



# EUROPEAN ATHLETIC ASSOCIATION CONSTITUTION

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## Definitions

**"Absolute Majority"** results from more than half of the votes validly cast obtained (which is often summarized as "50% plus one").

**"Area Association"** means the association of Member Federations in one of the six geographical area groups established and operating in accordance with the World Athletics Constitution and Rules, one of them being Europe.

**"Athletics"** means running, walking, throwing and jumping in all forms, both competitive and non-competitive, including track & field, road running, cross country running, mountain running, trail running and race walking.

**"Athletes' Committee"** shall mean the EAA committee composed of 10 elite athletes which shall represent the interests of the elite athletes towards the EAA and its bodies.

**"CEO"** means the Chief Executive Officer of the EAA appointed as such under Part X – Administration, Article 32.

**"Commission"** means a body described in Part VIII – Commissions, Article 29 of this Constitution.

**"Congress"** means the general assembly of the Members of the EAA described in Part III – Congress, of this Constitution.

**"Constitution"** shall mean this document which also serves as the statutes of the EAA as required by Art. 60 Swiss Civil Code.

**"Council"** means the body of representatives elected by the EAA Congress and described in Part IV – Council, of this Constitution.

**"EAA"** is the abbreviation of the European Athletics Association. The EAA shall also be referred to as European Athletics or EA.

**"EAA Code of Ethics"** is an object of the EAA to safeguard the authenticity and integrity of Athletics in Europe and to take all possible measures to eliminate conduct which might place the authenticity, integrity and reputation of Athletics at risk.

**"EAA Court"** means the body described in Part XI – The EAA Court, of this Constitution.

**"EAA Organisational Regulations"** regulate how the various bodies of the European Athletics Association operate and how the European Athletics financial affairs are regulated and managed.

**"Elective Ordinary Congress"** shall mean an Ordinary Congress during which the Council members, the President and the Vice-Presidents shall be elected or re-elected.

**"Ethics Board"** shall mean the EAA Court acting as Ethics Board under the EAA Code of Ethics.

**“European Athletics Convention”** shall mean the annual meeting of the Members as a platform to discuss actual matters of the EAA and the Members.

**“Executive Board”** means the body described in Part V – Executive Board, of this Constitution.

**“Head Office”** means the permanent offices and staff of the EAA, led by the Chief Executive Officer, as described in Part X – Administration, of this Constitution.

**“Honorary Membership”** shall mean a reward awarded by the Congress to individuals who have provided meritorious services to EAA according to Art. 15 of this Constitution.

**“Interim President”** means the First Vice-President replacing a President who is not able to serve, of the EAA described in Part VI – President and Vice-Presidents, of this Constitution.

**“Member”** means a national governing body for Athletics that is a member of the World Athletics, has been assigned by the World Athletics to EAA and admitted to the EAA by a decision of the Congress.

**“President”** means the President of the EAA described in Part VI – President and Vice-Presidents, of this Constitution.

**“Representative Delegate”** shall mean a person who attends a Congress as a delegate of a Member and who may validly represent that Member.

**“Simple Majority”** results from the greater number of votes obtained for a competitor compared to the other competitors.

**“Term”** shall mean the period of time for which a person is elected as a member of the Council (including the Executive Board), as President or as Vice President, as described in Part VII Term of Office, of this Constitution.

**“Vice President”** means one of the three Vice Presidents of the EAA described in Part VI – President and Vice Presidents, of this Constitution.

**“World Athletics”** means the association of the Member Federations which is the international authority for the sports of Athletics worldwide, formerly known as the International Association of Athletics Federations (IAAF).

# I General Provisions

## Article 1 Name and Seat

1. The European Athletic Association (hereinafter referred to as the 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 referred to 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 Purposes

