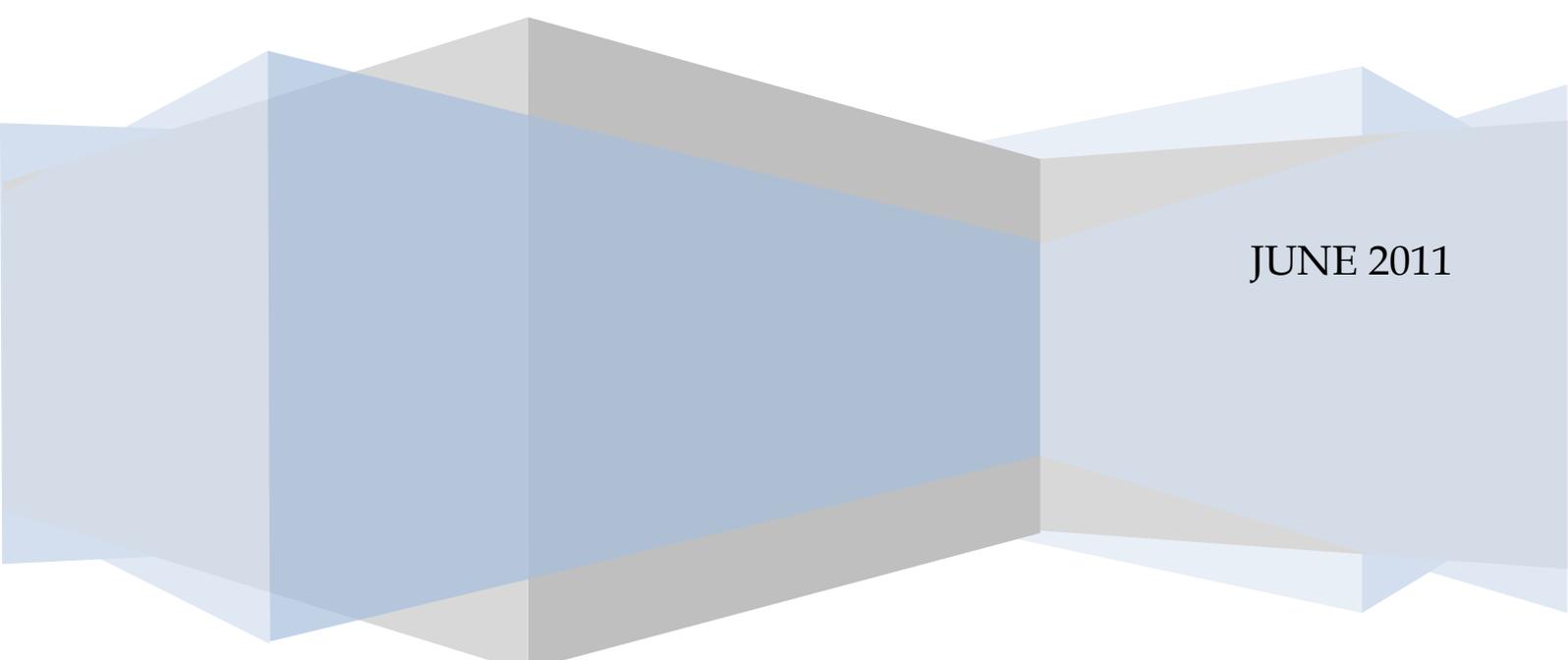

Constitution of the European Federation of Touch

Statuts de la Fédération Européenne de Touch



JUNE 2011

STATUTS DE LA FEDERATION EUROPEENNE DE TOUCH

PREAMBLE

Desiring to put up a structure for the mutual exchange of information, to enable prompt information about any realisation of such creative ideas in the sport of TOUCH and to create a number of international events in TOUCH without pursuing a commercial interest, the EUROPEAN FEDERATION OF TOUCH (EFT) is founded in France in 2011 with the support of the FEDERATION OF INTERNATIONAL TOUCH INCORPORATED (FIT) .

The sport of Touch is the sport governed, at international level, by FIT and currently described in the FIT International Playing Rules (3rd ed or subsequent editions approved by FIT).

The regional federation must ensure a role more operational than governance.

