

**STATUTE**  
**OF TRIATHLON FEDERATION**  
**OF MONTENEGRO**

Pursuant to Article 59 of the Law on Sports ("Official Gazette of Montenegro" No. 44/18), the Assembly of the Triathlon Federation of Montenegro which was held on 20<sup>th</sup> October 2021, brings:

**STATUTE  
OF TRIATHLON FEDERATION  
OF MONTENEGRO**

I GENERAL PROVISIONS

Article 1

This Statute determines the name, headquarters, ie address and type of sports organization; symbols of the sports organization (form and content of stamps, logos, flags and emblem) and the manner of their use; rights and obligations of the founders; conditions and manner of membership and termination of membership; the manner and procedure of election and dismissal of the bodies of the sports organization, the duration of the mandate and competencies of the bodies of the sports organization; the manner of disposing of the property of the sports organization; making the work public; the procedure for the adoption of the Statute, ie amendments to the Statute and other general acts; other issues of importance for the work of the sports organization.

Article 2

The Triathlon Federation of Montenegro (hereinafter: the Federation) is a national sports federation and represents the highest form of association of sports organizations in triathlon as a branch of sport in Montenegro.

The Federation was established to encourage the development and improvement of triathlon in Montenegro as well as the realization of other common interests and goals in accordance with the Law on Sports (hereinafter: the Law) and this Statute, and has the status of a legal entity.

Article 3

The name of the sports organization is: **Triathlon Federation of Montenegro (Triatlon savez Crne Gore)**

The abbreviated name is: **TSCG;**

The headquarters of the Federation is in Podgorica, at 7 Vučedolska Street, Podgorica.

II SYMBOLS AND THE WAY OF THEIR USE

Article 4

The Federation has a round seal with the name and headquarters in the Montenegrin language.

The Federation has a stamp on which the name and seat of the association are written and a place is left for the business number and date.

The Federation has its own sign, logo and other symbols, the appearance of which is determined by the Assembly.

The Federation has a flag, the appearance of which is determined by the Management Board.

#### Article 5

The Federation can be a member of the Montenegrin Olympic Committee.

The Federation can be a member of the European Triathlon and the World Triathlon organizations.

The Federation has the exclusive competence to represent triathlon in international sports federations, the Montenegrin Olympic Committee and before the public authorities in Montenegro.

The Federation may become a member of other international organizations, when it is in the interest of achieving the goals and tasks of the Federation.

#### Article 6

The Federation will comply with World Triathlon Constitution, Rules and Regulations.

#### Article 7

The work of the Federation is public, in accordance with the Law and this Statute.

The publicity of the work of the Federation is ensured by the publicity of the sessions of the bodies of the Federation, by publishing the decisions of the bodies and by timely and adequate informing the public and members about the activities of the Federation.

The bodies of the Federation may ensure the publicity of their work by deciding that the decisions, information and acts of the Federation are delivered to the members of the Federation by e-mail.

The Federation regularly informs its members and the public about decisions, attitudes and proposals adopted at sessions of the organs and bodies and other gatherings in the Federation and current events of the Federation members, through the media, press conferences or the issuance of special information and newsletters.

The representative of the Federation who provides data and information related to the work of the Federation is responsible for their accuracy.

The views of the Federation, ie its organs and bodies, may be expressed and represented only by elected officials of Federation.

#### Article 8

The Federation has a website where information is published about the Federation, the work of the Federation bodies, the results of the competition, decisions and general acts.

The Internet site is the official gazette of the Federation.

### III GOALS, TASKS AND ACTIVITIES

#### Article 9

The goals of the Federation are to:

- 1) contribute with its activities to the development and promotion of triathlon in Montenegro and increase the number of persons involved in triathlon and sports in general, especially children, youth, women and people with disabilities;
- 2) coordinate joint activities of its members;
- 3) adopt and implement short-term and long-term development programs and plans;
- 4) represent the national sport in the field of triathlon;
- 5) create conditions for achieving top sports results;
- 6) organize and lead sports competitions;
- 7) participate in the improvement of the professional work of sports experts;
- 8) promote the educational function of triathlon, fair play, understanding, tolerance and responsibility through triathlon;
- 9) perform activities that provide conditions for monitoring, development and improvement of triathlon, school sports, top sports and sports for the disabled;
- 10) perform other tasks in accordance with the Law on Sports and this Statute;
- 11) encourage the opening of new triathlon clubs.

#### Article 10

The Federation achieves its goals through:

- 1) creating conditions for the development of triathlon in Montenegro;
- 2) organizing sports events and competitions;
- 3) permanent vocational education and training of sports experts and experts in sports;
- 4) providing assistance to its members in improving professional work;
- 5) encouraging the work of its members by awarding prizes for outstanding sports results and for their contribution to the development and improvement of triathlon in Montenegro;
- 6) coordination of activities of members of the Association;
- 7) engagement in the Montenegrin Olympic Committee and cooperation with other organizations in the field of sport in Montenegro;
- 8) representing the common interests of its members before state bodies and bodies of local self-government units;
- 9) publishing its own publications and supporting the publication of other publications of importance for the development of triathlon in Montenegro and the improvement of sports science and professional work in sports;
- 10) organization of international sports competitions;
- 11) realization of international sports cooperation;
- 12) taking measures to prevent negative phenomena in sports (doping, violence and misconduct, falsification of sports results);
- 14) care for the protection of the health of athletes;
- 15) encouraging sports, especially women, children, youth, the elderly and the disabled, in their field of activity;
- 16) support for school sports;
- 17) activities to strengthen sports morale and sports spirit among its members and to establish rules of conduct in their mutual relations;
- 18) providing assistance to its members in the field of marketing, connecting with companies, introducing new methods of work and business, obtaining business information, etc.;
- 19) monitoring whether the work of the members of the Federation is in accordance with the Law, the Statute and general acts of the Federation and their Statute and general acts and assisting

members in eliminating shortcomings in work and resolving disputes that jeopardize the functions and goals of members;

20) proposing annual and special programs for financing from public revenues, in accordance with the Law;

21) participation in the work of expert commissions that evaluate programs financed in accordance with the Law;

22) submission of information on the activities of the Federation necessary for the work of the commission for the preparation of the categorization of sports, athletes and sports experts in accordance with the Law;

23) giving opinions regarding the candidacy for the organization of major international sports competitions on the territory of Montenegro;

24) other activities and measures that contribute to the realization of the goals of the Federation and the realization of the position determined by the Law on Sports.

