

BYE-LAWS OF FIBA EUROPE



FIBA
EUROPE

We Are Basketball

As approved by the General Assembly 2011 in Sintra, Portugal.

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CHAPTER ONE: DEFINITIONS, COMPOSITION, RESPONSIBILITIES

Article 1

FIBA Europe is a Zone created under Article 17 of the General Statutes of the International Basketball Federation (FIBA).

FIBA Europe has acquired legal status and is organised in accordance with the laws governing the country in which its Headquarters are located.

FIBA Europe is organised as a registered Association. The name of the Association is "FIBA Europe e.V.". Its seat shall be in Munich, Germany.

Article 2

FIBA Europe consists of those national member federations of FIBA (Fédération Internationale de Basketball) assigned to it by FIBA. The national federations which are members of FIBA Europe are listed in Annex 1, as attached to these Bye-Laws.

Article 3

FIBA Europe is designated as the sole competent authority authorised and delegated by FIBA for promoting, supervising, and directing all men's and women's basketball activities within the Zone.

FIBA Europe has the purpose to promote, supervise and direct basketball in Europe. FIBA Europe fulfils this purpose in particular:

- a) To promote the practice of basketball in the territory under its jurisdiction for example by educating and training referees and coaches, support of teams at youth competitions, support for basketball for disabled people or by raising funds according to § 58 para. 1 AO, etc. and to control the organisation of international competitions in Europe, both for national teams and club teams, in a permanent, regular manner and in strict compliance with the FIBA Official Basketball Rules.
- b) To abide by the FIBA General Statutes and Internal Regulations
- c) To abide by and enforce these Bye-Laws and all other Regulations of FIBA Europe;
- d) To impose sanctions upon the members and entities under its jurisdiction which are within its mandate and regulations;
- e) To archive and make public the results of all international competitions taking place in its territory and to present activity reports to the General Assembly;
- f) To present to the Central Board of FIBA any information deemed to be useful in the interests of world basketball;
- g) To designate members to the Central Board of FIBA, in accordance with Articles 17.9.i of the Statutes of FIBA.

FIBA Europe shall pursue the above purposes solely and directly in a non-for-profit manner within the meaning of the 3rd section of the Tax Code (Abgabenordnung) ("Steuerbegünstigte Zwecke" (tax privileged purposes), §§ 51 et seq. Tax Code).

The Association shall not act for its own gains and shall not primarily pursue economic goals of its own.

The resources of the Association may only be used for the purposes which are in accordance with these Bye-Laws. The members shall not receive any remuneration out of the resources of the Association.

No person shall be preferred through expenditure which is foreign to the purposes of the Association or by disproportionately high remuneration.

Article 4

National federations shall benefit from the rights granted to them by these Bye-Laws and Regulations and decisions made under them.

Registration for FIBA Europe competitions shall be open to national teams and club teams affiliated to national federations, according to the structure of competitions as defined by the Board of FIBA Europe in accordance with Article 15 of these Bye-Laws.

National federations shall:

- a) Observe the principles of loyalty, integrity and sportsmanship and ensure that these principle be observed by their clubs, players and officials.
- b) Abide by and enforce the Official Basketball Rules, the provisions contained in the General Statutes and Internal Regulations of FIBA and decisions made in conformity therewith,,
- c) Abide by and enforce the Bye-Laws, Regulations, Rules and policies of FIBA Europe, and decisions made in conformity therewith, provided that they are not in conflict with those of FIBA;
- d) Be held liable for all financial commitments of their clubs towards FIBA Europe.

A national federation may be sanctioned if it violates, contravenes or otherwise fails to comply with these provisions.

Leagues or any other groups of clubs at national federation level shall be permitted to operate only with the national federation's expressed consent and shall be subordinate to it. The national federation shall define the powers delegated to any such group, as well as its rights and obligations. International Leagues or any other group of clubs at European level shall be permitted to operate only with the expressed consent of FIBA Europe. FIBA Europe shall define the powers delegated to any such group, as well as its rights and obligations. The regulations of any such group shall be subject to the approval of FIBA Europe.

CHAPTER TWO: DIVISIONS OF FIBA EUROPE

Article 5

The divisions of FIBA Europe shall be:

- a) The General Assembly
- b) The Board of FIBA Europe
- c) The Executive Committee of FIBA Europe
- d) The Secretary General
- e) The Permanent Commissions:
 - Appeals' Commission
 - Competitions' Commission
 - Finance Commission
 - Legal Commission
 - Small Countries Commission
 - Technical Commission
 - Women's Commission
 - Youth Commission
- f) The bodies officially recognised by FIBA Europe

The Board of FIBA Europe may appoint other divisions. Such divisions shall be of a temporary nature until, upon a decision by the Board of FIBA Europe, they acquire permanent status, or, having completed their task, they cease to exist.

