

# 08 — STATUTORY CHANGES

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# 2017 Statutory Changes

## 08.1 — STATUTORY CHANGES

Proposed amendments to SportAccord Statutes  
(2017 General Assembly)

### 1. CHANGE OF NAME OF THE ASSOCIATION

The name of SportAccord does not necessarily reflect what the Association is. First and foremost, it is an Association composed of autonomous and independent sports federations (Art. 1.1) and organisations at a worldwide level.

It is the opinion of the Council that a name that reflects this, like “Global Association of International Sports Federations” (GAISF) would better represent the nature of the organisation. It would also make a clear distinction with the commercial activities held under the patronage of the Association, such as the SportAccord Convention/IF Forum or the Multiple Sport Games which shall also in the future retain the name and brand “SportAccord”, which is a protected mark of the Association.

#### CURRENT VERSION

##### Article 1. Name and headquarters

- 1.1 SportAccord (previously known as GAISF, the General Association of International Sports Federations) is a not-for-profit association, composed of autonomous and independent international sports federations and other international organisations contributing to sport in various fields.
- 1.2 SportAccord is constituted according to article 60ff of the Swiss Civil Code, is governed by Swiss law and is formed for an unlimited period of time.
- 1.3 The registered office of SportAccord is located in Lausanne, Switzerland.

#### PROPOSED AMENDMENTS<sup>1</sup>

##### Article 1. Name and headquarters

- 1.1 [The Global Association of International Sports Federations \(GAISF\)](#) is a not-for-profit association, composed of autonomous and independent international sports federations and other international organisations contributing to sport in various fields.
- 1.2 [The GAISF](#) is constituted according to article 60ff of the Swiss Civil Code, is governed by Swiss law and is formed for an unlimited period of time.
- 1.3 The registered office of [GAISF](#) is located in Lausanne, Switzerland.

<sup>1</sup> The name of the Association will be updated throughout the Statutes if the General Assembly approves the proposed amendment to Article 1.

## 2. ADDITION OF OBSERVER STATUS FOR APPLICANTS TO MEMBERSHIP

There are currently around 29 applications for membership pending with SportAccord. Many do not fulfil yet the strict criteria enumerated under 7.A and 7.B.

As an example, applicants have a practical difficulty to achieve the required number of Member National Federations with the appropriate recognition certificates by the National Olympic Committees and/or National Sports Authorities.

Including such applicants – subject to there being no rivalry issues whatsoever – into a newly created category with Observer status, which only grants the right to attend as observers the General Assembly and confirms formally their candidature status, would help accelerate their efforts to become a member of SportAccord and allow the administration to assist them in the process. This status would have a limit in time.

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### PROPOSED NEW ARTICLE

#### Article 7.C Observer status of applicants

- 7.C.1 Upon request, the Council may in its sole discretion grant (and revoke at any time) Observer status to an organisation which
- a) Has filed an application for membership under Article 7.A or 7.B; and
  - b) Has, according to the sole opinion of the Council, no reasonable rivalry issues with an existing Member.
- 7.C.2 The Observer status does not confer any right other than the right to attend the General Assembly in the capacity of observer. The Council is competent to define guidelines governing the status of Observers.
- 7.C.3 Subject to a revocation decided as provided under Article 7.C.1 above, the Observer status is valid for two (2) years, renewable once.
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### 3. CHANGE OF RULES ON PRESIDENCY

Currently, any candidate, from a fully paid-up member, can become President of SportAccord. Experience has indicated that this process may lead to intense debates dividing the membership, creating instability for the organisation in terms of mission, vision and objectives and alienating the support of other key stakeholders. The Council considers therefore that it would be more pragmatic and democratic to install a rotation system amongst the respective stakeholders/Umbrella Organisations (ARISF; AIOWF; AIMS; ASOIF).

Should this proposal be accepted, in 2020, at the end of this cycle, ARISF would present to the assembly a candidate for Presidency, followed in the next two cycles by AIOWF and by AIMS. In 2026, it would again be ASOIF's turn to present a candidate for the following two years, etc...

#### CURRENT VERSION

29.4 The Council elects 2 (two) Vice-Presidents and 1 (one) Treasurer from among the members of the Council.

29.5 The Senior Vice-President shall be determined by seniority (member with the longest service on the Council) and, in case of equal seniority, by age.

30.2 Council members are appointed for a term of 4 (four) years corresponding to the term of the President. They may be reappointed.

#### Article 31. Presidential election

31.1 Nominations for the Presidency must be notified in writing to the Administration at the latest 30 (thirty) days before the beginning of the General Assembly meeting at which the elections will take place. The Director will issue a note indicating the deadline to be observed at least sixty (60) days before the meeting at which the elections will take place.

#### PROPOSED AMENDMENTS<sup>2</sup>

29.4 The Council elects 1 (one) First Vice-President and 1 (one) Treasurer from among the members of the Council.

29.5 The First Vice-President shall be elected from the organization that will take over the Presidency at the next cycle.

30.2 Council members are appointed for a term of 2 (two) years corresponding to the term of the President. They may be reappointed.

