

# **INTERNATIONAL TRIATHLON UNION CONSTITUTION**

Text as approved by ITU Congress, September 2011  
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## **PREAMBLE:**

The International Triathlon Union (ITU) is the world governing body for the sport of Triathlon and its related other Multisports.

International Triathlon Union, Founded, April 1989, Avignon, France.

ITU is a non-profit-making organisation and does not pursue any objective for its own gains.

This version of the Constitution is enacted in accordance with ITU By-Laws, and has full binding power on the members, Executive Board and athletes.

In this Constitution, words importing the masculine gender shall include the feminine gender, as the case may be, and vice versa, and references to persons shall include firms and corporations.

Triathlon, which integrates disciplines administered by other International Sports Federations, (IFs), is developed according to its own specific nature and under its sole authority. .

The headquarters of ITU shall be decided by the Executive Board.

## **DEFINITIONS:**

**By-Laws:** ITU By-Laws.

**CAS:** Court of Arbitration for Sport.

**Commission:** A Commission of the ITU that has been appointed by the Executive Board under the terms of this Constitution.

**Committee:** A Committee of the ITU that has been elected by the Congress under the terms of this Constitution.

**Congress:** The ITU Congress.

**Continental Confederation (CC):** The association of NFs in a region of the world.

**Country:** means a self-governing geographical area of the world, which is an independent state, recognised by the international community.

**Executive Board:** The ITU Executive Board.

**IOC:** International Olympic Committee.

**IPC:** International Paralympic Committee.

**Member:** A national governing body for Triathlon and its related multisport affiliated to the ITU and the relevant CCs.

**National Federation:** The Member of the ITU to which an athlete or other person under this Constitution is affiliated directly or through a club or another body affiliated to a Member.

**Officers:** Individuals who hold the position of the ITU Table Officers.

**Paratriathlon:** A sport of individual or team character and motivation, which combines swimming, cycling and running skills in continuum for athletes with varying degrees of physical impairment.

**Region:** One of the five Regions: Africa, America, Asia, Europe and Oceania.

**Related Multisports:** those which are composed of three segments and at least two of the segments include sports from the triathlon components.

**Resolutions:** Proposals submitted to the Congress and decisions made by the Congress.

**Rules:** The ITU Rules.

**Table Officers:** The ITU Table Officers.

**Territory:** means a geographical territory or region, which is not a country, but has certain aspects of self-government, at least to the extent of being autonomous in the control of its sport and which is thus recognised as such by ITU.

**Triathlon:** A sport that consists of three parts: a swim, a cycle, and a run.

## **CHAPTER 1: MISSION AND OBJECTS**

1. **Mission:** The Mission of ITU is to promote the sport of triathlon, paratriathlon and its related Multisports and disciplines throughout the world, and to lead the sport of Triathlon, as recognised by the International Olympic Committee and the International Paralympic Committee.
2. **The objects of ITU are:**
  - 2.1 To promote and generally advance the sport of Triathlon, Paratriathlon and its related other Multisports world-wide and act as its world governing body.
  - 2.2 To maintain affiliation to the IOC and IPC, and to support the aims, ideals and principles of the Olympic and Paralympic movements and to ensure the continued inclusion of Triathlon on the respective programs of the Olympic and Paralympic Games.
  - 2.3 To enact and enforce rules governing Triathlon, Paratriathlon and their related other Multisports and to ensure in all competitions, whether sanctioned by the ITU, a Continental Confederation or a National Federation that such rules shall be applied in accordance with their terms.
  - 2.4 To supervise the strict application of the By-Laws, Constitution, Rules and Operations Manual.
  - 2.5 To aid the interests and well-being of its Members, and to supervise and enforce the obligations of ITU Members.
  - 2.6 To assist NFs to organise and receive recognition by their National Olympic and Paralympic Committees and National Sport Confederation/Council.
  - 2.7 To strive to ensure that no gender, race, religious, political or other kind of unfair discrimination exists or is allowed to develop in Triathlon, Paratriathlon and their

related Multisports in any form, and that all may participate regardless of their gender, race, religious or political views or any other such irrelevant factor.

- 2.8 To foster and develop links with other International Federations, National Governments and Non-Governmental Organisations in order to promote the interests of sport in general, and Triathlon in particular, at all levels throughout the world.
- 2.9 To promote fair play in sport. In particular, to play a leading role in the fight against doping both within Triathlon and externally in the wider sporting community and to strictly adopt and enforce the World Anti-Doping Agency's rules; and to develop and maintain programmes of detection, deterrence and education, which are aimed at the eradication of the scourge of doping within sport.
- 2.10 To develop sponsorship and marketing opportunities and commercial arrangements in relation to ITU's intellectual property, as are appropriate with the purpose of creating a sustainable income stream to further its mission and objects.
- 2.11 To undertake and/or do all such things or activities as are necessary, incidental or conducive to the advancement of its mission and objects.

## **CHAPTER 2: MEMBERSHIP**

### **3. Membership**

- 3.1 ITU's members are composed of National Federations (NFs) and Continental Confederations (CCs) administering Triathlon and its related Multisports. CCs cover the following five (5) geographical areas: Americas, Asia, Europe, Oceania and Africa, and will be accepted as ITU members. Those NFs and CCs listed in the Annex to this Constitution are members of ITU, provided that they comply with the requirements to acquire and maintain membership at all times.

