

THE CONSTITUTION OF THE GHANA TRIATHLON FEDERATION



IN FORCE AS AT 2015

THE FINAL APPROVED CONSTITUTION OF THE GHANA TRIATHLON FEDERATION

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1. NAME OF THE FEDERATION

The name of the Federation is the GHANA TRIATHLON FEDERATION (hereafter referred to as the “TRIATHLON GHANA”), and the Federation shall be the governing body for triathlon in the Republic of Ghana and shall be deemed to be set up in perpetuity.

2. OBJECTIVES

The objectives of the Federation shall be the following:

- I. to act as the national governing body for the promotion, development and management of triathlon in the Republic of Ghana;
- II. To affiliate with the World Triathlon (TRI) and Africa Triathlon and to be a Member Federation representing Ghana on the such IF boards
- III. To maintain good relations with and provide appropriate information to athletes and other members of the Federation, government agencies on sports, businesses and any other organizations which have interest in Triathlon or may be of assistance to the Federation in compliance with the spirit of Constitution.
- IV. To obtain and manage the financial, human and technical resources required for the proper functioning of the Federation.
- V. To sanction, organize, promote and coordinate national and international Triathlon competitions, including organizing Annual National Triathlon Championships and such other competitions in Triathlon whenever possible.
- VI. To work in partnership with the Government of Ghana in achieving Governmental policies on sports.
- VII. To represent the interests of coaches and athletes in all matters relating to the sport of Triathlon:
- VIII. To create and enforce mechanism whereby all disputes within Triathlon in Ghana are resolved in accordance with the procedures established in this Constitution.

3. MEMBERSHIP

- 3.1.0 The Federation shall be comprised of the following:
 - 3.1.1 Regional Triathlon Associations;
 - 3.1.2 The Ghana Education Service;
 - 3.1.3 The Security Services Sports Association (SESSA);
 - 3.1.4 The Ghana Universities Sports Association (GUSA);
 - 3.1.5 The association of National Technical Officials (NTO)

- 3.1.6 A national coaches association in Ghana which is recognized by the Federation;
- 3.1.7 An Athletes Association which is recognized by the Federation;
- 3.1.8 Any corporate body or unincorporated association of persons that the Congress shall admit as a member of the federation.
- 3.1.9 Any corporate body or unincorporated association of persons which proves an intent and desire to promote and develop the sport of triathlon in the Republic of Ghana may apply in writing to the federation to be granted the status of a member of the federation.
- 3.1.10 An application to the federation to be granted membership shall be made through the administrator who, upon receipt of the application, shall send notice of same to all Members and include that application in the agenda for the next Congress of the federation.
- 3.1.11 Congress may or may not approve of the application for membership made in accordance with this Article, and the approval of Congress shall be realized upon a simple majority vote by all members attending.

4 MEMBERSHIP ELIGIBILITY

- 4.1 All member of the federation shall be persons with sound mind and above 18 years of age
- 4.2 All executive board members must be Ghanaian by birth.
- 4.3 Members with dual citizenship can become an executive board member but cannot be President.
- 4.4 Congress can co-opt any person Ghanaian or non-Ghanaian onto the executive board.

5. REGIONAL ASSOCIATIONS

- 5.1 There shall be in each region of the Republic of Ghana a regional branch of the federation which shall be known and called the Regional triathlon Association;
- 5.2 A Regional Triathlon Association shall be comprised of the following:
 - 5.2.1 The Representative from the regional coordinating council;
 - 5.2.2 Coaches' and athletes' representatives
 - 5.2.3 Representative from academic institutions from the region

- 5.2.4 The members of each Regional Association shall from among themselves elect a chairman, vice chairman, and secretary who shall hold office for not more than four (4) years per term.
- 5.2.5 The Regional Association shall perform all such duties that may be assigned to it by the Executive Committee and shall for all purposes be the regional representative of the triathlon Ghana.

6. CONGRESS

- 6.1 The Congress of the Federation shall be its general assembly and shall be the highest authority and decision making body of the Federation.
- 6.2 Except for the inaugural event, Congress shall be convened annually at the time and venue which is to be determined by the executive committee.

