# **EUROPEAN ATHLETIC ASSOCIATION**

# CONSTITUTION

IN FORCE AS FROM 17 OCTOBER 2015

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Except where inappropriate to the context, the masculine gender used in this Constitution shall include the feminine.



# General Provisions

#### Article 1 Name and Seat

- 1. The European Athletic Association (hereinafter referred to as EAA) is a non-governmental international association with a non-profit purpose in accordance with Article 60 ff of the Swiss Civil Code.
- 2. Other than in legal documentation and contexts, the EAA shall be designated as European Athletics.
- 3. The seat of the EAA is located in Switzerland at a place to be determined from time to time by the EAA Council.

## Article 2 Objects and Definition

- 1. The Objects of the EAA are:
  - a) To develop, promote and foster Athletics (including track & field, road running, race walking, cross country running and mountain running) in all forms in Europe;
  - b) To promote fair play and other ethical values in sport and to fight against all forms of doping as well as racial, religious, political or other kinds of discrimination in Athletics;
  - c) To stage European Athletics Championships and other European Athletics events;
  - d) To encourage friendly and co-operative relationships with and between Members and to defend the legal rights and interests of the Members within the framework of the IAAF:
  - e) To maintain contact and cooperation with the IAAF and its other Area Associations, with international and national sport bodies and with national and supranational authorities;
  - f) To hold shares of companies and other legal entities that support the other Objects defined in the Constitution.

#### 2. Definition of Athletics:

Athletics is defined as running, walking, throwing and jumping in all forms, sometimes regulated by rules, exercised for its own end both competitively and non-competitively, indoors and outdoors on various surfaces.

## Article 3 Relationship with the IAAF

- 1. The EAA is the Area Association of the IAAF responsible for fostering Athletics in Europe, being one of the six groups into which the Members of the IAAF are divided in accordance with Article 9 of the IAAF Constitution.
- 2. The EAA shall apply, where relevant, the provisions of the IAAF Constitution Rules and Regulations.
- 3. The EAA acknowledges the IAAF Code of Ethics and the principles and procedures set out therein. The EAA shall be responsible for investigating and judging alleged breaches of the IAAF Ethics Code by any official of the EAA.



#### Article 4 Languages

1. The official languages of the EAA shall be English and French. The official languages of Congress shall be English, French and Russian. The working language of the EAA shall be English. Any other language may be used in correspondence, or debate, providing that adequate translation is provided by the user. In case of divergence, the English version shall prevail.

# **II** Membership

#### Article 5 Members

 The EAA shall comprise those national governing bodies for Athletics that are Members of the IAAF, included in Europe in the grouping of Members of the IAAF and which have been admitted to membership of the EAA by a decision of a Congress, upon the recommendation of the Council and the IAAF.

# Article 6 Rights and Obligations of Members

- 1. Each Member has the following rights:
  - a) To attend, take part and vote in Congresses;
  - b) To make proposals for consideration by Congresses;
  - c) To nominate a candidate for election to the EAA Council;
  - d) To propose individuals for membership in the permanent Commissions created in accordance with Article 28;
  - e) To exercise all other rights arising from this Constitution;
  - f) To take part in the European Athletics Competition Programme and other activities;
  - g) To receive benefits (financial or otherwise) from the EAA.
- 2. Each Member has the following obligations:
  - a) To comply with the terms and conditions of this Constitution and the regulations of the EAA;
  - b) To use its best endeavours to support and participate in competitions organised by the EAA;
  - c) To pay the annual membership fee;
  - d) To ensure that its own Members comply with the requirements of this Constitution and the regulations of the EAA;
  - e) To submit to the EAA a copy of its annual report submitted to the IAAF;
  - f) To support and promote the sport of Athletics;
  - g) To ensure that any person affiliated to a Member who has been elected to the EAA Council shall be an ex officio or full member of its highest executive body.



#### Article 7 Termination or Suspension of Membership

- 1. Membership shall automatically terminate upon the dissolution of a Member or upon the termination of its membership of the IAAF.
- 2. A Member may terminate its membership by giving three months' notice in writing to the EAA.
- 3. Membership may be suspended or terminated by a decision of the Council pursuant to the provisions of Article 33.1 f).
- 4. The annual membership fee is payable for the full year during which the membership is suspended or terminated.
- 5. A Member whose membership has been terminated or suspended shall not be entitled to receive any benefits (financial or otherwise) from the EAA and shall not have any claim against the funds of the EAA.

