhibitions provided by the members
e) distributing the digital content of the members to national and international scientific and cultural portals
f) conducting / participating in research and development projects in the field of cultural and scientific heritage
g) cooperation with universities, research institutes and other institutions of cultural heritage and cultural tourism
h) support, coordination and implementation of education and training of members
i) establishing co-operations and partnerships with services or operators in the tourism sector.
§ 4 Membership
1. The membership is open to legal persons of public law and private law and private institutions, particularly museums, museum associations, the euromuse.net eTEN project partners, other stakeholders of museums and cultural and research institutions.
2. In addition to members according to paragraph 1 legal persons of private or public law or natural persons may be approved by the to board to join the association to the status of so-called “beneficiaries”.
3. Membership is acquired by:
a) signing a membership application and
b) the approval by the Board
4. The member immediately enters in the membership and will be made aware of this immediately.
5. Membership is terminated by
a) withdrawal,
c) death,
d) resolution of a legal person or a partnership
e) exclusion.

§ 5 Membership fees
The Board proposes membership fees to the General Assembly, which has to approve the membership fees.

§ 6 Bodies
Organs of euromuse are:
a) the General Assembly
b) the Board

g§ 7 Duties of the General Assembly
1) The ordinary general assembly takes place annually. Its tasks are:
a) to elect the board;
b) to elect two auditors who can not be members of the Board;
c) to receive the annual and financial report of the board and the audit report of the auditors and to decide on the discharge;
d) to approve the budget;
e) to fix the membership fees
f) to decide on changes to the Statutes and all other issues provided by the Board and to decide on the resolution submitted matters.
2) The Board shall convene an extraordinary general assembly if the interest of euromuse requires it, or if one tenth of the members demand so by stating purpose and reasons.
3) The decisions of the General Assembly shall be recorded in minutes, which are signed from the respective chairman. It should include the following findings: location and time of the meeting, the name of the chairman of the meeting, the number of members present, the agenda, the individual election results and the method of voting. When amendments to the Statutes are decided the exact wording shall be specified.

§ 8 Notice and Resolution of the General Assembly
1) The general assembly date is announced to the members by the board no later than 35 days before the meeting date (date of postmark) including
an agenda of the meeting.
2) Applications must be received by the Board 20 days before the meeting in writing. Subsequent applications can be added to the agenda at the beginning of the meeting, if approved by at least two-thirds of full members present.
3) The General Assembly is a quorum with the number of members present. Simple majority vote of the members present shall decide.
4) Each regular member has the right to vote. Each member has one vote. The corporate members are represented by their management or their agents with one vote each. Voting rights of individual members are not transferable.
5) To change the purpose of the association and its resolution needs the approval of three fourths of the votes cast. Members who cannot be present at the assembly can vote by (e-)mail correspondence. The vote has to be received by the board at least three days in advance of the meeting date. For the dissolution of the association a separate meeting has to be organised and can only be decided with a vote of three fourth of the members.

§ 9 Board
1) The Board consists of the euromuse association’s President, the Vice-President and 3–5 assessors. Four seats in the board are reserved for the Founding members.
2) The board is elected for a term of four years by the General Assembly. The election is secret. Each regular member is elective.
3) President, Vice President and assessors can be re-elected. If a member of the board will be elected as president or Vice President, he/she may be re-elected to that office up to three times. In case of premature retirement of board members an election takes place during the next General Assembly.
4) The Board shall take its decisions in board meetings, coordinated by the the President or the Vice-President. The agenda must be announced in the invitation. The Board has a quorum if at least four board members are present. The Board takes all decisions by simple majority vote of those present; in a tie, the vote of the president (or if the president is not present the vote of the vice-president) chairing the meeting decides.
5) euromuse is represented in judicial and other issues on court within the meaning of § 26 BGB by two members of the Board, including the President or the Vice-President.
6) The Board may appoint committees for specific tasks.

§ 10 Office
euromuse maintains an office, which is run by a director. He/She reports to the Board and ensures, that the office is run according to the statutes of the association. The use of the funds is tied to the budget approved by the General Assembly and shall be made in accordance with the Statutes.

§ 11 Use of the association's assets
Upon dissolution of the association the assets of the association fall to one or more public body/ies, which has/have to use it exclusively and directly for the promotion of art and culture, education or science and research.
5.5 Next steps

After some discussions the legal form of an association has been figured out to be the best form of organisation for euromuse.net because it suits best for the project’s aim. A variety of criteria made the consortium decide to set up an association:

- low administrational effort
- low cost of establishment
- flexibility in the membership model
- possibility of all the euromuse.net consortium partners to join
- easy possibilities to align the association to the current needs
- possibility to employ personal and to work on a voluntary basis at the same time

Currently the final checks are undertaken and the association will be established in 2011.