

CONSTITUTION OF THE BERMUDA OLYMPIC ASSOCIATION

(effective November 29th, 2006)

ARTICLE I

NAME

The name of the Association shall be THE BERMUDA OLYMPIC ASSOCIATION (hereinafter referred to as "The Association"), which Association was incorporated by The Olympic Association Act 1974.

ARTICLE II

OBJECTS

The general objects of the Association shall be:

- (a) To develop and protect the Olympic Movement and its ideals throughout Bermuda in accordance with the Olympic Charter.
- (b) To promote the fundamental principles and values of Olympism in Bermuda, in particular, in the fields of sport and education, by promoting Olympic educational programmes in all levels of schools, sports and physical education institutions and universities, as well as by encouraging the creation of institutions dedicated to Olympic education, such as a National Olympic Academy, an Olympic Museum and other programmes, including cultural, related to the Olympic Movement.
- (c) To ensure the observance of the Olympic Charter in Bermuda.
- (d) The Association has the exclusive authority to select and designate the city which may apply to organise Olympic Games in Bermuda.
- (e) To encourage and generally stimulate interest and participation by residents of Bermuda in sport, wherever possible.
- (f) To establish affiliation to, and recognition by, the International Olympic Committee, the Commonwealth Games Federation, the Pan American Sports Organisation, the Central American and Caribbean Sports Organisation, and any other recognised international amateur sports federation or body sponsoring international games or sports festivals.
- (g) To select and enter persons to represent Bermuda at competitions held under the jurisdiction or auspices of the organizations specified in (f) above (such selections to be made primarily from recommendations of National Federations) and to make further recommendations for selection where deemed appropriate; to assume responsibility for the conduct of such persons following selection, and to ensure adherence to the eligibility rules of the relevant competition.
- (h) To ensure participation by sending athletes to the Games of the Olympiad.
- (i) To co-operate with the National Federations which are affiliated to the International Federations for those sports which are either included in the International Olympic Committee's programme, or recognised by the International Olympic Committee. To co-operate with other National Federations whose sports may not be affiliated to International Federations.
- (j) To offer advice and assistance to Government in the planning, organization and implementation of schemes to enhance sport in Bermuda.
- (k) To adopt and implement the World Anti Doping Code, thereby ensuring that the Bermuda Olympic Association's anti-doping policies and rules, membership and/or funding requirements and results management procedures conform with the World

Anti Doping Code and respect all the roles and responsibilities for NOCs that are listed within the World Anti Doping Code.

- (l) To take action, wherever required, against any form of discrimination, and in particular to promote the participation of women in sport at all levels of sports and sports administration.
- (m) To establish an Athletes Commission.

ARTICLE III MEMBERSHIP

Membership of the Association shall be open to:

1. VOTING MEMBERS

The voting members and the appointed representatives to the Association shall be Bermudians of good-standing, of upright character, sound judgment and independent mind with a knowledge of and belief in the Olympic Movement and its principles.

(a) The Members of the International Olympic Committee present in Bermuda shall, as of right, also be members of the Executive Committee (inner committee, administrative committee or the executive) and shall have the right to vote on it in both the General Assembly and the Executive Committee (inner committee, administrative committee or the executive).

(b) The National Federations affiliated to International Federations whose sport are included in the Olympic programme. Such National Federations shall be incorporated in Bermuda. Each National Federation shall appoint one individual who shall be Bermudian to represent it and vote on its behalf at meetings of the General Assembly, and such appointment is to be notified in writing to the Association. Any individual attending a meeting for a federation in the absence of the appointed individual must be notified in writing to the Association. The Association shall not recognise more than one national federation for each sport governed by an International Federation.

(c) Members in their own right, who shall be elected by the Association by majority vote, and who, by reason of their interest in amateur sport can render service to the Olympic Movement. Such members, of the Association shall be elected for a period of four years at the General Assembly following each Olympic Games, and shall remain until the conclusion of the next election, or until removed by the General Assembly. All members will be members of the Executive Board.

(d) Officers of the Association, who must not vote in any other capacity during their tenure of office.

(e) The Chairman of the Athletes Commission and one additional nominated athlete from the membership of the Athletes Commission.

2. NON-VOTING MEMBERS

(a) Other National Federation's of sports included in regional games or sports festivals organised and/or administered by the international sports bodies recognised by the Association pursuant to Article II Clause (f) above.

(b) Honorary Members, who may include an honorary patron, an honorary life president, and a maximum of five honorary vice-presidents elected for a period of four years at the General Assembly of The Association following each Olympic Games.

3. TERMINATION OF MEMBERSHIP

(a) National Federations: Any National Federation who fails to ensure its International

affiliation may have its membership terminated by the Executive Board, and ratified by the General Assembly, but shall have the right to appeal such termination by written representation to be considered at a meeting of the General Assembly.

(b) Members in their own right or Officers of The Association may resign or be suspended or expelled from The Association if such action is considered in the best interest of The Association. Suspension or expulsion requires a majority vote at a Special General Assembly called for that purpose. Vacancies resulting from resignation, suspension, expulsion, or death during service by member may be filled immediately in the same manner as the position was originally filled.

ARTICLE IV ORGANISATION

1. The General Assembly is the highest authority of the Association, and consists of all members meeting at least once in each calendar year as specified in The Charter. Additional General Assemblies may be called by the President, or at the request of a majority of the voting members who shall state clearly in writing the matters they want placed before the General Assembly.

2. A General Assembly immediately following a celebration of the Olympic Games shall:

(a) Recognise the voting representative from each of the National Federations affiliated to International Federations whose sports are included in the Olympic Games.

