

DRAFT SPORTACCORD STATUTES

**SPORTACCORD
STATUTES
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STATUTES

CHAPTER I. GENERAL PROVISIONS

Article 1. Name and headquarters

- 1.1 SportAccord is a non-profit association, composed of autonomous and independent (i) associations of international sports federations and (ii) other groupings of international sports federations (the **Members**). It is constituted according to article 60ff. of the Swiss Civil Code and is governed by Swiss law.
- 1.2 The registered office of SportAccord is located in Lausanne, Switzerland.

Article 2. Objectives

The objectives of SportAccord are:

- a) to promote sport at all levels, as a means to contribute to the positive development of society;
- b) to coordinate and protect the common interests of its Members;
- c) to increase the level of recognition of SportAccord and its Members by the Olympic Movement stakeholders as well as by other entities involved in sport;
- d) to organise the annual SportAccord Convention and IF Forum;
- e) on request from and in agreement with its Members, to develop specific services for them in unique areas which avoid duplication and overlap;
- f) to facilitate the organisation of multi-sports events and support the organisation of multi-sports games by its Members in agreement and cooperation with its Members and in consultation with the International Olympic Committee (IOC).

Article 3. Official languages

- 3.1 The official languages of SportAccord are English and French.
- 3.2 Only English or French shall be used by SportAccord and by its Members in their communications with SportAccord. In the event of a dispute between English and French texts, the English text shall prevail.

Article 4. Duration

SportAccord is formed for an unlimited period of time.

CHAPTER II. MEMBERSHIP

Article 5. Categories of Members

- 5.1 SportAccord has two categories of Members:
- a) the voting Members (the **Voting Members**) ;
 - and
 - b) the non-voting Members (the **Non-Voting Members**).
- 5.2 The Voting Members of SportAccord are associations of international sports federations i.e.:
- a) the Association of Summer Olympic International Federations (ASOIF);
 - b) the Association of International Olympic Winter Sport Federations (AIOWF);
 - c) the Association of IOC - Recognised International Sports Federations (ARISF);
 - d) the Association of International Members (AIMS);
- 5.3 Other groupings of international sports federations are Non-voting Members of SportAccord.

Article 6. Conditions for Membership

- 6.1 The following associations may apply to become Members of SportAccord:
- a) associations of international sports federations which group together several international federations (or organisations) throughout the sports world and which have the responsibility for managing and administrating the interests of their constituents;
 - or
 - b) associations or groupings of sports organisations which assemble the activities of several of its members, generally for the purpose of organising competitions.
- 6.2 All Members of SportAccord are to be approved by the General Assembly in accordance with article 16 lit. d of the Statutes.

Article 7. Application Procedure for Membership

- 7.1 All applications for membership have to be sent to the Administration of SportAccord. The Administration shall conduct, under the direction of the Executive Board, investigations as to the bona fides of any applicant. No commitment as to the outcome of such application may be made by anyone on behalf of the General Assembly.
- 7.2 The Executive Board is entitled to appoint an *ad hoc* Commission to examine new membership applications.
- 7.3 On the basis of the investigations and/or the report of the *ad hoc* Commission (if applicable) and provided that the SportAccord's Executive Board finds the application compliant with SportAccord requirements, the Executive Board shall submit a recommendation to the General Assembly.
- 7.4 Any candidate applying for membership must submit its application at least nine (9) months prior to the date of the General Assembly at which the application is to be considered, together with:
- a) a written declaration justifying that its member sports organisations or the activities which it controls does not conflict with or is not in rivalry with an already existing Member of SportAccord;
 - b) a written declaration justifying that the applicant is the only one representing its members on a global level;
 - c) a confirmation that the applicant is a non-profit organisation;
 - d) a copy of its constitution/statutes, regulations and directives.

Article 8. Members' rights

- 8.1 Members have the right:
- a) to receive in advance the agenda of the General Assembly and to be called to the meeting within the prescribed time;
 - b) to be informed of the financial status of SportAccord;
 - c) to exercise any other right arising from the Statutes, regulations, directives and decisions of SportAccord.
- 8.2 In addition to the rights set forth above, Voting Members have the right:
- a) to make proposals regarding the Agenda of the General Assembly;
 - b) to participate in voting.

Article 9. Members' obligations

Members have the obligation:

- a) to comply at any time unreservedly with the Statutes, regulations, directives and decisions of SportAccord;
- b) to have their executive organs elected at all times by their respective general assemblies or any other competent bodies;
- c) to notify SportAccord, in writing, of any modification in their constitution or statutes that potentially affects their conditions of membership of SportAccord.

