

EUROPEAN ATHLETIC ASSOCIATION

CONSTITUTION

IN FORCE AS FROM 16 OCTOBER 2005

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

I Foreword

At the 18th European Athletic Association Congress, held in Athens, Greece in April 2003, I announced on behalf of the EAA Council that we would begin work to modernise the association's Constitution.

This work was required to ensure that the Constitution remained a living document that allowed the EAA to continue to function effectively in light of the move of our domicile to Lausanne, major changes to our operational structure and our on-going efforts to meet the challenges faced by European Athletics.

The painstaking process that followed involved a line by line redrafting of the existing version, extensive input from the EAA's Swiss legal adviser and consultation with the EAA's Member Federations. The project was completed on 15 October 2005, when an Extraordinary European Athletic Association Congress in Reykjavik, Iceland gave its unanimous approval to the new Constitution.

The new document is coherent, well-structured and clear and I believe it will serve European Athletics well for some time to come.

It remains for me only to thank all those who have been involved in the drafting of the new Constitution for their efforts, including the EAA Member Federations, Council members and staff.

Hansjörg Wirz
President

II General Provisions

Article 1 Name and Seat

1. The name of the association shall be European Athletic Association (hereinafter referred to as "EAA").
2. The EAA is a non-governmental international association with a non-profit purpose in accordance with Article 60 ff of the Swiss Civil Code.
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

1. The objects of the EAA are:
 - a) To develop, promote and foster Athletics (comprising track & field, road running, race walking, cross country running and mountain running) 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 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.

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 for the time being in force.

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.

III Membership

Article 5 Members

1. 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 candidates for membership of the EAA Council and Committees;
 - d) To exercise all other rights arising from this Constitution;
 - e) To take part in the European Athletics Competition Programme and other activities;
 - f) 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.

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 37.2.
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.

IV Organisational Structure

Article 10 The Bodies of the EAA

1. The bodies of the EAA are:
 - a) The Congress;
 - b) The Council with the President and the Executive Committee;
 - c) Committees and Commissions;
 - d) The Head Office with the Director General.

V 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 Ordinary Congress shall be held once every two 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. 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.
2. 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, the other Vice-President shall chair the Congress. In the absence of the President and both 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) Members of the IAAF Council;
 - d) Honorary Presidents and Honorary Members of the EAA;
 - e) Members of EAA Committees and Commissions;
 - f) Such other persons as may be decided by the Council.
2. Voting entitlements shall be determined in accordance with Article 19.

Article 17 Powers of the Congress

1. The Congress shall have the following powers:
 - a) To elect the President, the Vice-Presidents, the Treasurer and other members of the Council;
 - b) To elect members of the Committees in accordance with article 28;
 - c) To approve the annual reports of the President and the Council;
 - d) To approve the audited accounts;
 - e) To elect the auditor;
 - f) To amend the Constitution;
 - g) To decide which shall be the Official Competitions of the EAA;
 - h) To decide upon the programme and the frequency of the European Championships, and the numbers of athletes per country that shall be eligible to participate;
 - i) To decide upon the establishment or abolition- of Committees;
 - j) To decide upon proposals submitted by the Council and/or Members;
 - k) To decide upon any other business of which notice has been given;
 - l) 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) Two Vice-Presidents;
 - c) Treasurer;
 - d) 13 Members of the Council;
 - e) Members of Committees.
2. Nominations of candidates for election as President, Vice-Presidents, Treasurer or members of the Council and Committees 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. 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.
5. 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

1. 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.
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 Director General, 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.