### **4. Affiliation:**

- 4.1 An applicant National Federation seeking membership in ITU must be the controlling body of Triathlon, Paratriathlon and their related Multisports in a country. This provision shall not affect the status of existing members.
- 4.2 The ITU Congress confirms the membership of NFs and CCs. Provisional membership may be granted by the Executive Board, until formally submitted to Congress. Provisional membership will have access to Congress with voice and no voting rights.
- 4.3 NFs wishing to become provisional members may qualify by meeting the NF criteria application and, if accepted by Congress, receive membership status.

### **5. Application for Membership:** NFs and CCs wishing to become members of ITU shall:

- 5.1 Apply for affiliation in writing to the Secretary General, declaring that the By-Laws and Constitution of ITU will be strictly observed. The Secretary General shall place the matter on the agenda for the next Executive Board meeting.

- 5.2 Enclose the constitution of their organization. If the constitution is in a language other than English, then a translated version in English will be provided too, along with the original version.
  - 5.3 Enclose a list of its principal officers and its address and contact details.
  - 5.4 For NFs: be recognised as the NF for Triathlon, Paratriathlon and their related Multisports in their own country. This status will be confirmed by their National Olympic and Paralympic Committees, recognized by the IOC/IPC or National Sport Council /Confederation.
  - 5.5 Pledge to abide by the By-Laws and Constitution of ITU.
  - 5.6 Submit a report on past and current Triathlon activities.
- 6. Membership Fee:** There shall be an annual fee for each Member affiliated to the ITU and this shall be paid in advance, by the 31st of January each year. The annual fee is set by the Executive Board.

## **7. Rights and Obligations of Members:**

### 7.1 Members have the following rights:

- a) To take part and to vote in the Congress.
- b) To submit Resolutions for inclusion in the agenda of the Congress.
- c) To propose candidates for the President, Table Officers, Executive Board and Committees of ITU.
- d) To enter their athletes in any official competition of ITU, respecting the ITU rules.
- e) To take part in and benefit from ITU's assistance, development and educational programmes organised directly or through the Regions; and
- f) To exercise all other rights arising from this Constitution, the ITU Rules, and other rules decisions of ITU.

### 7.2 Members have the following obligations:

- a) Member National Federations must maintain full control and governance of Triathlon, Paratriathlon and their related Multisports in their country.
- b) Remain in good standing (including in good financial standing).
- c) To comply with all applicable ITU rules and decisions of the Executive Board, Table Officers and Congress.
- d) To insert in their Constitutions and Rules such provisions as may be required by the ITU Constitution or other ITU rules.
- e) Member National Federations to pay the annual fee.
- f) To include the ITU Logo and the words "affiliated to ITU", "member of ITU" in their letterhead.
- g) All Members shall be required to submit an annual report within the first three months of each year, which shall include the following information:
  - (i) The mail address, email address, telephone, and fax, etc.
  - (ii) A list of the Officers of the Federation.

- (iii) Annual statistics about active membership of the Member (clubs, athletes, coaches, officials, etc).
  - (iv) Major Championships and events to be held during the coming year, including date and location.
  - (v) A copy of the most recent financial statements.
- h) Each NF/CC shall incorporate in its constitution a provision to the effect that all disputes between that NF/CC and an athlete and ITU shall be submitted to arbitration before the Court of Arbitration for Sport (CAS) for final and definitive resolution.

**8. Neither this Constitution** nor a Member's Membership shall constitute the ITU or a Member being an agent of the other or create a partnership, joint venture or similar relationship between the parties, nor shall this Constitution constitute the authorisation of either party to act for or on behalf of the other.

**9. Suspension and expulsion of members:**

9.1 The Executive Board may suspend a Member, which has either violated the ITU Constitution, rules or not fulfilled the requirements of Articles 5 and 7.2 of this Constitution. The suspension due only to the non-payment of the annual fees may be lifted by the Secretary General when the member National Federation is once again in good financial standing with ITU.

9.2 Where an NF/CC either has not been accepted as an official Member, or has been suspended or expelled:

- a) They will not be granted delegate status in the ITU Congress.
- b) All individuals proposed for an elected position by the defaulting Member will immediately forfeit their positions upon suspension/expulsion from ITU; and
- c) The defaulting Member's athletes will not be allowed to participate in ITU-sanctioned events, unless otherwise decided by the Executive Board.
- d) The defaulting Member will lose all rights during the period of suspension.

**10. Right to Appeal:** all ITU member NFs suspended or penalised by decisions of their CC have the right to appeal to the ITU Executive Board within 30 days of the decision. The Executive Board's decision is final.

10.1 Before the Executive Board may use its power of suspension, the NF/CC must have been sent notice in writing of the alleged infringement, at least one month before the next Executive Board meeting, at which the NF/CC will be afforded a reasonable opportunity to be heard.

10.2 A member NF/CC in violation of the Constitution and / or policies, which remains in violation after having been previously warned or suspended, may be expelled from ITU by Congress. According to Art. 35.2 of this Constitution. The consent of at least two thirds (2/3) of the Members present is required.

**11. Withdrawal of Membership:**

11.1 Any Member may withdraw its Membership at the end of any calendar year provided it has granted to the Secretary General at least six months notice in

writing of its intention to do so and provided the Member has settled all outstanding fees or other monies payable to the ITU.

- 11.2 Withdrawal of Membership from the ITU by a NF shall mean simultaneous withdrawal of membership from the Member's Continental Confederation.