# Article 8 Honorary Membership

- 1. A Congress may, upon a proposal of the Council, grant the status of Honorary President or Honorary Member of the Council to persons who have given meritorious service to European Athletics.
- 2. Honorary Presidents may attend and speak at Congresses and meetings of the Council but shall have no vote.
- 3. Honorary Members may attend and speak at Congresses but shall have no vote.

#### Article 9 Honours

1. The EAA Council may establish a system of honours to persons who have rendered special services and assistance to the development of European Athletics.

# **III Organisational Structure**

#### Article 10 The Bodies of the EAA

- 1. The bodies of the EAA are:
  - a) The Congress;
  - b) The Council, the Executive Board and the President;
  - c) The Commissions;
  - d) The Head Office;
  - e) The EAA Court



# IV Congress

## Article 11 Supreme Authority

1. The Congress is the general assembly of the Members and the supreme authority of the EAA.

## Article 12 Ordinary Congress

- 1. An elective Ordinary Congress shall be held once every four years, in years that end with an odd number during the months of April or May, on the date and at the place decided by the Congress.
- 2. An non-elective Ordinary Congress shall be held once every four years in years that end with an odd number (always two years after the last elective Congress) during the European Athletics Convention during the month of October, on the date and at the place decided by the Council.
- 3. Notices of Ordinary Congresses shall be sent in writing to each Member at least 120 days before the date thereof. The notice shall be accompanied by a preliminary agenda. Proposals by Members to the Congress must be in writing and must be received by the EAA at least 60 days before the date of the Ordinary Congress.

## Article 13 Extraordinary Congress

- 1. An Extraordinary Congress may be convened by the Council at any time.
- Not less than ten Members may request an Extraordinary Congress. Such request shall be in writing and specify the matter to be considered. The Council shall thereupon convene such Extraordinary Congress, to be held within 90 days of the date of receipt of the request at a time and place to be decided by the Council.
- 3. Notices of Extraordinary Congresses shall be sent in writing to each Member at least 60 days before the date thereof. The notice shall be accompanied by a preliminary agenda or, in the case of a Congress convened under Article 13.1, an agenda. Only proposals connected to the matter for which the Extraordinary Congress has been convened may be dealt with at the Congress. Such proposals from Members must be in writing and must be received by the EAA at least 45 days before the date of the Extraordinary Congress.

#### Article 14 Congress Documentation

1. All supporting and explanatory documentation shall be sent to each Member and each Member of the Council at least 30 days before the date of a Congress.

#### Article 15 Proceedings of the Congress

1. The President of the EAA or, in his absence, the First Vice President or, in his absence, one of the other Vice Presidents shall chair the Congress. In the absence



- of the President and the three Vice Presidents, the Congress shall elect a Member of the Council as chairman of the Congress.
- 2. No business may be transacted at a Congress unless a quorum is present when the Congress proceeds to business. A quorum shall be the properly appointed representatives of one third (1/3) of the Members entitled to vote.
- 3. The Council shall compile procedural regulations for the conduct of Congresses, which shall follow as closely as possible the Rules of Congress Procedure of the IAAF.

# Article 16 Attendance at the Congress

- 1. The following persons shall be entitled to attend Congresses:
  - a) Three representative delegates of each Member;
  - b) Members of the EAA Council;
  - c) Honorary Presidents and Honorary Council Members;
  - d) Members of the IAAF Council;
  - e) Members of EAA Commissions;
  - f) Such other persons as may be decided by the Council.
- 2. Voting entitlements shall be determined in accordance with Article 19.
- 3. Persons listed in Article 16.1 a), b) and c) are entitled to make oral statements at the Congress.