Achieving the goals of the Federation is regulated in more detail by appropriate general acts (sports regulations) issued by the competent bodies of the Federation in accordance with this Statute.

#### Article 11

Professional work in the Federation and with the members of the Federation may be performed only by persons who have the appropriate title in accordance with the Law.

Sports experts referred to in paragraph 1 of this Article are obliged to undergo professional training in accordance with the law and general acts of the Federation.

#### Article 12

The Federation and all members of the Federation, in performing sports actions and sports activities, are especially engaged in affirming the spirit of Olympism, encouraging fair play, improving educational and professional work in sports, encouraging and affirming voluntary work in sports, combating laziness, combating violence and doping in sports.

The Federation and the members of the Federation achieve their goals and perform sports activities in accordance with the Law, sports rules of the Federation and its general acts, ratified conventions in the field of sports and principles established in the documents of international organizations of which Montenegro is a member.

The Federation and the members of the Federation are obliged to ensure that sports are humane, free and voluntary, healthy and safe, in accordance with the natural environment and social environment, fair, tolerant, ethically acceptable, responsible, regardless of abuses and goals contrary to the sports spirit and accessible to all citizens under equal conditions regardless of age, level of physical abilities, degree of possible disability, gender and other personal characteristics.

### IV MEMBERSHIP IN THE FEDERATION

#### Article 13

In achieving their goals and tasks, the members of the Federation independently regulate their internal organization and work, adopt and implement development programs, organize

competitions for which they are responsible, and achieve other goals and tasks determined by their plans and plans of the Federation.

The organization and work of the members of the Federation are regulated by their statutes, in accordance with the Law and sports rules of the Federation.

The members of the Federation exercise their rights in international organizations exclusively through the Federation.

The founders and members of the Federation are triathlon clubs from the territory of Montenegro that are registered in the Register of Sports Organizations of the Directorate for Sports and Youth of the Ministry of Education, Science, Culture and Sports, as follows:

- 1) Triathlon club "Herceg Novi"
- 2) Triathlon club "Podgorica"
- 3) Triathlon club "Kotor"
- 4) Triathlon club "Multisport akademija Mayer"
- 5) Triathlon club "Lovcen".

#### Article 14

Sports organizations, ie triathlon clubs (hereinafter: the Club) associate in order to regulate issues of common interest, joint representation, regulation of issues, organization of competitions and the status of athletes in triathlon.

The Federation is obliged to accept into membership the triathlon clubs referred to in paragraph 1 of this Article which are registered in accordance with the Law and which meet the conditions set by the Statute of the Federation for admission to membership.

The Statute of the Federation may not determine discriminatory conditions for membership, ie conditions that are not based on the Law, objective and related to achieving the goals of the organization, as well as conditions that are not in accordance with the Statute of the competent international branch sports federation.

The Federation undertakes constant activities on the development of all sports disciplines belonging to triathlon as a branch of sport for which it is registered, as well as measures to unite all organizations and persons from sports that it represents, including the adoption of appropriate statutory provisions.

#### Article 15

The following can become regular members of the Federation:

- 1) clubs registered for triathlon;
- 2) sports clubs that have also triathlon in their field of activity.

The organization referred to in paragraph 1 of this Article may become a member of the Federation if it is: registered in accordance with the Law; if its objectives correspond to the objectives of the Federation; if the Statute of the organization is in accordance with the general acts of the Federation; if it meets the conditions prescribed by the Law and by-laws as well as the general acts of

the Federation for performing sports activities; if it encloses a written statement that it fully accepts the Statute and general acts of the Federation and the jurisdiction of arbitration at the Montenegrin Olympic Committee for the final settlement of all disputes arising from the exercise of rights and fulfill the obligations of membership in the Federation.

A club that loses, in accordance with the Law, the status of a sports organization in the field of triathlon, ceases to be a member of the Federation on the day of the loss of status.

Sports organizations, sports federations, sports associations, sports clubs, athletes, sports experts and other natural persons are indirect members of the Federation through organizations that are regular members of the Federation in whose jurisdiction they enter; through membership in the bodies and working bodies of the Federation or members of the Federation; through employment, professional engagement or performance of official duties in the Federation or members of the Federation.

All direct and indirect members of the Federation are considered persons within the competence of the Federation in terms of this Statute.

#### Article 16

The application for membership in the Federation is submitted in writing to the Management Board of the Federation.

The application for membership is accompanied by: a decision on joining the Federation; a copy of its statute; statement on acceptance of the Statute and general acts of the Federation; evidence of fulfillment of other conditions for admission to membership in accordance with this Statute.

Admission to the membership of the Federation is decided by the Board of Directors of the Federation by a majority vote of the total number, within three months from the date of submission of a proper application.

An application for membership may be rejected only if the applicant does not meet the requirements of Article 14 of this Statute.

In case of rejection of the application for membership in the Federation, the applicant may appeal to the Arbitration Commission of the Montenegrin Olympic Committee.

In case the application for membership is accepted, the applicant is obliged to pay the registration fee determined by the decision of the Management Board and the annual membership fee, within 15 days of receiving notice of admission, otherwise it is considered that it has given up membership in Federation.