Article 10. Resignation

10.1 A Member may resign at any time.

10.2 Such resignation shall take effect immediately upon receipt of a written notice of resignation signed by authorized person(s), and shall be reported to the Executive Board of SportAccord by the Administration.

Article 11. Suspension

11.1 The Executive Board may, by a two thirds (2/3) majority, suspend a Member until the following General Assembly if it fails to comply with a provision of the Statutes, regulations, directives and decisions of SportAccord;

11.2 A decision regarding the expulsion of the Member must be made at the following General Assembly, provided the suspension is still in force at that time.

Article 12. Expulsion

A Member shall lose its membership of SportAccord on a resolution passed by the General Assembly in accordance with article 19.5, notably if it refuses to comply with and/or breaches any of the provisions of the Statutes, regulations, directives and decisions of SportAccord.

CHAPTER III. RESOURCES

Article 13. Resources

The association's resources consist in particular in:

- a) subsidies;
- b) revenues of SportAccord's activities;
- c) contributions, legacies and any funds SportAccord can be gratified with.

CHAPTER IV. ORGANS OF THE ASSOCIATION

Article 14. Organs

The organs of SportAccord are:

- a) the General Assembly;
- b) the Executive Board;
- c) the Administration.

A. GENERAL ASSEMBLY

Article 15. Definition, organisation

- 15.1 The General Assembly is the meeting of all SportAccord Members. It is the supreme organ of the Association.
- 15.2 Only a General Assembly convened in accordance with the Statutes has the authority to exercise its powers.
- 15.3 The General Assembly may be Ordinary or Extraordinary.

Article 16. Powers of the General Assembly

The General Assembly:

- a) adopts or amends the Statutes of SportAccord;

- b) amends or revokes the regulations and directives of the Executive Board that the General Assembly determines adversely affects any Members' right provided or described in article 8 or impinges on any power or other competence of the General Assembly;
- c) approves the minutes of the previous meeting;
- d) admits or expels a Member;
- e) appoints the independent auditors;
- f) approves the budgets, financial statements and the activity report;
- g) exercises any other competence specifically attributed to it by the Statutes, regulations and directives of SportAccord.

Article 17. Delegates

- 17.1 Each Member's delegation is limited to a maximum of two (2) persons.
- 17.2 Each Member shall send to the Administration a written confirmation of its delegates 15 days in advance of the General Assembly.

Article 18. Quorums

- 18.1 In order for the General Assembly to be validly convened, an absolute majority (at least 50 % + 1) of the Voting Members must be present.
- 18.2 Decisions regarding the dissolution of SportAccord or amendments to the Statutes passed by the General Assembly shall only be valid if two-thirds (2/3) of the Voting Members are present.
- 18.3 Absent the quorum, a second General Assembly shall be held 24 hours after the first was due to convene, with the same agenda. In that second General Assembly, no quorum is required, unless an item on the agenda proposes the amendment of the SportAccord Statutes and the expulsion of a Member or the dissolution of SportAccord.

Article 19. Voting

- 19.1 Each Voting Member is entitled to vote.
- 19.2 The Voting Members have a total of seven (7) votes distributed as follows:
 - AIOWF shall have two (2) votes;
 - ASOIF shall have three (3) votes;
 - ARISF shall have one (1) vote;
 - AIMS shall have one (1) vote.

- 19.3 Non-Voting Members are not entitled to vote.
- 19.4 Delegates may not represent more than one Member.
- 19.5 Except for any indication to the contrary in these Statutes, all decisions shall be made by an absolute majority (50% + 1) of votes validly cast.
- 19.6 Dissolution of SportAccord and/or amendments to the Statutes require(s) a two-thirds (2/3) majority of the votes validly cast.
- 19.7 Admission of a new member will require a two-thirds (2/3) majority of the votes validly cast.
- 19.8 Illegible, void and blank votes, and abstentions, shall not be included in the count of validly cast votes.
- 19.9 All voting shall be conducted by a show of hands, unless two (2) or more Voting Members request a secret ballot.
- 19.10 The Executive Board may submit any resolution within the competence of the General Assembly to a vote by correspondence to the Voting Members. Resolutions passed by correspondence shall be considered validly made by the General Assembly. The quorums set forth in Article 18 are not applicable. All articles regarding majority are applicable to resolutions passed by correspondence.
- 19.11 Voting by proxy or letter during the General Assembly is not allowed.

