



# STATUTES



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Note: In these Articles of Association, the masculine form is used generically to refer to all genders. This is not intended to be discriminatory, but merely to facilitate readability. In principle, all genders are always implied, unless otherwise specified.



## I. NAME AND PURPOSE OF THE ASSOCIATION

### § 1 Name, Registered Office and Association Languages

1. The Association bears the name “EWA — European Waterpark Association e.V.,” abbreviated to EWA e.V. The Association is entered in the Register of Associations.
2. The Association’s territory is Europe.
3. It is a legally recognised association with its registered office in Nuremberg (Germany).
4. The primary language of the Association is German. For non-German-speaking members, all communication tools (newsletters, website) are automatically translated into English and made available. An English translation is provided at all General Meetings and congresses; for training sessions and small meetings, translation is provided automatically. All communication with the secretariat may be in German or English. If more than 10 full members from a member country do not speak German or English, the General Assembly may, upon application by the Executive Board, decide to adopt an additional language as an official language of the Association.

### § 2 Purpose and tasks of the Association

1. The Association aims to promote and protect the commercial, economic, professional and trade interests of its members on a collaborative basis. The objective is to become the leading association for leisure and adventure pools in Europe. The Association supports the development of innovation and sustainability, quality and excellence within the water park, leisure pool, thermal spa and sauna sectors.
2. Within the scope of its purpose, the Association undertakes the following tasks:
  - a) Representing the interests of members before political bodies, as well as authorities and other institutions at European level and in the countries where member establishments are located,
  - b) providing members with regular updates on new developments in leisure science,
  - c) Supporting scientific projects to research the leisure behaviour of the population,
  - d) Informing the public about industry conditions and the range of services offered by its members,
  - e) Providing information about the Association’s member companies within the sector (‘business-to-business’),



- f) organising specialist conferences and training events,
  - g) Promoting the exchange of information and experience within the association.
3. In order to fulfil its tasks, the Association also represents the commercial interests of its members in the public sphere and within other organisations. To this end, it may acquire membership of such organisations and enter into cooperation agreements.
4. Concerns regarding the economic affairs of individual members may only be addressed or represented within the scope of the Association's remit if they are in the interests of all members in a European country in which at least five full members of the Association have their registered office.
5. Due to differing regulatory frameworks (such as tax law, hygiene guidelines for swimming pools, standards, etc.), the Association may establish a regional section in countries where at least five full members have their registered offices, upon the recommendation of the Executive Board. If the number of members in the country in question falls, the regional section is automatically dissolved; furthermore, the Executive Board may decide to dissolve it at any time.
6. The implementation of the Association's statutory duties is governed by the Rules of Procedure.

### **§ 3 Financial Year**

The financial year is the calendar year.

## **II. MEMBERSHIP**

### **§ 4 Types of membership**

1. The Association comprises the following types of members:
- a) Full members,
  - b) Associate members,
  - c) Supporting members,
  - d) Honorary members.



2. Full and/or associate membership is open to leisure and adventure pools, water parks, thermal spas and sauna complexes. Membership may be acquired by natural or legal persons who own and/or operate such facilities.
3. Leisure and adventure pools or water parks are bathing facilities located outdoors or under cover which, due to their operational and architectural design and their facilities, are not primarily intended for swimming as a sporting activity or exclusively for health and therapeutic purposes. Thermal spas are health-oriented adventure pools. Sauna complexes with integrated wellness facilities are establishments that, due to their variety of different sauna types and their size, clearly stand out from standard small-scale sauna facilities. The purpose of the sauna complexes is to provide a stay of several hours amidst a wealth of recreational facilities.
4. Full membership may be granted to leisure and adventure pools, thermal spas, water parks and sauna worlds that comply with the admission guidelines. The admission guidelines are set out in the annex to Section 5(3) of the Articles of Association. The admission guidelines must also be maintained throughout the duration of membership.  
  