#### Article 17 Powers of the Congress

- 1. The Congress shall have the following powers:
  - a) To elect the President, the Vice Presidents and other Members of the Council;
  - b) To approve the reports of the President and the Council;
  - c) To approve the financial planning and the audited accounts;
  - d) To appoint the auditor;
  - e) To amend the Constitution;
  - f) To decide which shall be the official competitions of the EAA;
  - g) To decide upon the programme and the frequency of the European Athletics Championships, and the numbers of athletes per country that shall be eligible to participate;
  - h) To decide upon proposals submitted by the Council and/or Members;
  - i) To decide upon any other business of which notice has been given;
  - j) To elect Honorary Presidents and Honorary Members of the Council.

#### Article 18 Elections

- 1. The following elections shall be made at each Ordinary Congress held in the year immediately preceding each Olympic Summer Games:
  - a) President;
  - b) Three Vice Presidents;
  - c) 13 Members of the Council.



- 2. Nominations of candidates for election as President, Vice Presidents or Members of the Council may be made by Members and must be received, in writing, by the EAA at least 60 days before the date of the Congress at which the elections are to be made.
- 3. Any permanent vacancy occurring among the membership of the Council shall be filled at the next Congress. Nominations to fill any such vacancy may be made by Members and must be received in writing by the EAA at least 45 days before the date of the Congress at which the election is to be made.
- 4. A President who has served three (3) terms shall not be eligible for re-election.
- 5. Nominations of candidates for membership on the Council may only be made by the national federation of the country of which the candidate is a national. There may be only one Council Member per country.
- 6. A person having reached the age of 70 years on the date of the Congress shall not be eligible for election or re-election.

# Article 19 Voting at the Congress

- Each Member shall have one vote, exercisable by one representative delegate.
   Votes must be exercised in person and there shall be no proxy votes. No other person shall be entitled to vote.
- 2. Except as otherwise provided, all decisions require a simple majority of the votes validly cast to be in favour.
- 3. In the event of an equality of valid votes for and against, the proposal shall be considered as rejected.
- 4. Voting shall be by show of hands unless the chairman of the Congress decides otherwise or at least five Members request, in writing, a secret ballot. An electronic voting system may be used during Congresses in which elections are held.
- 5. Votes shall be examined and counted by scrutineers appointed by the Congress.
- 6. Elections shall require an absolute majority of the votes validly cast in the first round and a simple majority in a second round. Votes which include names other than the candidates, which contain more or fewer names than the available places, or which bear any indication of the identity of the voter shall be invalid.
- 7. In case of a tie occurring in any election, a second ballot shall be held to decide between the persons so tying. If a tie occurs also in the second ballot it shall be decided by a draw made by the chairman of the Congress.
- 8. The chairman of the Congress shall announce the results of the voting and the numbers of votes cast. The signed scrutineers' results sheets shall be preserved but the actual voting papers shall be destroyed immediately after the conclusion of the Congress, unless any result is challenged. Any such challenge must be made in writing and presented to the chairman of the Congress before the closing of the respective meeting of the Congress. The matter shall be determined by the chairman of the Congress whose decision shall be final.

## Article 20 Minutes of the Congress

1. Minutes of the proceedings of every Congress shall be prepared by the Chief Executive Officer (CEO), signed by the chairman of the Congress and sent to the



Members and Members of the Council within 60 days after the closing of the Congress. Any proposal to amend the minutes must be made in writing and must be received by the EAA within 30 days following the issue of the minutes. The minutes shall be regarded as approved if, within 30 days of their dispatch, no objections are received by the EAA. Any question arising from the minutes shall be decided by the Council at its next meeting and reported to the next Congress.

# Article 21 Effective Date of Decisions of the Congress

1. Unless specified otherwise in the decision, the coming into effect of decisions of the Congress shall be on the day following the closure of said Congress.

# V Council

#### Article 22 Composition of the Council

- 1. The Council shall consist of:
  - a) The President;
  - b) Three Vice Presidents;
  - c) 13 other Members, elected by the Congress;
  - d) The Chief Executive Officer (CEO) (ex officio);
  - e) The President of the IAAF (ex officio).
- The term of office for the Council shall be for the period from the effective date of its election to the conclusion of the next Ordinary Congress at which elections of Council Members are to be made.