VI Council

Article 22 Composition of the Council

1. The Council shall consist of:
 - a. The President;
 - b. Two Vice-President;
 - c. The Treasurer;

- d. 13 other members, elected by the Congress;
 - e. The Director General (ex officio).
2. The President of the IAAF and the Director General of the EAA shall be ex-officio members of the Council.
 3. 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 Committee;
 - c) To appoint, in accordance with Article 28, those members of the Committees who are not elected by the Congress;
 - d) To appoint delegates and other representatives of the EAA;
 - e) To establish Commissions and Working Groups and to determine their membership and terms of reference;
 - f) develop and implement strategic plans of the EAA;
 - g) To establish and supervise a professional structure for the management of the EAA's activities;
 - h) To establish and amend organisational, financial and other Regulations relating to activities of the EAA, as appropriate;
 - i) To establish and amend Regulations applicable to EAA Competitions;
 - j) To select the venues of the EAA events;
 - k) To officially ratify European Athletic records and to keep an up-to-date list of these records;
 - l) To cooperate with the IAAF and other bodies;
 - m) To enter into commercial and other agreements relating to the EAA competitions and other activities of the EAA;

- n) To prepare for and arrange the Congresses, Calendar Conferences and other meetings of the Members of the EAA;
- o) To report on its activities to the EAA and IAAF Congresses ;
- p) To implement rulings made by the IAAF Congress or the IAAF Council or the EAA Congress;
- q) To determine the seat of the EAA within Switzerland;
- r) 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, signed by the chairman of the meeting and sent to the Council members within 30 days after the Council meeting.

VII Executive Committee

Article 26 Executive Committee

1. The Executive Committee shall consist of:
 - a) The President;
 - b) The Vice-Presidents;
 - c) The Treasurer;
 - d) The Director General (ex officio);
 - e) Up to 4 other Council members, including the chairpersons of the Committees.
2. The President, the Vice-Presidents, the Treasurer and the Director General shall represent the EAA legally, in accordance with the Organisational Regulations.
3. The Executive Committee shall be responsible for:
 - a) Carrying out all decisions taken by the EAA Congress and Council;
 - b) Co-ordination of the various activities of the EAA;
 - c) Taking all necessary decisions with regard to any unforeseen or urgent matters arising between Council meetings. Such decisions shall be reported to the other Council members immediately and approved at the next Council Meeting.

VIII President

Article 27 Responsibilities of the President

1. The President shall lead, direct and represent the EAA. He is primarily 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 for 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 Head Office;
- f) The appointment / dismissal of the Director General.

IX Committees

Article 28 Committees

1. The Congress may establish and/or disband Committees and shall, subject to 2 below, determine their membership and terms of reference.
2. Committees shall include up to four persons elected by the Congress together with a Chairman and other members appointed by the Council.
3. At the date of the adoption of this Constitution, the following committees have been established:
 - a) Competition Committee;
 - b) Development Committee.

X 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 Director General.

Article 30 Director General

1. The Director General is the top ranked executive and is responsible for the co-ordination of the operational work of the EAA.
2. The Director General is responsible for the management of the Head Office and staff.
3. The Director General 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 Director General are defined in the Organisational regulations.

XI Finance

Article 31 Financial Administration and Financial Period

1. The finances of the EAA shall be regulated and managed in accordance with Financial Regulations approved by the Council.
2. The Treasurer shall be responsible for the financial administration of the EAA in accordance with the Financial Regulations.
3. The financial year of the EAA shall begin on the 1st January and finish on the 31st December.
4. The EAA may debit any Member's account to settle claims.

Article 32 Auditor

1. 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 33 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 34 EAA Competitions

1. Pursuant to its objects, the EAA shall organise the following Official Competitions:
 - a) The European Athletics Championships (incorporating the European Marathon Cup);
 - b) The European Athletics Indoor Championships;
 - c) The European Cross Country Championships;
 - d) The European Athletics u' 23 Championships;
 - e) The European Athletics Junior Championships;
 - f) The European Cup;
 - g) The European Cup Combined Events;
 - h) The European Cup Race Walking;
 - i) The European Cup 10,000m;

- j) The European Cup Winter Throwing;
 - k) The European Mountain Running Championships.
2. The Council may introduce or discontinue other competitions as it may see fit.
 3. The Council shall establish and amend the Competition Regulations, which shall determine the rights, procedures and all other matters relating to competitions organised, sanctioned or supported by the EAA.

