



STATUTES OF THE "INTERNATIONAL BLIND SPORTS FEDERATION" (IBSA)

These Statutes were adopted at the ordinary session of the General Assembly of the federation, held in the city of Casablanca, Morocco, on 13th June 1997, and subsequently modified by the General Assemblies held in Santo Domingo (Dominican Republic) on 13-15 September 2001, Beijing (China) on 9-11 June 2005 and Antalya (Turkey) on 3-4 April 2009.

In these statutes the word “blind” will always be understood as meaning “blind or partially sighted”.

These statutes will be complemented by the Internal Operating Rules of the federation.

ARTICLE I - DENOMINATION

The name of the entity shall be the "INTERNATIONAL BLIND SPORTS FEDERATION", a title which may be accompanied by the expression "IBSA" or the corresponding logotype.

ARTICLE II - DOMICILE

The registered office of this entity shall be in Madrid (Spain), in Calle Quevedo, No. 1.

The International Blind Sports Federation, IBSA, as a non-profit corporation incorporated in Spain, shall maintain its registered office in Spain, as required by Spanish law, and shall maintain an operational office for the conduct of its services and programs wherever determined by the Executive Board.

ARTICLE III – NATURE

This entity is an Association of a Sporting nature, conforming to the Spanish legislation in this field, and is duly registered as an international federation in the Sporting Associations Register of the National Sports Council, an organ dependent on the Spanish Ministry of Education and Science.

For this purpose, it enjoys a separate legal personality to that of the entities which, in their condition of affiliates, make up the organisation, and as such is fully qualified to act.

This federation shall be governed by the present Statutes, as well as by any other rules and instructions which, at any given moment, may be issued by its competent governing bodies, and particularly by the Internal Operating Rules of the federation, approved by the Executive Board. Moreover, it shall be governed, collaterally, by the Spanish legislation on sporting matters, with which the present Statutes must, whenever necessary, comply.

The official languages of this federation shall be Spanish, English and French.

ARTICLE IV - PURPOSE AND TERRITORIAL SCOPE

a) This entity constitutes the **supreme** international authority on sports matters for the blind and partially sighted, and therefore has the broadest authority and functions that could correspond to any international federation with respect to each sporting speciality.

b) The goals determining the activities which the federation shall effect, apart from the contents of the International Charter on Physical Education and Sport, adopted by the UNESCO in 1978, shall be as follows:

(i) To promote and foster sports for the blind and partially sighted, either directly or indirectly, through the authorities of all the nations, the homogenisation of the bodies or entities responsible for this area and the legal treatment that should be afforded to them.

(ii) To maintain close cooperation with all organisations that work in the blind and partially sighted sector, as well as with all others which pursue similar or analogous goals.

(iii) To promote sports for the blind and partially sighted, either directly or indirectly, through any of the legally permitted channels.

(iv) To structure and regulate sports for the blind and partially sighted at international level, as well as to plan, coordinate and organise competitions and sporting events for the blind and partially sighted at national, continental and world level.

(v) To promote the holding of meetings, seminars, conferences and, in short, whatever socio-cultural events might prove necessary in order to raise awareness of the relevance of sports practice for blind and partially sighted persons as the optimum means of achieving their best possible integration.

ARTICLE V – MEMBERS

a) Any national entities (public associations, federations, organisations or bodies) which hold the position of maximum ruling body in their respective country, recognised as an independent state by the United Nations, on matters concerning sports for the blind and partially sighted, are eligible to become full members of the International Blind Sports Federation.

The affiliation of national blind sports federations governed by blind people shall be promoted when possible.

b) Only one entity per country may become a full member of the International Blind Sports Federation.

ARTICLE VI - MEMBERSHIP APPLICATION PROCEDURE

1) Application for membership shall be addressed in writing **to the General Secretariat with a copy to the Continental Delegation** of the continent geographically corresponding to the country of the applicant entity.

2) Together with this application, the applicant shall submit the following documentation:

a) A copy of the deed or notarial instrument of incorporation.

b) A copy of the Statutes, in which it must be clearly stated that the entity is non-profit-making and that its principal purpose is the promotion of sports for the blind and partially sighted.

c) A certificate, issued by the official authorities of the country in question, attesting the fact that the applicant entity is the maximum sporting authority in all matters relating to sports for the blind and partially sighted in that country.

d) A report on the activities undertaken in the sporting field throughout the preceding two years.

