



IBSA Constitution

2014

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§ 1

Name, registered office and financial year

- 1.1 The name of the Organisation is International Blind Sports Federation. e.V. (IBSA)
- 1.2 The registered office of IBSA is in Bonn, Germany.
- 1.3 IBSA is to be registered with the “register of associations” in Bonn district court.
- 1.4 The business (financial) year shall be the calendar year – January-December.

§ 2

Purpose of IBSA

- 2.1 IBSA’s Vision is of a world in which people who are blind or partially sighted can fulfil their dreams through sport for life.
- 2.2 In order to realise its Vision, it is underpinned by IBSA’s Mission, which is to advocate an active way of life by providing opportunities for our members to organise and take part in sporting activities. We do this by demonstrating organisational leadership and by sharing the skills necessary to empower and support our members. The purpose of IBSA is to promote sports. The purpose of the constitution is especially realised through the following:
 - 2.2.1 Ensure the growth and strength of the Blind Sports Movement through the development of National Member Federations in all countries, and support the activities of all IBSA Members;
 - 2.2.2 Supervision and monitoring of IBSA-sanctioned World and Regional Championships in order to ensure that organisation of such events is of the highest standard;
 - 2.2.3 With respect to the IBSA Sports, act as governing body of these sports, including the awarding and sanctioning of World and Regional Games and Championships;
 - 2.2.4 Promote sports for athletes with vision impairment with no discrimination on the grounds of politics, religion, economics, disability, race, gender or sexual orientation;
 - 2.2.5 Support and encourage educational, cultural, research and scientific activities that contribute to the development and promotion of the Blind Sports Movement;
 - 2.2.6 Ensure that, in Sports governed by IBSA, the spirit of fair play prevails, violence is banned, the health risk of the athletes is managed and fundamental ethical principles are upheld;
 - 2.2.7 Contribute to the creation of a drug-free sport environment for all Blind Sports athletes in conjunction with the World Anti-Doping Agency (WADA);

2.2.8 Contribute to the development of a fair classification process for all Blind Sports athletes in compliance with the IPC classification code.

§ 3

Corporate status

3.1 IBSA shall pursue its objectives directly and exclusively as a non-profit-making association as defined in the relevant section entitled "Tax-Privileged Objects", German Fiscal Code. IBSA's activities shall be altruistic; they shall not be aimed primarily at commercial purposes.²

3.2 All members of the Executive Board work voluntarily. The constitution may allow certain positions to be served on the basis of a paid position and a service contract.

3.3 IBSA's resources may only be used for purposes in accordance with its constitution. Members do not receive allocations from funds of IBSA.

3.4 No person may be compensated for expenses which are outside of IBSA's purpose or by compensations considered excessive.

§ 4

Structure of IBSA

4.1 The structure of IBSA shall include:

4.1.1 The General Assembly and other meetings of the Membership.

4.1.2 The Executive Board;

4.1.3 The Councils, Standing Committees

4.1.4 If appropriate: the Management Team led by the Executive Director.

4.2 The definition and mandate of these structures shall be outlined in the respective sections of this Constitution and in the bylaws of the Organisation.

§ 5

Membership

5.1 The Assembly of IBSA Members is the governing body of IBSA, responsible for defining the Vision and general direction of IBSA. The following can be members of IBSA:

- 5.1.1 National Member Federation: a national organisation recognized by IBSA as the sole representative of athletes with a vision impairment in that country or territory.
- 5.1.2 Individual persons as honorary members as well as the founding members.
- 5.2 The General Assembly shall decide on admission to membership.
- 5.3 Members shall have the right to:
- 5.3.1 Vote and be heard at meetings of the Members;
- 5.3.2 Nominate candidates for various IBSA Bodies;
- 5.3.3 Submit motions and be heard
- 5.3.4 Participate in all IBSA activities, subject to meeting eligibility criteria of the respective activity.
- 5.4 Members shall have the obligation to:
- 5.4.1 Participate in the development of IBSA's Vision and Mission Statement and general direction;
- 5.4.2 Pay the annual membership fee in accordance with the policy established at the IBSA General Assembly;
- 5.4.3 Abide by all IBSA Bylaws, Codes, rules & regulations and all IBSA decisions which are in a timely manner communicated to the membership;
- 5.4.4 Maintain regular and on-going communication with IBSA and, in particular, respond to IBSA's official requests in a timely manner.

§ 6

Executive Board

6.1 The Executive Board represents the IBSA Membership, elected at the General Assembly in accordance with nomination and election procedures codified in the bylaws. The Executive Board appoints further members of the enlarged Executive Board. All positions are equally open to men and women also if within the constitution a gender-specific wording is used due to editorial reasons.