#### Article 31. Presidential election

31.1 The President of SportAccord is elected by the General Assembly for one (1) single two (2) year term of office. He/she shall come from a Member within the respective organisations in the following order:  
 - ARISF (2020-2022)  
 - AIOWF (2022-2024)  
 - AIMS (2024-2026)  
 - ASOIF (2026-2028)

The same cycle of four (4) successive two (2) years terms of office will continue by rotation in the same order (ARISF; AIOWF; AIMS; ASOIF) after 2028.

31.2 Nominations for the Presidency must be notified in writing to the Administration at the latest 30 (thirty) days before the beginning of the General Assembly meeting at which the elections will take place. The Director will issue a note indicating the deadline to be observed at least sixty (60) days before the meeting at which the elections will take place.

- 31.2 Candidates must be nominated by a fully paid-up Member. Candidates must, on the date of the election be, or must have been for at least one full term, a member of the Council or similar executive organ of a Member. They must be nominated by the Member concerned.
- 31.3 Candidates must have reached the age of 18 (eighteen) at the date of the election and be in full possession of their civil rights.
- 31.4 Nominations that arrive after the deadline shall not be taken into consideration. If no candidate has been nominated within the deadline or if a nominee is no longer a candidate on the day of the General Assembly, candidates may be nominated at the General Assembly. If there is no candidate, the senior Vice-President elected by the Council shall act as Chair until the next General Assembly.
- 31.5 After the deadline for receiving nominations has been reached, the list of nominees for President will be distributed to the Members at least 15 (fifteen) days before the meeting at which the elections will take place.
- 31.6 The General Assembly elects the President for one four (4) year term. He/she is not eligible for re-election.
40. The authority for settling any dispute arising out of the interpretation of these Statutes shall reside with the President, or Chair pro tempore, who shall seek the advice of the Council or General Assembly before making a final decision.
- 31.3 Candidates must be nominated by a fully paid-up Member from the respective organisation (cf. 31.1. above). Candidates must, on the date of the election be, or must have been for at least one full term, a member of the Council or similar executive organ of the Member that nominated them. ~~They must be nominated by the Member concerned.~~ While it is recommended to submit the candidature of the President of the organization entitled to take over the Presidency, candidates must in any case be a member of that organisation's executive organ and have the formal endorsement thereof.
- 31.4 Candidates must have reached the age of 18 (eighteen) at the date of the election and be in full possession of their civil rights.
- 31.5 Nominations that arrive after the deadline shall not be taken into consideration. If no candidate has been nominated within the deadline or if a nominee is no longer a candidate on the day of the General Assembly, the First Vice-President elected by the Council shall act as President ad interim until the next General Assembly.
- 31.6 After the deadline for receiving nominations has been reached, the list of nominees for President will be distributed to the Members at least 15 (fifteen) days before the meeting at which the elections will take place.
- 31.7 The General Assembly elects the President for one (1) single two (2) year term. ~~He/she is not eligible for re-election.~~
40. The authority for settling any dispute arising out of the interpretation of these Statutes shall reside with the President, or President ad interim, who shall seek the advice of the Council or General Assembly before making a final decision.

<sup>2</sup> The name of the Association will be updated throughout the Statutes if the General Assembly approves the proposed amendment to Article 1.

#### 4. OTHER PROPOSED AMENDMENTS TO THE SPORTACCORD STATUTES

##### a) Codification of the membership groups

Considering that the exercise of essential membership rights (right to be elected on the Council and the Presidency) is connected to the members' affiliation in one of the groups/divisions<sup>3</sup> (ASOIF, AIOWF, ARISF, Associate Members), it is important to reflect this relationship in the Statutes:

#### CURRENT VERSION

##### Article 5. Categories of Members

5. The Members of SportAccord are:
- a) the Full Members;
  - b) the Associate Members,
- whose admission has been approved by the General Assembly.
- Unless the context otherwise indicates, the term Member(s) comprises both Full Members and Associate Members.

#### PROPOSED AMENDMENTS<sup>4</sup>

##### Article 5. Categories of Members

- 5.1 The Members of SportAccord are:
- a) the Full Members;
  - b) the Associate Members,
- whose admission has been approved by the General Assembly.
- Unless the context otherwise indicates, the term Member(s) comprises both Full Members and Associate Members.
- 5.2 SportAccord Members are also categorised according to the following divisions:
- a) ASOIF members;
  - b) AIOWF members;
  - c) ARISF members;
  - d) AIMS members
  - e) Associate Members.

<sup>3</sup> The term "division" will replace the term "groups" or "organisations" for reasons of consistency in the Statutes, depending on the General Assembly's decision regarding the amendment to Article 5.

<sup>4</sup> The name of the Association will be updated depending on the General Assembly's decision regarding the amendment to Article 1.

b) Clarification in the CAS clause:

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**CURRENT VERSION**

**Article 39. Dispute resolution**

39.1 Any dispute arising from, or related to the Statutes, regulations, directives and decisions of SportAccord, other than a dispute arising out of the interpretation of the Statutes that is to be resolved in the manner described in Article 40 or a dispute that can be resolved by a competent internal body of SportAccord, will be submitted exclusively to the Court of Arbitration for Sport (CAS), in Lausanne, Switzerland, applying its own procedural rules. Where a dispute is so submitted to the CAS, the decision of the CAS in that dispute will be final.