On the operational level, the regional federation must promote and support the delivery and development of Touch activities in its territory under the rules and regulations established by FIT on its territory. On the governance level, the regional federation must be guarantor of the application of rules and regulations established by FIT on its territory. The EFT addresses a periodic report to the FIT on its activities. The joined effort of all these federations shall serve to strengthen human relationships across borders exclusively for the benefit and in the interest of humanity and the sport of Touch.

The autonomy of the national federations is guaranteed through their responsibility at the national level.

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ARTICLE 1 - Name And Registered Office

The association is called « EUROPEAN FEDERATION OF TOUCH » (EFT).

It is registered in France and is, for this reason, subject to French law and, in particular, to the Law of July 1st, Association Loi 1901¹ and its decree of application.

Its registered office is in Paris (FRANCE) at a location to be determined by the unanimous decision of the Executive Committee.

The registered office can be transferred by an unanimous decision of the Executive Committee.

The official language is the language of the country where the EFT is registered. The usual language for all internal communication is English.

ARTICLE 2 – Nature and Objectives of the Federation

The EUROPEAN FEDERATION OF TOUCH is an organisation to which the local federations defined in article 4 below adhere on a voluntary basis.

Its mission is to promote physical activity through TOUCH on two levels:

- sports: games, tournaments, championships and
- health: health promotion activities

From this follow its principle tasks, notably:

- to represent the Federation of International Touch (FIT) in Europe;
- to support and promote FIT in Europe;
- to assist FIT with the development and delivery of TOUCH in Europe;
- to treat issues related to TOUCH in Europe on a general level ;
- to make possible a regular exchange of information between its members and FIT;
- to organise European Touch events in host countries open to all affiliated sportsmen and -women;
- to supervise FIT directives and rules governing the international events. FIT and EFT equally assumes a supervisory function for these events;
- to conclude or approve partnerships regarding the events organised by its members; such can notably comprise the authorization to use the name and the logo of the EFT and FIT in activities related to the event in question;

¹ The French law governing the declaration and conduct of not-for-profit associations.

- to represent FIT and its members vis-à-vis other European and international sports organisations;
- to strengthen human contacts across borders;
- to initiate under its aegis partnerships which aim at health promotion through physical activity for the benefit of all;
- other such things or activities which are necessary, incidental or conducive to the advancement of these principle tasks (joint global European calendar, sponsoring, purchasing agreements...).

Its values :

- Health,
- Friendship,
- Well-being,
- Togetherness,
- Equality of chances.

ARTICLE 3 – Fight Against Doping

The European Federation of TOUCH categorically disapproves any doping by the athletes adhering to its member federations. The EFT demands of all its member federations to have an anti-doping programme for their members, including preventive and supervisory measures as specified in the WADA-code of conduct (WADA = World Anti-Doping Agency).

ARTICLE 4 – Members of the Federation

The EFT comprises:

Active Members

A **national federation** of Touch from an European country may become an **active member**, after final approval from FIT, provided that it is a member of FIT based on democratic principles, representative of the whole territory and co-ordinating all existing regional federations of the country in question and that it pays an annual membership fee to the EFT and to FIT.

In the case that no representative national federation exists in a country, **regional federations** (or federations with territorially limited competence) of Touch which are recognised to represent sport in their respective regions (or territories) may

become **active members**. The above criteria for national federations apply accordingly (with the exception of the FIT membership requirement). If such federations do not establish a national federation, the General Assembly can decide to relegate a federation to the status of **associated member**.

Associated Members

Sports associations or groups conforming to EFT values and paying an annual fee to the EFT may become **associated members**.

Associated members may directly sign up participants for all events under the EFT label (subject to the rules and regulations of FIT).

Associated members may participate but do not have the right to vote at the general assembly. Their representatives are not eligible.

Honorary Members

Physical persons who are distinguished by their eminent contribution to the organisation may become honorary members. They are named by the General Assembly upon proposal of the Executive Committee, with a majority of two thirds of the votes cast from the two bodies.

Honorary members may participate but not vote in the General Assemblies as well as the sports events organised by the EFT. Expenses resulting from any such participation have to be borne by the honorary member himself.

Admission of Members

The first Active Members of the EFT, on payment of the membership fee, shall be national federations established in Europe, already members of FIT at the date of registration of the EFT.

A federation desiring to be a member, active or associated, of the EFT must bring such a request before the president through a written letter or such other requirements set by the Executive Committee.