CHAPTER THREE: THE GENERAL ASSEMBLY

Article 6

The General Assembly of FIBA Europe shall hold sovereign powers within the limits of its responsibilities in accordance with the provisions of these Bye-Laws. It shall consist of:

- a) One (1) delegate per affiliated national federation, with the right to vote;
- b) The President, with no right to vote (except Art. 9);
- c) The 3 ((three) Vice-Presidents, with no right to vote (except Art. 9);
- d) The Treasurer, with no right to vote;
- e) The members of the Board of FIBA Europe, with no right to vote, unless they officially represent an affiliated federation;
- f) The Secretary General, with no right to vote;
- g) Presidents of the Permanent Commissions , with no right to vote, unless they officially represent an affiliated federation;
- h) A representative from each of the officially recognised bodies with no right to vote;
- i) Persons invited by the President of FIBA Europe and/or the Secretary General with no right to vote.

Article 7

The General Assembly shall have the powers assigned to it in these Bye-Laws. In particular, it shall have the power to:

- a) Adopt and modify these Bye-Laws (See Article 39)
- b) Examine and approve all reports and decide upon other items placed on the agenda;
- c) Elect the President of FIBA Europe;
- d) Elect the Treasurer of FIBA Europe;
- e) Elect the other members of the Board of FIBA Europe as provided for in Article 31 of these Bye-Laws;
- f) Examine proposals submitted by members of FIBA Europe (Article 10);
- g) Grant the title of Honorary President or Honorary Member of FIBA Europe;
- h) Declare the dissolution of FIBA Europe (Article 34).

Article 8

The General Assembly shall hold ordinary sessions once a year, in principle, during the month of May. It shall fix the place of its ordinary sessions at the very latest during the prior session. The member federations shall be informed of the agenda at least 14 days before the date of the session of the General Assembly.

At the written request of at least 15 member national federations or at the proposal of the Board of FIBA Europe, an extraordinary session of the General Assembly shall be convened to take place no earlier than 45 days and no later than 60 days after the request. In such cases, the President and the Secretary General shall decide the location of such extraordinary session.

The conditions for the organisation of sessions of the General Assembly and the financial conditions applicable to organisers and participants are laid down in the regulations in Annex 3 of these Bye-Laws.

Article 9

The President of FIBA Europe shall chair the General Assembly.

During the General Assembly, he shall not vote except in the event of a tie, when he will have the casting vote. This does not apply to elections, where the President shall have no vote.

With the exception of the Appeals Commission when it is considering an appeal, he shall be an ex-officio member of all Commissions of FIBA Europe, with consultative powers only.

The President shall be elected for a term of four (4) years and may be re-elected for one (1) further term.

In the absence of the President, the Vice-President having the most seniority in the Board of FIBA Europe shall replace him and chair the General Assembly with all the powers and responsibilities of the President.

The President shall not hold any elected or appointed position within a national federation nor shall he be in the employment of FIBA Europe.

Article 10

Only matters proposed by the President of FIBA Europe, the Secretary General, the Board of FIBA Europe or member national federations may be included in the agenda of the session of the General Assembly.

Proposals must be submitted to the Secretary General (through the Offices of FIBA Europe) at least 45 days before the session of the General Assembly.

Proposals for amendments to the Bye-Laws from the national federations must be submitted to the Secretary General (through the Offices of FIBA Europe) at least six (6) month prior to the Session of the General Assembly. The Secretary General shall present such proposals to the Board of FIBA Europe at its next meeting.

All proposals shall be sent to the national federations together with the agenda.

Article 11

Decisions of the General Assembly shall be taken in accordance with the provisions in Article 36 of these Bye-Laws. They are final and may not be subject to appeal.

Unless decided otherwise, decisions of the General Assembly shall come into force the day after the closure of the session of the General Assembly.

CHAPTER FOUR: THE BOARD AND THE EXECUTIVE COMMITTEE OF FIBA EUROPE

Article 12

The Board of FIBA Europe shall have the powers delegated to it under these Bye-Laws.

The term of office of the members of the Board of FIBA Europe shall be four years.

The President of FIBA Europe, and in his absence the Vice-President having the most seniority in the Board of FIBA Europe, shall chair the Board and the Executive Committee of FIBA Europe.

Article 13

The Board of FIBA Europe shall consist of a maximum of 25 members with voting rights. They are:

- a) The President, with an original and an eventual casting vote, except for elections;
- b) The Treasurer;
- c) The other 23 members (both genders must be represented by at least 2 people).

The Secretary General shall attend the meetings of the Board with consultative powers only.

The President and/or the Secretary General may invite other persons to attend the meetings of the Board, having consultative powers only.

Article 14

The members of the Board of FIBA Europe shall hold office in a strictly personal capacity.

Representation by proxy is not permitted.

They shall not be in the employment of FIBA Europe.

The number of members on the Board of FIBA Europe having the same nationality and voting rights, excluding the President, is limited to one.