3) Once this application has been received the Continental Delegation shall submit it, with its report, to the Management Committee within a period of fifteen days.

4) The Management Committee shall draft a report assessing whether or not to accept the application and, in the course of this process, is entitled to ask the opinion of the Continental Delegation in question, although said opinion shall not be binding.

5) The application and the report shall be submitted to the Executive Board within a period of thirty days from their reception by the Continental Delegation and the Secretary General.

On the basis of the report presented by the Management Committee, the Executive Board shall decide whether or not to agree to the incorporation of the applicant. Such an agreement must be adopted by simple majority.

6) Once approval is forthcoming from the Executive Board, the incorporation of the applicant shall be ratified by the General Assembly. Until this is

forthcoming, the application shall enjoy the condition of provisional full membership; nevertheless, all the rights and obligations corresponding to the definitive members shall be applied to it.

ARTICLE VII - RIGHTS OF THE FULL MEMBERS

1) To be represented, with a say and a vote in the proceedings, at the sessions of the General Assembly by one person, who must be blind ***or, should this not prove possible, any other person with sufficient knowledge of sports for the blind.***

Each member country shall have one vote.

2) To accede to any of the governing bodies of the "International Blind Sports Federation".

3) To put forward, at any time they deem fit, any proposals, opinions, motions or criticisms relating to the internal operation of the organisation or to its external activities.

4) To organise competitions or sporting events, within the framework which, at any given time, the federation may establish.

5) To participate in the said competitions or sporting events, through their athletes or associated clubs.

ARTICLE VIII - OBLIGATIONS OF THE MEMBERS

1) To abide, at all times, by the contents of the internal rules of the federation (statutes, internal operating rules), as well as the decisions of its governing bodies.

2) To satisfy the annual membership dues which are duly established by the General Assembly.

3) To promote the practice of sport for the blind and partially sighted within their respective territorial areas and urge their national authorities to ensure they receive the same legal treatment as the other members. To this end, they shall follow the directives laid down by this federation.

ARTICLE IX - LOSS OF MEMBERSHIP STATUS

The possible reasons for loss of membership status are as follows:

- a) Dissolution of the legal status of the member organisation.
- b) Voluntary withdrawal.
- c) Expulsion.

a) Dissolution of the legal status of the Member:

The disappearance, de facto or by legal dissolution, of the entity which held membership status shall determine the loss of such status.

Moreover, any modification in the nature or legal structure of the member which, in general, might imply a lesser operational capacity than that stipulated in its initial configuration, shall determine their loss of membership status.

In this case, the member wishing to continue as such must write to the Management Committee, stating this intention and setting out the reasons behind such a change in its configuration, and the way in which said change might affect the activities it had been effecting in the sporting sector, as well as enclosing the certificate stipulated in Article VI., 2c.

b) Voluntary withdrawal:

The Management Committee must be duly notified of the irrefutable decision to withdraw from the federation and membership will thus automatically be cancelled as of the moment of said notification.

c) Expulsion:

Subsequent to substantiating the corresponding disciplinary measures, the federation may decide, through its competent authorities, to expel any member incurring in statutory infringements. Thus, the loss of membership status shall occur as of the moment when the sanctioned member is satisfactorily notified of the decision.

ARTICLE X - GOVERNING BODIES OF THE FEDERATION

The federation has the following governing bodies:

- General Assembly
- Executive Board
- Management Committee
- Continental Delegations
- Sports Technical and Medical Committees
- Sport Subcommittees

ARTICLE XI - THE GENERAL ASSEMBLY

1. - Functions:

The General Assembly is the duly convened and constituted meeting of the member organisations, held to deliberate and issue decisions, as the supreme authority representing the wishes of the members.

Its decisions, adopted in a valid manner in accordance with its capacity, shall be binding upon all the member organisations, including those that were in disagreement, abstained or were absent, without affecting the right to challenge afforded to the member organisations, a right which is duly regulated below.

2. - Classes:

The General Assembly may be convened in ordinary or extraordinary session.