The Executive Board according § 26 BGB shall be comprised of the following positions:

- One (1) President.
- One (1) Vice-President.
- One (1) Secretary General.
- One (1) Treasurer.
- Five (5) Regional/Continental Chairs.
- A maximum of four (4) Members-at-Large

- One (1) Sports Director
- One (1) Medical Director,

Furthermore, the following position with speaking rights, but without voting rights, belongs to the enlarged Executive Board, and is appointed by the Executive Board :

- One (1) Executive Director

With the exemption of the President, the Vice-President, the Secretary General and the Treasurer not all of the Board positions have to be filled.

6.2 The following applies to the position of all members of the executive board except for the ex-officio member:

6.2.1 The term of office shall normally be 4 years. The Board shall, however, remain in office provisionally until a new Board is elected. Vacant positions may provisionally be supplemented by the Board valid until the next General Assembly.

6.2.2 Elections for these positions shall occur at the General Assembly every four years.

6.2.3 Subject only to article 6.2.4, no individual shall serve on the Board for more than three consecutive terms.

6.2.4 If an individual's election as President follows one or more terms on the Board in some other capacity, that individual will be entitled, if re-elected, to remain as President for two (2) consecutive terms.

6.3 Nomination and Election Procedures are included in the bylaws and are submitted to the General Assembly of the IBSA Members for approval.

6.4 The Executive Board shall have full power of authority to represent IBSA. In exercising this authority, responsibilities of the Executive Board shall include:

- to interpret the Vision set by the Membership at the General Assembly.
- to approve IBSA Policies.
- to ensure that the directions set by the Membership at the General Assembly are implemented.
- to establish, disband, merge, suspend the operation of and in other ways regulate IBSA Standing Committees and Commissions.
- to set the broad goals of the strategic plan.
- to monitor the performance of the delivery of the goals
- to mandate, as appropriate, the Executive Director within a contractual relationship against payment to fulfil the operational duties of IBSA in accordance with the rules and regulations laid down.
- to appoint a certified auditor or: to propose to the general assembly a certified auditor for approval by simple majority

6.5 The President's main role within the organisation includes, but is not restricted to the following tasks and responsibilities:

- Chairs meetings of the Executive Board
- Serves as an ex-officio member of all IBSA Standing Committees and Councils as specified in the bylaws or can delegate this position to other members of the executive board
- Is the primary liaison between the Executive Board and the Executive Director
- Ensures that the organisation maintains positive and productive relations with its membership, media, sponsors, donors, peer organisations and the community at large

In absence, or if required, the vice president or Secretary General will take over the tasks of the President.

6.6 The Organisation is according § 26 Abs. 2 S. 1 BGB legally represented by the President or two members of the Board acting jointly, of whom one must be the Secretary General.

6.7 The Executive Board shall have the right to appoint a full voting member to the Executive Board in the event that one of the elected positions falls vacant during any term of office.

Such appointment to be ratified by the membership at the next General Assembly, unless such General Assembly falls in an election year, at which time the electoral process will apply.

The completion of the unexpired term does not count as one of the new member's terms as stated in article 6.2.3 and 6.2.4.

6.8 The President may co-opt for a fixed period of time, not to exceed the normal electoral cycle, up to three (3) individuals who shall serve as members without voting rights.

§ 7

IBSA Councils, Standing Committees and Commissions

7.1 The IBSA Executive Board may establish, disband, merge, suspend the operation of and in other ways regulate IBSA Standing Committees, Commissions and Working Groups, from time to time, as required.

7.2 Councils may be established from time to time by the IBSA Membership at the General Assembly upon the recommendation of the Executive Board.

§ 8

The IBSA Management Team and the Executive Director

8.1 The IBSA Executive board may authorise the executive director to represent the organisation and to fulfil designated duties.

8.2 Provided that a Management Team has been established, this will be led by the Executive Director who to this end, may be compensated financially, on the basis of a service contract.

§ 9

General Assembly of the members

9.1 The IBSA General Assembly is the official gathering of the IBSA Members. It shall be authorised to pass a resolution if at least one-third (1/3) of the members with voting rights are present. Should the number not be reached, a new Assembly may be called which shall be authorised to make decisions regardless of the number of members present. It is permitted to combine written notice of an Assembly which shall be authorised to make decisions in every case with the written notice of an ordinary General Assembly. A General Assembly shall be held at least every four years, at a time, place and date determined by the Governing Board, for the purpose of:

9.1.1 Hearing and receiving the reports of the Executive Board and Executive Director.

9.1.2 Receiving and approving the minutes of the previous General Assembly;

9.1.3 Electing the Executive Board with the exception of the appointed ex-officio members of the enlarged Executive Board;

9.1.4 Approving the budget and the membership fee policy;

9.1.5 Considering and approving the policy and procedures for nomination and election of Executive Board members;

9.1.6 Approving and admitting members to IBSA;

9.1.7 Considering and approving the financial reports and audited accounts and thereby discharge the executive board;

9.1.8 Considering and approving the bylaws

9.1.9 Approving amendment to the IBSA Constitution, which shall require a vote of two-thirds (2/3) of the Members present; and

9.1.10 Approving the transaction of any other business properly brought before the meeting.

9.2 An Extraordinary General Assembly may be called by the IBSA President, on request of the Board or on demand by at least one ten (1/10) of the total number of Members.