1. The Purposes of the EAA are to:
  - a) serve the Members by promoting, developing and governing the sport of Athletics in all forms in Europe (including running, walking, throwing and jumping both competitive and non-competitive);
  - b) encourage participation in Athletics at all levels and by persons of all ages throughout Europe through competitions, events, programmes and activities;
  - c) establish, manage, control and supervise international competitions in Europe and recognise European records in Athletics;
  - d) protect the integrity of Athletics and the EAA by developing and enforcing standards of conduct and ethical behaviour, implementing good governance within the EAA and promoting good governance among the Members;
  - e) protect clean athletes in Athletics by applying and enforcing the World Anti-Doping Code including implementing rules, programmes and systems;
  - f) encourage and support the development, organisation and delivery of Athletics in Europe through its Members;
  - g) advance the sport of Athletics through ongoing research and development including the dissemination of technical, medical, logistical and other information about Athletics;
  - h) preserve the right of every individual in Europe to participate in Athletics as a sport in the spirit of friendship, solidarity and fair play and without unlawful discrimination;
  - i) partner with corporate and other entities to protect and enhance the EAA's intellectual property including entering into commercial, media, marketing and sponsorship arrangements for the sport of Athletics and the EAA;
  - j) promote and implement programmes and practices to ensure the sustainability of Athletics including the environment in which the Athletics is undertaken;
  - k) promote health and well-being through the sport of Athletics;
  - l) promote gender equity throughout the sport, including all bodies of the EAA, the EAA officials, the EAA staff and among the Members;

- m) encourage friendly and co-operative relationships with and between Members and defend the legal rights and interests of the Members within the framework of World Athletics; and
  - n) cooperate with World Athletics and its Area Associations, other sports organisations, public and private organisations and authorities to promote the interest of sport generally, and Athletics in particular, throughout Europe.
2. To fulfill the purposes defined in this Constitution, the EAA may hold shares of companies and other legal entities.

### **Article 3 Relationship with World Athletics**

1. The EAA is the Area Association of World Athletics (the competent international authority for the sport of Athletics worldwide) responsible for promoting and developing Athletics in Europe in accordance with the World Athletics Constitution.
2. The EAA shall apply, where relevant, the provisions of the World Athletics Constitution, Rules and Regulations.

### **Article 4 Languages**

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

### **Article 5 Legal Representatives**

1. The President, the vice-presidents and the CEO shall represent the EAA legally.

## **II Membership**

### **Article 6 Members**

1. The EAA shall comprise those national governing bodies for Athletics that are Members of World Athletics, included in Europe in the grouping of Members of World Athletics and admitted to membership of the EAA by a decision of the Congress.

### **Article 7 Obligations and Rights of Members**

1. Each Member has the obligation to:
  - a) administer, promote and develop the sport of Athletics in its country;
  - b) remain in good standing with World Athletics;

- c) comply with the terms and conditions of this Constitution, the regulations of the EAA and decisions rendered under these provisions;
  - d) pay the annual membership fee;
  - e) submit to the EAA a copy of its annual report submitted to World Athletics;
  - f) use its best endeavours to support and participate in EAA competitions and other EAA activities;
  - g) supply information to the EAA as specified in the regulations of the EAA or as otherwise requested in writing;
  - h) ensure that athletes are informed and consent to the use of their personal data (including name, date of birth, place of birth, club affiliation, sporting results, etc.) and images taken during EAA events and activities for organisational and promotional purposes;
  - i) enforce ethical behaviour as described by the EAA Code of Ethics against all persons subject to its jurisdiction;
  - j) promote good governance among all bodies and organisations within its jurisdiction;
  - k) ensure that any person affiliated to a Member who has been elected to the Council shall be an ex officio or full member of its highest executive body;
  - l) promote gender equity within its jurisdiction; and
  - m) ensure that its own membership complies with the requirements of this Constitution and the regulations of the EAA.
2. Each Member has the right to:
- a) attend, take part in and vote at Congresses;
  - b) make proposals for consideration by the Congress;
  - c) nominate one eligible candidate (as per Art. 17) for election to the Council;
  - d) nominate candidates (one male, one female) for election to the Athletes' Committee at each Athletes' Committee election;
  - e) propose individuals for membership on the permanently maintained Commissions created in accordance with Article 29;
  - f) take part in the EAA competitions and other EAA activities;
  - g) receive benefits (financial or otherwise) from the EAA; and
  - h) exercise any other rights arising from this Constitution

## **Article 8 Termination or Suspension of Membership**

1. Membership shall automatically terminate upon the dissolution of a Member or upon the termination of its membership of World Athletics.
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 the Congress.
4. Membership may be provisionally suspended by a decision of the Council pursuant to a decision of World Athletics or to the provisions of Article 35.1 h).
5. The annual membership fee is payable for the full year during which the membership is suspended or terminated.