39.2 Any appeal against a final and binding decision from any SportAccord organ shall exclusively be submitted to the CAS, to the exclusion of any ordinary court of any country.

**PROPOSED AMENDMENTS<sup>5</sup>**

**Article 39. Dispute resolution**

39.1 Any dispute arising from, or related to the Statutes, regulations, directives and decisions of SportAccord, (including without limitation a dispute arising out of the interpretation of the Statutes that is to be resolved in the manner described in Article 40 or a dispute that can be resolved by a competent internal body of SportAccord), shall be submitted exclusively to the Court of Arbitration for Sport (CAS), in Lausanne, Switzerland, to the exclusion of any ordinary court or other tribunal. Where a dispute is so submitted to the CAS, the Code of Sport-Related Arbitration shall be applicable, the language of the procedure will be English or French and the decision of the CAS in that dispute shall be final.

39.2 ~~deleted (merged in 39.1)~~

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<sup>5</sup> The name of the Association will be updated depending on the General Assembly's decision regarding the amendment to Article 1.

c) Clarification of the implementation of absolute majority

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**CURRENT VERSION**

**Article 20. Quorums**

20.1 In order for the General Assembly to be validly convened, a majority (at least 50% + 1) of the Members having voting rights must be present.

**Article 21. Voting**

[...]

21.4 Save any indication to the contrary in these Statutes, all decisions shall be made by the majority (50% + 1) of votes validly cast.

**PROPOSED AMENDMENTS**

**Article 20. Quorums**

39.1 In order for the General Assembly to be validly convened, **more than** 50% of the Members having voting rights must be present.

**Article 21. Voting**

[...]

21.4 Save any indication to the contrary in these Statutes, all decisions shall be made by **more than** 50% of votes validly cast.

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# 2016 SportAccord Statutes

## 08.2 — SPORTACCORD STATUTES

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## I. GENERAL PROVISIONS

### Article 1. Name and headquarters

- 1.1 SportAccord (previously known as GAISF, the General Association of International Sports Federations) is a not-for-profit association, composed of autonomous and independent international sports federations and other international organisations contributing to sport in various fields.
- 1.2 SportAccord is constituted according to article 60ff of the Swiss Civil Code, is governed by Swiss law and is formed for an unlimited period of time.
- 1.3 The registered office of SportAccord is located in Lausanne, Switzerland.

### Article 2. Objectives

- 2.1 The objectives of SportAccord are:
  - a) to facilitate and promote knowledge-sharing and exchange of information between its members;
  - b) to support the organisation of the annual SportAccord Convention and IF Forum;
  - c) upon request from and in agreement with its Members, to develop specific services for its Members in unique areas which avoid duplication and overlap;
  - d) to organise and coordinate multi-sports events and support the organisation of multi-sports games by its Members in agreement and cooperation with its Members.

### Article 3. Non-discrimination, representation of women

- 3.1 SportAccord rejects all forms and means of discrimination against individuals, groups of people, organisations or countries on grounds of ethnic origin, gender, language, religion, politics and on any other grounds.

### Article 4. Official languages

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

## II. CHAPTER II. MEMBERSHIP

### Article 5. Categories of Members

- 5.1 5.1The Members of SportAccord are:
  - a) the Full Members;
  - b) the Associate Members, whose admission has been approved by the General Assembly.
 Unless the context otherwise indicates, the term Member(s) comprises both Full Members and Associate Members.

### Article 6. Conditions for Membership

- 6.1 May become:
  - a) a Member any sport organisation (generally known as International Federations) which groups together the majority of the National Federations (or organisations) throughout the world practising its sport and regularly holding international competitions; or
  - b) an Associate Member any sport organisation which groups together the activities of several Members generally for the purpose of organising competitions.

### Article 7.A Application Procedure for Full Membership

- 7.A.1 The Administration shall conduct investigations as to the bona fides of any applicant organisation, under the direction of the Council. No commitment as to the outcome of such application may be made by anyone on behalf of the General Assembly.
- 7.A.2 An ad hoc Commission may be appointed by the SportAccord Council to examine the new membership applications in respect to the justification of the existence of the sport and to the existence of rivalry issues with SportAccord Members.
- 7.A.3 On the basis of the investigations and the report of the Commission as per 7.A.2 above, and if the SportAccord Council finds the application compliant with SportAccord requirements, the Council shall issue recommendations for the General Assembly.
- 7.A.4 Any organisation willing to apply for membership must submit its application at least 9 (nine) months prior to the commencement date of the General Assembly at which the application is to be considered, together with:
  1. a written declaration justifying that the sport or activity which they control does not conflict with