## **CHAPTER 3: ORGANISATION**

### **12. The Organisation of ITU is:**

12.1 Congress

12.2 Table Officers

12.3 Executive Board

12.4 Continental Confederations

12.5 Committees:

- a) Technical Committee
- b) Credentials Committee
- c) Medical and Anti-doping Committee
- d) Women's Committee
- e) Audit Committee
- f) Constitution Committee
- g) Athletes' Committee
- h) Multisport Committee
- i) Paratriathlon Committee

12.6 Commissions, listed as Annex of this Constitution.

### **13. Congress:**

13.1 The Congress is the general assembly of the Members and the highest authority of the ITU.

13.2 The Congress is organised annually, generally in connection with the Triathlon World Championships Final.

13.3 Participation at Congress. Only Members in good standing may take part in the Congress. The following groups have the right to participate in Congress meetings:

- a) Members shall only be represented by delegates. Member NFs shall be represented by two (2) delegates, or by three (3) delegates, provided at least one (1) of them is a woman, or by four (4) delegates, provided at least two (2) of them are women.

- (i) Delegates of Member NFs must be of the same nationality as the country or territory they represent, or have resided in that country for at least 183 days over the preceding 365 days.
    - (ii) A delegate may represent only one Member.
  - b) Member CC shall be represented by two delegates.
  - c) Each Member will have one (1) vote. There shall be no proxy votes.
    - (i) No postal/fax/email/or other electronic vote will be accepted at Congress.
    - (ii) The ITU President (or the Vice President chairing the Congress in the absence of the President) has the right to cast a deciding vote at Congress in the case of a tie.
  - d) The members of the Executive Board. No members of the Executive Board shall represent their own member National Federation.
  - e) The members of the Committees and Commissions.
  - f) Honorary President and Honorary members.
  - g) Athletes Representatives, the ten (10) persons Athletes' Committee with voice and two votes to be exercised by two of their members.
- 13.4 Members must certify the names of their delegates in writing to the Secretary General prior to the commencement of the Congress meeting.
- 13.5 Voice / No Vote: those entitled to attend Congress without the right to vote may express their opinion on any matter on the agenda, provided they are recognized by the President: i.e., Provisional member NFs, Honorary Members, members of the Executive Board, Committees and Commission Members and ITU Staff.
- 13.6 Power of the Congress:
- a) Admission of new Members, suspension or any other sanction against Members, reinstatement of Members that have been suspended. The consent of at least two thirds (2/3) of the Members present is required.
  - b) Sets the aims of ITU and decides all matters of common interest to the sport.
  - c) Adopts the budget for the following year and votes on the acceptance of the financial statements of the previous fiscal year.
  - d) Election of the President, Table Officers, Executive Board members and Committee members.
  - e) Confers the title Honorary President, Honorary Members and Medals of Honour. The consent of at least two thirds (2/3) of the Members present is required.
  - f) Approves the agenda.
  - g) Adopts and modifies the Constitution and the By-Laws; and resolutions.
  - h) Sanctions Members in accordance with the terms of the Constitution.

13.7 Quorum. No business shall be transacted at Congress unless quorum is present. Quorum shall exist if delegates representing one-third of the Members are present. If quorum is reached at the start of the meeting, said meeting can carry until its adjournment, even if quorum is lost during the meeting.

13.8 Invitation and Agenda.

- a) The invitation to take part in Congress will include an agenda. It will be sent by electronic and ordinary mail at least 100 days before Congress to anyone with the right to participate. The Final agenda will be mailed at least 30 days prior to the Congress.
- b) A suggested Congress Agenda is included as Annex 2 to this Constitution. In years in which one or more elections are to be held, a list of the persons who have been nominated for the election(s) shall be attached to the final Congress Agenda.
- c) In the absence of consent from the President of the Congress, the agenda may not be extended to other items without the consent of at least two thirds (2/3) of the Members present.

#### **14. Table Officers:**

14.1 The Table Officers shall consist of The President, The Secretary General, and 3 Vice Presidents, including at least one person of the opposite gender, one of the Vice Presidents shall be assigned with the financial roles.

- a) Candidates will be nominated by the NF and elected by Congress.
- b) No more than two Officers can be elected from any one (1) of the five (5) Continental Confederations.
- c) The assignment of roles and responsibilities of the Vice Presidents shall be at the discretion of the President, including the appointment of the Financial Vice President.
- d) The Vice President obtaining the highest number of votes shall be the "First Vice President" and shall assume the role of President in the absence of the President.

14.2 The Table Officers shall meet at the discretion of the President or if called by three Officers.

14.3 Quorum. Quorum shall exist if 4 Officers are present.

14.4 Each Officer carries one (1) vote. A simple majority is enough to carry all decisions.

- a) There shall be no proxy votes.

14.5 Powers of the Table Officers:

- a) Carry out decisions made by Congress.
- b) Decide routine matters in between Executive Board meetings.
- c) Decide matters referred to it by Congress.
- d) Assist the President and the Secretary General in daily matters.

- e) Approve amendments of to the budget for the current year. These changes may not increase or reduce the budget by more than 20% of the budget approved by Congress.