#### Article 23 Council Meetings

- 1. The Council, at its first meeting after election, shall elect one of the Vice Presidents as First Vice President, who shall chair the Council in the absence of the President.
- 2. The Council shall meet at least twice a year and additionally when considered necessary by the President or upon a written request of at least 9 Members stating the matter(s) to be dealt with.
- 3. Meetings of the Council may be attended by Members of the Council, the Honorary Presidents and such other persons as the President shall decide. Only elected Members may vote.
- 4. Subject to the above, the Council shall meet and conduct its business as it sees fit.

#### Article 24 Powers and Duties of the Council

- 1. Subject to the powers of the Congress, the Council shall be responsible for overseeing and supervising the activities of the EAA.
- 2. The powers of the Council shall include the following:
  - a) To make proposals to Congresses;



- b) To appoint the additional Members of the Executive Board;
- c) To establish and disband, in accordance with Article 28, Commissions and to determine their goals and composition;
- d) To appoint delegates and other representatives of the EAA;
- e) To develop and implement strategic plans of the EAA;
- f) To establish and supervise a professional structure for the management of the EAA's activities:
- g) To establish and amend the Organisational Rules and other regulations;
- h) To establish and amend regulations applicable to EAA Competitions;
- i) To select the venues of the EAA events;
- j) To officially ratify European Athletic records and to keep an up-to-date list of these records:
- k) To introduce and amend the Procedural Rules of the EAA Court;
- 1) To appoint the Chairperson and the members of the EAA Court;
- m) To cooperate with the IAAF and other bodies;
- n) To enter into commercial and other agreements relating to the EAA competitions and other activities of the EAA;
- o) To prepare for and arrange congresses, conventions and other meetings of the Members of the EAA;
- p) To report on its activities to the EAA and IAAF Congresses;
- q) To implement rulings made by the IAAF Congress or the IAAF Council or the EAA Congress;
- r) To determine the seat of the EAA within Switzerland;
- s) To delegate any of its powers and duties as it sees fit.

# Article 25 Minutes of Council Meetings

1. The Council shall procure and ensure that minutes of its proceedings are prepared and sent to the Council Members within 30 days after the Council meeting.

## VI Executive Board

## Article 26 Composition and Responsibilities of the Executive Board

- 1. The Executive Board shall consist of:
  - a) The President;
  - b) The Vice Presidents;
  - c) The Chief Executive Officer (CEO) (ex officio);
  - d) Up to a maximum of two (2) Council Members approved by the Council upon proposal by the President.
- 2. The President, the Vice Presidents and the Chief Executive Officer (CEO) shall represent the EAA legally.
- 3. The Executive Board shall be responsible for:
  - a) Executing all decisions taken by the EAA Congress and the Council;



- b) Co-ordination of the various activities of the EAA and taking all necessary decisions;
- c) Taking decisions within the Council's competences that become necessary between Council meetings and cannot be delayed. Such decisions shall promptly be reported to the other Council Members and approved at the next Council meeting.
- 4. The Executive Board shall act in accordance with the Organisational Rules.

# VII President

# Article 27 Responsibilities of the President

- 1. The President shall lead, direct and represent the EAA. He is responsible for:
  - a) Implementing the decisions passed by the Congress and the Council through the Head Office;
  - b) Supervising the implementation of the strategic plans of the EAA;
  - c) Representing Europe in the IAAF Council as the Area Association Representative; if to comply with the IAAF Rules, it is not possible that the President is the Area Association Representative, another representative shall be elected by the Council;
  - d) Interacting with the IAAF, the Members, political bodies and international organisations;
  - e) Supervising the Chief Executive Officer (CEO);
  - f) The appointment/dismissal of the Chief Executive Officer (CEO);
  - g) The assignment/cancellation of the responsibilities of the financial supervisor.

# VIII Commissions

#### Article 28 Commissions

- The Council may establish and/or disband Commissions as consulting bodies of the Executive Board/Council. The Chairperson and the Members of such Commissions shall be approved by the Council upon proposal by the President, subject to paragraph 3 below.
- 2. The Commissions shall include experts if necessary to fulfil their tasks.
- 3. The following two (2) Commissions shall be established by the Council and maintained permanently:
  - a) A commission to provide advice to the Executive Board and Council on matters concerning the organisation and conduct of European Athletics' events and other competitions, including the calendar of events and lists of records;
  - b) A commission to provide advice to the Executive Board and Council on matters concerning the development of the Member Federations and their capability to govern and promote the sport of athletics in their countries.