- or is not in rivalry with an already existing Member of SportAccord;
2. a written declaration justifying that the IF is the only federation governing its sport on a world level. Provide, if any, the name of dissident organisations and explain how and which solutions were arranged;
  3. a confirmation that the candidate is a not-for-profit organisation;
  4. a copy of its constitution/statutes, regulations and directives which must comply with the World Anti-Doping Code (incl. detailed statistics on the tests conducted and the number of anti-doping rules violations having led to sanctions). The constitution/statute of the candidate must also contain a specific provision recognising the exclusive jurisdiction of the Court of Arbitration for Sport, in Lausanne, Switzerland;
  5. a chart of its organisational structure (including staff), with detailed explanations and highlighting the gender representation within its governing elected bodies (men/women comparison);
  6. the minutes of the last 2 (two) General Assemblies;
  7. the list of the last 5 (five) General Assemblies, and the list of their attendees;
  8. a list of its Member National Federations (where applicable), grouped by continents, which must count:
    - for summer sports, at least 40 (forty) active Member Federations from at least 3 (three) continents;
    - for winter sports, at least 25 (twenty-five) active Member Federations from at least 2 (two) continents. Only those sports which are practised on snow and ice are considered as winter sports;
  9. a membership certification signed and stamped by each member NF must be enclosed within the membership application for SportAccord; there will be no more than 1 (one) National Federation per sport and per country;
  10. at the national level, the sport – represented by the IF applying for SportAccord membership – must include one of the disciplines recognised by the member NF. The National Federation must be a full member of the corresponding International Federation applying for SportAccord membership. No categories other than the full membership to the IF will be taken into account;
  11. a list of the National Olympic Committees (NOCs) or National Sport Authorities (NSAs) recognising its Member National Federations; A recognition certification signed and stamped by the NOC and/or NSA must be enclosed within the membership application for SportAccord;
  12. a list of its national federations having participated in men's and women's qualifying events (where applicable) and in the last two major Events/World Championships of their discipline;
  13. a document presenting its event, explaining in particular:
    - the procedures implemented by the candidate in order to ensure a high level of fairness and objectivity to its competitions (including selection, training, evaluation of judges);
    - the steps taken to present its sport in an interesting and attractive manner;
    - concrete examples of its ways of ensuring non-discrimination, fair play and solidarity in all of its activities;
  14. copies of audited financial statements, together with a detailed description of sources of income and a transparent report on expenses;
  15. a strategic plan approved by the candidate's board meeting, covering the mid/long term;
  16. a document describing the main achievements of the candidate over the last three years, and its fields of priorities, among the following list:
    - athletes
    - coaches
    - anti-doping/medical
    - promotion of women
    - sport administration
    - communication/marketing.
- 7.A.5** A National Federation is a body representing a sport or a number of sports in a country that is recognised by the NOC and/or the highest sporting authority of the country.
- 7.A.6** A country, to be defined as such, must comply with at least one of the two following conditions:
1. To be an independent state recognised by the International Community
  2. To have a National Olympic Committee recognized by the IOC.
- 7.A.7** Membership applications are to be accompanied by a proof of payment, made out in Swiss francs, equivalent to the membership application fee determined by the Council. This payment does not cover the first membership subscription due after the candidate joins the Association.
- 7.A.8** In addition to the above rules, the Council is competent to enact guidelines implementing the provisions on

admission, and to determine transparent and objective criteria for admission into SportAccord.

## Article 7.B Application Procedure for Associate Membership

**7.B.1** The Administration shall conduct investigations as to the bona fides of any applicant organisation, under the direction of the Council. No commitment as to the outcome of such application may be made by anyone on behalf of the General Assembly.

**7.B.2** An ad hoc Commission may be appointed by the SportAccord Council to examine the new membership applications in respect to the justification of the existence of the sport and to the existence of rivalry issues with SportAccord Members or Associate Members.

**7.B.3** On the basis of the investigations and the report as per 7.B.2 above, and if the SportAccord Council finds the application compliant with SportAccord requirements, the Council shall issue recommendations for the General Assembly.

**7.B.4** Any organisation willing to apply for membership must submit its application at least 9 (nine) months prior to the commencement date of the General Assembly at which the application is to be considered, together with:

1. a written declaration justifying that the sport or activity which they control does not conflict with or is not in rivalry with an already existing Member of SportAccord;
2. a written declaration justifying that the IF is the only federation governing its sport on a world level. Provide, if any, the name of dissident organisations and explain how and which solutions were arranged;
3. a confirmation that the candidate is a not-for-profit organisation;
4. a copy of its constitution/statutes, regulations and directives which must comply with the World Anti-Doping Code (incl. detailed statistics on the tests conducted and the number of anti-doping rules violations having led to sanctions) if the applicant organisation organises sports events. The constitution/statute of the candidate must also contain a specific provision recognising the exclusive jurisdiction of the Court of Arbitration for Sport, in Lausanne, Switzerland;
5. a chart of its organisational structure (including staff), with detailed explanations and highlighting the gender representation within its governing elected bodies (men/women comparison);