Article 20. Ordinary General Assembly

- 20.1 The Ordinary General Assembly is convened by the Executive Board once a year.
- 20.2 All proposals by Members to modify the SportAccord Statutes should be communicated in writing to the Administration at least 60 days prior to the General Assembly.
- 20.3 At least 90 days before the date of the opening of the General Assembly, the Administration shall send a formal calling notice to the meeting to all Members. The notice shall stipulate that any Member wishing to add a new item on the agenda must submit it to the SportAccord administration no later than 60 days prior to the meeting.
- 20.4 At least 30 days before the General Assembly, the Administration shall circulate the agenda as prepared by the Executive Board, together with the activity report and any other relevant document. The budget and the accounts will be circulated immediately after having been audited, but, in any case, before the General Assembly.
- 20.5 Together with the agenda, the Administration shall circulate details of any membership applications and a brief description and results of any investigations made to that effect by the Administration as well as any recommendations by the Executive Board. Objections to or reservations held regarding such membership applications must be communicated to the

Administration together with the reasons for such objection or reservation, no later than fifteen (15) days prior to the General Assembly.

Article 21. Agenda for Ordinary General Assembly

21.1 The agenda shall contain the following items:

- a) opening of the meeting;
- b) roll call;
- c) adoption of the agenda;
- d) President's address;
- e) appointment of scrutineers (if applicable);
- f) suspension or expulsion of a Member (if applicable);
- g) approval of the minutes of the previous General Assembly;
- h) approval of the audited accounts;
- i) activity reports;
- j) financial matters (balance sheet, accounts, auditing report, budget, auditor...);
- k) Statutes modifications (if applicable);
- l) voting and elections (if applicable);
- m) new membership applications;
- n) items presented for information;
- o) items brought forward from meetings among Members;
- p) date and place of next meeting.

21.2 The Executive Board may add any urgent matter to the agenda of the General Assembly at any time. In any other cases, the agenda may be modified by the General Assembly provided there is a two-thirds (2/3) majority of the votes validly cast.

Article 22. Extraordinary General Assembly

22.1 An Extraordinary General Assembly may be convened:

- a) at the request of the Executive Board ;
- b) at the request of Voting Members representing at least one-fifths (1/5) of the votes. In that case, said Voting Members shall submit a written request to the Administration. The ensuing Extraordinary General Assembly shall be held no later than 60 days following receipt of the written request.

22.2 Notification of the meeting will be sent out to the Members at least 30 days in advance.

- 22.3 The notification shall detail the reasons for convening an Extraordinary General Assembly. No business other than that specified in the notification shall be conducted at such an Extraordinary General Assembly, unless all Voting Members are present and vote unanimously in favour of it.

Article 23. Conduct of meetings

The President chairs over every meeting of the General Assembly. Article 27.4 is reserved should the President be temporarily/permanently unable to fulfil his duties. If both the President and the Vice-President are unable to chair, the most senior (i.e. the longest serving) member of the Executive Board shall act as Chair.

Article 24. Minutes

- 24.1 The minutes of the meetings are recorded by the Administration and submitted for approval to the Executive Board within 60 days of the meeting.
- 24.2 No correction of or alteration to the minutes will be accepted without written notification to the Administration, duly received and acknowledged, within 90 days of the date of circulation of the minutes to the Members.
- 24.3 The minutes are submitted for approval at the following General Assembly.

B. Executive Board

Article 25. Composition and election

- 25.1 The Executive Board is the executive body of SportAccord and consists of 8 (eight) members:
- a) three (3) members designated by the ASOIF;
 - b) two (2) member designated by the AIOWF;
 - c) one (1) member designated by the ARISF;
 - d) one (1) member designated by the AIMS;
 - e) one (1) member designated by the Non-Voting Members.
- 25.2 Each Voting Member applies its own procedure to designate its representative(s).

Article 26. Eligibility, term of office

- 26.1 The Executive Board members must have reached the age of eighteen (18) when taking office and be in full possession of their civil rights.
- 26.2 Executive Board members are appointed for a term of three (3) years. They may be reappointed only once.
- 26.3 The Executive Board members who, during their term of office, lose their position within the Member organisation which they represent shall continue to sit on the Executive Board until the following General Assembly, unless the relevant Member objects. In this case, the organisation concerned shall designate a substitute that will sit for the remainder of the term.

Article 27. President & Vice President

- 27.1 The Executive Board appoints a President from among its members. The President of SportAccord is appointed for one single three (3) year term of office. The position of President rotates among the members of the Executive Board designated by the Voting Members in the following cyclic order:
- a) ASOIF;
 - b) AIOWF;
 - c) ARISF;
 - d) AIMS.
- 27.2 Candidates must, on the date of the election be, or must have been for at least one full term, a member of the executive board or similar executive organ of the Voting Member which they represent. They must be nominated by the Voting Member concerned.
- 27.3 The President of SportAccord chairs over the General Assembly and the Executive Board. He has the right to vote:
- a) In the General Assembly – only a casting vote in the event of a tied vote; and
 - b) In the Executive Board – a vote as a member of the Executive Board plus a casting vote in the event of a tied vote.
- 27.4 Should the President be temporarily unable to fulfil his duties, the Vice-President of SportAccord deputises for him during the General Assembly and/or meetings of the Executive Board. In the event that the President is permanently unable to fulfil his duties, the Vice-President shall act as President until the next General Assembly.