Article 35 Event Rights

1. The EAA is the original owner of all rights emanating from EAA Competitions as listed under Article 34.1 or introduced in accordance with Article 34.2, without any restrictions as to the content, time, place and law. These rights include, among others, every kind of financial rights, audiovisual and radio recording, reproduction and broadcasting rights, 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 36 European Athletics Calendar Conference

1. Each year, during the month of October or November, the EAA shall organise the European Athletics Calendar Conference and compile the European Calendar of Athletic events organised both by the EAA and by the Members. The European Athletics Calendar Conference shall be held under separate regulations.

XIII Final Provisions

Article 37 Sanctions

1. Any Member, Council member, Committee member, or any other person (such as an official, competitor, coach or employee) under the jurisdiction of a Member Federation, may be sanctioned:
 - a) If he fails to meet a financial obligation to the EAA; or
 - b) If he is guilty of a severe violation of this Constitution or other Regulation of the EAA; or
 - c) If he contravenes the principle of fair play, or the applicable competition rules of the EAA, or the IAAF, or harms the reputation of Athletics, the EAA, the IAAF, or any Council member.
2. The Council may take such action as it sees fit against any person or entity guilty of any action described above, including:
 - a) A caution;
 - b) A fine;
 - c) Withholding any grants or subsidies otherwise due;
 - d) Removal or denial of official EAA accreditation;

- e) Termination or suspension of membership;
 - f) Such other action as the Council may deem appropriate.
3. The Council shall take appropriate measures to safeguard the right of the person or entity affected by such proposed action to make representations.
 4. The decision of the Council shall be final and binding, subject to the right of appeal contained in Article 38.

Article 38 Appeals

1. Final decisions made by the Congress or the Council that violate the Constitution or mandatory legal provisions 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.
2. The time limit for filing an appeal shall be 60 days after the reception of the decision against which the appeal is directed. The governing law of the appeal shall be the Constitution and the Regulations of the EAA and subsidiarily, Swiss law. The arbitration proceeding shall be conducted in English, unless the parties agree otherwise.
3. Pending the determination by the CAS, the appealed decision shall continue in force.
4. All disputes arising out of the EAA Competition Regulations, the IAAF Competition Rules, the IAAF Advertising Regulations, or IAAF Doping Regulations shall be resolved in accordance with their provisions.

Article 39 Governing Law

1. The EAA and its Rules and Regulations shall be subject to the laws of Switzerland.

Article 40 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 41 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 42 Entering into Force

1. This Constitution was adopted at the Extraordinary Congress in Reykjavik on the 15th October 2005 and shall enter into force on 16th October 2005.

Reykjavik 15 October 2005

For the Congress

President
Hansjörg Wirz

General Secretary
Till Lufft

XIV History

In 1932, the International Amateur Athletic Federation (IAAF) created a special committee to explore the possibility of organising a European Championships in Athletics. The following year, the IAAF Council appointed a permanent European Committee. The Committee met for the first time in Budapest on January 7, 1934 and the first European Championships were staged later that year in Torino.

The Committee was subsequently elected every four years by the whole membership of the IAAF and then, from 1966, exclusively by the IAAF's European Member Federations. Its work included expanding the European competition programme by adding the European Cup (first staged in 1965) and then the European Indoor Games (first staged in 1966), which later became the European Indoor Championships.

On November 1, 1969, at a meeting of the Committee in Bucharest, the Association of the European Members of the IAAF was formed. Its Constitutional Rules were confirmed at the next year's IAAF Congress. These Rules came into force at the first European Athletic Association Congress in Paris on November 7, 1970, after which the organisation has been known as the European Athletic Association (EAA). The EAA's role now includes the further development of the European competition programme and a number of other tasks in the service of its Member Federations.

The EAA was legally re-constituted in Switzerland in 2003 and the Headquarters were moved to Lausanne, effective 1 January 2004. A new Constitution, reflecting various changes to the organisational structure and working practices of the EAA, was adopted by an Extraordinary European Athletic Association Congress on October 15, 2005.