



CONSTITUTION OF THE EUROPEAN PARALYMPIC COMMITTEE

ARTICLE 1: NAME, CHARACTER, HEADQUARTERS AND LANGUAGE

- 1.1** The name of the organisation shall be the EUROPEAN PARALYMPIC COMMITTEE. Hereafter referred to as EPC as an abbreviation.
- 1.2** EPC has its seat in Bonn.
- 1.3** EPC will be registered with the lower Court in Bonn. After registration it will bear the addition "e.V." to its name. (abbreviation indicates that the organisation is legally registered)
- 1.4** The EPC operates under international law and is subject to the law of the country where the EPC is registered.
- 1.5** The official language between the members of the EPC is English, otherwise that of the country where the EPC has its seat.. Hosts of meetings are encouraged to provide interpretation services as appropriate. At the discretion of the chairman of meetings, a delegate may address the assembly in a language other than English if the delegate provides for consecutive translation.

ARTICLE 2: PURPOSE

- 2.1** The EPC pursues exclusively and directly non-profit-making purposes in the meaning of the section "tax-deductible causes" of the tax law.
- 2.2** To promote and defend the collective interests of European athletes with disabilities as represented by their national organisations in membership of the EPC without discrimination on the grounds of religion, economics, disability, gender, language or ethnic origin.
- 2.3** The organization is not active for its own benefit and does not primarily pursue its own commercial interests.

ARTICLE 3: AIMS AND OBJECTIVES

- 3.1** The purpose of the constitution is realized in particular as follows:
 - 3.1.1 The EPC shall provide sports programmes for athletes with disabilities in Europe in accordance with the needs and wishes of

the national Paralympic Committees or equivalent organisations that constitute its membership (cf Article 4.1).

3.1.2 To co-ordinate and promote European elite sports for persons with disabilities included in the IPC competition programme.

3.1.3 To determine the schedule for EPC official championships and/or cup events, and award such championships or cup events to an organiser, and to control and supervise those events, in liaison with the relevant international Sports Assembly Executive Committees or Sports Sections and IPC.

3.1.4 To seek the integration of sports for all athletes with disabilities into the international sports movement for able-bodied athletes, whilst safeguarding and preserving the identity of sports for disabled athletes.

3.1.5 To promote, assist and encourage educational and “rehabilitation through sports” programmes.

3.1.6 To promote research and dissemination of results.

3.1.7 To assist and encourage development of sports programmes for disabled where needed, and particularly when such needs occur within European borders.

3.1.8 To contribute to the development and strengthening of friendly relations and enhance understanding among disabled sports persons in Europe.

3.1.9 To plan and hold conferences and seminars on topics of common interests of its membership.

3.2 To liaise, in pursuance of these aims and objectives and principles, with European organisations and institutions such as, but not limited to;

- a) the European Olympic Committee (EOC)
- b) the European Non-Governmental Sports Organisation (ENGSO)
- c) the European Union (EU) institutions such as the European Council for its sports department (CDDS)

d) the European Commission, and in particular its Committee for Sports for Persons with Disabilities (ECSPD).

- 3.3** However, cooperation with other organizations and institutions does not replace a direct link of the EPC members with them.
- 3.4** The above-mentioned aims and objectives are pursued exclusively and directly within the limits specified by Paragraphs 52-55 of the tax law. If third-party activities are supported, these in turn must also pursue exclusively non-profit aims.

ARTICLE 4: MEMBERSHIP

4.1 Membership of the EPC shall be available to non-profit-making, national, non-governmental sports organizations of European countries for sportsmen and sportswomen with disabilities, which in turn are members of the IPC (National Paralympic Committee or equivalent).

4.2 Rights and obligations of members:

4.2.1 A member organisation shall be entitled to send three delegates designated in advance to the General Assembly. A member organisation may send observers subject to prior application.

4.2.2 Member organisations may, subject to compliance with the conditions stated in the invitation, enter their athletes and team officials in official EPC competitions, and may send their national representatives to seminars and conferences.

4.2.3 Member organisations may submit motions to the General Assembly and the Executive Committee and nominate persons for positions in the Executive and other EPC committees.

4.2.4 Member organisations have the right to submit bids for the organisation of official EPC championships, cups, conferences and seminars and other events as applicable.

4.2.5 EPC newsletters, circulars and other relevant information will be distributed to member organisations.

4.2.6 Membership fees as established by the General Assembly must be paid upon request. Consideration will only be given by the Executive Committee, upon receipt of a formal written and signed statement of explanation, to a request for “fee reduction” or “total exemption of fee” by a member because of unusual or special circumstances. The Executive Committee can decide either to agree with the request, reject the request or refer the request to the General Assembly at the next opportunity.

4.3 Termination of membership

4.3.1 Member organisations may withdraw from membership by written notification to the Executive Committee. Resignation shall not entitle the organisation to any refund of dues or payments.

4.3.2 Member organisations may be expelled from the EPC for failure to comply with its Constitution or for other serious reasons. A motion to expel may be placed before the Assembly by the Executive Committee or by at least 5 (five) member organisations. A three-month notice for such motion is mandatory. The Executive Committee must give its opinion on any motion for expulsion. The organisation concerned has the right of appeal before the Assembly. Two-thirds of those present and eligible to vote must approve the expulsion.