7 POWERS OF CONGRESS

- 7.1 Congress shall oversee and supervise all the activities of the Executive Committee in accordance with the objectives laid down in this Constitution.
- 7.2 Congress shall have the sole power to:
 - 7.2.1 Amend this Constitution
 - 7.2.2 Elect the Executive Committee members of the federation save all the Representatives of the various institutions and organizations;
 - 7.2.3 Introduce new competitions to be directly organized by the federation;
 - 7.2.4 Make or adopt Rules for the sport of Triathlon in accordance with such rules prevailing under the auspices of the TRI and African Triathlon
 - 7.2.5 Suspend or take other sanctions against a Member;
 - 7.2.6 Approve the annual budget presented by the Executive Committee;
 - 7.2.7 Appoint the federation financial auditors.
 - 7.2.8 Congress may, if necessary, form such congressional committees for such purposes as may be determined when such need arises. Such committees shall not include as members any member of the Executive Committee.

8 PARTICIPATION AT CONGRESS

- 8.1 Each Member association or institution of the federation shall be represented by one delegate at all meetings of the Congress and shall (save as provided in Article 3.1.8) be entitled to one vote. Delegates shall be affiliated to the association or institution which they represent.

Members must certify the names of their delegates in writing to the administrator prior to the commencement of the Congress meeting.

9 CONGRESS MEETING AND AGENDA

- 9.1 No later than 21 days before the Congress (unless a shorter notice period is consented to by members in writing), the administrator shall give notice of the agenda for the Congress to all Members. In years in which elections are to be held, a list of the persons who have been nominated for the election(s) shall be attached to the Congress agenda.
- 9.2 Congress shall consider only the items on the agenda, provided always that should a Member wish for an important issue to be added to the agenda such member shall request same, which request should be carried by a simple majority of members attending and voting.
- 9.3 A quorum shall be formed for the business of Congress if two-thirds of the Members of the federation are present.
- 9.4 No business of Congress shall be carried out in the absence of a quorum and no decision shall be taken on any resolution in such a situation.
- 9.5 Where it is apparent that there is no real possibility of forming a quorum, the Chairman of the Congress may adjourn the Congress to another date to be agreed on by the delegates of the Congress.
- 9.6 And at such adjourned congress meeting, a quorum will not be needed to start the business of congress meeting.

10 PROCEEDINGS AT CONGRESS MEETINGS

- 10.1 Not less than 14 days to the annual Congress, the administrator shall send prior notice of the meeting in writing setting out the resolutions to be proposed at the meeting to every Member at their designated addresses whether electronic or otherwise.
- 10.2 At every annual Congress the President shall preside.
- 10.3 Resolutions at annual Congress meetings shall be passed by a simple majority of votes by Members present at the meeting.
- 10.4 Resolutions at extraordinary Congress shall be passed by three quarters of the votes by all delegates.
- 10.5 Each Member (save as provided in Article 3.1.8) shall have one vote on every resolution.

10.6 In the event of tie in voting at an annual general meeting, the Chairman of the Congress shall have a casting vote.

11. EXECUTIVE COMMITTEE

11.1 The Executive Committee shall be responsible for the day to day administration of the federation and shall report and be accountable only to Congress.

The Executive Committee shall comprise the following officers:

- 11.2 The Executive President
- 11.3 The Chief executive officer, who shall be appointed by the President.
- 11.4 The Chief Administrative officer
- 11.5 The Technical Director/ head coach. The Director of Finance/treasurer
- 11.6 The Athletes Representative
- 11.7 The representative of technical officials
- 11.8 Co-opted Members who may be unanimously appointed by the rest of the Executive Committee members for specific periods (not exceeding 2 years) and for specific functions to be determined by the Executive Committee.
- 11.9. The Coaches Representative who shall be elected by the recognized Athletics Coaches Association.

12 THE EXECUTIVE PRESIDENT

- 12.1 The Executive President shall:
- 12.2 Convene all meetings including Congress meetings and all emergency meetings of the Executive Committee and shall preside over all such meetings;
- 12.3 Cause to be prepared an agenda for the notification of all Executive members at least two (2) weeks prior to the date of meetings;
- 12.4 Have a casting vote in all cases of a tie of votes;
- 12.5 Examine the account books of the Association from time to time and may assign that duty to an expert;
- 12.6 Be an ex-officio member of all committees of the Association
- 12.7 Be the principal negotiator in all matters concerning the Association.

12.8 have supervisory roll over all the other executive members

12.9 Has the power to appoint the C E O.

12.10 Represent the federation at all IF meetings and congresses.

12.11 shall have the powers to make decisions in urgent matters relating to all Rules and also to make decisions regarding the interpretation of the Rules. Members shall be notified immediately any such decisions and this shall be reported at to the next Congress meeting.

13 THE CHIEF EXECUTIVE OFFICER (CEO)

The CEO shall assist the Executive President in the discharge of his duties and act in his absence or on his behalf.