**15. Officers:**

15.1 The President. Is the highest Officer of ITU. The President shall have the following roles and duties:

- a) Directs ITU, calls and chairs the meetings of Congress, the Table Officers, Executive Board, and Council.
- b) Organise and is responsible for the ITU offices and of the all ITU managment
- c) Is the spokesperson for ITU and represents it at all appropriate occasions.
- d) Ensures the implementation of all decisions taken by the Congress, Table Officers and Executive Board.
- e) Negotiates or oversees the negotiation of all major contracts on behalf of the ITU in consultation with the appropriate members of the Executive Board and/or any other relevant persons.
- f) Supervises the activities of the Secretary General and Vice-Presidents.
- g) Is an ex-officio member of all Committees and Commissions.

15.2 The Vice Presidents: assist the President in their duties. The First Vice President is the one obtaining the highest number of votes in the election and:

- a) Is the deputy President in case the President is not able to fulfill his/her duties by replacing the President; he/she represents the President, and assumes the duties of the President, when absent or when asked to do so by the President.
- b) Performs duties as assigned by the Secretary General in his/her absence.
- c) Is entitled to attend all meetings of Committees and Commissions without the right to vote.-
- d) One of the Vice-Presidents shall have the following roles and responsibilities:
  - (i) Assists and advises the President in the development of ITU's financial affairs.
  - (ii) Assists the President in investing the funds of ITU, having consulted various financial experts and informed the President.
  - (iii) Submits a report to Congress regarding the financial affairs of ITU.
  - (iv) Assists the President in the preparation of the annual budget.

15.3 The Secretary General. Elected by the Congress and shall have the following roles and responsibilities:

- a) Takes charge of correspondence.

- b) Prepares the meetings of ITU Congress, Table Officers and Executive Board.
- c) Keeps the minutes of meetings of Congress, Table Officers and Executive Board, and preserves and has custody of same.
- d) Assists in the Administration of ITU's finances, with the collaboration of the Vice-President responsible for financial affairs.
- e) Assists in monitoring and reviewing, on a continuing basis the income streams and financial resources of ITU and strives to create additional income streams and activities.
- f) Assists in ensuring the receipt of annual fees from members and also contributions, royalties and dues, emoluments, and fines imposed by ITU.
- g) Ensures compliance by all Members, Officers, Executive Board members, athletes, coaches, officials, staff, committee and commission members, with this Constitution and all ITU Rules and decisions and to inform the Executive Board of any violations of the spirit and letter of them.
- h) Is entitled to attend all meetings of commissions and committees, without the right to vote; should not attend meetings of juries so as to preserve the independence of the jury.
- i) Shall chair the Credentials Committee.

15.4 Election of Officers: The election of officers shall take place at Congress in the Summer Olympic year, for a four year term of office.

- a) Each member NF may withdraw its support to an elected officer of ITU when it deems facts and circumstances justify.
- b) Each member NF will include an arbitration process in their constitution, which includes the right to appeal such decisions. Any officer removed from office by their member NF has the right to appeal to the ITU Executive Board and, thereafter to the ITU Congress and thereafter to the Court of Arbitration for Sport (CAS).

**16. Executive Board:** The Executive Board shall manage the property and business of ITU.

16.1 The Executive Board consists of the Table Officers, five (5) representatives of the Continental Confederations, one (1) Athlete Representative (chair of the Athletes' Committee) and four (4) Executive Board members, elected by the Congress, from which no more than two (2) from the same Continent, two of whom, at least, shall be from the opposite gender.

- a) No more than two (2) representatives from the same member NF shall be elected to the Executive Board.
- b) All candidates for the Executive Board may prepare their personal records and goals they want to achieve for ITU. ITU will forward this document to all Members prior to Congress.

- c) Executive Board members shall be ex-officio members of the their NF Executive Board, voting rights will be specified by the NF. They may also take part in the General Assembly, Congress, or Annual General Meeting of their NF.
- 16.2 The Executive Board shall meet at least twice a year, one of which will be on the occasion of the World Championships before Congress.
- 16.3 Quorum. A Quorum consists of at least 8 members of the Executive Board.
- 16.4 Each Executive Board member has one (1) vote. A simple majority is enough to carry all decisions. The ITU President, (or First / presiding Vice President in the absence of the President) has the right to cast a deciding vote in the case of a tie.
- a) There shall be no proxy votes.
- 16.5 Powers of the Executive Board. The roles and responsibilities of the Executive Board are the following:
- a) Delegates the President and Secretary General to handle routine business.
  - b) Carries out decisions made by Congress.
  - c) Decides routine matters.
  - d) Decides matters referred to it by Congress.
  - e) Submits resolutions to Congress.
  - f) Informs Congress of its opinion concerning resolutions.
  - g) Supervises and gives guidance to the Committees and Commissions.
  - h) Creates Commissions and selects their members.
  - i) Supervises strict application of this Constitution.
  - j) Charges the Committees to submit Resolutions in their area of expertise.
  - k) Amends the Operations' Manual in consultation with the Technical, Medical, Multisport, Paratriathlon and Athletes' Committees and the relevant Commissions as experience demands, to ensure fair and safe events for athletes.
  - l) Acts on assignments and directions as given from time to time by the President.
  - m) Acts as the interpreter of the ITU Rules. All matters not provided for under ITU Rules shall be decided by the Executive Board.
  - n) Makes the necessary appointments, including Technical Delegates for the Olympic Games, World Championships, Multisport Games, and World Cup Series.
  - o) Appoints the official ITU representative at Regional Games. These representatives shall ensure that ITU rules are implemented.