6. the minutes of the last 2 (two) General Assemblies;
7. the list of the last 5 (five) General Assemblies, and the list of their attendees;
8. a list of its Member National Federations or International Federations or National Olympic Committees (where applicable), grouped by continents;
9. a membership certification signed and stamped by each member NF or IF or NOC must be enclosed within the membership application for SportAccord; there will be no more than 1 (one) National Federation per sport or NOC per country;
10. at the national level, the sport – represented by the IF applying for SportAccord membership – must include one of the disciplines recognised by the member NF. The National Federation must be a full member of the corresponding International Federation applying for SportAccord membership. No categories other than the full membership to the IF will be taken into account;
11. if the applicant organisation organises sports events, a list should be provided of the National Federations or National Olympic Committees represented in its three most recent events. If the number of events is less than three, the organisation is not eligible for associate membership;
12. if the applicant organisation organises sports events, a document presenting its event, explaining in particular:
  - the procedures implemented by the candidate in order to ensure a high level of fairness and objectivity to its competitions (including selection, training, evaluation of judges);
  - the steps taken to present its sport in an interesting and attractive manner;
  - concrete examples of its ways of ensuring non-discrimination, fair play and solidarity in all of its activities;
  - a list of all International Sports Federations that are involved in the organisation of the events. If any of these IFs are not Members of SportAccord, they should not be any rival federation to any of SportAccord Members;
13. if the applicant organisation does not organise sports events, a document presenting its events or profession, explaining in particular the benefit of the organisation's activities for the members of SportAccord;

14. copies of audited financial statements, together with a detailed description of sources of income and a transparent report on expenses;
15. a strategic plan approved by the candidate's board meeting, covering the mid/long term;
16. a document describing the main achievements of the candidate over the last three years, and its fields of priorities.

**7.B.5** A National Federation is a body representing a sport or a number of sports in a country that is recognised by the NOC and/or the highest sporting authority of the country.

**7.B.6** A country, to be defined as such, must comply with at least one of the two following conditions:

1. To be an independent state recognised by the International Community;
2. To have a National Olympic Committee (NOC) recognized by the IOC.

**7.B.7** Membership applications are to be accompanied by a proof of payment, made out in Swiss francs, equivalent to the membership application fee determined by the Council. This payment does not cover the first membership subscription due after the candidate joins the Association.

**7.B.8** In addition to the above rules, the Council is competent to enact guidelines implementing the provisions on admission, and to determine transparent and objective criteria for admission into SportAccord.

#### Article 8. Honorary Members

The General Assembly may, upon a proposal by the Council, grant the title of "Honorary President" or "Honorary Member" respectively to a retiring President or a retiring Council Member for their outstanding services to SportAccord. They may attend the General Assembly, but do not have the right to vote.

#### Article 9. Members' rights

- 9.1** Members have the right:
- a) to receive in advance the agenda of the General Assembly, to be called to the meeting within the prescribed time, to take part in the meeting and, if Full Members (or the Member referred to under article 21.3), to exercise their right to vote;
  - b) to be informed of the state of SportAccord;
  - c) to participate in voting and in elections if a Full Member (or the Member referred to under article 21.3);

- d) to draw up proposals regarding the Agenda of the General Assembly;
- e) to nominate candidates to the Presidency of SportAccord;
- f) to exercise any other right arising from the Statutes, regulations, directives and decisions of SportAccord.

#### Article 10. Members' obligations

- 10.1** Members have the obligation:
- a) to comply at any time unreservedly with the Statutes, regulations, directives and decisions of SportAccord, subject to the limits imposed by article 43;
  - b) to have their executive organs elected at all times by their respective General Assemblies;
  - c) to notify SportAccord, in writing, of any modification in their constitution or statutes that potentially affects the conditions of admission, of the inclusion or hiving off of any sport discipline and of any other change that potentially affects the conditions of admission;
  - d) to pay their membership subscription in due time.

#### Article 11. Resignation

- 11.1** A Member may resign at any time.
- 11.2** Such resignation shall take effect immediately upon receipt of a notice of resignation signed by the authorized person(s), and shall be reported to the next General Assembly by the Administration of SportAccord.
- 11.3** A Member that resigns remains liable for any outstanding obligations to SportAccord.

#### Article 12. Revision of Membership

Modifications of its constitution/statutes, regulations and directives by a Member, inclusion or hiving off of sport disciplines to its program affecting the conditions of admission, or ceasing to comply with the conditions of membership may result in the revision by the General Assembly of its membership to SportAccord.

As a result of such revision, the General Assembly may set a deadline within which the Member shall comply with any directions that the General Assembly may give, failing which the General Assembly may decide to suspend or expel the Member.

#### Article 13. Suspension

- 13.1** The Council may, by a majority decision, suspend a Member until the next General Meeting:

- a) if it fails to comply with a provision of the Statutes, regulations, directives and decisions of SportAccord;
  - b) if it fails to fulfil its financial obligations and pay its liabilities due to SportAccord;
  - c) if it owes 2 (two) years of overdue annual membership fees to SportAccord.
- 13.2 A final decision must be made by the next General Assembly, provided the suspension is still in force at that time.

#### Article 14. Expulsion

- 14.1 A Member shall lose its membership to SportAccord on a resolution passed by the SportAccord General Assembly, notably for the following reasons:
- a) refusal to pay any liabilities due to SportAccord;
  - b) non-payment of any membership fees due to SportAccord for 4 (four) or more years;
  - c) refusal to comply with the provisions of the Statutes, regulations, directives and decisions of SportAccord;
  - d) loss of its status as representative of its sport at the international level.