The admission of new members is decided by the General Assembly, upon proposal by the Executive Committee, with the two-thirds of the votes cast. Such voting may be conducted by electronic means including email according to regulations as set by the Executive Committee.

A membership does not become effective before approval of the FIT and the payment of the membership fee of the respective year.

If applicable, the decision of admission by the General Assembly of the EFT specifies the effective date of the admission. The new member is then informed by written letter and email to the email address notified in the membership application documentation..

Revocation of Membership

Membership is revoked :

- *In case of withdrawal of the member federation :*

Withdrawal must be declared to the president of the EFT by post. It becomes effective upon reception of the letter of dismissal. The membership fee for the current year remains with the EFT.

- By automatic exclusion of the EFT for cause of non-payment of the membership fee for a year on May 31st of that same year. The fee for the year in question remains an obligation towards the EFT.
- By exclusion of the federation for violation of the charter, attitudes contrary to EFT or FIT interests, fault against the reputation of the EFT or FIT, or severe breach of rules.

Procedure for exclusion as a result of a violation:

The president of the EFT asks the federation in question to bring forth any justification concerning the acts it is accused of before the Executive Committee. Based on the report of the Executive Committee and with the approval of FIT, the General Assembly decides, if applicable, to exclude the member with two thirds of its votes, the votes of the federation in question not taken into account.

- If it deems such action necessary, and with the approval of FIT, the Executive Committee may suspend a member subject to a disciplinary procedure of all its membership rights until the decision of the General Assembly.

The membership fee for the current year remains with the EFT.

Members' Rights and Obligations

1. Each active member designates one (1) physical person to represent it at the General Assembly. On the invitation of the EFT President, each active member may designate up to three (3) additional physical persons to attend the General Assembly meetings as guests.
2. Each active member may present one candidate, from among its representatives or other, for the election of the members of the Executive Committee.
3. All members are obligated to promote and actively support the interest of the EFT and FIT, and to conform to the regulatory decisions taken by the EFT and FIT

Membership Fees

1. Each member must punctually pay its membership fee, whose amount is fixed by the Executive Committee. Membership fees are due, for each calendar year, before the end of March.
2. A federation must pay the membership fee at the moment of admission for the whole year as if it had been a member as of January 1st of the current year.
3. The membership fee includes any membership fee the EFT must pay to FIT.
4. The first membership fee (for active and associated members) shall be the sum of 100 Euros which shall be applied for the year of 2011.

ARTICLE 5 – Bodies & Membership of the Association

Associative bodies of the EFT are:

- a) The General Assembly ("European Congress"); and
- b) The Executive Committee;

ARTICLE 6 – The General Assembly

The General Assembly is the supreme body of the EFT.

It is composed of:

- a) the active members (through their appointed representatives);
- b) the members of the Executive Committee;
- c) the associated members (through their appointed representatives);
- d) the honorary members; and
- e) invited guests.

The General Assembly must be summoned each year by the President. It is traditionally held in June or July of each year. In even years and if the European Championships take place, the reunion shall be held within the frame of this event.

The timelines for the General Assembly annual reunion shall be:

1. The EFT Secretariat shall call for motions from members 4 months before the proposed date of the reunion;
2. Motions may be proposed by all members. The motions formulated in such proposals must be duly motivated and addressed to the secretariat in written form at least 3 months before the date of the General Assembly annual reunion in order for them to be validated by the Executive Committee and, if applicable, added to the agenda. The Executive Committee reserves the right to refuse to add a motion to the agenda if, in its discretion, it considers that the subject matter of the motion is not suitable for the Assemble General annual reunion and/or the motion is not accompanied by appropriate support documentation;
3. The invitation to attend the General Assembly annual reunion is to be addressed to the members in written form by the general secretariat 2 months before the date of the reunion at the latest. It includes the agenda as specified by the Executive Committee.