Associate membership may be granted to natural and legal persons who are at an advanced stage of planning the construction and/or operation of leisure pools, water parks, thermal spas and sauna complexes, which are designed in such a way that they may subsequently qualify for full membership. Associate members are entitled to attend all general meetings and events of the Association, but without voting rights.
5. Supporting members may be natural or legal persons, as well as associations, who wish to support the association's objectives and whose membership is also in the association's interest, but who are unable to meet the requirements for full or associate membership. Supporting members are also entitled to attend all general meetings of the Association, but without voting rights. Supporting members are generally natural or legal persons involved in the 'leisure' sector.
6. Any natural person who has rendered outstanding services to the Association or to the general promotion of leisure and adventure pools, water parks, thermal spas and sauna complexes may be appointed as an honorary member. If a person to be appointed as an honorary member has previously served as President, they may also be appointed as Honorary President of the Association.

## § 5 Acquisition of Membership



1. Full, associate and supporting members shall be admitted upon application by resolution of the Executive Board. The resolution must be passed by the Executive Board by a simple majority.
2. All applications for membership must be submitted in writing.
3. If the application for full membership is not unanimously rejected by the Executive Board, a vote on the matter may be held at the next ordinary General Meeting at the applicant's request. Applications for associate and supporting membership are decided upon definitively by the Executive Board.
4. The admission guidelines are established by the General Meeting following a proposal by the Executive Board.
5. Membership commences on the 1st of the month following the decision on admission. Membership rights commence upon payment of the first (where applicable, pro-rata) annual subscription.
6. Honorary members and honorary presidents are appointed by the General Meeting upon the recommendation of the Executive Board.
7. Applications for membership from countries in which the principles of democratic rule of law, human rights and freedom of expression and of the press are significantly violated may be rejected. This applies in particular to countries with authoritarian or totalitarian systems of government in which independent civil society activities are suppressed or criminalised.

## **§ 6 Rights and duties of members**

1. Members have the right to
  - a) make use of the Association's services,
  - b) identify themselves as members of the EWA in all printed materials, on their business stationery, etc., as well as in their annexes, and to display the EWA logo in doing so. Any misuse or misleading use will result in the initiation of expulsion proceedings.
2. Members undertake to
  - a) to recognise the provisions of the Association's Articles of Association and to comply with the decisions of its governing bodies,
  - b) to promote the interests of the Association and to support the Association in every way,



- c) to provide the Association with the necessary information and documents for the membership register, as well as to notify the Association immediately of any changes to the company name, the identity of the owner, partners, authorised signatories or managing director, and to submit to the Association the necessary information and documents to the extent determined by the Association for the performance of its tasks,
- d) not to join or belong to any organisation or association whose interests conflict with the objectives of the EWA. The Executive Board shall decide by a simple majority whether a conflict of interest exists.

## **§ 7 Admission fees, membership fees, levies and litigation fund**

1. Membership fees are levied (pro rata where applicable) as annual fees and are due on 1 January for the current membership year.
2. The levy for public relations work shall be charged (pro rata where applicable) as an annual contribution. This levy is payable plus the applicable VAT.
3. Levies may be charged for special purposes. This applies, for example, to the conduct of legal proceedings, in particular those relating to unfair competition, or to measures for advertising or public relations. In the event of special services provided to individual member firms, the Association has the right to demand reimbursement of the special costs.
4. A litigation fund may be established for the conduct of legal proceedings.
5. The amount of the annual membership fees, any levies and contributions to the litigation fund shall be determined by the General Meeting and regulated in a schedule of fees. Honorary members are exempt from the obligation to pay membership fees.
6. The Executive Board is obliged to adjust membership fees and levies annually in line with the consumer price index. The adjustment is based on the consumer price index published by the Federal Statistical Office on 1 July of the year for Germany, measured as the change in the consumer price index (CPI) compared with the same month of the previous year. The adjustment takes effect on 1 January of each year and is communicated to members in writing at no later than one month in advance. Any changes exceeding this adjustment must be decided by the General Meeting upon the proposal of the Executive Board.



## § 8 Termination of membership

1. Membership shall terminate
  - a) upon notice given by registered letter with six months' notice to the end of the calendar year,
  - b) upon cessation of business at the end of the calendar year in which the business ceases,
  - c) in the case of natural persons, upon death; in the case of legal entities, upon liquidation;
  - d) upon the legally binding closure of the business by the authorities,
  - e) by expulsion.