The ordinary General Assembly shall be convened and shall meet every four years.

Any other General Assembly held shall be considered extraordinary.

3. - Attendance quorum:

The General Assembly, whether ordinary or extraordinary, shall be deemed validly constituted ***when at least one third of the member organisations participate.***

4. - Convening an Assembly:

The General Assembly shall be convened following an agreement of the Executive Board, adopted ***on its own initiative*** or at the request of one third of the member organisations.

a) In the former case, the Executive Board shall notify each member organisation of the meeting, in a certifiable manner, together with the Agenda for same, at least ***two*** months prior to the date established for the meeting.

The Agenda must, of necessity, include the following points:

- Review of the accounts for the preceding four-year period, with the corresponding auditors' report.
- Approval of the sports administration effected throughout the preceding four-year period.
- Approval of the general budget lines for the forthcoming period and, when necessary, any change proposed in the amount of the membership fees.
- Approval of the sports plans for the forthcoming period.
- All further questions which the President or the Executive Board may consider require consideration.

b) In the latter case, one third of the member organisations must submit a request, in writing, to the Management Committee asking for an Extraordinary General Assembly to be convened, and outlining the points which must be included on the Agenda.

Once it has received such a request in the established manner, the Management Committee shall present it to the Executive Board so that the

latter may convene the Extraordinary General Assembly within a period of six months.

In both cases, the venue, date and time of the Assembly therein convened must be duly stipulated.

5. - Representation:

The member ***countries*** of the federation must attend the General Assembly in person ***and shall not be allowed to delegate their representation to another member country.***

6. - General Assembly - Procedures:

The Assemblies shall be chaired by the President of the federation or, in his absence, by the Vice-President or, in the absence of the latter, by a person designated by the President. The chairperson shall direct the deliberations and have the authority to declare any of the points sufficiently debated and ready to be put to a vote.

Whenever more than two members request an opportunity to speak on a point on the agenda, the President shall establish at least two turns for and two against the motion, with a maximum of ten minutes for each turn. Those intervening shall be allowed a turn in which to respond which shall not exceed five minutes.

The Secretary for the meeting shall be the Secretary General of the federation or, in his absence, the Treasurer or, in the absence of the latter, a person designated by the President from amongst the Executive Board members.

Before initiating the points on the Agenda, a list of those attending shall be drawn up, stipulating the full names of those attending and the member country they represent. This list shall be signed by all those present.

Each point on the Agenda shall be duly deliberated upon and voted separately.

Irrespective of the number of sessions that constitute the Assembly, this shall be considered a sole meeting, and the corresponding Minutes shall be

drafted by the Secretary General - or whoever acted on his behalf - reflecting the proceedings, the points dealt with and the agreements adopted. The Minutes shall be sent out to all the members once they have been ratified.

7. - Adoption of agreements:

The **decisions made by the Assembly** shall be adopted by a simple majority of votes amongst those member **countries** present at the Assembly.

In the event of a President leaving office and an election thus proving necessary, in the course of an Extraordinary General Assembly, this must be agreed upon by two thirds **of the member countries present at the Assembly**.

8. - Responsibilities of the General Assembly:

Apart from those questions of necessity included in the Agenda, the following shall be the responsibility of the General Assembly:

- a) Modification of the Statutes, the Internal Operating Rules or any other ruling of a general nature that may be pronounced by the Executive Board.
- b) The composition of the Executive Board.
- c) The appointment to positions within the federation, specified in Article XII.1 below.
- d) The approval of the Executive and Management Committee Administration through the review of the Annual Accounts and Auditors' Report submitted by the Executive Board, and the approval of the general budget lines of the federation for the coming four-year period.

9. - Challenging agreements:

The agreements adopted by the Assembly may be challenged by any member within a period of thirty days from the date of the Assembly,

whenever that member was present at the session where the disputed agreement was adopted and voted against its being adopted.

The Executive Board shall resolve the challenge in question.

ARTICLE XII - THE EXECUTIVE BOARD

1. - The Executive Board is the governing, administrative and representative body of the federation and shall comprise the following posts:

- President
- Vice-President
- Secretary General
- Treasurer
- Director of the Medical Committee
- Director of the Sports Technical Committee
- A member representing each of the Continental Delegations
- **1 Member at Large (Youth Committee)**
- **1 Member at Large (Women's Committee)**
- **2 more Members at Large**

2. - The General Assembly is responsible for the election of the posts which make up the Executive Board.