Article 15

The Board of FIBA Europe shall have the power to:

- a) Designate from its members the following:
 1. The 4 (four) members on the Central Board of FIBA. Their role and responsibility are defined by Article 15.1.2 to 15.1.18 of the FIBA General Statutes.
 2. The 3 (three) Vice-Presidents.
 3. The 2 (two) members to the Executive Committee.
- b) Appoint the Presidents and members of the Permanent Commissions. These members shall represent first and foremost the interest of FIBA Europe.
- c) Recognise or to withdraw recognition from any organisation whose aim is to develop basketball in the European Zone;
- d) Appoint the Secretary General or relieve him of his duties;
- e) Approve the Secretary General's annual working plan as well as any long-term strategic plan;
- f) Determine the financial policy, approve the budget and the financial reports as prepared by the Secretary General, and approve the audited accounts as prepared by the Treasurer and the auditors;

- g) Appoint an external auditor;
- h) Supervise the practice of basketball within the European Zone;
- i) Define the organisational structure of all European International Competitions and assign the organisers of the Finals for national team competitions;
- j) Decide the suspension, removal of such suspension, or exclusion from European International Competitions of any affiliated national federation;
- k) Adopt and modify the Regulations of FIBA Europe;
- l) Change the location of the headquarters of FIBA Europe;
- m) The Board of FIBA Europe may decide that the President of FIBA Europe shall be paid an annual allowance as a compensation for the time and effort committed to the respective position. The President of FIBA Europe shall be free in deciding on the time and choice of any concrete task, always subject to an intensive and responsible exercise of his office for the promotion of basketball.
- n) The Board of FIBA Europe shall further decide on the amount and the method of payment of such compensation, always in advance for the upcoming year. Its decision on the amount of the compensation for the President of FIBA Europe shall be based on a comparable salary of a managing director (industry sector: other services);

Article 16

The Board of FIBA Europe shall meet at least twice a year.

Each member of the Board of FIBA Europe shall be reimbursed for his travelling and other associated expenses (without staying costs) up to a maximum of € 800 per official meeting attended.

The President of FIBA Europe shall have his reasonable travelling, staying and other associated expenses to attend meetings and competitions reimbursed by FIBA Europe.

Article 17

Between the meetings of the Board of FIBA Europe, the President and/or the Secretary General may convene a meeting of the Executive Committee which is authorised to take the necessary decision(s) of urgent nature on behalf of the Board.

Each member of the Executive Committee shall be reimbursed for his travelling and other associated expenses (without staying costs) up to a maximum of € 800 per official meeting attended.

The Executive Committee shall consist of:

- a) The President.
- b) The 3 (three) Vice-Presidents. The Vice-President having the most seniority in the Board of FIBA Europe shall replace the President if necessary.
- c) The Treasurer.
- d) The 2 (two) members appointed by the Board of FIBA Europe.
- e) The Secretary General, without voting rights.

To take such a decision(s), the Executive Committee may consult with the members of the Board or the national federations by any means necessary. It shall, without fail, inform the Board of FIBA Europe of its decision in writing as soon as possible and, if necessary, the national federations involved.

Article 18

The Treasurer shall be responsible for controlling the financial administration of FIBA Europe and to present the audited statements of account to the Board and the General Assembly. He shall chair the Finance Commission.

CHAPTER FIVE: THE SECRETARY GENERAL

Article 19

The Secretary General shall manage the administration of FIBA Europe and assume all responsibility for it. He may not hold any elected or appointed position within a national federation.

The Secretary General is the sole legal representative of FIBA Europe.

The Secretary General shall be appointed by the Board of FIBA Europe and shall remain in office until the expiration of his term of office, as determined by a contract of employment.

The Secretary General, personally or through his advisors, shall be responsible for the study and implementation of measures concerning the promotion, supervision and direction of basketball in the European Zone.

With the exception of the Appeals Commission when it is considering an appeal, he shall be an ex-officio member of all the Permanent Commissions and enjoy voting rights.

In particular, the Secretary General shall have the following duties:

- a. To hire and dismiss the staff as necessary in order to run the administration of FIBA Europe.
- b. To ensure the implementation of all decisions taken by the General Assembly, the Board and the Executive Committee of FIBA Europe.
- c. To be responsible for all European international competitions and for the implementation of the aims set out in Article 3 of these Bye-Laws.
- d. To ensure, as necessary, compliance with the regulations established by FIBA, by the IOC and by WADA regarding doping control.
- e. To convene and prepare, in agreement with the President, the sessions of the General Assembly and meetings of the Board and Executive Committee of FIBA Europe.
- f. To maintain the archives of FIBA Europe.
- g. To publish and send the regulations of FIBA Europe to the member national federations and the members of the Board, the members of the Commissions and the officially recognised bodies.
- h. To draft and circulate official communications of FIBA Europe.
- i. To ensure the receipt of annual fees from members as well as contributions, royalties and dues, emoluments and fines imposed by the competent divisions of FIBA Europe.
- j. To draft a long-term strategic plan as well as any annual working plan to submit to the Board of FIBA Europe.
- k. To draw up the four-year budget and ensure its proper implementation.
- l. To administer FIBA Europe's finances and present reports to the Board.
- m. To study the means of ensuring the financial resources of FIBA Europe and submit a report to the Board accordingly.
- n. To ensure the enforcement of these Bye-Laws, all Regulations of FIBA Europe and FIBA Statutes and regulations.
- o. To impose the sanctions provided for in all regulations of FIBA Europe.
- p. To take decisions in cases where his jurisdiction is specifically provided for.

CHAPTER SIX: PERMANENT COMMISSIONS

Article 20

The role and responsibilities of the Permanent Commissions are specified in these Bye-Laws.

The Permanent Commissions are composed of a President and at least 10 (ten) members.

The presidents of the Commissions and the other members of the Commissions are appointed by the Board of FIBA Europe on the basis of joint proposals by the President and the Secretary General, selected from the names presented by national federations, although not restrictively.