The rights of a member of the Federation are exercised from the day of payment of the registration fee and membership fee.

Each direct member of the Federation and the body of the Federation may give the initiative or proposal to appoint a certain person as an honorary member of the Federation.

### V RIGHTS AND OBLIGATIONS OF MEMBERS

#### Article 17

The member has the right to:

- 1) within the bodies of the Federation, covers and considers all issues related to the achievement of the goals of the Federation;
- 2) use the help, support and services of the Federation, to the extent that does not harm the interests of other clubs;
- 3) have insight into the work of the Federation and its bodies;
- 4) participate in the activities of the Federation;
- 5) obtain the information necessary for the exercise of membership rights;
- 6) manage the affairs of the Federation (voting right), to elect and be elected to all bodies of the Federation in accordance with this Statute.

The member is obliged to:

- 1) cooperate with other members of the Federation and in relations with them respect ethical principles;
- 2) participates in the activities of the Federation;
- 3) regularly settle its financial obligations to the Federation;
- 4) fulfill all obligations determined by the Law, the Statute of the Federation and other general acts of the Federation;
- 5) fully respect all its general acts;
- 6) execute final decisions of the bodies of the Federation;
- 7) preserve the reputation of the Federation;
- 8) ensure the publicity of its work, in accordance with the Law and its Statute;
- 9) objectively inform the members and the public through its website about: basic information about the organization (name, seat, legal form, bodies, brief history, membership in national and international associations); its work (body sessions, international cooperation, etc.); implementation of programs financed from public revenues; sports results; adopted general acts (must be published in full).
- 10) harmonize its statute and other general acts with the Statute and general acts of the Federation;
- 11) without delay (and no later than within seven days from the day of adoption, ie adoption of the decision) informs the Federation about the changes of its statute, with the delivery of a copy of the statute, to the Assembly and election of the person authorized to represent.

The general acts of the Federation must provide the right to appeal the decision of the bodies of the Federation which decides on the rights and obligations of members of the Federation in accordance with the Law on Sports and this Statute.

#### Article 18

The Club participates in the work of the Federation and in decision-making in the bodies of the Federation through its representatives.

The person representing the Club must have a written authorization certified by the seal of the Club and signed by the person authorized to represent, unless otherwise provided by this Statute.

### VI REGISTER OF MEMBERS AND OTHER RECORDS

#### Article 19

The Federation and the Clubs keep records of their members (register of members) and other basic records, in accordance with the Law on Sports.

The Federation and the Clubs are obliged to register in the registry records, in accordance with the Law.

#### Article 20

Membership in the Federation is terminated by termination of work, resignation or expulsion.

The termination of the Club is determined on the basis of the decision of the competent state body by which the Club was deleted from the appropriate Register.

From the initiation of liquidation or bankruptcy proceedings until the termination of work, the Club's rights and obligations in the Federation are suspended.

Withdrawal from the Federation is possible only on the basis of a written statement of a member of the Federation on withdrawal, given on the basis of a valid decision of the competent body of the Club, with a notice period of three months.

Upon termination of membership, all membership claims are extinguished, except for the Federation's request to settle arrears.

With the termination of the status of a member of the Federation, the mandate of the representatives of the members in the bodies and working bodies of the Federation ends.

## Article 21

Exclusion of a member of the Council is possible if:

- 1) its activities tend to damage the reputation of the Federation;
- 2) acts rudely contrary to the interests of the Federation or the decisions of the bodies of the Federation;
- 3) by its actions and acts grossly or repeatedly violates legal obligations, the Statute and other general acts of the Federation or its general acts;
- 4) ceases to meet the conditions for admission to membership.

In the cases referred to in paragraph 1 of this Article, the Management Board is obliged to draw the attention of the member of the Federation to the existence of circumstances due to which it may be expelled from membership and to allow it a maximum of two months to eliminate omissions.

Before making a decision on expulsion, the Management Board is obliged to give a member of the Federation a period of two weeks to declare objections to his work.

The decision on expulsion is made by the Management Board of the Federation by a majority of the total number of members and is communicated in writing to the member of the Federation.

The decision to exclude must be reasoned.

In the cases referred to in paragraph 1 of this Article, the Management Board of the Federation may, by a majority of the total number of members of the Management Board, when there are justified reasons, decide on temporary suspension of membership in the Federation until the end of the procedure referred to in paragraphs 2-4 of this Article but not longer than six months.

Against the decision on suspension, ie expulsion, a member of the Federation may file an appeal to the Assembly of the Federation, whose decision is final.

Until the final decision of the Assembly of the Federation on expulsion, the rights of the members of the Federation are suspended.

If a member of the Federation, despite a double reprimand, is late with the payment of the annual membership fee and does not settle the obligations within one month of receiving the second reprimand, its membership is automatically terminated, without the need to make a decision on expulsion.

An organization that has been expelled from the membership of the Federation may be re-admitted to membership at the earliest two years after the termination of the membership, if the reasons for the decision on expulsion have ceased to exist.

A proposal for making a decision referred to in paragraph 1 of this Article may be submitted by any regular member of the Federation.

## VII INTERNAL ORGANIZATION

### Article 22

The Federation is managed by the Club members through their elected representatives (delegates) in the bodies of the Federation, in the manner determined by this Statute.

### Bodies and composition of the bodies of the Federation

#### Article 23

The bodies of the Federation are:

- 1) Assembly;
- 2) President of the Federation;
- 3) Management Board;

Composition of the bodies of the Federation:

President of the Federation: Vedran Roćenović

Federation Assembly:

- 1) Dragan Jovanovic, Kotor, President;
- 2) Miloš Darić, Cetinje, Vice President;
- 3) Luka Čupić, Herceg Novi;
- 4) Filip Krgović, Podgorica;
- 5) Boris Sekulić, Podgorica.