The electoral regulations and procedures shall be stipulated in Chapter 1 of the Internal Operating Rules of the federation.

The President and the Vice-President must be blind or partially sighted. In any event, a reasonable, equitable representation shall be sought between blind or partially sighted persons and normally sighted persons. The

positions on the Executive Board shall be exercised free of charge and in no case can members receive compensation for the execution of their functions. Nevertheless, they shall be entitled to reimbursement of all the duly justified expenses incurred in the exercise of their function.

3. - Responsibilities.

The Executive Board is responsible for all management, administrative, acquisition, disposal and representation questions not reserved by these Statutes for the General Assembly, without prejudice to those expressly delegated to the Management Committee, the President, the various Committees or the Continental Delegations, which may or may not coincide with those foreseen herein.

In particular, it has the following responsibilities:

- a) To establish the general guidelines for the fulfilment of the goals and functions of the organisation, abiding at all times by the stipulations, where they exist, of the General Assembly, whose agreements it must execute. To approve, within a period of six months after the end of the financial year, the Annual Accounts, the corresponding Auditors' Report submitted by the Management Committee, the Annual Income and Expenditure Budget, and any extraordinary budgets that might arise, determining on an annual basis the limit of those items the President may carry out without the prior authorisation of the Management Committee.
- b) To approve the incorporation and suspension of members.
- c) To approve the creation of ad-hoc committees entrusted, where necessary, with the necessary powers to perform the functions attributed to them, provided that this proves compatible with the powers conferred on the other governing bodies of the federation.
- d) To set up informative and consultative commissions.

e) To agree on the execution of any acts or contracts relating to administration, acquisition, disposal, transfer and encumbrance, and on the exercise, in or out of court, of all kinds of actions.

Pursuant to these powers, the Executive Board is entitled, amongst other actions, to: purchase, sell, exchange and encumber any kind of personal and real estate; deal with financial agencies and credit institutions, effecting all operations covered by banking legislation and practice; open, hold and cancel bank accounts of any kind and avail of them in any form; issue, accept, endorse, control and negotiate bills of exchange, cheques or promissory notes and other securities; and provide bonds and constitute guarantees by way of cash and other securities, to safeguard the fulfilment of all manner of obligations undertaken by the federation.

f) Authorise sports material.

g) Exercise any other power which is expressly covered by these Statutes or in the Internal Operating Rules.

4. - Executive Board Operation.

a) The Executive Board shall meet once a year and, in addition, whenever the President considers it necessary. It shall also meet at the request of two thirds of its components.

Should it consider it unnecessary, the Board may, on certain occasions, dispense with meeting with the established frequency.

b) The meeting shall be convened by the Secretary General, upon request of the President, or the person acting in his name, in writing, at least one month prior to the meeting, specifying the date, time **and venue** of the meeting and summarising the matters to be dealt with, without precluding any other incidental or urgent matter that might arise.

c) The first notification can only lead to valid deliberations when the majority of the members are present. Following a second notification, the meeting shall be held irrespective of the number of members attending.

It will be allowed to send both notifications at the same announcement, with a short interval of time between them.

d) The roles of President and Secretary shall be fulfilled by those holding these positions within the federation. In their absence, they shall be substituted by the Vice-President and the Treasurer respectively and, in the absence of these persons also, those attending the meeting shall choose two persons to fill these roles.

e) Agreements shall be adopted by a majority of the votes cast by the members present. In the event of a tie, the President shall have the casting vote.

f) At the close of each meeting the Secretary shall draft the Minutes to reflect the debates and agreements adopted, specifying the vote cast by each participant whenever this is required. He will then send out the minutes to all the member countries.

5. - Filling vacancies.

Should any post be left vacant due to retirement, death or resignation, the Executive Board may co-opt any national representative to fill the vacant position. Such an appointment must be approved by the corresponding national organisation. In the event of the retirement, death or resignation of a Continental Chairperson, this position must be filled by a representative from the same Continent.