ARTICLE 4a: ORGANS

Organs of the organisation are the General Assembly and the Executive Committee. The Board according to §26 of the Federal Book of Law is laid down in Article 6.

(German legislation requires the inclusion of a “Vorstand” which is an organ similar to a Board; such a “Vorstand” may comprise fewer persons than the Executive Committee; for EPC the composition of the Board is similar to the composition of the Executive Committee –see article 6)

ARTICLE 5: THE GENERAL ASSEMBLY

5.1 The General Assembly shall be convened in writing at least once every two years by the Executive Committee at a time and place to

be decided by the latter body. An extraordinary General Assembly may be invoked either by the Executive Committee or upon request of twenty (20) percent of members in good standing. Upon such request the Extraordinary General Assembly should be organised within three (3) months.

- 5.2** Each member organisation shall be entitled to one vote at the General Assembly.
- 5.3** The Assembly shall:
- 5.3.1 Determine the policies of the EPC towards achieving its aims and objectives, according to this constitution.
 - 5.3.2 Receive and vote upon the General Report of the Executive Committee
 - 5.3.3 In the same year and in advance of the elections of the IPC, elect the President and members of the Executive Committee for four years and discharge the Executive Committee.
 - 5.3.4 Receive and vote upon the Financial Report of the Treasurer which will include specific information and detail about the sources of all income, the use of all expenditure, the observations and recommendations of the auditors, the appointment of such auditors to be approved by the General Assembly upon recommendation of the Executive Committee.
 - 5.3.5 Determine the amount of the annual membership fee and other specific levies.
 - 5.3.6 Decide upon recommendations and motions submitted by the member organisations, the Executive Committee, and through the Executive Committee by the relevant Sports Assembly Executive Committees/Sections.
 - 5.3.7 Decide upon applications for membership and, if necessary, the expulsion of member organisations.
 - 5.3.8 Decide upon amendments to this Constitution.
 - 5.3.9 Approve the bye-laws.
- 5.4** The minutes of the General Assembly must be undersigned by the chairman (usually the President) and the minute taker.

ARTICLE 6: THE EXECUTIVE COMMITTEE

6.1 The Executive Committee shall comprise:

The President
The Secretary General
The Treasurer
The Technical Officer
Four Members at large
The Athletes Representative

6.1.1 The President, Secretary General, Treasurer, Technical Officer and four Members at large are elected by the General Assembly.

6.1.2 The Athletes Representative is appointed by the IPC Athletes Committee and shall meet the following criteria:

- a) Practices or has practised one of the IPC sports.
- b) Comes from an EPC member country.

6.1.3 The Board, according to §26 of the Federal Book of Law are the President, the Secretary General, the Treasurer, the Technical Officer, the four members at large and the Athletes Representative. The organisation is represented by two persons from this board. The representation is usually done by the President in connection with the Secretary General or the Treasurer or the Technical Officer or one of the Members at large.

6.1.4 The Board is elected for a period of 4 calendar years (See 5.3.3) which are calculated from the day of election. However, it remains in office temporarily until the new board has been elected.

6.1.5 The Board is obliged to run the organisation. It is responsible for all matters which are not assigned to another body according to the constitution. Board meetings should take place at least twice per year.

6.2 Other persons may be co-opted at the discretion of the Executive Committee.

- 6.3** The Executive Committee shall be responsible for the management and operation of EPC and shall be directly responsible to the Assembly for effective fulfilment of the general policies agreed upon by the Assembly.
- 6.4** The date, time and place of the meetings of the Executive Committee shall be convened at the discretion of the President as necessary and by mutual agreement with the majority of the Committee. Four members of the Executive Committee can also request an Executive Meeting.
- 6.5** The Executive Committee shall have as its specific terms of reference the following:
- 6.5.1 To plan and carry out the programmes of the organisation in full compliance with the decisions and/or recommendations of the Assembly.
- 6.5.2 To be the custodian of all assets and properties of the EPC; to enter into all contracts and other obligations in the name of EPC; to be responsible for the management and operations of the EPC, including filling casual vacancies in the positions of the Executive Committee or any sub-committee, until the next relevant Assembly (ordinary or extraordinary) where a new election shall be held.
- 6.5.3 To present evaluations and recommendations for the General Assembly of EPC from all bids and materials concerning the location of the permanent Headquarters.
- 6.5.4 To authorise the formation of relevant sub-committees and to appoint ad-hoc committees, as necessary, to accomplish EPC objectives.
- 6.5.5 To delegate authority to the aforementioned sub-committees, to the working parties and to the secretariat in matters which are not of a policy-making nature.
- 6.5.6 To co-operate with other international sports organisations for disabled persons (e.g. IOSDs) as appropriate.
- 6.5.7 To prepare, develop, manage and monitor an Operational Plan of the activities of EPC with the approval of the General Assembly.

6.5.8 To prepare, develop, manage and monitor the financial plan of the activities of the EPC.

- 6.6** The Executive Committee is not empowered to agree on any financial commitment in the name of EPC for which sufficient financing is not secured.