(b) Elect the following Officers of the Association :

- a President
- a Vice-President
- a Secretary General
- a Treasurer

(c) Elect a maximum of four members in their own right, who shall be members of the Executive Board.

(d) Make any other appointments or elections in accordance with Article III.

3. The President shall:

(a) Within thirty days of his election to office, appoint a Technical Committee and a Finance Committee, whose members shall not exceed six in number, respectively.

(b) Appoint a Chairperson of each of the Technical and Finance Committees from amongst officers or members in their own right.

4. Within ninety days of their election the Executive Board shall appoint an Athletes' Commission of not more than six members from nominations submitted by National Federations for that Commission. The Athletes Commission shall then nominate their representative to sit on the Executive Board. The Chairman shall be an athlete who has competed in an Olympic Games or regional games or sports festivals organised and/or administered by the international sports bodies recognised by the Association pursuant to Article II Clause (f) above within the five years preceding the General Assembly.

5. The Executive Board, consisting of the Officers of the Association, the Athletes Commission representative and all members in their own right shall conduct the business of the Association and shall be the highest authority of the Association during the period between meetings of the General Assembly. The Executive Board shall not

have the authority to override any decision of the General Assembly.

ARTICLE V

MEETINGS OF THE ASSOCIATION

1. **NOTICE:** Notice of any meeting of the General Assembly of the Association
 - (a) Must be done in writing or by publication in a daily newspaper.
 - (b) Must state the agenda. The agenda shall, in particular, include the presentation of annual reports and audited financial statements and, as the case may be, the election of officers and members of the Executive Board.
 - (c) Must be given at least 14 days prior to the date of the meeting.
2. **QUORUM:**
 - (a) General Assembly Meetings:

At all meetings of the General Assembly, a majority of eligible voting members, represented in person shall constitute a quorum, subject only to the proviso that the voting members under Article III 1(b) must always represent a majority of the members.

If no quorum is available within fifteen minutes of the scheduled starting time of the meeting, the meeting will be adjourned until a date and time to be decided by the Chairperson of the original meeting. If at the adjourned meeting there is still no quorum available, the Executive Board shall have the power to resolve any or all matters on the Agenda.
 - (b) Executive Board Meetings:

A majority of members shall constitute a quorum.

If no quorum is available within fifteen minutes of the scheduled starting time of the meeting, the meeting will be adjourned until a date and time to be decided by the Chairperson of the Executive Board meeting.
3. **VOTING**
 - (a) At General Assembly meetings, all Voting Members as defined in Article III, Paragraph 1 above are eligible to participate, represented in person and shall be eligible to cast one vote, except the Chairperson of the meeting, who may vote only in the event of the tie. The voting majority of the Association (General Assembly) shall consist of the votes cast by the Olympic sports federations or their representatives.
 - (b) At Executive Board meetings, each member shall be eligible to cast one vote, except the Chairperson of the meeting, who may vote only in the event of the tie.
 - (c) When dealing with questions relating to the Olympic Games, only the votes cast by the members of the Executive Board and by the National Federations affiliated to the International Federations governing sports included in the programme of the Olympic Games are taken into consideration.

4. MOTIONS

At any meeting, either of The General Assembly, or the Executive Board, motions will be carried by a majority of votes cast. In the event of a tie, the Chairperson may exercise a vote, or the motion will be deemed to have failed.

ARTICLE VI

STATUS

The Association shall fulfil the necessary criteria to be registered under the Charities Act, 1978.

ARTICLE VII
AMENDMENTS TO THE CONSTITUTION

Amendments to this Constitution may be made by a two-thirds majority of voting members present at a Special General Assembly of The Association called for that purpose, and will be subject to the approval of the International Olympic Committee. Details of the proposed amendments shall be submitted in writing to members with notice convening the Assembly.

ARTICLE VIII
GENERAL PROVISIONS

1. A certified copy of minutes of the General Assembly of The Association at which the members and Officers were elected, must be forwarded to the International Olympic Committee.
2. The fiscal year end of the Association shall be October 31. Financial statement shall be prepared and presented by the Treasurer, at least once per year at the General Assembly, or within six months of the fiscal year end.
3. The Association pledges to conform to the Rules and Regulations of the International Olympic Committee, the Commonwealth Games Federation, the Pan American Sports Organisation, and the Central American and Caribbean Sports Organisation. It acknowledges that if it does not so conform, it may forfeit its recognition and its rights to send participants to the Games organized by those bodies.
4. The requirements of the International Olympic Committee shall apply where there are no provisions in this Constitution on any matters whatever relating to the composition and proper functioning of The Association and shall supersede them when they seem at variance or in conflict as each case may require.
5. The Executive Board has the power to formulate and adopt bye-laws to deal with all matters not covered by this Constitution, subject to such bye-laws being approved by a two-thirds majority of voting members in a General Assembly.
6. In accordance with Rule 28.5 and 28.6 of the Olympic Charter, The Association shall at all times remain completely autonomous, and shall resist all pressures of any kind whatsoever, whether of a political, religious or economic nature.
7. The flag, the emblem and the anthem adopted by The Association for use in relation to its activities, including the Olympic Games, shall be subject to the approval of the IOC Executive Board.
8. Any decision made by any disciplinary tribunal or similar body convened by the Association may be submitted exclusively by way of appeal to the Court of Arbitration for Sport in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of Sports-Related Arbitration. The time-limit for appeal is twenty-one days after the reception of the decision concerning the appeal.