ARTICLE XIII - THE MANAGEMENT COMMITTEE

1. The permanent administration of the federation corresponds to the Management Committee, which shall comprise the President, the Vice-President, the Secretary General, the Treasurer, the Director of the Sports Technical Committee and the Director of the Medical Committee.

2. Responsibilities:

a) The study and presentation of the Annual Accounts for each financial year, the approval of the Annual Income and Expenditure Budget, and any extraordinary budgets that might prove necessary to attend the needs of the organisation.

- b) The preparation or delegation of tasks, reports or judgements on matters which must be decided by the committee.
- c) The powers recognised as pertaining to the Executive Board in Article XII.3.e above.
- d) The approval of personnel who hold some labour or mercantile relationship with the federation, and those pertaining to the corresponding organisation.
- e) Monitoring the Annual Income and Expenditure Budget, and any extraordinary budgets that might be approved, as well as the authorisation for the President to incur any necessary expense, whether or not it is of an ordinary nature.
- f) All others expressly recognised in these Statutes or in the Internal Operating Rules, and others which may be expressly conferred by the General Assembly or the Executive Board.

3. Operation.

- a) The Management Committee shall meet twice a year and, in addition, whenever ***any of its component members considers it necessary***.

The Management Committee can dispense with one or several of its scheduled biannual meetings.

- b) It shall be convened by the Secretary General, upon request of the President, in writing, at least thirty days prior to the meeting, specifying the points to be raised on the Agenda.
- c) The roles of President and Secretary shall be fulfilled by those holding these positions within the federation.
- d) Representing another member is not permitted at the meetings of the Management Committee.
- e) Agreements shall be adopted by a majority of the votes of those members present. In the event of a tie, the President shall have the casting vote.

f) The person acting as Secretary shall draft the corresponding Minutes of the sessions of the Management Committee meetings, and subsequently incorporate them in his books and shall send out a copy of the Minutes to all the member countries.

ARTICLE XIV - THE PRESIDENT – AUTHORITY

The President shall avail of the legal representation of the federation, both in and out of court, and may delegate his representation in the Vice-President, the Secretary General or the Treasurer. He may award powers of attorney to lawyers and legal representatives in order to appear and act before Public Authorities, Courts and Tribunals in all manner of enquiries, trials and administrative, contentious-administrative, civil, criminal and labour proceedings, being empowered to follow through all the procedures, pleas or appeals, whether ordinary or special, until a final and enforceable decision is secured.

Moreover, he may delegate and confer powers on behalf of the aforementioned persons, granting them the powers necessary to enable them to intervene in proceedings of a personal nature, such as depositions and testimonies in representation of the organisation.

Notwithstanding the provisions of other previous articles, the following powers also correspond to the President, who is obliged to answer before the Management Committee and the Executive Board for the actions undertaken in the course of same: do business with Banks, Savings Banks and Credit Institutions, effecting all operations covered by banking legislation and practice, and open, hold and cancel current accounts and avail of them in any form.

ARTICLE XV - THE CONTINENTAL DELEGATIONS

In order to ensure an optimum fulfilment of the goals of the federation five Continental Delegations shall be set up, to which the members from the respective continents shall belong.

At the head of each Delegation there shall be a ***Chairperson*** elected by the members of each respective delegation, who shall then form part of the Executive Board.

In accordance with the above, this Chairperson shall fulfil the dual roles of representative of the members of the Continent in question before the Executive Board and representative of the latter before the former with respect to organisational and technical activities held within the territory corresponding to said Chairperson.

The Continental Chairperson shall, following a proposal from the Delegation, appoint one or several Continental Sub-Delegates to boost the activities of the federation in that geographical region.

The election procedures, as well as the responsibilities, functions and powers of the Continental Chairpersons and Sub-Delegates shall be duly established in the Internal Operating Rules.

In the event that a member country wants to change to another Continental Delegation it will have to put forward a formal proposal, in writing, to the Executive Board, in this respect. The Executive Board will analyse the proposal at the meeting which is held immediately after the formal presentation of the proposal.

ARTICLE XVI - THE OTHER INSTITUTIONAL POSTS

The responsibilities, functions and powers that correspond to the Secretary General, the Treasurer, as well as to the Sports and Medical Committees, shall be duly specified in the Internal Operating Rules.