If membership is terminated, this shall not affect the obligation to pay membership fees for the current financial year. Upon termination of membership, any claim by the departing member to the association's assets shall lapse.

2. A member may be expelled by resolution of the Executive Board, in particular where one of the following grounds applies:
  - a) gross violation of the provisions of the Articles of Association, in particular of § 6,
  - b) arrears in membership fees and contributions despite three reminders,
  - c) a final criminal conviction of the owner, the managing director authorised to represent the company, or any other person entrusted with representing the company at the general meeting for a financial offence, provided that this is associated with the imposition of a custodial sentence of more than 6 months. A further ground for exclusion is the loss of civil rights for more than one year resulting from a final conviction.
  - d) The opening of insolvency proceedings or a refusal to open proceedings due to lack of assets,
  - e) failure to meet the quality criteria for full members set out in the admission guidelines, or failure to provide evidence of an advanced planning stage for associate members within six months of a reminder from the Executive Board,
  - f) any other serious breach of the association's interests.
3. An appeal may be lodged against expulsion. This must be lodged within one month. The Executive Board may uphold the appeal; otherwise, the Arbitration Tribunal shall decide. The Executive Board may object to the arbitration tribunal's decision. In that case, the General Meeting shall decide. Until the matter is resolved, the remaining membership rights shall be suspended. If the Executive Board does not appoint an arbitration tribunal, the General Meeting shall decide in its stead.
4. The Executive Board, or in urgent cases the President, may order the suspension of membership as a provisional measure where there is reasonable suspicion that grounds for expulsion exist.



### III. BODIES

#### § 9 Bodies of the Association

1. The bodies of the Association are:
  - a) the General Meeting,
  - b) the Executive Board,
  - c) the Committee of Supporting Members of Supporting Members.

#### § 10 General Meeting

1. The General Meeting shall take place every two calendar years from 2026 onwards, unless the interests of the Association or one-tenth of the members (§ 37 BGB) require a General Meeting. This provision shall apply for the first time from the 2026 General Meeting. Members must be invited to General Meetings in writing at least 21 days in advance. The invitation must be sent by email or post to the address last provided by the member. The agenda shall be sent to the members at the same time. Motions for the agenda must be received by the Executive Board or the management at the latest 14 days before the General Meeting. Resolutions on motions received later may only be passed if the General Meeting agrees by a simple majority of the (valid) votes cast to include the motion on the agenda.
2. The Executive Board is authorised to allow members to cast their votes without attending the General Meeting, either in writing prior to the meeting or electronically before or during the meeting, or to hold the General Meeting as a virtual meeting.
3. Members may also pass resolutions without a General Meeting by written or electronic means (circular resolution procedure) provided that all members have been involved in the circular resolution procedure. The Executive Board shall determine the conduct of the circular resolution procedure and the procedure itself. A resolution passed by circular resolution is valid if at least half of the members have cast their votes in writing within a period determined by the Executive Board. In this context, invalid votes shall also be counted as votes cast. Resolutions shall be passed by a simple majority of the valid votes cast. The result of the resolution passed by circular resolution shall be communicated to the members by the Executive Board within 14 days of the expiry of the deadline. Invalid circular resolutions may be repeated — even multiple times.



4. Ordinary and honorary members have voting rights at the General Meeting. However, honorary members have no voting rights with regard to personnel decisions pursuant to § 11 No. 1 a), b), e), or § 11 No. 2. Ordinary members may be represented by company employees or association members by means of a power of attorney issued in writing for this purpose. However, no ordinary member may hold more than one proxy from another ordinary member. In the case of important votes, the Executive Board may exclude representation by proxy, provided that it has announced this in advance in the invitation and in the agenda. Honorary members may, in principle, only exercise their voting rights in person. Associate and supporting members may only vote if the full members or the Executive Board have previously decided by majority vote to allow this for the specific matter in question. An exception to this is the election of members of the Committee of Supporting Members of Supporting Members, which is carried out exclusively by the supporting members represented at the General Meeting.
5. Resolutions shall be passed by a simple majority of the (valid) votes cast. Resolutions regarding amendments to the Articles of Association require the approval of two-thirds of the votes represented. The General Meeting shall constitute a quorum regardless of the number of members present or represented. The provision of § 18 is excluded from this.
6. Extraordinary General Meetings shall be convened by resolution of the Executive Board or upon written request by at least one-tenth of the members. The Extraordinary General Meeting shall be held within three months of the Executive Board receiving the request.
7. The President or his deputy shall chair the General Meeting. The deputy shall be either one of the two Vice-Presidents or another member of the Executive Board entrusted with the chair by the President. If the President does not appoint a chairperson, the Executive Board shall decide who shall chair the General Meeting.