The agenda of any General Assembly must notably comprise the following points:

1. Opening and verification of the mandates
2. In case of absence of the Electoral Commission, election of a session chair who shall take charge of the votes of individual persons
3. Approval of the minutes of the last General Assembly
4. Reports of the President and/or the General Secretary
5. Reports
 - on the accounts by the treasurer
 - of the Financial Control Commission (when necessary by decree 2001 379 of 30th of April 200)
6. Approval of the reports (points 4 and 5) and of the accounts of the last financial year
7. Discharge of the members of the Executive Committee (where relevant according to elections due)
8. Motion(s) (including any proposed changes to these Statutes)
9. Budget and membership fees for the next financial year
10. New membership applications
11. Elections;
12. Recommendations of the venue of future European Championships, Home Nations and Mainland Cups events to be submitted for FIT approval;
13. Designation of the venue of the next General Assembly

The General Assembly deliberates about the points on the agenda and elects, when it is foreseen, the members of the Executive Committee, the Financial Control Commission and the Electoral Commission.

An item “Miscellaneous information and questions” may be added to the agenda, at the discretion of the EFT President, but may not in any case be subject to a decision.

Executive Committee, Financial Control Commission and Electoral Commission Elections

At the constituent meeting, after reading and adoption of the Statutes, the participants shall vote the first EFT Executive Committee, for the interim term commencing on the date of the constituent meeting and terminating at the conclusion of the 2011 General Assembly:

- President
- Vice President
- General Secretary –
- Treasurer and
- Executive Committee Members –

The first Consultative General Assembly validates the statutes and elects the members of the Executive Committee for a 4-year-term starting in 2011 and terminating at the conclusion of the 2015 General Assembly

The next General Assembly elects the members of the Financial Control Commission and the Electoral Commission for a 4-year-term starting in 2012..

Applications for the officers of the Executive Committee must be received by the Electoral Commission at least 3 months before the General Assembly annual reunion meeting. The list of candidates shall be joined to the invitation.

In case of vacancies in the Executive Committee, a new member may be co-opted by the Executive Committee until the next General Assembly meeting. During that General Assembly meeting, a vote with invitation for candidacy is to be organised. The mandate of a member of the Executive Committee elected through this procedure shall end at the end of the mandate of the person he/she has replaced.

In case of vacancy of the presidency, the vice-president assumes the president's duties until the next General Assembly meeting.

The General Assembly meeting is presided by the President and, in case of absence, by the vice-president and, if this person is equally absent, such other person appointed by the Executive Committee..

Assembly General Attendance & Votes

In principle, General Assembly decisions are taken by the simple majority of the votes. Proxy vote is allowed. Abstentions and invalid votes shall not be counted. Equality of votes shall signify rejection.

A majority of two thirds and the official written approval of FIT are required for:

- modifications of these Statutes;
- the termination of the federation;
- the admission of any member of the EFT;
- the revocation of membership of the EFT;

To exercise its right to vote, an active member must:

- have paid any membership fees or other monies due to the EFT and/or FIT and
- designate, in writing, one (1) physical person to represent it at the General Assembly.

Honorary and associated members have the right to participate in the sessions and state their position, but do not have the right to vote.

Up to 3 guests per active member can be authorised to attend the session by the president for the only reason of the justified interest for the EFT.

The decisions taken by the General Assembly are put down in writing in the minutes. The minutes must be signed by the President or his substitute, and by the General Secretary. The secretariat shall send the minutes to the member federations and FIT or otherwise put it at their disposal at the latest 3 months after the assembly. The minutes must be submitted to the next General Assembly for approval.

ARTICLE 7 – The Electoral Commission

The Electoral Commission and in particular its chairman are responsible that all elections are prepared and organised according to the charter.

The Electoral Commission is composed of 3 persons from different member federations and different countries.

The president of the Electoral Commission shall conduct the General Assembly during the vote. In case of absence, the vice-chairman of the commission shall take his place and, in case of absence of the two, the conduct of the assembly shall be assumed by the 3rd member of the Electoral Commission.

The Electoral Commission supervises the election procedure.

ARTICLE 8 – The Executive Committee

The Executive Committee consists of up to 6 members.

The following 5 members are elected:

- the President
- the Vice-president
- the Secretary General
- the Treasurer
- 1 other Executive Committee member

One additional representative is nominated by FIT.

In addition, 2 members may be co-opted by the Executive Committee, with the approval of FIT, to ensure diversity in terms of operational skills and relevant national federation representation.

The Executive Committee carries out the decisions of the General Assembly. It is responsible for all financial matters as well as for the execution of decisions taken by the General Assembly.

It supervises the FIT rules governing the organisation of European events and decides on partnerships in relation with FIT.