6. 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.

## III Congress

### Article 9 Supreme Authority

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

### Article 10 Ordinary Congress

1. An elective Ordinary Congress shall be held once every four years in the years of the World Athletics Election Congress, during the months of April or May, on the date and at the place decided by the Congress.
2. A non-elective Ordinary Congress shall be held once every four years in the years following the Olympic Summer Games during the European Athletics Convention during the month of October or November, on the date and at the place decided by the Council.
3. If the circumstances do not allow to hold an Ordinary Congress according to Article 10 paragraphs 1 or 2, the Council may either postpone the Ordinary Congress to a date on which physical attendance of all Members can be ensured or to conduct the Ordinary Congress virtually by way of video-conferencing. A combination of virtual and physical participation is not permitted.
4. Notices of Ordinary Congresses together with a preliminary and non-binding agenda shall be sent in writing to each Member at least 120 days before the date thereof. Proposals by Members to the Congress must be in writing and must be received by the EAA at least 60 days prior to the Ordinary Congress. The final agenda shall be sent to the Members at least 30 days prior to the Ordinary Congress.

### Article 11 Extraordinary Congress

1. Extraordinary Congresses may be convened at any time by the Council.
2. An Extraordinary Congress may be convened at any time upon the request of 1/3rd or more of the Members. Such request shall be in writing and specify the matter to be considered. The Council shall thereupon convene an Extraordinary Congress, to be held within 90 days of the date of receipt of the request at a time and place to be determined by the Council.
3. If the circumstances do not allow to hold an Extraordinary Congress with physical attendance of the Members, the Council may either postpone the Extraordinary Congress to a date on which physical attendance of the Members can be ensured or to conduct the Extraordinary Congress virtually by way of video-conferencing. A combination of virtual and physical participation is not permitted. A postponement

of a Congress convened according to Article 11 paragraph 2 beyond the 90 days delay requires the consent of all Members who requested the convocation of the Extraordinary Congress.

4. 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 case of a Congress convened under paragraph 1, an agenda.
5. 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 prior to the Extraordinary Congress.

## **Article 12 Congress Documentation**

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

## **Article 13 Attendance at a Congress**

1. The following persons shall be entitled to attend Congresses:
  - a) up to three representative delegates of each Member;
  - b) the Council members;
  - c) the Honorary President(s) and Honorary Council members;
  - d) the members of the World Athletics Council;
  - e) the members of commissions;
  - f) the members of the Athletes' Committee; and
  - g) such other persons as may be decided by the Council.
2. When three delegates represent a Member, both genders must be represented.
3. Only those persons listed in paragraph 1 a), b) and c) are entitled to make oral statements at the Congress.

## **Article 14 Proceedings of a Congress**

1. The President or, in his/her absence, the First Vice President or, in his/her 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 Council member to chair 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 1/3 of the Members entitled to vote.
3. Congresses shall be conducted in compliance with the procedural regulations for the conduct of Congresses approved by the Council.

4. Agenda items that have not been announced in writing at least 30 days prior to an Ordinary Congress can be discussed at the Congress if a simple majority of the attending Members so decides.
5. Agenda items that have not been announced in writing at least 30 days prior to an Ordinary Congress can be voted on only if all Members (including those that do not attend the Congress) agree.

## **Article 15 Powers of the Congress**

1. The Congress shall have the power to:
  - a) admit Members upon the recommendation of the Council and World Athletics;
  - b) elect the President, the vice-presidents and other Council members;
  - c) remove the President, the vice-presidents and other Council members, according to Article 46;
  - d) approve the reports of the President and the Council;
  - e) approve the EAA's financial plan;
  - f) appoint the financial auditor;
  - g) approve the audited accounts;
  - h) amend this Constitution;
  - i) decide on the venue for the Ordinary Elective Congress;
  - j) decide which shall be the official EAA competitions;
  - k) decide on the programme and the frequency of the European Athletics Championships;
  - l) grant the status of Honorary President and Honorary Council Member upon proposal of the Council;
  - m) revoke the status of Honorary President and Honorary Council Member upon proposal of the Council;
  - n) suspend or exclude Members from membership; and
  - o) decide on any other proposals of which notice has been given.