## **§ 11 Duties of the General Meeting**

1. In addition to the duties otherwise imposed on it by the Articles of Association or by statutory provisions, the General Meeting shall, in particular:
  - a) Electing the President, his first and second deputies, and the remaining members of the Executive Board,
  - b) Election of the auditors,
  - c) Election of the members of the Committee of Supporting Members of Supporting Members by the representatives of the supporting members present,
  - d) Election of the Returning Officer,



- e) Election of members of the Association's committees, tribunals, etc.,
- f) Receipt of the annual report and approval of the annual accounts,
- g) Discharge of the Executive Board,
- h) Approval of the budget for two calendar years at a time,
- i) Determination of the admission guidelines, the basis for calculation and the amount of annual membership fees, admission fees, levies and contributions to the litigation costs fund,
- j) Appointment of honorary members and honorary presidents,
- k) Voting on motions,
- l) Decisions on amendments to the Articles of Association,
- m) Resolutions on the dissolution of the Association in accordance with Article 18 of the Articles of Association.

2. The President, his deputies and the other members of the Executive Board shall be elected every four years by secret ballot. A separate ballot shall be held for the office of President, his two deputies and the other members of the Executive Board. Re-election is permitted. If a member of the Executive Board resigns during a term of office, a by-election for that position shall be held at the next ordinary General Meeting. The other persons entrusted with the Association's duties shall also be elected in a single ballot. Re-election is permitted. Voting at the General Meeting shall generally be by open ballot. However, voting must be by secret ballot if at least 25% of the voting members present at the meeting so request or if the Executive Board orders a secret ballot.

Nominations for the office of President, Vice-Presidents and the other members of the Executive Board must be received by the President or the management of at least 30 days prior to the General Meeting, so that the names of the candidates can be sent to the members in good time together with the invitation and the agenda. The candidate's written declaration of consent must be submitted to the President or the management together with the nomination.

In exceptional cases, which must be justified, in particular if an insufficient number of candidates have been nominated to fill all the positions to be filled in accordance with § 12 of these Articles of Association, nominations may also be made shortly before or during the General Meeting.

In principle, all members of the Association are entitled to propose candidates; only full members are entitled to vote.

The same procedure shall apply to the election of the Committee of Supporting Members of supporting members. In principle, all members of the Association are entitled to propose candidates; only supporting members are entitled to vote for the Committee of Supporting Members.



If a representative of the Executive Board or the Committee of Supporting Members leaves their company during the term of office, they must resign from their post immediately and a by-election must be held at the next General Meeting, unless the person moves to a company which is also a voting member of the Association for that post.

3. Should amendments to the Articles of Association or the dissolution of the Association be decided upon, the item “Amendment to the Articles of Association” or “Dissolution of the Association” must appear on the agenda. The wording of motions for amendments to the Articles of Association must be sent to the members together with the agenda prior to the General Meeting.
4. Amendments to the Articles of Association shall generally be decided by the General Meeting. If certain provisions of the Articles of Association prevent entry in the Register of Associations or recognition of charitable status by the relevant tax office, the Executive Board shall be authorised to implement the necessary amendments independently following a resolution by the General Meeting. Members must subsequently be informed of such amendments.