Management Board:

- 1) Vedran Roćenović; Podgorica, President;
- 2) Jovan Gardašević, Cetinje, Vice President;
- 3) Marko Tomašević, Herceg Novi;
- 4) Igor Majer, Podgorica;
- 5) Dragan Mihaljević, Kotor, active athlete;
- 6) Dino Redžepagić, Podgorica;
- 7) Kristijan Sindik, Tivat.

#### Article 24

The mandate of the Assembly of the Federation lasts for five years.

The mandate of other bodies of the Federation and their members lasts four years, unless otherwise signed by this Statute.

In the event that the term of office of the bodies of the Federation has expired and no new bodies have been elected, the previously elected bodies shall perform their duties until the newly elected bodies take office.

A member of the bodies of the Federation can only be a person who is covered by the competencies of the Federation and the Clubs.

#### Article 25

A member of the body of the Federation does not have the right to vote at the session of the body of the Federation when deciding on:

- 1) initiating a dispute or withdrawing from a dispute against it;
- 2) approving the business between it and the Federation in the event of a conflict of interest, ie the existence of a personal interest in decision-making;
- 3) its responsibility or dismissal.

A member of the body of the Federation does not have the right to vote if the decision relates to the conclusion of a legal transaction with it, or to the dispute between it and the Federation to be initiated or terminated, or if it is to be decided on property issues related to his spouse or relative to the second degree in a straight line or refer to a legal entity over which it has control or economic interest.

## VII ASSEMBLY

### Article 26

The Assembly is the highest body of the Federation.

The Assembly of the Federation consists of one representative (delegate) of each club member of the Federation.

Representatives of the Clubs in the Assembly can only be persons who are on the basis of a written power of attorney, which is stamped and signed by the representatives of the Club.

The power of attorney is valid until the change of representatives in the Assembly.

At the invitation of the President of the Assembly, representatives of other organizations and state bodies may also participate in the work of the Assembly, without the right to decide.

The work of the Assembly is managed by the President of the Assembly, and in case of his impediment, the Vice President of the Assembly replaces him with all rights and obligations during his absence.

The Secretary General shall participate in the work of the Assembly without the right to vote.

### Article 27

The regular session of the Assembly is convened at least once a year.

An invitation for a session of the Assembly is sent to a member of the Federation by e-mail, with an agenda, as a rule, at least 15 days before the Assembly.

A member of the Federation may submit a proposal to change the agenda of the Assembly, by e-mail with an explanation, no later than 7 days before the Assembly.

The President of the Assembly, no later than three days before the session of the Assembly, determines the final agenda of the Assembly, delivers it to all members of the Federation and publishes it on the website of the Federation.

Minutes of the session of the Assembly shall be kept and signed by the President of the Assembly and the Secretary General of the Association.

At the beginning of the session of the Assembly, the President of the Assembly shall determine whether there is a quorum for work and decision-making and whether the Assembly has been convened in accordance with this Statute.

The work of the Assembly of the Association is determined in more detail by the Rules of Procedure.

## Article 28

The President of the Assembly may at any time convene an extraordinary session of the Assembly if the interests of the Federation so require.

The President of the Assembly is obliged to convene an extraordinary session of the Assembly if requested in writing, stating the purpose, reasons and agenda, the Board of Directors, the Supervisory Board or one third of the members of the Federation.

An extraordinary session of the Assembly may not be convened within 30 days from the day of submitting a proper request.

If the President of the Assembly does not convene an extraordinary session of the Assembly, it may be convened by the body of the Federation, ie those members of the Federation who requested its convening.

No more than 90 days may elapse between the submission of a proper request for holding an extraordinary session of the Assembly and the holding of an extraordinary session.

The invitation for the Extraordinary Assembly with the proposed agenda must be sent to the members of the Federation and their representatives in the Assembly, no later than 7 days before the date for the Assembly session, in the same way as for the regular Assembly.

The agenda of the Assembly referred to in paragraph 2 of this Article may include only the issues specified in the request for convening an extraordinary Assembly, unless the Assembly decides otherwise by a majority of the total number of members.

The same provisions of this Statute on the regular Assembly shall apply to the convening of an extraordinary session of the Assembly.

The Extraordinary Assembly of the Federation has all the powers as the regular Assembly.

## Article 29

The Assembly considers, brings and adopts:

- 1) the Statute, amendments to the Statute, and gives an authentic interpretation of the Statute of the Federation;
- 2) annual reports on the work of the Federation and its bodies;
- 3) financial reports;
- 4) decision on termination of the Federation;
- 5) decision on status changes;
- 6) decision on the work and development program of the Federation;
- 7) code of conduct for members of the Federation;
- 8) decision on joining other unions;
- 9) decisions on legal remedies against decisions of other bodies of the Federation;
- 10) decisions that are explicitly placed under its jurisdiction by this Statute.

The Assembly elects and dismisses:

- 1) the President and Vice-President of the Assembly
- 2) the President of the Federation
- 3) members of the Management Board at the proposal of the President of the Federation,
- 4) members of the Supervisory Board at the proposal of the President of the Federation.

The Assembly may dismiss elected persons even before the expiration of their mandate, when it determines that they are not fulfilling their obligations.

The Assembly may form commissions to perform certain tasks. The decision on the formation of the commission determines its scope and composition.

#### Article 30

The Assembly may act and decide if at least half of the members of the Assembly are present, except in cases when otherwise provided by law or this Statute.

If during the election of the President of the Assembly, the President of the Federation and members of the bodies of the Federation in the first round of voting the majority is not reached, ie the required number of votes is not reached, the second round of voting is approached, for all candidates who did not have enough votes.

If in the second voting there was no required number of votes for the selection of candidates, the candidacy is repeated.