## **Article 16 Voting at a 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. Voting for all Congress decisions except elections shall take place with an open voting system where each Member's vote will be transparent to the quorum subject to paragraph 3 below.
3. The Council and any Member at the Congress may request a secret vote, which must be approved by the Congress.
4. Voting for elections shall take place with a secret vote system.
5. Either electronic or paper ballot voting systems may be used for voting under clauses 2, 3 and 4.

6. Votes shall be examined and counted by scrutineers appointed by the Congress.
7. In secret ballot voting, paper ballots that bear any indication of the identity of the voter shall be invalid.
8. Except as otherwise provided, all decisions require a simple majority of the votes validly cast to be in favour. In the event of an equality of valid votes for and against, the proposal shall be deemed rejected.
9. Elections shall require an absolute majority of the votes validly cast in the first round and a simple majority in a second round. In case of a tie occurring in any election, a second vote shall be held to decide between the candidates so tying. If a tie occurs also in the second vote the election shall be decided by a draw made by the chairperson of the Congress.
10. Paper ballots used in elections that include names other than the candidates or that select more or fewer names than the available places shall be invalid.
11. The chairperson of the Congress shall announce the results of the voting and the numbers of votes cast. The signed scrutineers' results sheets shall be preserved. In the case of a secret vote where ballot papers are used, the ballot 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 chairperson of the Congress before the closing of the Congress. The matter shall be determined by the chairperson of the Congress whose decision shall be final.

## **Article 17 Elections**

1. The following elections shall be held at each elective Ordinary Congress:
  - a) the President;
  - b) the three vice-presidents; and
  - c) 13 other Council members.
2. Nominations of candidates for election may be made by any Member 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 held.
3. Any permanent vacancy occurring among the above mentioned membership of the Council shall be filled at the next Congress. Nominations to fill any such vacancy may be made by any Member and must be received in writing by the EAA at least 60 days before the date of the Congress at which the election is to be held.
4. Nominations of candidates may only be made by the Member of the country of which the candidate is a national.
5. There shall not be more than one Council Member from any one Member Federation Country. Positions in Art. 20.1.d), e) and f) are not considered for this purpose.
6. Elections shall be conducted in compliance with the relevant provisions of the procedural regulations for the conduct of Congresses and the following gender balance principles:
  - a) The President and the vice-presidents shall include both genders as follows:
    - at least two of each gender; and
  - b) The thirteen other Council members shall include both genders as follows:
    - at least five of each gender;

7. A candidate will be ineligible for election if:
  - a) **Other person:** the person is a member of the EAA staff;
  - b) **Bankrupt:** the person is declared by a relevant authority to be an undischarged bankrupt or is subject to a condition not yet fulfilled or any order under insolvency laws;
  - c) **Conviction:** the person has been convicted by a relevant authority of any offence punishable by a term of imprisonment of two or more years (whether or not a term of imprisonment is imposed) unless that person has obtained a pardon or has served the sentence imposed on them;
  - d) **Disqualified Director:** the person is prohibited by a relevant authority from being a director or promoter of or being concerned or taking part in a management of a company for breach or non-compliance with any law applicable to that person;
  - e) **Property Order:** the person is subject to an order by a relevant authority that the person is lacking in competence to manage their own affairs;
  - f) **Majority:** the person is a minor by law;
  - g) **Full Civil Rights:** the person is deprived of his or her civil rights by proper application of the law;
  - h) **Ethics Breach:** the person is serving a period of ineligibility (including provisional suspension) for breach of the EAA Code of Ethics or the World Athletics Integrity Code of Conduct;
  - i) **Anti-Doping Rule Violation:** the person is found by a relevant authority to have committed an anti-doping rule violation at any time, including any person who has served any period of ineligibility for that violation;
  - j) **Removal:** the person was removed from office by Congress, Council or Executive Board; and
  - k) **Other:** the person is otherwise prohibited from holding such position, or any similar position, under any other circumstances as provided by law.
8. Any candidate seeking election shall reveal to the Congress freely and without request any other circumstance that might put his/her eligibility in question.

## **Article 18 Minutes of a Congress**

1. Minutes of the proceedings of every Congress shall be prepared by the CEO, signed by the chairperson of the Congress and sent to the Members and Council members 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 19 Effective Date of Decisions of the Congress**

1. Unless specified otherwise in the decision, any decision of the Congress shall become effective and enforceable on the day following the closing of that Congress.