The term of office of the Commissions shall be four years.

The Commissions perform a consultative role only (except Appeals' Commission see Art. 21a) and have no executive authority. In principle, the projects of the Commissions must be submitted to the Board of FIBA Europe for approval.

Members of commissions who do not take an active part, or do not wish to, or are no longer able to take part in the work of their commission may be relieved of their responsibilities within the commission by the Board of FIBA Europe upon a recommendation of the President and the Secretary General.

Article 21

APPEALS' COMMISSION

The Appeals' Commission shall have the following duties:

- a) To hear and decide on appeals filed by an affected party against decisions of FIBA Europe, including its divisions and disciplinary bodies, unless such appeal is expressly excluded in these Bye-Laws or other regulations of FIBA Europe;
- b) To prepare, in consultation with the Legal Commission, the Regulations governing Appeals for approval by the Board of FIBA Europe;
- c) To consult with and to suggest to the Legal Commission of FIBA Europe any amendments to these Bye-Laws, regulations of FIBA Europe, the Internal Regulations or Statutes of FIBA.

Article 22

COMPETITIONS' COMMISSION

The Competitions' Commission shall have the duty to examine, advise and/or prepare proposals on:

- a) The regulations governing all European competitions for both national and club teams as well as the regulations established by other divisions of FIBA Europe for international competitions;
- b) The draft systems of competition for men's and women's basketball at national team and club levels within the European Zone ;
- c) The calendar of European competitions;
- d) Amendments to the world competitions to be submitted to FIBA.

The Commission shall have the right to consult experts if necessary.

Article 23

FINANCE COMMISSION

The Finance Commission shall have the duty to assist the Treasurer and the Secretary General in their responsibilities. In particular, it shall:

- a) Prepare, together with the Treasurer, the audited accounts to be submitted to the Board and the General Assembly;
- b) Advise on the appointment of the external auditors.

The Treasurer is the President of the Finance Commission.

Article 24

LEGAL COMMISSION

The Legal Commission shall have the duty to examine, advise and/or prepare proposals on:

- a) All questions of a legal nature related to basketball in Europe including the Bye-Laws and regulations of FIBA Europe;
- b) The legal implications of all proposed amendments to the Bye-Laws and other regulations of FIBA Europe;
- c) Issues relating to the interpretation of these Bye-Laws and other regulations of FIBA Europe, and on all other legal matters, particularly questions regarding eligibility;
- d) Amendments to the General Statutes and Internal Regulations of FIBA to be submitted to FIBA.

Article 25

SMALL COUNTRIES COMMISSION

The Small Countries Commission shall have the following duties:

- a) To study all issues of basketball relating to small countries ;
- b) To communicate, when necessary, with the other bodies of FIBA Europe in order to present the small countries athlete's point of view.
- c) To submit to the Board and other divisions of FIBA Europe proposals regarding the competitions of the small countries as well as any measures deemed necessary to promote basketball in Europe.

Article 26

TECHNICAL COMMISSION

The Technical Commission shall have the following duties:

- a) To train international commissioners and referees in Europe in co-operation with the national federations and FIBA.
- b) To train national and international referees instructors and evaluators, in co-operation with the national federations and FIBA;
- c) To examine and prepare proposed amendments to the Official Basketball Rules to be submitted to FIBA.

Article 27

WOMEN'S COMMISSION

The Women's Commission shall have the following duties:

- a) To study all issues of basketball relating to women ;
- b) To communicate, when necessary, with the other bodies of FIBA Europe in order to present the woman athlete's point of view.
- c) To propose to the Board of FIBA Europe any measures deemed necessary to promote the development of women's basketball in Europe;

Article 28

YOUTH COMMISSION

The Youth Commission shall have the following duties:

- a) To study all issues relating to youth basketball from mini-basketball to the young people's categories ;
- b) To submit to the Board and other divisions of FIBA Europe proposals regarding the competitions of the youth categories as well as any measures deemed necessary to promote youth basketball in Europe.

CHAPTER SEVEN: OFFICIALLY RECOGNISED ORGANISATIONS

Article 29

The Board of FIBA Europe has the right to recognise continental international leagues or any other organisation whose aim is to develop basketball in the European Zone. This organisation may be permanently or provisionally recognised.

The permanent or provisional recognition may be granted on the basis of specifically agreed conditions.

The organisation thus recognised shall have the freedom of action necessary to fulfil its mandate, subject to the approval of the Board of FIBA Europe. It may not represent FIBA Europe before third parties.

The Board of FIBA Europe may decide, if circumstances render it necessary, to withdraw the recognition of such an organisation.

The organisation wishing to be recognised must make the request in writing to the Board of FIBA Europe.

Article 30

The officially recognised organisations are listed in Annex 2 of these Bye-Laws.

CHAPTER EIGHT: ELECTIONS

Article 31

Every four years, coinciding with the World Championship for Men (2006, 2010 etc.), the General Assembly of FIBA Europe shall elect, prior to the holding of the FIBA World Congress:

- a) The President of FIBA Europe;
- b) The Treasurer of FIBA Europe;
- c) The 23 other members of the Board of FIBA Europe.

Article 32

The procedure for the elections to the positions listed in Article 31 is governed by the regulations in Annex 6 to these Bye-Laws.