On issues that are not listed in the agenda of the Assembly, and appear during the session of the Assembly, a decision can be made only if the Assembly agrees with a two-thirds majority of the delegates present.

Members of the Assembly decide by public show of hands, unless the Assembly, by the majority necessary for work and decision-making, decides that the voting shall be conducted by secret voting.

The Assembly may, in accordance with the Rules of Procedure, decide on urgent matters, at a session held with the use of electronic means of communication (so-called electronic session).

### IX PRESIDENT OF THE FEDERATION

#### Article 31

The President of the Federation is elected by the Assembly for a period of 4 years, with the possibility of re-election.

The President of the Federation proposes to the Assembly the members of the Management Board and the Supervisory Board.

The President of the Federation is the President of the Board of Directors of the Association ex officio.

A candidate for President of the Federation may be nominated by any member of the Federation, provided that one Club may nominate only one candidate for President.

Candidates for the President of the Federation are obliged to submit their work program to the Federation at least 15 days before the session of the election Assembly of the Federation, which is published on the website of the Federation.

The President is responsible for his work to the Assembly.

In the event that the Assembly of the Federation does not adopt the annual report on the work of the Federation, it proceeds to voting of confidence (dismissal) of the President of the Federation.

The term of office of President shall expire before the expiration of the term for which he was elected by resignation or dismissal.

If the President of the Federation resigns, his duties are taken over by the Vice President of the Federation, while the President of the Assembly is obliged to convene an extraordinary election assembly, which will be held no later than 90 days from the day of resignation.

In case of termination of the term of office of the President of the Federation before the term for which he was elected, the term of office of all members of the Board of Directors and the Supervisory Board ends on the day of the first session of the Assembly.

#### Article 32

The President of the Federation performs the following tasks:

- 1) represents the Federation;
- 2) convenes sessions and manages the work of the Management Board;
- 3) takes care of the execution of programs, plans, decisions and conclusions of the Assembly;
- 4) takes care of the execution of decisions and conclusions of the bodies of the Federation;
- 5) takes care of the realization of the goals of the Federation, rights and obligations of the Federation and takes the necessary measures;
- 6) signs decisions and other acts issued by the Management Board;
- 7) submits to the Assembly an annual report on the work of the Federation, which includes its work and the work of the Board of Directors;
- 8) in cooperation with the Secretary General, prepares sessions of the Management Board;
- 9) determines the proposals of general acts and decisions made by the Management Board;
- 10) performs other tasks in accordance with the Statute and other general acts of the Federation.
- 11) is responsible for the legality of the work of the Federation

The Vice-President of the Federation replaces the President in all rights and obligations during his absence, unless otherwise provided by this Statute.

#### X MANAGEMENT BOARD

#### Article 33

The Management Board is the governing body of the Alliance. The Management Board has 7 members. The Management Board consists of:

- 1) President;
- 2) Vice President;
- 3) 5 members.

The Secretary General shall participate in the work of the Management Board without the right to vote.

The members of the Management Board are elected and dismissed by the Assembly of the Federation, at the proposal of the President, for a period of four years, so that the structure of the members of the Management Board corresponds to the membership structure of the Federation.

The same person may be re-elected to the Management Board of the Federation.

The mandate of a member of the Management Board ends: by death, resignation, dismissal and termination of membership in the Association of the Club whose competence he covered at the time of election.

The Management Board notes that the conditions for termination of membership in the Management Board have been met.

The President of the Federation assigns a specific task to each member of the Management Board.

If the term of office of more than four members of the Management Board ends prematurely, due to death, resignation or termination of membership in the Federation, they are obliged to convene, without delay, an extraordinary session of the Assembly.

The Assembly of the Federation may prematurely dismiss a member of the Management Board and elect another person in his place.

The mandate of the newly elected member of the Management Board is the same as the mandate of the previously elected members.

#### Article 34

##### Management Board:

- 1) manages the current affairs of the Federation;
- 2) proposes financial reports to the Assembly;
- 3) considers the submitted annual reports on the work of the Federation and its bodies;
- 4) adopts the financial plan;
- 5) adopts general acts of the Federation necessary for achieving the goals of the Federation, which are not in the explicit competence of the Assembly;
- 6) determines the proposal for changes to the Statute;
- 7) determines the proposal of the decision on status changes;
- 8) manages the property of the Federation;
- 9) determines the amount of the annual membership fee;
- 10) executes decisions and conclusions of the Assembly;
- 11) elects the Vice President of the Management Board, at the proposal of the President of the Federation;
- 12) Secretary General of the Federation at the proposal of the President of the Federation
- 13) provides funds for the work of the Federation;
- 14) prepares and determines proposals of general acts and decisions within the competence of the Assembly of the Federation;
- 15) determines the annual program of international sports cooperation and international competitions,
- 16) decides on the venue of international competitions in our country;
- 17) appoints the management of the triathlon national team of Montenegro;
- 18) determines the annual competition calendar;
- 19) appoints representatives of the Federation in other organizations;
- 20) determines the awards and recognitions of the Federation to organizations and individuals for merits and results in the development and promotion of sports and decides on the awarding of prizes and recognitions;
- 21) decides on the formation of branches (sections, branches), their place of business and the representative;
- 22) determines special care programs for promising athletes;
- 23) approves legal affairs in case of conflict of interest;
- 24) decides on initiating a dispute or withdrawing from it;
- 25) performs all other activities related to the achievement of the goals of the Federation which are on the basis of this Statute within its competence or which are not, on the basis of this Statute, in the explicit jurisdiction of other organs of the Federation.

The Management Board may form commissions and working bodies or appoint individual persons to perform certain tasks within its competence.

The decision on the formation of the commission or working body, ie the appointment of persons determines their scope of work, ie composition.