## IV Council

### **Article 20 Composition of the Council**

1. The Council shall comprise the following members elected by the Congress:
  - a) the President;
  - b) the three vice-presidents;
  - c) 13 other members;and the following ex-officio members:
  - d) the Chairperson of the Athletes' Committee;
  - e) the CEO; and
  - f) the President of World Athletics.

### **Article 21 Council Meetings**

1. The President or, in his/her absence, the First Vice-President or, in his/her absence, one of the other vice-presidents shall chair the Council meetings.
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 President(s) and such other persons as the President shall decide. Only the members listed in Article 20 paragraph 1 a), b), c) and d) are entitled to vote.
4. In case of a tie vote, the President (or in his/her absence, his/her substitute) shall have a casting vote.
5. 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.
6. Subject to the above and the Organisational Regulations, the Council shall meet and conduct its business as it sees fit.

### **Article 22 Role, Duties and Powers of the Council**

1. Subject to the powers of the Congress, the Council shall be responsible for directing and overseeing the activities of the EAA.
2. The Council shall have the duty and power to:
  - a) introduce and amend procedural regulations for the conduct of Congresses, including elections, which shall follow as closely as possible the World Athletics Rules of the Congress;
  - b) make proposals to Congresses;
  - c) elect the First Vice-President;
  - d) appoint the additional members of the Executive Board;

- e) establish and disband Commissions and to determine their goals and composition, in accordance with Article 29;
- f) approve the chairpersons and members of the commissions upon proposal of the President;
- g) approve strategic plans of the EAA;
- h) introduce and amend the Organisational Regulations;
- i) establish and amend regulations applicable to EAA competitions;
- j) select the venues for the EAA competitions and activities;
- k) officially ratify European records in Athletics and keep an up-to-date list of these records;
- l) introduce and amend the EAA Code of Ethics and the Procedural Rules of the EAA Court;
- m) appoint the Chairperson and the members of the EAA Court;
- n) establish a system of honours to persons who have rendered special services and assistance to the development of the EAA;
  - o) report on its activities to the EAA and World Athletics Congresses;
- p) implement rulings made by the Congress, the EAA Court, the World Athletics Congress or the World Athletics Council;
- q) determine the seat of the EAA within Switzerland; and
- r) delegate any of its powers and duties as it sees fit.

## V Executive Board

### Article 23 Composition of the Executive Board

1. The Executive Board shall comprise the following members:
  - a) the President;
  - b) the three vice-presidents;
  - c) the CEO;
2. The Council may appoint two other Council Members, upon proposal by the President. Of the two appointed Council members there shall be one of each gender, beginning from the 2019 Congress.

### Article 24 Role, Duties and Powers of the Executive Board

1. Subject to the powers of the Council, the Executive Board shall be responsible for executing all decisions taken by the Congress and Council and for coordinating the various activities of the EAA.
2. The Executive Board shall have the duty and power to:
  - a) take 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;

- b) establish and amend regulations within its power and duties;
  - c) establish and supervise a professional structure for the management of the EAA's activities;
  - d) appoint/dismiss the CEO upon proposal of the President;
  - e) appoint delegates and other representatives of the EAA;
  - f) appoint project teams and working groups;
  - g) prepare for and arrange Congresses, Conventions and other meetings of the Members; and
  - h) enter into commercial and other agreements relating to the EAA competitions and other activities of the EAA.
3. Subject to the above and the Organisational Regulations, the Executive Board shall meet and conduct its business as it sees fit.

## **VI President and Vice-Presidents**

### **Article 25 Role, Duties and Powers of the President**

1. Subject to the powers of the Council, the President shall be responsible for representing the EAA and for leading and supervising the delivery of its activities.
2. The President shall have the duty and power to:
  - a) chair the Congress and the meetings of the Council and the Executive Board;
  - b) represent Europe in the World Athletics Council as the Area Association Representative;
  - c) interact with the World Athletics, the Members, political bodies and international organisations;
  - d) ensure the implementation of the decisions passed by the Congress and the Council through the Head Office;
  - e) propose to the Executive Board the appointment/dismissal of the CEO;
  - f) supervise the CEO;
  - g) assign/cancel the responsibilities of the financial supervisor;
  - h) propose chairpersons and members of the commissions;
  - i) exercise the casting vote in Council meetings in case of a tie;
  - j) exercise the casting vote in Executive Board meetings in case of a tie; and
  - k) delegate powers as he/she sees fit.