## **§ 12 Executive Board**

1. The association is managed by the Executive Board. In particular, it is responsible for implementing the resolutions of the General Meeting, managing the association’s assets, upholding these Articles of Association and supervising the management of the association.
2. The Executive Board consists of a President, two Vice-Presidents and four members. If a nation is represented in the EWA by at least five full members, that nation shall be represented on the Executive Board by at least one member. If this objective is not met, the Executive Board may resolve to expand the Executive Board accordingly and hold a by-election at the next General Assembly in accordance with the procedure applicable to a resigning Executive Board member; however, the candidates must come from nations with at least five full members that have not previously been represented on the Executive Board. Membership of the Executive Board is a personal membership. Only those who, as representatives of a full member of the EWA, are in principle entitled to vote may become members of the Executive Board.
3. The President and the two Vice-Presidents constitute the Executive Board within the meaning of Section 26 of the German Civil Code (BGB). The Executive Board is represented externally by the President alone or by the two Vice-Presidents jointly. The Executive Board elects one of the Vice-Presidents as Treasurer of the Association by a simple majority of the (valid) votes cast.



4. The Executive Board shall adopt its own rules of procedure.
5. Resolutions on motions for expulsion shall be passed by a three-quarters majority; other resolutions by a simple majority of the Executive Board members present. In the event of a tie, the chairperson shall have the casting vote. At the President's direction, resolutions of the Executive Board may also be passed in writing or electronically.
6. The members of the Executive Board shall be liable to the Association only for intentional or grossly negligent conduct. If claims are made against members of the Executive Board by third parties in connection with their duties on the Executive Board, the Association shall indemnify the member concerned against such claims, provided that the member did not act intentionally or with gross negligence.

### **§ 13 Committee of Supporting Members**

1. A Committee of Supporting Members comprising 5 persons shall be elected by the supporting members from among their ranks. The members of the Committee of Supporting Members shall be elected every four years by secret ballot at the General Meeting, in parallel with the regular Executive Board elections. Nominations for the Committee of Supporting Members must be received by the President or the Management at least 14 days prior to the General Meeting. A written declaration of consent from the proposed candidates must be enclosed. The names of the candidates shall be announced to the members together with the dispatch of the invitation and the agenda. All members of the EWA are entitled to propose candidates; the representatives of the supporting members at the General Meeting are entitled to vote. The election of Committee of Supporting Members members shall take place by secret ballot. Re-election is permitted. At its inaugural meeting, the Committee of Supporting Members shall elect a spokesperson and a deputy spokesperson. The Committee of Supporting Members shall advise the Executive Board on matters concerning the supporting members and their cooperative relationship with the other association members. The Chair of the Committee of Supporting Members is invited by the President to attend those agenda items at Executive Board meetings where matters concerning the supporting members are discussed. The Committee of Supporting Members may propose agenda items, which the Executive Board must then address at one of its forthcoming meetings.

### **§ 14 Management**



1. The Executive Board shall establish a management team to handle the Association's day-to-day business and to assist in the implementation of the decisions of the Association's governing bodies. Its duties and powers shall be laid down in a set of operational guidelines to be issued by the Executive Board.
2. The management of the executive body shall be entrusted to a managing director. The managing director may not become a member of the Executive Board. The Executive Board may also resolve that the administrative matters to be carried out by the executive body shall be performed by third parties. In this case, the managing director shall be responsible for the supervision and control of the tasks performed on behalf of the Association.
3. The Executive Board maintains an administrative office for the performance of its duties. The Managing Director reports to the Executive Board.
4. The Managing Director or a representative appointed by the Executive Board shall attend all meetings of the Association's bodies, specialist divisions, interest groups, commissions, committees and other bodies. The absence of the representative of the management shall not render the resolutions invalid.
5. Minutes shall be kept of all meetings and resolutions, which shall be signed by the chairperson of the relevant body and their deputy. If either of these two persons has not attended the meeting, the signature may be replaced by that of another attending member.

## **§ 15 Committees**

1. The Executive Board may appoint committees. In doing so, it shall determine their purpose and duration and appoint the chairperson of the committee and its members, including at least one member of the Executive Board. The chairperson shall report the outcome of the deliberations to the Executive Board.
2. In addition, the Executive Board may convene informal groups, such as a marketing network or meetings of association members at national level, for the regular exchange of experiences.
3. The regional groups described in § 2 are to be regarded as committees. If the Executive Board decides to establish a regional group, the full members of that committee shall elect a regional spokesperson. The regional groups are not independent legal entities within the meaning of association law, do not pass resolutions and have no power of representation of any kind on behalf of the Association. The



purpose of the regional group is to highlight national issues, challenges and trends, which are brought to the attention of the Association's Executive Board by the regional spokesperson. The Executive Board shall, in the interests of the Association and its purpose, and in accordance with the Articles of Association, provide whatever support is possible to the Association and, where appropriate, bring the matter to the attention of all members and address it.