#### Article 35

The Management Board sits and decides in sessions convened by the President of the Federation, and in case of his impediment, the Vice President or, in case of his impediment, a member of the Management Board authorized by the President. Meetings of the Management Board are held as needed.

The Management Board may decide if more than half of the total number of members is present.

In the event that the Management Board does not have the quorum required for decision-making, the President or Vice-President shall, in urgent cases, convene a new session with the same agenda within three days at the latest.

The Management Board decides by a simple majority of votes of the members present, unless otherwise provided by this Statute.

In the event of an equal number of votes, the vote of the President shall decide.

The decision of the Management Board on the alienation of the immovable property of the Federation is valid only with the consent of the Assembly of the Federation.

The members of the Management Board are not bound by their obligations to their organizations nor can they receive instructions from them, and they are obliged to protect the interests of the Federation as a whole and represent the decisions of the Assembly and the Management Board.

The Management Board may, in accordance with the Rules of Procedure, on a written proposal of the President, decide by a written statement of the members outside the session, except for the adoption of general acts.

If a member of the Management Board does not respond to the proposal of the President's decision within the set deadline, it will be considered that he has given his consent.

### XI SUPERVISORY BOARD

#### Article 36

The Supervisory Board is the supervisory body of the Federation that controls the financial operations of the Federation and the annual accounts.

The Supervisory Board has three members.

The Supervisory Board elects the President of the Supervisory Board from among its members.

The Supervisory Board is obliged to submit to the Assembly a report on issues within its scope during the adoption of the work report.

The Supervisory Board may appoint an auditor with supervisory powers established in accordance with accounting and auditing regulations.

The Secretary General participates in the work of the Supervisory Board without the right to vote.

## Article 37

The Supervisory Board makes decisions by a majority vote of the total number of members of the Supervisory Board.

Members of the Supervisory Board may be re-elected only for one more mandate.

## XII DISCIPLINARY COMMISSION

### Article 38

The Disciplinary Commission of the Association is an independent body of the Federation that decides on violations determined by the Disciplinary Regulations and other general acts of the Federation, by persons within the competence of the Federation.

### Article 39

The Disciplinary Commission consists of a President and two members, who are elected and dismissed by the Management Board for a period of 4 years, mostly from the total number of members.

A person who is not a delegate in the Assembly or a member of the Management Board or the Supervisory Board may be elected a member of the Disciplinary Commission.

If a member of the Disciplinary Commission is elected to one of the aforementioned positions, the function of a member of the Disciplinary Commission shall terminate on the day of election.

### Article 40

The Disciplinary Commission decides exclusively on the basis of the Disciplinary Regulations and other general acts of the Federation.

The Disciplinary Commission makes its decisions by a majority vote of the total number of members.

The disciplinary decision is made in writing and must be reasoned.

An appeal against the decisions of the disciplinary commission is allowed to the Management Board within 15 days from the day of delivery of the decision.

In proceedings before the Disciplinary Commission, as a rule, the public is excluded.

The organization and work of the Disciplinary Commission is regulated in more detail by the Disciplinary Rules of the Federation.

The Disciplinary Commission initiates disciplinary proceedings on the basis of a disciplinary report that can be submitted by all persons within the competence of the Council and the bodies of the Federation.

When submitting a disciplinary report, a fee is paid in the amount determined by the decision of the Management Board of the Federation.

The fee is not paid when the disciplinary report is submitted by the body of the Federation.

### Article 41

A member of the Federation may be subject to disciplinary sanctions in accordance with the Law, the Statute and general acts of the Council, provided that he may not be sentenced for a

disciplinary offense for which he is not guilty and which, before it was committed, had not been determined by a general act of the Federation as a disciplinary offense and for which no penalty has been prescribed, unless otherwise provided by the Law.

A member of the Federation has the right in disciplinary proceedings to: conduct the proceedings without delay and with as few costs as possible; the independence, expertise and impartiality of the decision-making body; defense counsel at personal expense; statement and presentation of evidence; a written and reasoned decision and appeal.

#### Article 42

Persons under the jurisdiction of the Federation who intentionally or negligently act contrary to the Statute and other general Acts of the Federation, decisions of bodies or authorized persons of the Federation or damage the reputation of the Federation may be disciplined and punished with:

- 1) a warning;
- 2) public reprimand;
- 3) suspension;
- 4) a fine;
- 5) ban on performing duties;
- 6) exclusion.

Management Board of the Federation regulates in more detail disciplinary measures, disciplinary offenses and disciplinary proceedings, in accordance with this Statute.

#### Article 43

No direct and indirect member of the Federation may be disciplined or suffer other negative consequences for the exercise of their rights established by law, general acts of the Federation and general acts of a member of the Federation.

### XIII PROFESSIONAL BODIES

#### Article 44

Forms of organization and work in the Federation are councils, commissions, boards, sections, offices, specialized services, etc.

The scope, competencies, composition and manner of work of individual organizational units and forms of work in the Federation are regulated by appropriate general acts, adopted by the Management Board.

#### Article 45

For the performance of professional, administrative and auxiliary tasks, the Federation has a Professional Service.

The Management Board of the Federation may entrust the performance of certain tasks referred to in paragraph 1 of this Article to appropriate professional institutions and organizations, ie individuals.

The professional service of the Federation performs tasks related to the implementation of decisions, conclusions and other acts of the bodies of the Federation and the forms of organization

and work in the Federation; organizes activities and performs tasks from the activities of the Federation and performs other tasks ordered by the Assembly, the Board of Directors, the President or the Secretary General.

In performing its tasks, the Professional Service cooperates with the professional services of the members of the Federation.

The affairs of the Professional Service shall be managed by the Secretary General.

Persons engaged in the Professional Service, in accordance with the tasks they perform, are entitled to appropriate compensation, ie salary and other income if they are employed, in accordance with the decision of the Management Board.