CHAPTER NINE: LEGAL AND FINANCIAL PROVISIONS

Article 33

Any dispute arising from these Bye-Laws, the regulations of FIBA Europe or the Internal Regulations of FIBA which cannot be reconciled within FIBA and FIBA Europe, shall be definitively settled by a tribunal constituted in accordance with the Statutes and Procedural Rules of the Court of Arbitration for Sport, Lausanne, Switzerland. The parties concerned shall undertake to comply with the Statutes and Procedural Rules of this Court of Arbitration for Sport and to accept and enforce its decision in good faith.

Article 34

The General Assembly shall declare the dissolution of FIBA Europe:

- a) If requested by 80% of the affiliated national federations and if, at the session of the Assembly voting on disbandment, 80% of the affiliated members present and with voting rights vote for disbandment. If, however, at the session, less than 75% of the affiliated members are present, a second session of voting on disbandment shall be called at which session a majority of 80% of the affiliated members present and with voting rights irrespective of a quorum shall be sufficient.
- b) If the number of affiliated federations is reduced to three or less.

In case of dissolution or cancellation of the body corporate or in case the tax privileged purposes ("Steuerbegünstigte Zwecke") cease to exist, the assets of FIBA Europe shall be assigned to a public law legal entity or another tax privileged body corporate, which shall use them for the promotion of sport, in particular for the promotion of basketball.

Article 35

FIBA Europe is the sole owner of the television, licensing, merchandising and marketing rights for the official European national team and club competitions for men and women. When negotiating contracts for these televisions, licensing, merchandising and marketing rights, the interests of the national federations and clubs shall be taken into account.

CHAPTER TEN: GENERAL PROVISIONS

Article 36

No minimum attendance of members is required to hold a valid meeting for the General Assembly or other divisions of FIBA Europe, except for the Board of FIBA Europe.

Voting by letter or proxy at the General Assembly is not permitted.

Decisions shall be taken by a show of hands reflecting a simple majority of votes cast. Upon the request of a delegate representing a member national federation for a decision to be taken by secret ballot, the President shall put this motion to the General Assembly and if a simple majority approved such motion the request will be upheld.

In personal matters, decisions must be taken by secret ballot, unless the General Assembly decides otherwise.

For the meetings of the Board of FIBA Europe see Annex 4.

Article 37

The official working language of FIBA Europe shall be English. During Board and General Assembly meetings of FIBA Europe, simultaneous translation will be available in the following languages: English, French, German, Russian and Spanish.

Article 38

The Board of FIBA Europe is the sole authority to interpret the regulations in Annexes 3 to 6.

The Board shall have the final decision on any matter not provided for in these Bye-Laws or in case of force majeure.

In cases of doubt or conflict, the Statutes and the Internal Regulations of FIBA will prevail.

Article 39

Unless otherwise specified herein, decisions shall be taken by simple majority of votes cast.

A majority of two thirds (2/3) of the votes cast is necessary to amend these Bye-Laws.

Abstentions do not count.

ANNEX 1: LIST OF NATIONAL FEDERATIONS MEMBERS OF FIBA EUROPE

In accordance with Article 2 of the Bye-Laws of FIBA Europe, the following 51 national basketball federations as assigned by FIBA are members of FIBA Europe:

Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, England, Estonia, Finland, France, FYROM (Former Yugoslav Republic of Macedonia), Georgia, Federal Republic of Germany, Gibraltar, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, Principality of Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, Republic of San Marino, Scotland, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, Wales.

ANNEX 2: LIST OF OFFICIALLY RECOGNISED ORGANISATIONS

In accordance with Article 30 of the Bye-Laws of FIBA Europe, the following organisations are officially recognised by FIBA Europe:

- Adriatic League.
- Balkan Basketball League.
- Baltic Women's Basketball League.
- Baltic Basketball League.
- Central Europe Men's League.
- Central Europe Women's League.
- European Union of Associations of Basketball Coaches (EUABC).
- European Zone of the International Wheelchair Basketball Federation (IWBF).
- Pedro Ferrándiz Foundation.
- ULEB

ANNEX 3: REGULATIONS GOVERNING THE ORGANISATION OF A SESSION OF THE GENERAL ASSEMBLY OR THE BOARD OF FIBA EUROPE

Any member national federation of FIBA Europe can bid for the organisation of a session of the General Assembly and/or of the FIBA Europe Board. The written confirmed interest must be submitted to the FIBA Europe Secretary General by the deadline stated in the letter of invitation to bid.

Within a period of four (4) weeks all interested National Federations shall receive the 'Organisation Manual' of a session of the General Assembly and/or the FIBA Europe Board which will outline in details all of the various organisational aspects.

In addition to these Bye-Laws all provisions of the 'Organisation Manual' must be followed.

I. GENERAL ASSEMBLY OF FIBA EUROPE

A. ORDINARY SESSIONS

The General Assembly will decide the location of the session of the General Assembly.

B. EXTRAORDINARY SESSIONS

The location of any extraordinary session shall be decided by the President and the Secretary General.