## IV. GENERAL PROVISIONS

### § 16 Jurisdiction

1. The Executive Board may appoint an arbitration tribunal. The arbitration tribunal shall consist of three persons, who must be representatives of the members at the General Meeting and may not be direct parties to the dispute. The composition must be such that one member of the arbitration tribunal is elected by each of the parties to the dispute and the third member is a neutral person with legal expertise (e.g. a lawyer, etc.) who is appointed by the Executive Board to participate in the arbitration proceedings. To cover the costs of the proceedings, the Executive Board may require both parties to the dispute to pay a deposit and to sign a legally binding declaration of cost coverage. The costs of the proceedings shall ultimately be borne in proportion to the outcome; in the event of a settlement, the costs shall be shared equally.
2. The Arbitration Tribunal may be invoked by Association members in the event of disagreements regarding rights and obligations under the Articles of Association, disagreements regarding the interpretation of resolutions passed by the Association's governing bodies, or for the settlement of disputes between Association members. Furthermore, disputes between members, regardless of whether they are full, associate or supporting members, shall be settled before the arbitration tribunal, provided that the matters in question are not such as to be dealt with by a court of law.

### § 17 Audit

1. The annual accounts must be audited in good time each year by two auditors. These auditors shall report to the General Meeting on the results of the audit; in years in which no General Meeting is held, the report shall be submitted in writing and shall be brought to the attention of all members by the Management Board and decided upon by circular resolution. The report must be brought to the attention of the Executive Board and the Management Board in good time beforehand.
2. The General Meeting shall elect a permanent auditor for a term of four years at the time of the Executive Board election. At the same time, the General Meeting shall elect an auditor every two years by simple majority vote. Re-election of this auditor shall only be permitted after a period of two terms of office. Auditors may also be supporting or associate members; however, they may not be members of the Executive Board.



## **§ 18 Dissolution**

1. The dissolution of the Association may only take place through a General Meeting convened by the Executive Board for this purpose.
2. The resolution to dissolve the Association may only be passed if at least two-thirds of the members are represented at the vote. If this number is not reached, a new General Meeting, to be convened within three weeks with the same agenda, shall constitute a quorum regardless of the number of members represented. However, it must take place within three months. The resolution to dissolve the Association requires the approval of three-quarters of the votes cast (valid votes).
3. The General Meeting shall decide on the purpose to which the assets are to be allocated. Liquidation shall be carried out by the Executive Board, unless the General Meeting decides otherwise. In all other respects, the provisions of the law on associations in the German Civil Code (BGB) shall apply to the liquidation.

## **§ 19 Data Protection**

1. EWA undertakes to comply with the statutory provisions on data protection and endeavours to always observe the principles of data avoidance and data minimisation.
2. Further details are set out in the privacy policy of the European Waterpark Association e.V., which is published, amongst other places, on the Association's websites and may be requested by members of the Association at any time.

## **§ 20 Severability clause**

1. Should individual provisions of these Articles of Association be wholly or partially invalid or void, or should they become wholly or partially invalid or void as a result of changes in the legal situation, supreme court rulings or in any other way, or should these Articles of Association contain any omissions, the remaining provisions of these Articles of Association shall remain unaffected and valid.



2. In such a case, a valid provision shall be adopted at the next general meeting to replace the invalid provision, which shall come as close as possible to the meaning and purpose of the invalid provision. The same shall apply should these Articles of Association contain any omissions.

## **§ 21 Validity**

1. These Articles of Association were unanimously adopted by the General Meeting of the European Waterpark Association on 29 October 2025. They shall come into force upon the entry of the new Articles of Association in the Register of Associations at the Local Court of Nuremberg.



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