14 THE CHIEF ADMINISTRATIVE OFFICER

14.1 The chief administrative officer shall:

14.2 Be responsible for the administrative affairs of the federation and shall in furtherance of that responsibility carry out the instructions of the Executive Committee;

14.3 Prepare an annual report of the Association for deliberations at the annual Congress meeting;

14.4 Be responsible for the proper recording of the proceedings of all meetings of Congress and the Executive Committee.

15 THE TECHNICAL DIRECTOR

15.1 The Technical Director shall:

15.2 Be responsible for coordinating all activities relating to events organization by the federation;

15.3 Perform such other duties as may be specifically assigned to him by the Executive President or by the Executive Committee in line with achieving the federation objectives.

15.4 to coordinate the activities of all coaches and chair the technical subcommittee of the federation

16 THE DIRECTOR OF FINANCE

7.6 The Director of Finance shall:

7.6.1 Be responsible for all the financial business of the federation and shall keep all account books up to date;

- 7.6.2 Receive all grants and other monies due the Federation EXCEPT MONIES FROM GOVERNMENT and promptly pay same into the Federation's account;
- 7.6.3 Prepare an annual financial statement for the approval of the Executive Committee for onward submission to Congress for approval and adoption;
- 7.6.4 At the end of each financial year and at the end of his tenure of office surrender all account books for auditing by a qualified auditor appointed by Congress.

TERM OF OFFICE, RESPONSIBILITIES, POWERS AND ELECTION OF EXECUTIVE COMMITTEE MEMBERS

- 7.7 Executive Committee Members shall be elected for a period of four (4) consecutive years and eligible to be voted for as long as he so wishes and if during the term of office, a vacancy arises in the Executive Committee for a Congress elected position, a substitute shall be elected at the next Congress for the residual period.
- 7.8 The Executive Committee shall be responsible for all business and administrative duties relating to the federation and shall implement the directives of the Congress.
- 7.10 The Executive Committee in the performance of its duties shall be at liberty to form any necessary committees and appoint willing members of the federation to such committees.
- 7.11 Committees appointed by the Executive Committee may have a tenure less than or equal to the tenure of the appointing Executive Committee; provided always that the term of any such committee shall not extend beyond the valid tenure of office of the appointing Executive Committee.
- 7.12 Each Member may nominate from among himself a person for any office in the Executive Committee, provided always that no Member may nominate persons from within himself for more than one office in the Executive Committee at any election.
- 7.13 Notice of the request for nominations shall be issued by the administrator together with the notice of the annual Congress in which elections are to be held and served on all Members.
- 7.14 Nominations are to be sent to the office of the chief administrator not later than 15 working days before the Congress.
- 7.15 With the exception of the chief administrator, Co-opted members and the Coaches Representative, all members of the Executive Committee shall be elected by a simple majority of votes cast at congress.

7.16 It can decision on matters that is not address by this constitution and have to report such decision to congress at the next congress meeting for rectification.

8. FINANCE

8.1 The funds of the federation shall be grants from the corporate sponsorships, donations, government grant and grants.

8.2 At every annual congress the Executive Committee shall present a budget for the following year. Congress shall debate the budget and approve same by resolution.

8.3 The financial year of the federation shall end on 31 December in every year, to which day accounts shall be balanced and drawn.

8.4 Copies of the audited statement of accounts shall be sent to every Member with the notice convening the annual Congress.

8.5 The Auditor shall be a duly qualified accountant or firm of accountants and shall not be a member of the federation. Such Auditor shall be appointed at each annual Congress and shall hold office until the end of the next following annual Congress.

8.6 All monies received by the federation shall be paid into an account in the name of the federation with exception of funds from the National Sports Authority (Government)

8.7 All cheques and other financial instruments drawn on and directions to bankers shall, whenever possible, be signed by the Executive President, chief administer and a nominee of the Congress; provided that in the event all the three signatories cannot be immediately located, the signature of any two of the signatories shall suffice.

12. ANTI-DOPING RULES

12.1 The World Triathlon(TRI) Anti-Doping Rules and Regulations are expressly incorporated into this Constitution.

12.2 All athletes, athletes support personnel and other persons under the jurisdiction of the federation are bound by the World Triathlon (TRI) Anti-Doping Rules and Regulations and the federation's Anti-Doping Rules.

12.3 In order to be eligible to compete or participate in, or otherwise be accredited at, an international competition, athletes, athlete support personnel and other persons under the jurisdiction of the federation must, when requested to do so,

sign an agreement to the TRI Anti-Doping Rules and Regulations, in a form decided by the World Triathlon Council.