- p) Promotes a development programme for the benefit of member NFs requiring assistance in the training of coaches, officials, etc...
- q) Appoints pro-tem replacements to the Executive Board and Committees until the next Congress, which will elect the vacated positions. (where possible, the person with the next highest vote received at previous Congress elections, shall be appointed).
- r) Apply sanctions according to Art. 37 of this Constitution.
- s) Approve Amendments of the budget for the current year. These changes may not increase or reduce the budget by more than 20% of the budget approved by Congress.

## **17. Continental Confederations (CC):**

17.1 The five representatives of the Continental Confederations are elected by their Continental Confederation and recognized as members of the Executive Board by Congress. A CC shall have the option to change their representative at any time. They will support the efforts of ITU to develop Triathlon, Paratriathlon and their related Multisports within their CC.

## **18. Committees:**

18.1 All Committees will have seven (7) members except the Audit Committee and the Credentials Committee that shall have three (3) members, and the Athletes' Committee that shall have ten (10) members (5 men x 5 women, being at least from 3 regions, with a maximum of two Paratriathletes from each gender and from two different continents).

18.2 All Committee members shall be elected for a four (4) year term, except the Athletes' Committee members who shall be elected for a two (2) year term at a special meeting of their peers at the World Championships. Candidates to the Athletes' Committee must have had an ITU World Ranking during the previous four (4) years. The Audit Committee members shall also be elected for a two (2) year term.

- a) All Committee members will have one (1) vote within their Committee. A simple majority is enough to carry all decisions. In case of a tie in any Committee, the motion is lost.
- b) There shall be no proxy votes.
- c) All Committees shall report to the Executive Board.

18.3 All Committee members have the right to attend Congress, with voice but no vote.

- a) The Athletes' Committee has the right to have two votes at the Congress.

18.4 It is the responsibility of the members of each of the Committees to support ITU's efforts to develop Triathlon, Paratriathlon and their related Multisports, within the geographic areas assigned to them by Congress.

18.5 All Committees will have a Chair and Secretary elected by and among the Committee members, except the Credentials Committee that will be chaired by the ITU Secretary General.

- a) The Chairs of the Committees shall:
  - (i) Direct and monitor the activities of all Committee members.
  - (ii) Prepare reports and Resolutions to the ITU Executive Board for submission to Congress.
  - (iii) Call meetings of the Committee.
- b) The Secretary of the Committee shall:
  - (i) Assist the Chair.
  - (ii) Keep the minutes of the Committee meetings.

18.6 Technical Committee:

- a) Supports the development of the sport. The Committee is advisory and submits Resolutions to the Executive Board for submission to Congress.
- b) Its duties are:
  - (i) To supervise the strict application of the Competition Rules and Operations' Manual.
  - (ii) To prepare Resolutions concerning amendments to the Competition Rules and Operations' Manual.
  - (iii) To propose Technical Delegates for official ITU competitions.
  - (iv) To prepare clinics for coaches, referees, etc.
  - (v) To prepare and control examinations for International Technical Officials.

18.7 Credentials Committee:

- a) Is responsible for keeping a complete record of members, and during Congress:
- b) Examines the credentials of each delegate attending Congress.
- c) Verifies the authenticity of credentials and supplies Congress materials, voting cards or machines, and identification to appropriate attendees.
- d) Reports to Congress on the presence or absence of member NFs, Committee and Commission members, and other Congress attendees.

18.8 Medical and Anti-doping Committee:

- a) Is responsible for establishing conditions at ITU-sanctioned competitions, which ensure the health and safety of all participants.
- b) Organises medical symposiums and research in the field of endurance Multisports.

- c) Controls all Anti-doping policies and activities of ITU. Making sure that ITU complies with the WADA code and the IOC and ITU anti-doping rules.

18.9 Audit Committee:

- a) Is advisory to Congress and the Executive Board.
- b) Has the following responsibilities:
  - (i) Periodically to review the financial statements prepared by the Secretary General and the Vice-President in charge of financial affairs, and have contact with the external auditor.
  - (ii) Periodically to report to the Table Officers and to the Executive Board and to Congress on the status of the ITU financial statements.

18.10 Constitution Committee:

- a) Is advisory to Congress and the Executive Board, and supports the development of ITU.
- b) Has the following responsibilities:
  - (i) Periodically to review the Constitution and determine if it is consistent with the goals and objectives of ITU.
  - (ii) To review all proposals from member NFs regarding amendments to the ITU By-Laws and Constitution and make recommendations to the Executive Board for submission to Congress.
  - (iii) To propose amendments to the By-Laws and Constitution, as deemed necessary, to the Executive Board for submission to Congress.

18.11 Women's Committee:

- a) Ensures equality of opportunity, recognition, and reward for women in Triathlon, Paratriathlon and their related Multisports.
- b) To create policies on the development of the integration of women in all sport activities.

18.12 Multisport Committee:

- a) To set international standards of excellence as the world leaders in Multisport and successfully grow Multisport globally via strong relationships with all strategic partners.
- b) The Committee is advisory.
- c) Multisport is defined as the disciplines of:
  - (i) Duathlon
  - (ii) Long Distance Triathlon
  - (iii) Cross Triathlon
  - (iv) Cross Duathlon
  - (v) Aquathlon

- (vi) Winter Triathlon
- d) Its duties are:
  - (i) To develop Multisport and strengthen its importance as part of the wider triathlon family, including the development of alliances .
  - (ii) To encourage NFs and Regions to provide Championships in all Multisport Events.
  - (iii) To provide input into the ITU evaluation process on all bids submitted for Multisport World Championship events
  - (iv) To ensure all multisport events incorporating the disciplines listed above are governed by the ITU.
  - (v) To make recommendations to the EB on all and any aspects relating to Multisport.