It is recommended that the posts of two of the Members at Large of the Executive Board should be occupied by persons who address their tasks to the areas of youth and women within our federation.

ARTICLE XVII - ESTATE AND RESOURCES OF THE FEDERATION

The resources of the federation proceed from the ordinary fees to be met by the members; from the contributions, donations, aids and subsidies effected by individuals or private or public entities; from the income produced, directly or indirectly, by the organisation and celebration of sporting events; and from other unscheduled activities that may be effected in relation to the activities realised by the federation in the fulfilment of its objective and goals.

At least 70 per cent of the income produced by economic exploitation or from any other source shall be destined to the fulfilment of the federation's objectives after deducting the expenses incurred to obtain those results or income. The remainder shall be allocated to increase the "social fund" or the reserves in accordance with the agreement of the Executive Board. The expenses incurred to obtain that income may be composed of the proportional share of expenses for foreign services, staff expenses, other management expenses, financial expenses and taxes as long as they relate to the earning of the income and excluding from this calculation the expenses incurred for the fulfilment of statutory objectives. The deadline for the fulfilment of this obligation will extend from the beginning of the financial year in which said results and income is obtained, until four years following the end of such year. In the calculation of income, neither the contributions or donations received as "social fund" at the moment of constitution or thereafter shall be included, nor shall the income earned in the onerous transmission of the real property where the federation develops its activity according to its objectives or specific aims, providing the amount of that transmission is reinvested in real property.

The federation will submit to the fiscal authorities an annual report, a report of the donations received and any other information necessary to enjoy the special tax regime of non-profit organisations. The temporary financial investments made by the federation shall be regulated by the Code of Conduct approved by the federation boards.

ARTICLE XVIII - FINANCIAL YEAR AND CURRENCY

The financial year shall coincide with the calendar year. The currency to be used in the internal and external relations of the federation shall be the euro (€). All economic data and figures in the official financial documentation shall be expressed in this currency.

XIX.- PRESENTATION OF ACCOUNTS

In the first four months of each financial year, the Management Committee shall study and present the Annual Accounts of the preceding financial year. Once studied and presented, the Annual Accounts will be submitted to the

Executive Board for approval, after being audited if this is the case, within a period of six months following the end of the financial year.

After the approval of the Annual Accounts by the Executive Board, they will be presented before the Sporting Associations Register of the National Sports Council, an organ dependent on the Spanish Ministry of Education and Science.

XX.- REGISTERS

The documents of the federation shall be kept in the following registers:

a) Register of Members.

It is the obligation of all members to notify the federation of any modification in the information held.

b) Minutes Book.

The Minutes Book will contain the minutes of the meetings held of all organs of the federation.

c) Official Accounting Books.

The official books, before being used, will be submitted to the Registry of Commerce corresponding to the social domicile of the federation for its legalisation, as mandated by business law.

The National Sports Council shall be entitled to examine the official books of the federation in accordance with the sports law. The members of the federation will have access to the official books of the federation, if a legitimate interest is expressed, under the conditions specified in its regulations.

ARTICLE XXI - DISSOLUTION AND LIQUIDATION

Dissolution shall require the agreement of the General Assembly, adopted in keeping with the established requirements for convening same. The

attendance of at least two thirds of the members shall be essential, and the agreement of two thirds of the countries attending the Assembly shall be required.

The estate resulting from the liquidation shall revert to an organisation considered as sponsored or public entities of a non-foundational nature pursuing general interests with analogous objectives to that of the federation. The organisation to which the estate shall revert shall be decided by the IBSA General Assembly.

FINAL PROVISIONS

First final provision

The current statutes will be effective as of the following day after the notification of its approval by the Board of Directors of the National Sports Council of the Spanish Ministry of Education and Science, without affecting its subsequent publication in the “Official State Bulletin”.

Second final provision

With the approval of this revised text, the text of the Statutes of the International Blind Sports Federation (IBSA) approved in the ordinary session of the General Assembly in the city of Casablanca (Morocco) on 13th June 1997 and subsequently modified by the General Assemblies held in Santo Domingo (Dominican Republic) on 13-15 September 2001, and Beijing (China) on 9-11 June 2005, shall be deemed void.