TESTING

- 12.4 Every athlete under the TRI Anti-Doping Rules and Regulations and the Association's Rules is subject to in-competition testing at the competitions at which he or she competes and to out-of-competition testing at any time or place. Athletes shall submit to doping control whenever requested to do so by a person with authority to conduct testing.
- 12.5 The federation (and by extension the African Triathlon) has the authority to conduct in and out-of-competition doping controls, and submit a report to the TRI of such testing on an annual basis.
- 12.6 The federation gives the TRI authority to conduct doping controls at the Annual National Triathlon Championships.
- 12.7 The federation gives TRI authority to conduct unannounced out-of-competition testing on Ghanaian athletes.
- 12.8 As a condition of participation in competitions which are sanctioned or organized by the federation, all athletes agree to be subject to any in-competition and out-of-competition testing carried out by the federation, the TRI and any other body with competent authority to test under the World Triathlon Anti-Doping Rules.
- 12.9 To the extent of any inconsistency between the World Triathlon Anti-Doping Rules and Regulations and the federations Anti-Doping Rules, the TRI Anti-Doping Rules and Regulations shall prevail.

13. DISPUTE RESOLUTION AND APPEALS

Disputes Involving Athletes, Athlete Support Personnel and Other Persons

- 13.1. All disputes involving athletes, athlete support personnel or other persons under the federation's jurisdiction, howsoever arising, whether doping or non-doping related, shall be submitted to a hearing before the Executive Committee. Such a hearing shall respect the following principles:
 - I. a timely, fair and impartial hearing.
 - II. The right of the individual to be informed of the charge against him or her.
 - III. The right of the individual to present evidence, including the right to call and question witnesses.

- IV. The right of the individual to be represented by legal counsel and an interpreter (at the individual's expense).
- V. a timely and reasoned decision in writing.
- 13.2. Where disputes arise in a non-disciplinary context, the relevant hearing body shall be constituted as an arbitration panel.
- 13.3. In the event of a violation of the TRI Anti-Doping Rules or the federation's Anti-Doping Rules, the Executive Committee shall be bound to apply the TRI Anti-Doping Rules (including the provisions relating to sanctions) in the adjudication of the dispute.

DISPUTES BETWEEN THE FEDERATION AND THE WORLD TRIATHLON (TRI)

- 13.4. Unless otherwise stated in any specific World Triathlon Rule or World Triathlon Regulation, all disputes arising between the federation and the TRI shall be referred to the World Triathlon Council in accordance with World Triathlon Rules.

DISPUTES BETWEEN THE FEDERATION AND OTHER WORLD TRIATHLON MEMBER(S)

- 13.5. Unless otherwise stated in any specific TRI Rule or World Triathlon Regulation, all disputes between the federation and another World Triathlon Member shall be referred to the TRI Council in accordance with TRI Rules.

DISPUTES BETWEEN MEMBERS OF THE FEDERATION

- 13.6. Any dispute that may arise between any members of this federation relating to the business of this federation shall first be remitted to a committee of the Executive Committee for amicable resolution through mediation.
- 13.7. Should such mediation fail, the dispute shall be placed before Congress at its annual meeting for debate and a resolution shall be deemed made by a simple majority vote.

14. AMENDMENT

- 14.1 No part of this Constitution shall be amended except by the Congress.
- 14.2 A request for an amendment shall be made in the same manner as a requisition for an Extraordinary Congress Meeting as stated in Article 5 above.

15. TRANSITIONAL PROVISIONS

- 15.1 For the purposes of the adoption of this Constitution, any Congress held under the regime prevailing before this Constitution shall be deemed valid for such purposes.
- 15.2 Rules on the conduct of meetings of anybody or committee within the federation existing before this Constitution shall be deemed, for the purpose of the Congress to adopt this Constitution, to be valid rules.

16. INTERNATIONAL RELATIONSHIPS

- 16.1 The federation is affiliated to the TRI and ATU. The federation recognizes, accepts, applies, observes and abides by the current Constitution, Rules and Regulations of the TRI and the ATU, as well as any future amendments. This applies especially to the Anti-Doping Rules, the handling of disputes, and relations with Athletes’ Representatives.
- 16.2 Any citizen of Ghana elected to the World Triathlon Council is *de jure* a member of the Council and/or Executive Body of the federation with full voting rights

17. INTERPRETATION

- 17.1 This Constitution shall be interpreted in the letter and spirit of the TRI Constitution and Rules and, where there appears to be a lacuna or conflict of laws, the TRI Constitution and World TRI Triathlon Rules shall prevail.

SIGNED BY

**BAWAH FUSEINI
PRESIDENT**