General

The Organiser shall cover the following staying expenses:

- a) for the site visit in the city where the session of the General Assembly will be held for:
 1. FIBA Europe Office Manager;
- b) from seventy-two (72) hours prior to the beginning of the General Assembly and until twenty-four (24) hours after the end for:
 1. Two (2) members of the Offices of FIBA Europe;
- c) from twenty-four (24) hours prior to the beginning of the General Assembly and until twenty-four (24) hours after the end for:
 1. The FIBA Europe President;
 2. The FIBA Europe Secretary General;
 3. Five (5) members of the Offices of FIBA Europe;

The Organiser shall be responsible of the following organising expenses:

1. Hiring of the conference room including all necessary technical equipment (microphones, etc),
2. Covering the general costs of a meeting of the Board of FIBA Europe, in the same place as, and on the evening prior to the General Assembly,
3. Organisation for the accommodation of all participants,
4. Renting the FIBA Europe Office,
5. Local transport costs,
6. Excursion, sight visits, activities, etc.

FIBA Europe shall be responsible for the costs of simultaneous Translation as stated in Article 37.

The amount to be paid by the participants to the organisers for their board and lodging shall be fixed one year in advance by the General Assembly. Any participant besides the official delegate representing a national federation shall pay the same amount as the official delegate to the organisers whether they attend the meeting/social activities or not.

II. MEETINGS OF THE BOARD OF FIBA EUROPE

The Board of FIBA Europe has the right to decide the location of the meeting of the FIBA Europe Board.

General

The Organiser shall cover the following staying expenses:

- a) for the site visit in the city where the session of the FIBA Europe Board will be held for:
 1. FIBA Europe Office Manager;
- b) from seventy-two (72) hours prior to the beginning of the FIBA Europe Board and until twenty-four (24) hours after the end for:
 1. Two (2) members of the Offices of FIBA Europe;
- c) from twenty-four (24) hours prior to the beginning of the FIBA Europe Board and until twenty-four (24) hours after the end for:
 1. The FIBA Europe President;
 2. The FIBA Europe Secretary General;
 3. Three (3) members of the Offices of FIBA Europe;

The Organiser shall be responsible of the following organising expenses:

1. Hiring of the conference room including all necessary technical equipment (microphones, etc),
2. Organisation for the accommodation of all participants,
3. Renting the FIBA Europe Office, if required,
4. Local transport costs,
5. Excursion, sight visits, activities, etc.

FIBA Europe shall be responsible for the costs of simultaneous Translation as stated in Article 37.

ANNEX 4: REGULATIONS GOVERNING MEETINGS OF THE BOARD OF FIBA EUROPE

Article 1

The Board of FIBA Europe has the responsibilities as provided for in Article 15 of the Bye-Laws of FIBA Europe.

Article 2

1. The Board of FIBA Europe shall meet at least twice a year.
2. The Secretary General is authorised to convene the meeting of Board at any time.
3. At the request of the President of FIBA Europe or at the written request of at least eight members of Board, a meeting of the Board shall be convened to take place no earlier than 14 days and no later than 30 days after the request.
4. In general, meetings of the Board shall be held at any other venue agreed to by the President and the Secretary General

Article 3

1. The Board of FIBA Europe consists of members with voting rights and members with consultative powers only, as provided for article 13 of the Bye-Laws of FIBA Europe.
2. A quorum of 50% plus one of members with voting rights is required for the Board of FIBA Europe to hold a valid meeting.
3. Should this quorum not be attained, the Secretary General – in agreement with the President – shall convene a new meeting, no sooner than 14 days and no later than 30 days after the said meeting.
4. No quorum is needed for the new meeting to be rendered valid.
5. Each member of Board shall have one vote.

Article 4

1. The President of FIBA Europe or, in his absence, the Vice-President in attendance with the most seniority in the Board of FIBA Europe, shall chair the Board's meeting. If none of the 3 (three) Vice-Presidents are present, the Board shall elect a member of the Board to act as Chairman.
2. The Chairman will ensure that the regulations of FIBA Europe and the rules of procedure are observed. He shall open, conduct and close the meeting. He will give the permission to take the floor to any member of the Board or any invited person.
3. The Chairman will keep order at the meeting. He may take the following measures against those members of the board or other participant:
 - a) Call to order
 - b) Reprimand
 - c) Ask the member or other participant to leave the meeting for a definite period of time or
 - d) Ask the member or other participant to leave the meeting indefinitely

Article 5

1. The agenda will be approved at the opening of the meeting.
2. Only matters proposed by the national federations, members of the Board, the President of FIBA Europe and the Secretary General may be included in the agenda.
3. Proposals must be submitted to the President of FIBA Europe or the Secretary General at the Offices of FIBA Europe at least 21 days before the meeting.
4. The members will be informed of the agenda at least 14 days before the meeting.
5. The agenda may be amended at any time during the meeting if supported by a simple majority of the members present.
6. All motions, motions to amend and motions to delete an agenda item submitted before the start of the meeting will be made in writing.

Article 6

1. Each agenda item will be introduced by a brief report of the Chairman or the Secretary General or the member of the Board responsible or the invited person designated by the President of FIBA Europe.
2. The item will be open to the floor for general discussion.
3. A speaker may not take the floor unless and until he has been given permission to do so.
4. A speaker may only be given the floor for a second time on the same matter when all other persons who have requested to take the floor have had a chance to speak on the matter in question.
5. The Chairman may set a time limit for speakers.
6. The Chairman will decide when to close the discussion unless a simple majority of the Board members present decides otherwise.