#### Article 15. Notices

- 15.1 A notice or notification to a Member shall be deemed to have been properly received provided it was sent to the last address indicated by the Member to the Administration.
- 15.2 Notification regarding suspension or expulsion of the Member concerned or dissolution of SportAccord shall always be sent by registered mail.

### III. ADMINISTRATION OF THE ASSOCIATION

#### Article 16. Organs

- 16.1 The General Assembly is the supreme organ of SportAccord.
- 16.2 The Council is the executive body.

#### A. GENERAL ASSEMBLY

#### Article 17. Definition, organisation

- 17.1 The General Assembly is the meeting of all SportAccord Members. It is the supreme organ of SportAccord.
- 17.2 Only a General Assembly regularly convened has the authority to exercise its powers.

17.3 The General Assembly may be Ordinary or Extraordinary.

17.4 The meetings of the General Assembly are open to the public except when decided otherwise by the General Assembly. When justified by the circumstances the President may, under the authority of the General Assembly, request individual members of the public to leave the conference room.

#### Article 18. Powers of the General Assembly

- 18.1 The General Assembly:
- a) adopts or amends the Statutes of SportAccord;
  - b) may amend or revoke the regulations and directives of the Council that the General Assembly determines adversely affects any Members' right provided or described in article 9 or impinges on any power or other competence of the General Assembly provided or described in article 18;
  - c) approves the minutes of the last meeting;
  - d) admits, suspends (subject to article 13.1) or expels a Member (subject to article 14);
  - e) elects the President;
  - f) appoints the independent auditors;
  - g) approves the budgets, financial statements and the activity report;
  - h) sets the amount of the subscription for Members;
  - i) bestows, on a proposal by the Council, the title of Honorary President or Honorary Member on a retiring President or retiring Council Member who rendered outstanding services to SportAccord;
  - j) exercises any other competence specifically attributed to it by the Statutes, regulations and directives of SportAccord.

#### Article 19. Delegates

- 19.1 Each Member's delegation is limited to a maximum of 3 (three) persons. A Member's delegation shall not include SportAccord Council Members.
- 19.2 All delegates other than the President/Chair, Vice-President or Secretary General/Director General of the Member shall send to the Administration a power of attorney document signed by one of the above mentioned 3 (three) Officers, which he/she must carry on the day of the General Assembly.

**Article 20. Quorums**

- 20.1 In order for the General Assembly to be validly convened, a majority (at least 50% + 1) of the Members having voting rights must be present.
- 20.2 Decisions regarding the dissolution of SportAccord or amendments to the Statutes passed by the General Assembly shall only be valid if 2/3 (two-thirds) of the Members having voting rights are present.
- 20.3 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, the election of the President, the expulsion of a Member or the dissolution of SportAccord.

**Article 21. Voting**

- 21.1 Each Full Member who has satisfied all its financial obligations toward SportAccord at the time of the meeting is entitled to one vote.
- 21.2 Delegates may not represent more than one Member.
- 21.3 Associate Members, except the International University Sports Federation (FISU) as a founding Member, have no voting right, but have the right to speak.
- 21.4 Save any indication to the contrary in these Statutes, all decisions shall be made by the majority (50% + 1) of votes validly cast.
- 21.5 Illegible, void, blank votes, and abstentions shall not be included in the count of validly cast votes.
- 21.6 Except in the case of elections, voting shall be conducted by voting machines when available or otherwise, by a show of hands, unless 2 (two) or more Members having voting rights should request a secret ballot; in that case, voting machines may also be used, provided they allow for secrecy in voting.
- 21.7 The Council may submit any resolution within the competence of the General Assembly to a vote by correspondence to the Members. Resolutions passed by correspondence shall be considered decisions validly made by the General Assembly. The quorums set forth in Article 20 shall not be applicable. Articles 21.4, 21.8 and 21.9 regarding majority shall be applicable to resolutions passed by correspondence.
- 21.8 Dissolution of SportAccord and amendments to the Statutes require(s) a 2/3 (two-thirds) majority of the votes validly cast.
- 21.9 Admission of a new member will require a 2/3 (two-thirds) majority of the votes validly cast in the case that

a member raises a reasoned rivalry issue against the admission of the said member.

- 21.10 Voting by proxy or letter during the General Assembly is not allowed.

**Article 22. Elections**

- 22.1 A candidate is elected if he/she obtains the majority of the votes validly cast. If no candidate is elected in the first round, a second round shall take place between the two candidates having obtained the highest number of votes in the first round. In case of a tie, a third round shall take place. In case of a tie in the third round the election is done by drawing lots.
- 22.2 Voting for elections shall always be carried out by secret ballot whenever there is more than 1 (one) candidate up for election. Voting machines may be used provided they allow for secrecy in voting.
- 22.3 In the event there is only one candidate for the position being filled, the election will be carried out by acclamation, unless an election by secret ballot is requested by at least 2 (two) Members with voting rights.

**Article 23. Election of the President**

- 23.1 During the election of the President, the out-going President shall conduct the election.
- 23.2 The out-going President continues to chair the General Assembly until it's conclusion.
- 23.3 The newly elected President and Council members take office after the close of the General Assembly.