### **Article 26 Vice-Presidents**

1. One of the three vice-presidents shall be elected as the First Vice-President by the Council at the first Council meeting following the conclusion of each elective Congress.
2. The role of the First Vice-President is to deputise for the President, either ad hoc or on a standing basis, at the direction of the President.
3. In the case the President is unable to serve, the First Vice-President will become the interim President until the next Congress.



4. When clause 3 applies the Interim President will propose to the Council one of the other two Vice-Presidents to serve as a First Vice-President until the next Congress.
5. The role of the other vice-presidents is to deputise for the President if neither the President nor the First Vice-President are able to act, either ad hoc or on a standing basis, at the direction of the President.

## **VII Term of Office**

### **Article 27 Term Length**

1. The term of office for the President, vice-presidents and other Council members shall be four years, commencing at the conclusion of the elective Congress at which their election is held, and expiring at the end of the next elective Congress.
2. In case of an extraordinary termination of a term, the partial term of the successor shall count as a full term when determining the maximum number of terms according to Article 28. If the successor was serving as a member of the Council before, that partial term shall not count for the determination of the maximum terms.
3. If an elective Ordinary Congress has been postponed, the terms of all incumbents are deemed to be extended until the elective Ordinary Congress can be held.

### **Article 28 Term Limits**

1. The maximum number of terms of office for a Council member is three, whether consecutive or not, except that for the President the maximum number is as specified in paragraph 2.
2. The maximum number of terms of office for the President is three in the position of President. If a Council member or a vice-president is elected as President, he/she shall be entitled to serve a total maximum of five terms, whether consecutive or not, for all capacities.

## **VIII Commissions**

### **Article 29 Role and Appointment of the Commissions**

1. The role of the commissions is to serve as expert consulting bodies to the Executive Board and the Council, in accordance with Terms of Reference approved by the Council;
2. The following two 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.
3. The Council may establish additional commissions at its discretion.
4. The Council shall make its best efforts to apply the gender equity principle of at least 40% per gender in the composition of all the Commissions created under this article.
5. The Chairperson and the members of such commissions shall be approved by the Council upon proposal by the President.
6. Members may nominate candidates with the necessary qualifications for such commissions to be considered by the President.

## **IX Athletes' Committee**

### **Article 30 Role and Composition of the Athletes' Committee**

1. The role of the Athletes' Committee is to represent elite athletes from Europe in accordance with the relevant regulations and Terms of Reference approved by the Council.
2. The Athletes' Committee shall comprise members elected and appointed every four years in accordance with the relevant regulations.
3. The Athletes' Committee Chairperson shall serve as a member of the Council.

## **X Administration**

### **Article 31 Head Office**

1. The Head Office shall carry out all the operational and administrative work of the EAA under the direction of the CEO.

### **Article 32 CEO**

1. The CEO is the top ranked executive and is responsible for the management of the operational work of the EAA and the Head Office and staff.
2. The CEO may take part and speak in all EAA meetings as he/she deems appropriate. He/she is entitled to attend these meetings with a voice but without a vote.
3. The specific duties and powers of the CEO are defined in the Organisational Regulations.

## **XI The EAA Court**

### **Article 33 Composition**

1. The EAA Court shall consist of a Chairperson and six members. All EAA Court members shall comply with the eligibility principles set for elections in Article 17.6.
2. The Chairperson shall appoint a Vice-Chairperson.
3. 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.
4. If the Chairperson is unavailable to perform his/her duty, the Vice-Chairperson shall act on his/her behalf.

### **Article 34 Competence**

1. The following shall be subject to the jurisdiction of the EAA Court:
  - a) the EAA;
  - b) the Members and their officials;
  - c) EAA officials, including Council members, members of Commissions and members of the Athletes' Committee;
  - 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 this Constitution or other regulations of the EAA, including disciplinary disputes;
  - b) violations of the principle of fair play or the applicable competition rules of World Athletics;
  - c) disputes concerning the admission of athletes to EAA competitions;
  - d) disputes among Members or between Members, including disputes about a Member's financial obligations towards the EAA;
  - e) disputes involving athlete support personnel and other persons according to Article 2 of the World Athletics Disputes and Disciplinary Proceeding Rules;
  - f) any other dispute for which no other dispute resolution body has been provided by this Constitution or the World Athletics Constitution.
3. The EAA Court shall not have jurisdiction to decide any matters or disputes arising out of the World Athletics Anti-Doping Rules and Regulations.