The Executive Committee sets up the commissions and managements necessary for the conduct of its missions and elects the members of these commissions and managements.

It has the authority to take all the decisions which do not fall within the exclusive competency of the General Assembly.

The decisions are taken by the simply majority of votes. In case of equality of votes, the vote of the President is decisive.

In case of absence or hindrance of the President, the EFT shall be presided by the Vice-president or another member of the Executive Committee charged with this mission by the president.

The reports of the Executive Committee meetings are put down in the minutes which shall be signed by the President or his substitute and by the General Secretary. The minutes shall be sent to or otherwise put at the disposal of FIT and the members within 2 months after the meeting.

ARTICLE 9 - The President

The President is elected by the General Assembly and is the legal representative of the EFT.

The President can attend the meetings of all the bodies and commissions of the EFT.

The President of the EFT must be in possession of his full citizen's rights. He has the right, in conjunction with the Treasurer and /or General Secretary, to make open, in the name of the federation, any bank account or postal checking account and may delegate his financial competencies to any member of the Executive Committee;

ARTICLE 10 – The General Secretary

The General Secretary is elected by the General Assembly

The General Secretary is responsible for the administration and co-ordination of the commissions. He can attend the meetings of all the bodies, commissions and managements of the EFT

He assists the President in the conduct of the Federation.

He must regularly give an account of the conduct of his mission to the President and inform the Executive Committee at the reunions of the latter.

ARTICLE 11 – The Treasurer

The Treasurer is elected by the General Assembly

He is responsible for the current conduct of the financial affairs, the establishment of the budget and the accounting.

He must regularly give an account of the conduct of his mission to the President and inform the Executive Committee at the latter's meetings.

ARTICLE 12 – The Commissions

The Executive Committee creates commissions and managements which are entrusted with the execution of specific tasks. It chooses their members and, in doing so, may solicit the opinion of the Electoral Commission.

The Executive Committee designates the Chairman and the members of each commission. The number is fixed by the General Assembly upon proposal of the Executive Committee.

If possible, the Chairman of each commission or management shall be chosen from among the members of the Executive Committee.

ARTICLE 13 – European Federation of TOUCH

The European Federation of Touch is organised according to the rules established by the Federation of International Touch Inc and supervised by the Executive Committee.

The EFT will be a full member of FIT. The Executive Committee of EFT support and lobby for one representative to the FIT Board.

ARTICLE 14 – Financial Affairs

The financial affairs of the federation are conducted using a table of accounts.

Its financial year corresponds to the calendar year.

For each financial period, a financial statement shall be established and verified by the Financial Control Commission.

A financial constitution is established by the Executive Committee.

The expenses caused to the members by their participation in General Assemblies, commissions, managements, or events shall generally be borne by the members themselves.

On the termination of the EFT, after payment of any debts, any remaining assets shall be transferred to its members per default or to FIT, or such other organisation nominated by FIT.

- The Financial Control Commission

If the EFT receives one or more public subsidies or collecting donations from individuals for more than 153,000 Euros, the association will appoint an external Auditor.

The General Assembly entrusts the Financial Control Commission with the checking of the accounts run by the Auditor and the Executive Committee, and to establish a report thereof.

The Financial Control Commission may advise the Executive Committee in financial matters upon demand of the latter.

The Financial Control Commission comprises two EFT representatives (active members) and the Auditor. EFT representatives must dispose of sufficient technical knowledge in the financial domain. They must not be members of the Executive Committee.

ARTICLE 15 - Procedure in Case of Dispute

Any case of dispute between the EFT and one or several of its members shall be first subject to settlement within the federation and FIT.

The conciliator is designated by the Electoral Commission.

If settlement cannot be achieved through the internal mechanisms of the EFT and FIT, then the matter shall be referred to the Court of Arbitration for Sport (CAS), whose decision shall be final.

ARTICLE 17 - Interpretation & Internal rules

The Executive Committee establishes internal rules governing the functioning of the federation where not specified in the charter and with the approval of FIT.

Any question of interpretation of this charter shall be resolved by the FIT Board whose decision shall be final.

ARTICLE 18 - ASSOCIATION LOI 1901

The EFT is registered and shall operate subject to the Association Loi 1901 governing the formation and operation of any association not commercial or not profit in France.

City: Bures/yvette

Date: 2nf of July 2011



President



General Secretary