**18.13 National Coaches' Committee:**

- a) To represent coaches of the National Federations within the ITU and to contribute to the betterment of the sport of Triathlon and its athletes on matters concerning high performance.
- b) The Committee will be composed of national coaches and elite team managers from ITU Members.
- c) The Committee is advisory.
- d) Its duties are:
  - (i) To advise ITU on issues related to high performance and development of Triathlon.
  - (ii) To collect opinions and information from coaches and athletes in ITU member
  - (iii) To assist in the dissemination of information to coaches in ITU member National Federations.
  - (iv) To provide input into the ITU evaluation process on World Championship events.
  - (v) With the approval of the Executive Board to develop alliances with any public or private organisation that ensures development and research in Triathlon.
  - (vi) To make recommendations to the Executive Board on all and any aspects relating to coaching.

**18.14 Paratriathlon Committee:**

**19. Oath of Office:**

- 19.1 The installation of Officers shall be conducted by an officer or representative designated by the President.

19.2 The Oath of Office shall be:

"I solemnly promise, on my word of honour, to advance the programmes and policies of ITU. I will faithfully discharge my duties as an Officer. I will support the By-Laws and Constitution and enforce them to the best of my ability. At the expiration of my term of office, I shall deliver to my successor all ITU books, papers, money, and other ITU property in my possession."

## **CHAPTER 5: RESOLUTIONS**

20. Resolutions to Congress must be received by the ITU Headquarters at least 70 days prior to Congress.

21. Resolutions must be submitted in writing to the Secretary General of ITU and be signed by the President of the member NF/CC concerned.

21.1 All Resolutions must be accompanied by arguments for their justification.

21.2 The Executive Board is responsible for reporting all Resolutions to Congress. Committees and Commissions affected are responsible for reporting the Resolution to the Congress and to the EB respectively.

21.3 Resolutions received by ITU headquarters must be sent by the ITU Secretariat to all member NFs and members of Committees and Commissions at least 30 days prior to Congress.

21.4 Resolutions not included in the agenda, may only be introduced with the consent of at least two thirds (2/3) of the Members present and entitled to vote.

22. Types of Resolutions:

22.1 Amendments to the Constitution or By-Laws.

- a) Only Congress shall be entitled to make amendments to the Constitution.
- b) A proposal for amendment to the Constitution may be withdrawn at any time but a withdrawal by a Member must be in writing unless it is made by the head of the delegation of that Member during the Congress.
- c) Any proposal to amend the Constitution or By- Laws must obtain a Special Majority of two thirds (2/3) of members present to be accepted.
- d) Any subsequent amendments that may be necessary to the wording of the Articles of the Constitution, which have been passed by Congress, can only be made by the Executive Board, and this is permitted provided no material change to the decision of Congress is made.
- e) Amendments to the Constitution adopted by Congress shall take effect on the publication of the Constitution, unless otherwise specified by the Congress. The Constitution shall be published in English by the 1st of January, after the approval of the Congress.

22.2 Amendments to other ITU Rules.

- a) Amendments to the Rules can be approved in any Congress and by the Executive Board.
- b) The Executive Board may give its recommendations on proposals for amendment to a Rule.
- c) The Executive Board may identify and make interim decisions on resolutions for amendment of a Technical Rule, if their importance or their controversial or sensitive nature commends that they be submitted to Congress for its final decision.
- d) Resolutions to amend the Competition Rules require a simple majority (50% + 1) of the votes at Congress.
- e) When an amendment to a Rule is adopted by Congress or by the Executive Board, a fixed date for when the amendment shall take effect shall be stated, failing which the amendment shall take effect on the date of the adoption of the new Rules.
- f) Any subsequent amendments that may be necessary to the wording of the Rules, which have been passed by Congress, can only be made by the Executive Board.

## **CHAPTER 5: ELECTIONS**

**23.** The elections will take place at Congress in the year of the Summer Olympic Games for a period ending at the next such post-Summer Olympic Congress.

**24.** A person may hold only one office in ITU.

**25. The order of elections at the Congress is:**

- a) President
- b) Secretary General
- c) Vice Presidents
- d) Four Executive Board members
- e) Members of the Committees, except the Athletes' Committee, which is elected at a special meeting of their peers at the World Championships for two (2) years.
- f) Honorary President and Honorary Members (if applicable).