ARTICLE 7: THE OFFICERS OF THE EPC

- 7.1** The President represents the EPC in all matters. The President presides over meetings of the Assembly and the Executive Committee and may attend ex-officio all other committees, sub-committees and working parties concerned with the functions of EPC. Should the President be incapacitated, the Executive Committee will designate an acting President by a majority vote for as long as required.
- 7.2** The Secretary General shall perform all duties assigned by the Assembly, Executive Committee and the President. The Secretary General shall organise the meetings of the Assembly and the Executive Committee, and shall be in charge of the secretariat.
- 7.3** The Treasurer shall collect annual dues and manage the accounts and assets of the EPC. The Treasurer shall report to the Assembly and the Executive Committee on the financial position of the EPC, and shall prepare and submit an annual budget for approval to the Executive Committee for the succeeding financial period, at least three months in advance of its start date. The Treasurer shall submit to the Executive Committee the annual accounts of EPC upon completion by the auditors approved by the General Assembly.
- 7.4** The Technical Officer will be entrusted with all tasks of a technical sporting nature relating to the committee's activities and shall report to the Executive Committee about all decisions to be taken. Furthermore the Technical Officer shall look after the organisational tasks conferred upon the Technical Officer by the Executive Committee.
- 7.5** Members at large shall be designated specific responsibilities and projects which may arise from time-to-time.

7.6 The Athletes Representative shall be considered a full member of the Executive Committee with all rights and privileges.

ARTICLE 8: VOTING

- 8.1** The General Assembly shall have a quorum when at least one third (1/3) of the members entitled to vote are present.
- 8.2** In all other EPC bodies a quorum shall consist of more than 50% of those having the right to vote.
- 8.3** All decisions shall be taken by a majority vote of those present, except for expulsion (See Art. 4.3.2) and constitutional amendments (See Art. 10).
- 8.4** The voting will be effected by voting cards distributed before the commencement of the meeting. At the request of any delegate attending the General Assembly, a secret written vote shall be taken .
- 8.5** Elections at the General Assembly will be by secret ballot. Ballot voting forms are only valid when completed as directed and without other marks or alterations.
- 8.6** At General Assemblies, each national member organisation shall have one vote.
- 8.7** The Executive Committee may conduct a postal ballot on general issues, the exceptions being:
- a) The expulsion of a member organisation.
 - b) Changes to the constitution.
 - c) Major changes in policy direction.

ARTICLE 9: FINANCIAL YEAR AND FINANCES

- 9.1** The fiscal year of EPC is the calendar year.
- 9.2** The assets of the EPC will be the following:

9.2.1 Annual dues paid by member organisations, the amount of which to be determined for the following two years by the Assembly at each meeting.

9.2.2 Such contributions as legal grants and other income as may be received and used in connection with the purpose of the EPC.

9.2.3 Such equipment which is acquired for the administrative and/or technical conduct of the EPC.

9.3 Annual dues shall be payable within the first 90 days of the fiscal year to which they apply. Member organizations whose dues have not been paid within the first 180 days of any fiscal year will automatically lose all voting rights for that fiscal year and until dues are fully paid. Member organizations whose dues have not been paid by the end of the fiscal year will automatically be considered for expulsion. (See Art. 4.2.6 and 4.3.2)

9.4 At each General Assembly, the Assembly shall appoint an Auditor, who shall make an annual audit of the books and the accounts of the EPC, and shall submit a report on that at each General Assembly. Copies of the annual accounts together with the Auditor's reports shall be presented at the General Assembly.

9.5 The officers and members of the Executive Committee and sub-committees and Assembly representatives shall not be personally liable for the debts of the EPC. Expenditure or financial liability can only be incurred with the approval of the Executive Committee.

9.6 The organization's funds shall be used exclusively for purposes in accordance with the constitution. Members shall receive no grants from the organization's funds. No person shall benefit through payments which are foreign to the purpose of the organization or through disproportionate payments.

ARTICLE 10: AMENDMENT

10.1 This constitution may be amended only by the General Assembly. Two-thirds of those attending and voting delegates have to approve the amendments. Amendments to the Constitution proposed by member organisations or the Executive Committee

must be submitted to the Secretary General at least three months prior to the scheduled General Assembly and will be circulated to the member organisations not less than 6 weeks prior to the General Assembly.

- 10.2** The Executive Committee may, from time to time, make such rules and regulations consistent with this Constitution, for the management of the EPC and for such other purposes as the Executive Committee may deem advisable.

ARTICLE 11: DISSOLUTION

- 11.1** The dissolution of the EPC may only be decided by a General Assembly at which $\frac{3}{4}$ of the membership is present and where a secret ballot “to dissolve EPC” is carried by $\frac{2}{3}$ of those present and eligible to vote.
- 11.2** In case of the dissolution of the EPC and in case of cessation of the tax relief status, the assets of the organization shall be assigned to a juristic person under public law, or another incorporated body entitled to tax relief, for use for sports for the disabled.

Athens, September 28th, 2003

Dr. Robert Price
President

Enrique Sánchez-Guijo Acevedo
Secretary General