#### XIV GENERAL ACTS

##### Article 46

The general acts of the Federation are the Statute, regulations and decisions which regulate certain issues in a general way.

The proposal to change the Statute must be submitted to the members of the Assembly at least 15 days before the Assembly.

Amendments to the proposal of the Statute, ie amendments to the Statute are submitted in writing to the Assembly no later than 3 days before the Assembly session.

The Statute, ie amendments to the Statute are adopted by a majority of the total number the delegate of the Assembly with the right to vote.

The Management Board of the Federation may, by a two-thirds majority of the total number of its members, decide to decide on the adoption of a general act by direct vote (referendum) of members of the Federation.

In direct voting on behalf of a member of the Federation, the representative of a member of the Federation has the right to vote or a person with a special power of attorney, certified by the seal of a member of the Federation and signed by representative member of the Federation.

The decision on direct voting is made if the proposal for the decision is positively voted for majority of the total number of members of the Federation.

The manner of passing the Statute, ie amendments to the Statute is regulated in more detail with the Rules of Procedure of the Assembly.

General acts adopted by the Management Board of the Federation are adopted by a majority of the total number members of the Management Board.

Each member and each body of the Federation can give the initiative for adoption, ie changes and amendments to a specific general act of the Federation.

##### Article 47

The Statute and other general acts of the Federation, as well as the sports rules from the Law, are directly applied to all persons who are, directly or indirectly, covered by the competences of the Federation.

The Statute and other general acts of a member of the Federation must be in accordance with the Law and the Statute and general acts of the Federation, otherwise they are invalid.

In case of discrepancy between the provisions of the Statute and other general act of the member of the Federation with by the provision of the Statute and the general act of the Federation, the provision of the Statute, ie general act of the Federation.

## Article 48

Decisions as individual acts made by bodies and authorized persons in the Federation must be in accordance with the general act of the Federation and the Law, otherwise they are null and void.

Decisions as individual acts made by the bodies of the members of the Federation must be in accordance with the law, general acts of the Federation and general acts of a member of the Federation, otherwise they are null and void.

Decisions as individual acts made by the bodies of the Federation and the members of the Federation must be provided with the right to appeal, unless the Montenegrin Olympic Committee Arbitration is competent to resolve the dispute.

Persons under the jurisdiction of the Federation, in accordance with the Law, are obliged to file an appeal, ie revision of the disputed decision of the MOC Arbitration before initiating a court dispute for determining the nullity of the decision referred to in paragraphs 1 and 2 of this Article.

## XV SPORTS RULES

### Article 49

The Federation determines the rules in the field of triathlon and in accordance with the rules of competition established by the World Triathlon.

The sports rules referred to in paragraph 1 of this Article shall regulate:

- 1) system, propositions, rules and calendar of competitions, including the appointment of officials;
- 2) rules for organizing sports competitions;
- 3) conditions and criteria for participation in sports competitions and the procedure for determining their fulfillment;
- 4) conditions and criteria for participation in national sports competitions and procedure determining their fulfillment;
- 5) manner and procedure for registration of the contract between the athlete and the sports organization;
- 6) conditions for organizing and participating in sports organizations in competitions for the area of more states or regions of different countries;
- 7) conditions and manner of registration-licensing of athletes and sports coaches for sports organization, including registration of foreign athletes;
- 8) measures to prevent negative phenomena in sports, doping, violence, misconduct, falsification of sports results, racism and chauvinism);
- 9) medical protection of athletes;
- 10) disciplinary proceedings and disciplinary sanctions;
- 11) status of athletes and transfers of athletes in domestic and foreign sports organizations, including transfer of sports organizations;
- 12) conditions for mediation in the transfer of athletes from one sports to another organization;
- 13) status of judges, judging at competitions and status of other officials at competitions;
- 14) performing professional work in sports organizations;
- 15) conditions for organizing the preparation of athletes and educational camps for athletes and sports experts;
- 16) other issues determined by law.

## XVI COMPETITION ORGANIZATION

### Article 50

The Federation determines the rules and conditions for organizing and participating in triathlon competitions and sports disciplines under the jurisdiction of World Triathlon in Montenegro.

The Management Board of the Federation in accordance with the Rules of Competition of the International Triathlon Union establishes a licensing system (clubs, athletes, coaches, judges, doctors, managers, etc.) as a condition for participation in competitions organized by the Federation or according to its patronage.

The organizer of the competition is obliged to ensure its uninterrupted and safe maintenance and take the measures prescribed by the Law and the rules of the Federation.

Clubs and athletes can participate in competitions organized by the Federation or under his auspices, if they meet the conditions provided by the Law and the rules of the Federation.

### Article 51

In order to participate in official international competitions representative selections are established for all age categories in men's and women's competition in accordance with the established policy of the Federation.

A special record is kept about the competitions of the members of the Montenegrin national team.

The marks and symbols of the Montenegrin national team are determined by the Management Board.

The rights and obligations of the members of the Montenegrin national team are determined by the Administrative Decision board.

Only an athlete who is a citizen of Montenegro can be a member of the Montenegrin national team.

## XVII HEALTH CARE AND ANTI-DOPING RULES

### Article 52

The Athlete must not take illicit drugs (hereinafter: doping) nor may he apply a procedure that is prohibited under the rules of the World Anti - Doping Agency (in hereinafter: WADA).

A coach, an authorized doctor and other persons in sports are not allowed to give doping agents to athletes or ask the athlete or encourage him to take doping agents or apply procedures that are contrary to WADA rules.

To athletes and persons referred to in paragraph 2 of this Article who acted contrary to WADA rules, the provisions of the International Convention against Doping in Sport shall apply.

Athletes and other participants in performing sports activities and activities are required to permit, ie enable the performance of doping control.