Article 7

1. Decisions will be taken by voting.
2. Voting will be open, unless a simple majority of the Board members present decides otherwise.
3. Decisions will be taken by a show of hands reflecting a simple majority of the votes cast. Abstentions will not be counted. In case of a tie the Chairman will have the casting vote.
4. A vote may be taken by a roll call, if the President or a simple majority of the Board members present request to do so.
5. Proposals which are unopposed will be taken as adopted.
6. Before each vote, the Chairman or a person designated by him for this purpose, will read the proposal and explain – if necessary – the voting procedure which is to be adopted.
7. Proposals will normally be voted on in the order in which they are introduced in the discussion.
8. A proposal to amend a proposed amendment will be voted on before the proposed amendment. A proposed amendment will be voted on before the original proposal.

Article 8

1.
 - a) Upon the request of the Chairman any decision will be taken by secret ballot.
 - b) Upon the request of a member of the Board for a decision to be taken by secret ballot, the Chairman shall put this motion to the Board and if a simple majority of the Board members present approve such motion this request will be upheld.
2. In the case of a tie the Chairman will have the casting vote.
3. In the case of elections, a person will be elected in the first ballot if he/she is supported by a simple majority of the valid votes cast by the Board members present. In the event of a tie in the first ballot, there will be a second ballot, in which the person supported by a simple majority of the Board members present will be elected. In the event of a tie in the second ballot, election will be determined by the drawing of lots.
4. Only valid ballot papers handed in will be counted for the calculation of the majority mentioned in point 3 above.
5. Blank or spoiled ballots will be ignored in the counting of votes. If two or more votes for one candidate or for one proposal are on the same ballot, neither vote will be valid.
6. After the holding of the secret ballot, the Chairman will announce the result.

Article 9

1.
 - a) All decisions taken by the Board according to the Regulations of FIBA Europe governing the meetings of the Board of FIBA Europe shall be considered as valid.
 - b) Such decisions may be challenged by a member of the Board or a national federation. Such a challenge will only be entertained for procedural matters.
 - c) Any challenge will be examined by the Appeals Commission itself in accordance with the Regulations of FIBA Europe Regulations governing Appeals.
 - d) Any challenge to a decision taken as per a) above shall reach the offices of FIBA Europe within 14 days of the decision of the Board.

ANNEX 5: REGULATIONS GOVERNING THE OPERATION OF FIBA EUROPE COMMISSIONS

Article 1

The role and responsibilities of Commissions, their composition and way of appointments as well as the term of office are defined as provided for in Article 20 of the Bye-Laws of FIBA Europe.

Article 2

1. The Commission shall meet at least once a year.
2. The President of the Commission – in agreement with the President of FIBA Europe and the Secretary General – is authorised to convene the meeting of the Commission.
3. At the request of the President of FIBA Europe, the Secretary General shall convene a meeting of the Commission to take place no earlier than 14 days and no later than 30 days after the request.
4. In general, meetings of the Commission shall be held at the Offices of FIBA Europe.

Article 3

1. A Commission of FIBA Europe shall consist of members appointed by the Board of FIBA Europe.
2. Each member of the Commission shall have one vote.
3. The President of the Commission shall invite the President of other Permanent Commission of FIBA Europe to take part in the meeting of the Commission, if their presence is required.
4. The President of the Commission – in agreement with the President of FIBA Europe and the Secretary General – may invite other persons to the meeting, if it is deemed necessary.

Article 4

1. The President of the Commission or, in his absence, the Vice-President, will chair the Commission's meeting. If the Vice-President is not present either, the commission will elect a member of the Commission to act as Chairman.
2. The Chairman will ensure that the regulations of FIBA Europe and the rules of procedure are observed. He shall open, conduct and close the meeting. He will give the permission to any member or any invited person to take floor.
3. The Chairman will keep order at the meeting. He may take the following measures against those members of the board or other participant:
 - a) Call to order
 - b) Reprimand
 - c) Ask the member or other participant to leave the meeting for a definite period of time or
 - d) Ask the member or other participant to leave the meeting indefinitely

Article 5

1. The agenda will be approved at the opening of the meeting.
2. Only matters proposed by the national federations, members of the Commission, the President of the Commission and the Secretary General may be included in the agenda.
3. Proposals must be submitted to the President of the Commission or the Secretary General at the Offices of FIBA Europe at least 21 days before the meeting.
4. The members will be informed of the agenda at least 14 days before the meeting.
5. The agenda may be amended at any time during the meeting if supported by a simple majority of the members present.
6. All motions, motions to amend and motions to delete an agenda item submitted before the opening of the meeting will be made in writing.

Article 6

1. Each agenda item will be introduced by a brief report of the President of the Commission or Secretary General or the member of Commission responsible or by the invited person designated by the President of the Commission.
2. The item will be open to the floor for general discussion.
3. A speaker may not take the floor unless and until he has been given permission to do so.
4. The Chairman may set a time limit for speakers.
5. The Chairman will decide when to close the discussion unless a simple majority of the Commission members present decides otherwise.