**Article 24. Ordinary General Assembly**

- 24.1 The Ordinary General Assembly is convened by the Council once a year.
- 24.2 All proposals by Members to modify the SportAccord Statutes should be communicated in writing to the Administration at least 4 (four) months prior to the General Assembly.
- 24.3 At least 6 (six) months before the date of the opening of the General Assembly, the Administration shall send a formal call to the meeting to all Members. The notice shall stipulate that any Member willing to add a new item on the agenda must submit it to the SportAccord Administration no later than 4 (four) months prior to the meeting.
- 24.4 At least 1 (one) month before the General Assembly meets, the Administration shall circulate the agenda as prepared by the Council, 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.

- 24.5** 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 Council. 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 15 (fifteen) days prior to the General Assembly.

#### **Article 25. Agenda for Ordinary General Assembly**

- 25.1** The agenda shall contain the following items:
- a) opening of the meeting;
  - b) roll call;
  - c) adoption of the agenda subject to article 25.2;
  - 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) activity reports;
  - i) financial matters (balance sheet, accounts, auditing report, budget, auditor...);
  - j) Statutes modifications (if applicable);
  - k) voting and elections (if applicable);
  - l) new membership applications;
  - m) items presented for information;
  - n) items brought forward from meetings among Members;
  - o) date and place of next meeting.
- 25.2** The Council 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 2/3 (two-thirds) majority of the votes validly cast.

#### **Article 26. Extraordinary General Assembly**

- 26.1** An Extraordinary General Assembly (EGA) may be convened at the request of the Council or shall be convened upon receipt of a written request from at least 1/5 (one-fifth) of the Members having the right to vote, no later than 2 (two) months following the request. Notification of the meeting will be sent out to the Members at least 30 (thirty) days in advance.

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

#### **Article 27. Conduct of meetings**

The President presides over every meeting of the General Assembly and of the Council. If the President is absent, unable or unwilling to preside, the senior Vice-President shall preside for the duration of the meeting as Chair.

#### **Article 28. Minutes**

- 28.1** The minutes of the meetings are recorded by the Administration and submitted for approval by the Council within 2 (two) months of the meeting.
- 28.2** No correction of or alteration to the minutes will be accepted without written notification to the Administration, duly received and acknowledged, within 4 (four) months of the date of circulation of the minutes to the Members.
- 28.3** The minutes are submitted for approval at the next General Assembly.

### **B. COUNCIL**

#### **Article 29. Composition and election**

- 29.1** The Council is the executive organ of SportAccord. It consists of:
- a) the President, elected by the General Assembly; and
  - b) 9 (nine) members:
    - 3 (three) members designated by the Association of Summer Olympic International Federations (ASOIF);
    - 2 (two) members designated by the Association of International Olympic Winter Sport Federations (AIOWF);
    - 2 (two) members designated by the Association of IOC - Recognised International Sports Federations (ARISF);
    - 1 (one) member designated by the Full Members that belong to the Alliance of Independent Recognised Members of Sport (AIMS);
    - 1 (one) member designated by the Associate Members.
- 29.2** Each organisation/group proposes its representatives to be elected by the General Assembly.

- 29.3 The names of the Council members designated according to article 29.1 of the present article are proposed to the Members at the General Assembly at which the President has been elected.
- 29.4 The Council elects 2 (two) Vice-Presidents and 1 (one) Treasurer from among the members of the Council.
- 29.5 The senior Vice-President shall be determined by seniority and in case of equal seniority by age.

**Article 30. Eligibility, term of office**

- 30.1 The Council members must have reached the age of 18 (eighteen) when taking office and be in full possession of their civil rights.
- 30.2 Council members are appointed for a term of 4 (four) years corresponding to the term of the President. They may be reappointed.
- 30.3 The Council members who, during their term of office with SportAccord, lose their position with the Member affiliated to the organisation which they represent shall continue to sit on the Council until the next General Assembly, unless the relevant Member objects. In this case, the organisation concerned, mentioned under article 29.1, shall propose a substitute that will sit for the remainder of the term.

**Article 31. Presidential election**

- 31.1 Nominations for the Presidency must be notified in writing to the Administration at the latest 30 (thirty) days before the beginning of the General Assembly meeting at which the elections will take place. The Director will issue a note indicating the deadline to be observed at least sixty (60) days before the meeting at which the elections will take place.
- 31.2 Candidates must be nominated by a fully paid-up Member. Candidates must, on the date of the election be, or must have been for at least one full term, a member of the Council or similar executive organ of a Member. They must be nominated by the Member concerned.
- 31.3 Candidates must have reached the age of 18 (eighteen) at the date of the election and be in full possession of their civil rights.
- 31.4 Nominations that arrive after the deadline shall not be taken into consideration. If no candidate has been nominated within the deadline or if a nominee is no longer a candidate on the day of the General Assembly, candidates may be nominated at the General Assembly. If there is no candidate, the senior

Vice-President elected by the Council shall act as Chair until the next General Assembly.

- 31.5 After the deadline for receiving nominations has been reached, the list of nominees for President will be distributed to the Members at least 15 (fifteen) days before the meeting at which the elections will take place.
- 31.6 The General Assembly elects the President for one four (4) year term. He/she is not eligible for re-election.