An athlete who opposes doping control or avoids or disables it, he is considered as if he had been tested positive for doping.

An athlete who has been sanctioned for doping may not, for the duration of the sanction, in sports organizations perform any function or activity related to working with athletes (coach, instructor, etc.).

If the athletes are sanctioned for doping in different duration by the party competent international and national sports federation, the athlete may participate in international competitions after the sanction imposed by the international expired sports federation.

An athlete who is found to be doped again is disqualified from sports competitions for life time.

## XVIII ASSETS

### Article 53

The Federation obtains the funds to achieve its goals from:

- 1) registration fees;
- 2) membership fees;
- 3) income from own activities;
- 4) sponsorships;
- 5) donation;
- 6) public revenues;
- 7) other sources, in accordance with the Law.

The facilities and assets at its disposal and acquired by the Federation represent its property. The Federation is liable for its obligations with all its assets.

The President of the Federation and the Secretary General are the financial principals to dispose available funds of the Federation.

Decisions on the amount of individual funds referred to in paragraph 1 of this Article shall be made by the Management Board of the Federation.

The Federation has a domestic and foreign currency account and operates independently through its own accounts.

The profit realized by the Federation during the business year is used exclusively for realizing statutory goals of the Federation in the coming year.

### Article 54

The Federation manages and uses the facilities and resources at its disposal or given to it for use.

The Federation can change the purpose of the sports facility which it has only exceptionally and under the conditions determined by the Law on Sports.

The Federation may make the facilities and means at its disposal, ie use, available for use to the Clubs, under the conditions determined by the decision of the Management Board.

### Article 55

The members of the bodies of the Federation are jointly and severally liable for the damage to the Federation which was caused by their voting, if that decision was made by gross negligence or with intention to cause the damage.

The members who were against the adoption of the harmful article shall not be liable for the damage referred to in paragraph 1 of this Article.

The procedure for compensation of damages is initiated on the basis of the decision of the Assembly, the Management Board or at least 2 members of the Federation.

The provisions of paragraphs 1 and 2 of this Article shall accordingly apply to the decisions of the General secretary.

#### Article 56

All disputes between the Federation and the members of the Federation as well as mutual disputes between persons in jurisdiction of this Federation are resolved in accordance with the Law on Sports and this Statute.

For the arbitral settlement of disputes referred to in paragraph 1 of this Article competent is the Arbitration of Montenegrin Olympic Committee in accordance with the Law on Sports and the Statute of Montenegrin Olympic Committee.

The members of the Federation and other persons within the competence of the Federation are obliged to provide assistance to the Arbitration work, not to interfere with and influence the Arbitration procedure and its outcome, that at request of the Arbitration submit the information and documents they have at their disposal, to respond to the invitation of the Arbitration for participation in procedure; to respect and enforce the decisions of the Arbitration; and must not belittle in public Arbitration or its decisions.

Violation of the obligation from the previous paragraph is a serious disciplinary violation.

A member of the Federation who fails to execute the final decision of the Arbitration shall be suspended from membership in Federation on the day of expiration of the deadline for fulfillment of the decision, until the execution of the decision.

A member of the Federation is permanently terminated from membership in the Federation on the day of the expiration of the double term for compliance with the decision of the Arbitration.

All contracts concluded between persons who are within the competence of the Federation, ie which regulate issues covered by the competence of the Alliance must contain an arbitration clause determining the jurisdiction of the Arbitration in accordance with the Statute of the Federation, for settlement all disputes arising out of the contract to which the arbitration clause applies.

All persons within the competence of the Federation are obliged to refrain from initiating and conducting court proceedings in matters within the jurisdiction of the Arbitration.

The decision of the Arbitration is final and binding for all participants in the dispute.

For resolving disputes in the Federation and disputes with international organizations members of the Federation may not apply to regular courts or other bodies outside the Federation, except in cases provided by the Law on Sports and this Statute.

The Federation can only apply for resolving cases with an international element to the Sports Arbitration Court in Lausanne.

#### Article 57

The Federation terminates its work by a decision of the Assembly of the Federation, voted by a two-thirds majority of the delegates of the Assembly with the right to vote or ex officio as prescribed by law, if:

- 1) The Federation ceases to meet the prescribed conditions for performing sports activities for longer than three months;
- 2) ceases to meet the requirements regarding the profession of the members who founded it;

- 3) does not meet the goals established for more than six months;
- 4) does not perform sports activities for more than one year continuously;
- 5) a measure of prohibition to perform activities has been imposed on him because it does not meet the conditions for performing activities, ie performing activities contrary to the Law, and within a specified period in the pronounced measure does not meet the conditions, ie does not eliminate the irregularities;
- 6) it is determined that the mandate of the Assembly has expired, and that longer than 60 days from the day of expiration of the mandate no new Assembly was elected; and
- 7) in other cases provided by this Law.

The President of the Federation informs about the decision to terminate the work the competent authorities, Ministry, for deletion from the Register.

In case of termination of the work of the Federation, the property of the Federation is transferred to the organization that realizes the same or similar goals as the Federation, and if there is no such organization to the Montenegrin Olympic committee.

The decision to delete the Federation from the Register is made by the competent Ministry.

#### Article 58

The founders of the Federation are obliged to harmonize their organization, work and general acts with this Statute no later than six months.

Clubs members of the Federation are obliged to, after harmonizing their statutes with this Statute submit to the Federation a copy of their statutes within 15 days of its adoption.

The Clubs are deemed to have accepted the jurisdiction of the Arbitral Court in accordance with this by the Statute, on the day the Statute enters into force.

#### Article 59

Consent to this Statute is given by the competent state body in accordance with Article 52 of the Law on sports.

Upon obtaining the consent, the Statute enters into force.

President of Assembly of Triathlon Federation of Montenegro

Dragan Jovanovic