**25.1** All candidates for election must:

- a) Be nominated by their NF of citizenship or residence, which is a member of ITU in good standing, according to Chapter 2: Membership
- b) Be individuals at least 18 years of age, and have the power under law to contract
- c) Submit their personal achievement records and the goals they want to achieve for ITU. The records must be distributed, preferably electronically, to all member NFs 45 days before Congress as part of the package containing Congress Resolutions and Nominations.
- d) Stand for election at Congress

- 25.2 Honorary President and Honorary Members, will be nominated by the Executive Board
- 25.3 If necessary, will conduct elections to fill vacancies:
- a) At the next Congress
  - b) At an Extraordinary meeting of Congress, which has been called when very important and urgent matters must be decided, if at least 66% of member NFs in good standing requests such a meeting?
- 25.4 The election procedures for the President and Secretary General are:
- a) More than 50% of the votes cast are required to be elected.
  - b) The candidate with the lowest number of votes is eliminated, if no candidate receives more than 50% of votes.
  - c) Consecutive ballots shall be organised until the election is decided.
  - d) If there is a tie, the person conducting the election will cast the deciding vote, provided that person is not a candidate.
- 25.5 The election procedures for the other positions are that:
- a) A simple majority will be required to be elected.
  - b) All positions will be voted on at the same time.
  - c) Candidates with the most votes will be elected until all positions are covered, with an exception when the regional and gender requirements are not covered. In these cases, the elected candidate will be the one with the most votes, who fulfils the regional and/or gender requirements.
  - d) Each Member will have one vote for the election of each position, and will have the same number of votes as positions to be elected.
  - e) A vote with less names than the ones to be elected will not be valid.
- 25.6 Three (3) official scrutineers and three (3) official tellers will be appointed by Congress for elections in the Congress. Scrutineers and tellers will be elected from a NF not presenting any candidate to any position on the Executive Board.
- 25.7 All other Parliamentary questions not contained in the Constitution shall be decided by Robert's Rules of Order, Newly Revised.

## **CHAPTER 6: ELIGIBILITY**

26. Only those competitors, who are eligible according to the ITU eligibility rules, are allowed to take part in competitions organised by ITU, CCs or their member NFs. Other than as provided in this article, the eligibility rules are included in the Competition Rules.

26.1 Where an athlete:

- a) Wishes to represent a NF other than the NF to which they originally belonged, they must reside in the country of the subsequent NF for at least three years after the date they last represented the original NF in any sanctioned event. This period of residence can be reduced to one year if the two NFs concerned agree, and the Executive Board of ITU consents.
- b) Holds or is legally entitled to hold citizenship of two or more countries, provided that it is at least three years since the athlete last represented the first NF in any competition, the period of residence may be reduced to one year, if the two NFs concerned agree and if the Executive Board approves.

26.2 If a State, province or overseas department, a country acquires independence, if a country becomes incorporated within another country by reason of a change of border or if a new NF is recognised by the ITU, an athlete may choose with which existing NF is he/she willing to compete. This particular choice may be made only once, and the Executive Board has to approve it.

## **CHAPTER 7: OFFICIAL LANGUAGES**

**27. The official language of ITU is English.**

27.1 Spanish will be a working language of the ITU Congress.

27.2 Members may address Congress in a language other than English or Spanish provided the member provides an interpreter at its own cost.

## **CHAPTER 8: OFFICIAL ITU COMPETITIONS**

**28. Official ITU Competitions:** Olympic Games, Paralympic Games, World Championships, Regional Games, World Cup, Commonwealth Games, Continental Championships and qualifying competitions . The quality of the technical operations of these events will be controlled by the ITU Technical Delegates.

28.1 Athletes from all member NFs in good standing are invited to take part in ITU competitions.

28.2 The rules and Rules of ITU will apply at all Official ITU Competitions. A list of the Official Competitions is listed within Annex 4.

## **CHAPTER 9: HONOURS AND AWARDS**

**29. Medal of Honour:**

29.1 ITU has ordained a Medal of Honour.

- a) This Medal may be conferred on a person who, or an entity that, has merited such a distinction. The Congress may confer honorary medals to persons proposed by the Executive Board.

- b) The award may also be proposed by a member NF. The proposal must be accompanied by a merit report. The Medal of Honour may be awarded to a person or an entity that has contributed, to a remarkable degree, to the international development of Triathlon, Paratriathlon and ITU's related Multisports.
- c) The Medal of Honour will be presented at Congress.

**30. Honorary Membership:**

30.1 Honorary Membership may be conferred upon a person, who has rendered ITU valuable and laudation important services.

- a) Honorary Membership will be decided by Congress; recommendation being submitted by the Executive Board.
- b) Congress may confer the title of Honorary President to a retiring President of ITU.
- c) Honorary Presidents and Honorary Members will be invited to attend Congress.

**31. Persons awarded Honorary Membership, with date of confirmation:**

Honorary Member: Gunnar Ericsson (IOC), Sweden, 1992.

Honorary Member: Mr. Sture Jonasson, Sweden, 1995.

Honorary Member: Dr. Jim Hazel, Australia, 1998.

Honorary Member: Mr Phil Coles, (IOC), Australia, 2000.

Honorary Member: Dr. Sarah Springman, Great Britain, 2001.

Honorary Member: David Curnow, USA, 2004

Honorary President: Mr. Les McDonald, Canada, 2008

Honorary Member: Mr. Chiharu Igaya (IOC), 2008.

Honorary Member: Mrs. Anne-Marie Gschwend, Switzerland, 2009.

Honorary Member: Mrs. Dottie Dorion, United States of America, 2009.

**CHAPTER 10: GOVERNING LAW**

32. The governing law of the ITU shall be the law of British Columbia, Canada.

**CHAPTER 11: DISPUTES**

33. Any dispute, controversy or claim arising under, out of, or relating to this constitution or any subsequent amendments of or in relation to this Constitution, including but not limited to, its formation, validity and binding effect, interpretation, performance, breach or termination, as well as non-contractual claims, may be submitted to mediation in accordance with the CAS.