## **Article 35 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 due;
  - e) removal or denial of official EAA accreditation;
  - f) proposal to the Council or Congress to suspend or remove an EAA official;
  - g) proposal to the Council to revoke the status of Honorary President and Honorary Council member;
  - h) proposal to the Council to provisionally terminate or suspend membership of a Member;
  - i) proposal to the Congress to terminate or suspend membership of a Member.

## **Article 36 Ethics Board**

1. The EAA Court shall act as an Ethics Board for the assessment of alleged breaches of the EAA Code of Ethics by any person subject to Article 34.1. The respective proceedings shall be governed by the EAA Code of Ethics and the relevant procedural rules of the EAA Court.

# **XII Finance**

## **Article 37 Financial Administration and Financial Period**

1. The financial affairs of the EAA shall be regulated and managed in accordance with the Organisational Regulations.
2. The Financial Supervisor is responsible for supervising the financial administration of the EAA in accordance with the Organisational Regulations and reports directly to the President.
3. The financial year of the EAA shall begin on 1 January and finish on 31 December.
4. The EAA may debit any Member's account to settle claims.

## **Article 38 Financial Auditor**

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

## **Article 39 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.

## **XIII EAA Competitions and Activities**

### **Article 40 EAA Competitions**

1. Pursuant to its Purposes, 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 U20 Championships;
  - f) The European Athletics U18 Championships;
  - g) The European Athletics Team Championships;
  - i) The European Race Walking Team Championships;
  - j) The European 10,000m Cup;
  - k) The European Throwing Cup;
  - l) The European Athletics Off-Road Championships<sup>1</sup>;
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 41 Event Rights**

1. The EAA is the genuine owner of all rights emanating from EAA competitions and activities as listed under Article 40.1 or introduced in accordance with Article 40.2, 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,

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<sup>1</sup> The first edition of the European Athletics Off-Road Championships will take place in 2022 and in 2020 a European Mountain Running Championships will still take place.

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 42 European Athletics Convention**

1. In October or November of each year, the EAA shall organise the European Athletics Convention. The Convention shall be staged under separate guidelines and comprises once every four years the non-elective Ordinary Congress according to Article 10.2. The Convention programme will feature forums and workshops and other activities that may be added according to the needs of the EAA and its Members.

## **XIV Final Provisions**

### **Article 43 Appeals**

1. 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, and final decisions rendered by the EAA Court may be submitted to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland. The time limit to file an appeal shall be 21 days from the receipt of the reasoned decision.
2. Pending the determination by the CAS, the appealed decision shall continue in force.

### **Article 44 Governing Law**

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

### **Article 45 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 at least 2/3 of the total number of votes validly cast, representing at least 1/2 of the total number of Members.

### **Article 46 Removal of the President, Vice-Presidents and Council Members**

1. The President, Vice-Presidents and Council members may be removed individually or as a group, by a decision of an Ordinary or Extraordinary Congress with a vote in favour of at least 2/3 of the total number of votes validly cast, representing at least 1/2 of the total number of Members.

## Article 47 Dissolution

1. Upon recommendation of the Council, or upon request of at least half the Members, the Association may be dissolved by decision of an Ordinary or Extraordinary Congress with a vote in favour of not less than 2/3 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 World Athletics.

## Article 48 Entering into Force

1. This Constitution shall enter into force on 15 October 2021.

## Article 49 Transitional Provisions

1. Any Council member serving prior to the 2019 Elective Congress, shall be entitled (if re-elected to Council) to a maximum of two further terms of office, regardless of the number of terms previously served.
2. If a Council member or a vice president serving prior to the 2019 Elective Congress is elected as President at the 2023 Elective Congress, he/she may serve a maximum of three full terms as President, but no more than a total of five terms of office in whatever capacity.

Lausanne, 14 October 2021

For the European Athletics Congress



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