The Member Federations may propose candidates with the necessary qualifications for such Commissions.

# IX Administration

#### Article 29 Head Office

1. The Head Office shall carry out all the operational and administrative work of the EAA under the direction of the Chief Executive Officer (CEO).

# Article 30 Chief Executive Officer (CEO)

- 1. The Chief Executive Officer (CEO) is the top ranked executive and is responsible for the co-ordination of the operational work of the EAA.
- 2. The Chief Executive Officer (CEO) is responsible for the management of the Head Office and staff.
- 3. The Chief Executive Officer (CEO) may take part in all EAA meetings as he deems appropriate. He is entitled to attend these meetings with a voice but without a vote.
- 4. The specific duties and powers of the Chief Executive Officer (CEO) are defined in the Organisational Rules.

# X The EAA Court

## Article 31 Composition

- 1. The EAA Court shall consist of a Chairperson and six members. The Chairperson shall appoint a Vice-Chairperson.
- In case of a dispute which falls within the jurisdiction of the EAA Court, the Chairperson shall appoint a panel of three persons, consisting of the Chairperson and two members of the EAA Court. The members of the panel shall be independent from and unrelated to the matter in dispute.
- 3. If the Chairperson is unavailable to perform his or her duty, the Vice-Chairperson shall act on his/her behalf.

# Article 32 Competence

- 1. The following persons shall be subject to the jurisdiction of the EAA Court:
  - a) The EAA;
  - b) The Members and their Officials;
  - c) Any EAA officials such as the EAA Council Members and Members of EAA Commissions;



- d) Officials at an Athletics Competition;
- e) Licensed Athletes;
- f) Coaches;
- g) Employees of the EAA, the Members and the organisers of athletics events.
- 2. The EAA Court shall decide in application of the Procedural Rules of the EAA Court on the following issues:
  - a) Violations of the Constitution or other regulations of the EAA, including disciplinary disputes;
  - b) Violations of principle of fair play or the applicable competition rules of the EAA or the IAAF;
  - c) Disputes concerning the admission of athletes to EAA Competitions;
  - d) Disputes among members or between members and the EAA, including disputes about the member's financial obligations towards the EAA;
  - e) Disputes involving athletes support personnel and other persons according to Article 60.3 of the IAAF Competition Rules;
  - f) Any other dispute for which no other dispute resolution body has been provided by this Constitution or the IAAF Constitution.
- 3. The EAA Court shall not have jurisdiction to decide any matters or disputes arising out of the IAAF Doping Rules and Regulations. Such matters and disputes shall exclusively be decided according to these Rules and Regulations.
- 4. Any decision of the EAA Court under this Article shall be subject to appeal to the Court of Arbitration for Sport (CAS) according to the Code of Sports-related Arbitration in force at the time of appeal. The time limit to fill in an appeal shall be 21 (twenty-one) days.

#### Article 33 Sanctions

- 1. The EAA Court may issue the following sanctions:
  - a) A caution;
  - b) A fine;
  - c) A period of ineligibility to compete;
  - d) An order to the EAA Council to withhold any grants or subsidies otherwise
  - e) Removal or denial of official EAA accreditation;
  - f) Termination or suspension of membership.

#### Article 34 Ethics Commission

 The EAA Court shall act as Ethics Commission for the assessment of alleged breaches of the IAAF Code of Ethics by any official of the EAA. The respective proceedings shall be governed by the IAAF Ethics Code and the Procedural Rules of the EAA Court. Any decision of the EAA Court acting as Ethics Commission shall be subject to Appeal to the IAAF Ethics Commission in accordance with the IAAF Code of Ethics.



# XI Finance

#### Article 35 Financial Administration and Financial Period

- 1. The finances of the EAA shall be regulated and managed in accordance with the Organisational Rules.
- 2. The financial supervisor, who is reporting directly to the President, shall supervise the financial administration of the EAA in accordance with the Organisational Rules.
- 3. The financial year of the EAA shall begin on the 1 January and finish on the 31 December.
- 4. The EAA may debit any Member's account to settle claims.