- 33.1 Mediation Rules. The language to be used in the mediation shall be English.
- a) Where a settlement of the dispute is not reached within 90 days of the commencement of the mediation, or if, before the expiration of the said period either party fails to participate in the mediation, the dispute shall, upon the filing of a request of Arbitration by either party, be referred to and finally settled by CAS arbitration pursuant to the Code of Sports related arbitration. When the circumstances so require, the mediator may, at his/her own discretion or at the request of a party, seek an extension of the time limit from the CAS President.
- 33.2 A member NF/CC in violation of the ITU By-Law or Constitution and / or its policies will be penalized according to the gravity of the violation. An NF/CC loses all membership rights during the period of suspension, i.e., the right to submit Resolutions, to take part in meetings and to enter competitors in ITU competitions, and competitions organised by member NFs or CCs, unless otherwise decided by the Executive Board.
- 33.3 A member NF/CC in violation of the Constitution and / or policies which continues to be in violation after having been previously warned or suspended may be expelled from ITU.
- 34.** Disputes between ITU and one or several of its members, which are not settled by a decision of ITU, may be submitted for arbitration by either of the parties to the Court of Arbitration for Sport (CAS) (Lausanne), Switzerland, to the exclusion of any other domestic tribunal. Any decision taken by the said court shall be without appeal or recourse to ordinary courts, and is binding on the parties concerned.
- 35.** The Executive Board will resolve any appeal to decisions from the Competition Juries as outlined in the ITU Rules.
- 35.1 The Executive Board shall have the following powers:
- a) To suspend NFs or CCs or to modify its membership to provisional status until the next meeting of Congress
  - b) To suspend NFs or CCs from International events, until the next meeting of Congress.
  - c) To caution or censure an NF/CC.
  - d) To reinstate an NF/CC which was previously suspended.
- 35.2 Before the Executive Board uses its power of suspension, the NF/CC must have been sent notice in writing of the alleged infringement, at least one month before the next Executive Board meeting, at which the NF will be afforded a reasonable opportunity of being heard.
- 36. Congress shall have the following powers:**
- 36.1 To suspend an NF/CC from membership for a fixed period or until a specified set of circumstances ceases/starts to exist.

- 36.2 To suspend an NF/CC from any one or more types of International events for a fixed period of time or until a specified set of circumstances ceases/starts to exist.
- 36.3 To caution or censure an NF/CC.
- 36.4 To reinstate an NF/CC, which has been suspended before the end of the period or before the set of circumstances specified have ceased/started to exist.
- 37. Unresolved disputes** between an NF and the Executive Board or Congress howsoever arising, shall be submitted to the Court of Arbitration for Sport (CAS) for final and binding arbitration, to the exclusion of any other domestic tribunal.
- 37.1 In the case of a dispute between an athlete and ITU, this dispute may be submitted directly to the Court of Arbitration for Sport (CAS).
- 37.2 All legal questions concerning ITU contracts and other parties will be referred to the Court of Arbitration for Sport (CAS). All contracts signed by ITU must contain a provision to this effect.

## **CHAPTER 12: DISSOLUTION**

- 38.** The dissolution of ITU requires a three-quarter (75%) majority vote in favour of such a resolution at two (2) successive meetings of Congress, separated by at least 6 months.
- 39.** In the event of dissolution, the Congress, in its second meeting, shall appoint one or more liquidators, who shall discharge all debts and liabilities incurred on behalf of the ITU. The remaining assets, if any, shall be donated to the IOC Solidarity fund.
- 40.** At the conclusion of the liquidation, the liquidators shall submit a final report to the Congress, which shall declare the liquidation closed.

**Annex 1: ITU Members**

**To be inserted here in final version – confirmation of membership for 2011 being finalised at this time.**

## **Annex 2: Suggested Congress Agenda:**

1. Roll-call of NFs;
2. Admission of new member NFs;
3. Appointment of three (3) scrutineers;
4. Appointment of three (3) tellers;
5. Minutes of the last Congress;
6. Report of the Audit Committee;
7. Adoption of the Vice President's Financial Report, the Annual Budget and the audited Financial Statements;
8. President's Report;
9. Report on World Championships and World Cups;
10. Resolutions from the Executive Board;
11. Reports from Committees and Commissions;
12. Resolutions from member NFs;
13. Elections;
14. Appeals;
15. Election of Honorary Member(s);
16. Old Business;
17. New Business;
18. Adjournment.

### **Annex 3: Commissions**

The following Commissions exist in ITU:

1. Age Groupers' Commission
2. Sustainability Commission
3. Continental Commission
4. World Championships Series Commission
5. Data Exchange and Information Systems Commission

#### **Annex 4: List of ITU Official Competitions.**

1. Olympic Games;
2. Paralympic Games;
3. Triathlon World Championship Series;
4. Duathlon World Championships;
5. Long Duathlon World Championships;
6. Aquathlon World Championships;
7. Cross Triathlon World Championships;
8. Triathlon World Cup;
9. Duathlon World Cup;
10. Winter Triathlons;
11. Cross Triathlons;
12. Indoor Triathlons;
13. Commonwealth Games;
14. Pan American Games;
15. Central American and Caribbean Games;
16. Central American Games;
17. Mediterranean Games;
18. Asian Games;
19. African Games;
20. Oceania Games;
21. ITU Regional Championships;
22. Military Games;
23. World Games;
24. Maccabi Games;
25. Masters Games;
26. University Games.