**Article 32. Meetings, quorums**

- 32.1 The Council shall meet in principle twice during each year of its period of office.
- 32.2 The quorum for meetings of the Council is met when the President plus 5 (five) other Council members are present (including by video, computer or telephone conference), except in exceptional circumstances where the President is unable to attend and does not wish or is unable to cancel the meeting, in which case the quorum shall be satisfied with 1 (one) Vice President and 5 (five) other Council members.
- 32.3 The President or the Chair of the meeting has a casting vote in case of a tie.
- 32.4 Resolutions of the Council may also be adopted by way of written consent to a proposition.

**Article 33. Powers of the Council**

- 33.1 The Council is competent in all matters that are not reserved to other bodies by the Statutes, regulations and directives of SportAccord.
- 33.2 The Council lays down the regulations and directives of SportAccord subject to article 18.b.
- 33.3 The Council represents and commits SportAccord with regard to third parties. Subject to article 37.1, the Council shall decide through which individuals SportAccord shall be committed towards third parties.
- 33.4 The Council prepares and convenes Ordinary and Extraordinary General Assemblies.
- 33.5 The Council appoints any commission it deems necessary at any time.
- 33.6 The Council appoints or dismisses the Director.

**C. ADMINISTRATION**

**Article 34. Mission**

- 34.1 The mission of the Administration is to implement the decisions made by the General Assembly and the Council, and carry out all the administrative duties of SportAccord, under the supervision of the Director.

34.2 Members of the Administration do not have voting rights.

#### Article 35. Director

35.1 The Director is appointed by the Council, on the basis of a contract governed by private law. He/she shall be accountable to the Council for the running of the Administration and such other duties as may be required.

35.2 He/she hires the SportAccord staff after consultation with the President.

### IV. FINANCES

#### Article 36. Subscriptions

36.1 All Members of SportAccord shall pay an annual subscription according to the following scale:

- a) Full Members: 100% (one hundred per cent) of the subscription;
- b) Associate Members: 75% (seventy-five per cent) of the subscription.

36.2 New Members shall pay a partial subscription for the current year, as of the month of their membership acceptance.

36.3 The amount of the subscription shall be decided by each General Assembly on a proposal from the Council and shall be payable no later than the next 31st of January.

36.4 Should a General Assembly not be held in any one or more years, the same amount of subscription as the previous year shall become due on the 31st of January.

#### Article 37. Finances, liability

37.1 SportAccord shall be financially bound, within the limits of the approved budget, by the joint signatures of the President and the Director, or of the Director and the Treasurer or Vice-President.

37.2 Members shall only be legally and financially liable, toward SportAccord and third parties, up to the limit of their annual subscription to SportAccord.

37.3 The financial year of SportAccord shall run from the 1st of January to the 31st of December annually.

#### Article 38. Auditors

38.1 The accounts must be audited each year by external qualified professional auditors, totally independent from SportAccord. Their duty is to check the accounts

and present their report to the General Assembly, with their conclusions and recommendations, notably with regards to the approval of the financial statements by the General Assembly.

38.2 The auditors must be appointed by the General Assembly, generally for a period of 2 (two) years. Their mandate may be renewed.

### V. FINAL PROVISIONS

#### Article 39. Dispute resolution

39.1 Any dispute arising from, or related to the Statutes, regulations, directives and decisions of SportAccord, other than a dispute arising out of the interpretation of the Statutes that is to be resolved in the manner described in Article 40 or a dispute that can be resolved by a competent internal body of SportAccord, will be submitted exclusively to the Court of Arbitration for Sport (CAS), in Lausanne, Switzerland, applying its own procedural rules. Where a dispute is so submitted to the CAS, the decision of the CAS in that dispute will be final.

39.2 Any appeal against a final and binding decision from any SportAccord organ shall exclusively be submitted to the CAS, to the exclusion of any ordinary court of any country.

#### Article 40. Interpretation

The authority for settling any dispute arising out of the interpretation of these Statutes shall reside with the President, or Chair pro tempore, who shall seek the advice of the Council or General Assembly before making a final decision.

#### Article 41. Modification of the Statutes

41.1 These Statutes may only be modified by the General Assembly or by an Extraordinary Assembly convened especially for that purpose.

41.2 The amendments to the Statutes require 2/3 (two-thirds) of the votes validly cast.

#### Article 42. Dissolution

42.1 The intended 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.

- 42.2** Dissolution of SportAccord and amendments to the Statutes require(s) 2/3 (two-thirds) of the votes validly cast.
- 42.3** Any assets remaining after the dissolution of SportAccord, shall, after satisfaction of all its debts and liabilities, be applied to the furtherance of any objective(s) of SportAccord as determined by the General Assembly at, or before, the time of dissolution. If effect cannot be given to the foregoing provisions, they shall be given to a charitable organisation. Under no circumstances shall they be paid to, or distributed among the Members of the Association.

#### **Article 43. Independence of Members**

No discussion or voting by SportAccord shall infringe in any way on the freedom and independence of any Member, who shall, at all times, retain complete independence and control over all matters falling within its field of activity.

#### **Article 44. Enforcement**

This version of the Statutes has been adopted by the General Assembly in Lausanne, Switzerland on 22 April 2016 and came into force immediately.