#### Article 36 Auditor

The Congress shall appoint a suitably qualified independent auditor, who shall hold
office for two years and who shall report to the Council and Congress on the
financial statements of the EAA to be presented to the Congress. The auditor may
be re-appointed for successive periods of two years.

# Article 37 Membership Fees

- 1. Each Member shall pay an annual membership fee, the amount of which shall be fixed by the Congress upon a proposal of the Council.
- 2. The membership fee shall not exceed Swiss Francs 500 per annum and shall be due for payment on 1 January of each year.
- 3. Only Members entitled to vote at a Congress are liable to pay the membership fee.

# XII EAA Competitions

#### Article 38 EAA Competitions and Activities

- 1. Pursuant to its objects, the EAA shall organise the following Official Competitions:
  - a) The European Athletics Championships (incorporating the European Marathon/Half Marathon Team Championships, respectively in the non-Olympic and the Olympic year);
  - b) The European Athletics Indoor Championships;
  - c) The European Cross Country Championships;
  - d) The European Athletics U23 Championships;
  - e) The European Athletics Junior Championships (U20);
  - f) The European Athletics Youth Championships (U18);
  - g) The European Athletics Team Championships;



- h) The European Combined Events Team Championships;
- i) The European Race Walking Cup;
- j) The European 10,000m Cup;
- k) The European Throwing Cup;
- 1) The European Mountain Running Championships.
- 2. The Council may introduce or discontinue other competitions or activities of competitive and non-competitive forms for various age groups, clubs and health and well-being.
- 3. The Council shall establish and amend regulations, which shall determine the rights, procedures and all other matters relating to competitions and other activities organised, sanctioned or supported by the EAA.

## Article 39 Event Rights

- 1. The EAA is the genuine owner of all rights emanating from EAA Competitions and activities as listed under Article 38.1 or introduced in accordance with Article 38.2, without any restrictions as to the content, time, place and law. These rights include, among others, every kind of financial rights, audio-visual and radio recording, reproduction and broadcasting right, multimedia rights, marketing and promotional rights and intellectual property rights such as emblems and copyrights.
- 2. The Council shall decide how and to what extent the event rights are utilised and licensed.

## Article 40 European Athletics Convention

1. Each year, during the months of October or November, the EAA shall organise the European Athletics Convention. The Convention shall be staged under separate guidelines and it shall comprise the European Athletics Calendar Conference, during which the European Athletics Calendar of Events organised both by the EAA and by the Members will be compiled and a non-elective Ordinary Congress once every four years according to article 12.2. Forums and other activities may be added according to the needs of the EAA and its Members.

# XIII Final Provisions

#### Article 41 Appeals against Decisions of the Congress or the Council

- Final decisions made by the Congress or the Council that violate the Constitution or mandatory legal provisions and that are not subject to the jurisdiction of the EAA Court may be submitted to the Court of Arbitration for Sport in Lausanne Switzerland (CAS), which shall resolve the dispute finally in accordance with the Code of sports-related Arbitration. The time limit to fill in an appeal shall be 21 (twenty-one) days.
- 2. Pending the determination by the CAS, the appealed decision shall continue in force.



# Article 42 Governing Law

1. The EAA and its rules and regulations shall be subject to the laws of Switzerland.

#### Article 43 Amendment of the Constitution

1. This Constitution may be amended by a decision of an Ordinary or Extraordinary Congress with a vote in favour of not less than two thirds (2/3) of the total number of votes validly cast, of which two thirds (2/3) must also represent at least one half (1/2) of the total number of votes exercisable by the Members present.

#### Article 44 Dissolution

- 1. Upon recommendation of the Council, or upon request of at least half the Members of the EAA, the Association may be dissolved by decision of an Ordinary or Extraordinary Congress with a vote in favour of not less than one half (1/2) of the total number of votes exercisable by all the Members.
- 2. In the event of the dissolution of the EAA, or in the event that the preconditions for tax-relief no longer exist, the assets shall be used only for purposes that guarantee tax-relief. Upon agreement of the tax authorities, these assets shall be paid into a bank account of the IAAF.

# Article 45 Entering into Force

1. The current version of the Constitution shall enter into force on 17 October 2015.

Lausanne, 16 October 2015

For the European Athletics Congress

President Svein Arne Hansen Chief Executive Officer (CEO) Christian Milz