9.3 Notice of a General Assembly shall be given at least six months prior to the meeting. The agenda shall be distributed at least six weeks prior to the meeting in written. Date as per postmark shall be sufficient proof of a timely service.

Motions shall be submitted to the Board in writing at least three months before the General Assembly.

Minutes shall be drawn up for each General Assembly and shall be signed by the chairman and the recording clerk of the Assembly.

Procedures to be followed at the General Assembly and Extraordinary General Assembly shall be outlined in the bylaws.

9.4 Every Member shall be entitled to one vote at the General Assembly. A Member cannot transfer its vote to another Member if not represented in person at a meeting of the Members of IBSA. An individual cannot concurrently represent more than one Member, and as such is restricted to one vote at any meeting of the Members of IBSA. Honorary members may participate in the General Assembly but do not have voting rights.

9.5 In addition to the IBSA Members, representatives from IBSA Sports are entitled to participate in the IBSA General Assemblies. They are entitled to be heard at the IBSA General Assemblies but do not have voting rights.

§ 10

Termination/Suspension of Membership

10.1 Membership of IBSA shall terminate:

10.1.1 If a Member withdraws its membership by delivering to the Executive Board its written notice of withdrawal of membership. The resignation shall take effect at the time of such delivery, unless a later date is specified in the resignation;

10.1.2 Automatically upon the dissolution of the Member's organisation;

10.1.3 Automatically upon the IBSA General Assembly deeming with the simple majority of votes of delegates present and voting that a Member no longer meets the requirements for membership as outlined in section 5.1

10.1.4 Automatically upon there being passed, at the General Assembly, by at least two-thirds (2/3) of the votes cast on the question, a resolution that such Member's membership be revoked. Such a decision must be based on a good cause which shall in particular and without limitation be given if a member seriously prejudices the interests of the Organisation, blind sports in general or if the Member is in breach of the IBSA Constitution, Bylaws, Codes, rules or regulations. Prior to any vote on revocation, a Member shall have the right to be heard in the General Assembly or may choose to reply in writing.

10.2 The rights arising from the Membership may be suspended for a limited time by a decision of the Executive Board. Should such suspension be likely to exceed four consecutive years, the Executive Board shall bring forth a recommendation to the appropriate General Assembly for either continued suspension or termination of membership.

10.2.1 Before a Member is suspended, the Member shall have the right to be heard either in person or in writing by the General Assembly

10.2.2 The Executive Board shall inform the General Assembly of all suspensions in progress.

10.2.3 A Member under suspension loses all rights and privileges of membership. In particular, a Member shall not be entitled to be heard, except with respect to their suspension, or vote at meetings of Members, and/or enter athletes in competitions sanctioned by IBSA, and/or participate in IBSA activities.

10.3 A Member may be suspended for the following reasons:

10.3.1 Failure to pay the annual membership fee as determined at the General Assembly, unless otherwise decided by the Executive Board; or

10.3.2 Not fulfilling the conditions for Membership and not complying with the obligations of Members, as defined in article 5.4.

10.3.3 Existence of a reason justifying the suspension under article 10.2 according to the Executive Board until the next General Assembly

§ 11

Finances

11.1 The funds of IBSA shall primarily consist of:

- annual membership fees of Members and any levies on Members and
- such contributions, legal grants and other income as may be received for use by or in connection with IBSA activities.

The funds may be used for purposes within the objects of the Constitution. The Executive Board shall decide on their use within the budgetary limits.

11.2 Accounts and financial reports shall be submitted to the Executive Board annually and, more regularly, by agreement. The General Assembly shall approve the financial reports and audited accounts and shall approve the budget as presented by the Executive Board.

§ 12

Language

The official language of IBSA shall be English.

The Constitution is composed in both English and German. The German version shall have primacy.

§ 13

Dissolution

13.1 Dissolution may occur by decision of an Extraordinary General Assembly, called specifically for this purpose, by a two-thirds (2/3) majority vote of the members present. The Assembly shall also decide on the manner of liquidation and the utilization of the remaining assets.

13.2 Following dissolution of the Association and removal of its tax-exempt status, the assets of the Association shall be transferred to a legal person of public law or to another tax-privileged incorporated body for its use in furtherance and support of sports for athletes with vision impairment. The assets of the Association must be used for tax-exempt purposes, following its dissolution. Decisions on the future use of the assets may only be implemented following the approval by the tax office.

§ 14

Governing law

14.1 The law of Germany shall govern IBSA and this Constitution.