Article 7

1. Decisions will be taken by voting.
2. Voting will be open, unless a simple majority of the Commission members present decides otherwise.
3. Decisions will be taken by a show of hands reflecting a simple majority of the votes cast. Abstentions will not be counted. In case of a tie the Chairman of the Commission will have the casting vote.
4. A vote may be taken by a roll call if the Chairman of the meeting or a simple majority of the members present request to do so.
5. Proposals which are unopposed will be taken as adopted.
6. Before each vote, the Chairman or a person designated by him for this purpose, will read the proposal and explain – if necessary – the voting procedure which is to be adopted.
7. Proposals will normally be voted on in the order in which they are introduced in the discussion.

ANNEX 6: REGULATIONS GOVERNING ELECTIONS

Article 1

In accordance with Article 31 of the Bye-Laws of FIBA Europe, these regulations govern the elections and the appointments to the various positions within FIBA Europe.

Article 2

In accordance with Article 31 of the Bye-Laws of FIBA Europe, elections shall be held every four years, at the time of the session of the General Assembly, which takes place the same year as the World Congress, but prior to it.

Article 3

In accordance with Article 31 of the Bye-Laws the following shall be elected by the General Assembly:

- a) The President of FIBA Europe;
- b) The Treasurer of FIBA Europe;
- c) The 23 other members of the Board of FIBA Europe (both genders must be represented by at least 2 (two) people).

Article 4

Candidatures for the positions listed in Article 3 above shall be submitted as follows:

The national federations affiliated to FIBA Europe must submit to the Secretary General of FIBA Europe 60 days prior to the General Assembly.

Curriculum vitae and a letter of recommendation must accompany these nominations from the national federation, using the official forms issued by the Secretary General of FIBA Europe.

Article 5

The General Assembly shall conduct the elections in the order of the positions listed in Article 3.

Article 6

On the year of elections (2006, 2010, etc.) the General Assembly shall take place in the city where the Offices of FIBA Europe are located and will be organised by FIBA Europe.

The elections shall be held under the supervision of the following bodies:

- a) An Electoral Commission composed of 2 members, and the Secretary General as its Chairman. The 2 members of the Electoral Commission may not be candidates for election.
- b) Three tellers who shall collect the votes, count them and inform the Electoral Commission of the results.
- c) The Secretary General shall put forward the names of the Electoral Commission members and the tellers for approval by the General Assembly.

Article 7

Candidates for the position of President and Treasurer may be proposed on an optional basis as a candidate to the Board of FIBA Europe, should they not be elected President or Treasurer.

Article 8

Before the vote takes place, the candidates for the position of President shall be presented to the General Assembly as follows:

- a) Before the elections, each national federation, which has nominated a candidate for the presidency, shall have 3 minutes to explain the basis for the nomination to the delegates of FIBA Europe.
- b) The candidate shall then have 5 minutes to make his or her presentation.

Article 9

The following voting procedure shall be observed for the election of the President and the Treasurer:

- a) Voting shall be carried out by secret ballot.
- b) If there are 2 or more candidates, the candidate who obtains an absolute majority (50% plus one of the delegates present) in any round shall be elected. If no absolute majority is achieved in the first round, the election shall be carried out by rounds of voting with successive elimination of the candidate receiving the least number of votes.
- c) The candidate receiving the greatest number of votes in the last round shall be elected.
- d) The Chairman of the Electoral Commission shall officially announce the result of the vote.

Article 10

The following voting procedure shall be observed for the election of the other 23 members of the Board:

- a) Voting shall be carried out by secret ballot.
- b) The delegate of each national federation represented at the General Assembly shall be entitled to cast its vote for 23 candidates. A ballot paper shall not be valid unless exactly 23 candidates have been supported.
- c) The 23 persons receiving the highest number of votes in the first ballot shall be deemed to have been elected, except that priority shall be given to ensure that from both genders are at least 2 (two) people elected as voting members of the Board of FIBA Europe and that no 2 (two) of the 23 members of the Board of FIBA Europe have the same nationality.
- d) In the case of a tie in the number of votes received by certain candidates, making it impossible to determine exactly the 23 successful candidates, then one (or more) subsequent ballot(s) shall be held for just those persons involved.
- e) The Chairman of the Electoral Commission shall officially announce the result of the vote.

Article 11

Should the President, the Treasurer or one of the members of the Board of FIBA Europe resign or become permanently incapacitated, the General Assembly shall elect a new President, Treasurer or member at its first session following the incapacitation or resignation of this President, Treasurer or member.

The new President, Treasurer or member elected shall replace the former President, Treasurer or member for the remainder of the term of office.

Article 12

In accordance with Article 15 of the Bye-Laws of FIBA Europe, the Board of FIBA Europe shall designate the 3 (three) Vice-Presidents, the 4 (four) members on the Central Board of FIBA and 2 (two) members to the Executive Committee on the basis of a proposal by the President of FIBA Europe, at its first meeting following its election by the General Assembly.

Article 13

In accordance with Article 20 of the Bye-Laws of FIBA Europe, positions to the Permanent Commissions shall be appointed by the Board of FIBA Europe at its first meeting following its election by the General Assembly.

The candidatures for the positions on a Permanent Commission shall be submitted according to the procedure set out in Article 4 above (paragraph 2 and 3).