- 27.5 The Executive Board appoints a Vice President for one single a period of 3 (three) years among its members in the sequence of AIOWF, ARISF, AIMS, ASOIF.

Article 28. Meetings, quorums

- 28.1 The Executive Board shall meet in principle twice during each year.
- 28.2 The meetings can be held by video-link, computer or telephone conference.
- 28.3 The quorum for meetings of the Executive Board is met when (i) the President (or the Vice-President, should the President be temporarily unable to fulfil his duties in accordance with article 27.4) plus (ii) three (3) other Executive Board members are present (including by video-link, computer or telephone conference).
- 28.4 The President or the Chair of the meeting has a casting vote in case of a tie.
- 28.5 Resolutions of the Executive Board may also be adopted by way of written consent to a proposition.

Article 29. Powers of the Executive Board

- 29.1 The Executive Board is competent in all matters that are not reserved to other bodies by the Statutes, regulations and directives of SportAccord.
- 29.2 The Executive Board lays down the regulations and directives of SportAccord.
- 29.3 The Executive Board represents and commits SportAccord with regard to third parties. The Executive Board shall decide through which individuals SportAccord shall be committed towards third parties. At least two (2) signatures (joint signatory powers) are required to commit SportAccord.
- 29.4 The Executive Board, with the assistance of the Administration, prepares and convenes Ordinary and Extraordinary General Assemblies. Article 22.1 is reserved.
- 29.5 The Executive Board may appoint any Working Group it deems necessary at any time.

C. Administration

Article 30. Mission

The Administration conducts day-to-day business. Its mission is to implement the decisions made by the General Assembly and the Executive Board, and carry out all the administrative duties of SportAccord, under the supervision of the Director.

Article 31. Director

- 31.1 The Director is appointed by the Executive Board, on the basis of a contract governed by Swiss law. He/she shall be held accountable to the Executive Board for the running of the Administration and such other duties as may be required.
- 31.2 He/she hires the SportAccord staff after consultation with the President and the Executive Board.

CHAPTER V. FINANCES

Article 32. Financial year

The financial year of SportAccord shall be from the 1st January to the 31st of December.

Article 33. Auditors

- 33.1 The accounts shall be audited each year by external qualified professional auditors, totally independent from SportAccord. Their duty is to check the accounts and present their formal report to the General Assembly, with their conclusions and recommendations, notably with regards to the approval of the financial statements by the General Assembly.
- 33.2 The auditors are appointed by the General Assembly, generally for a period of two (2) years. Their mandate may be renewed.

CHAPTER VI. FINAL PROVISIONS

Article 34. Dispute resolution

- 34.1 Any dispute arising from, or related to the Statutes, regulations, directives and decisions of SportAccord, should be resolved internally and is to be decided by the Executive Board.
- 34.2 Any decision made by the Executive Board in its capacity as the highest judicial organ of SportAccord may be submitted exclusively by way of appeal to the Court of Arbitration for Sport in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of sports-related arbitration. The time limit for appeal is twenty-one days after the reception of the decision concerning the appeal.

Article 35. Modification of the Statutes

- 35.1 These Statutes may be modified by the General Assembly.
- 35.2 The amendments to the Statutes require a two-thirds (2/3) majority of the votes validly cast.

Article 36. Dissolution

- 36.1 The dissolution of SportAccord shall require an extraordinary meeting of the General Assembly at which the proposed dissolution shall be the sole item on the agenda.
- 36.2 Dissolution of SportAccord requires a two-thirds (2/3) majority of the votes validly cast.
- 36.3 Any assets remaining after the dissolution of SportAccord, shall, after settling of all debts and liabilities, be applied to the furtherance of any objective(s) of SportAccord.

Article 38. Independence of Members

- 38.1 SportAccord recognises and respects the autonomy of its Members and their constituents and their sole authority within their respective sports organisations and areas of competence;
- 38.2 No discussion or voting by SportAccord shall infringe in any way the autonomy and independence of any Member or their constituents, which shall, at all times, retain full independence and control over all matters falling within its field of activity and jurisdiction.

Article 39. Entry into Force

This version of the Statutes has been adopted by the General Assembly in (insert place), on (insert date) and came into force with immediate effect.