

AIBA Regulations on Congress and Elections

TABLE OF CONTENTS

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PREAMBLE

On the basis of article 17.2 of the Constitution, the Board shall make regulations governing the manner in which meetings of the Congress and elections are conducted. For this purpose, the Board adopts these Regulations on Congress and Elections.

INTERPRETATION

1.1 Capitalized terms used in these Regulations on Congress and Elections shall have the meaning ascribed to them in the Constitution.

1.2 The following terms – used in these Regulations on Congress and Elections only – have the meanings ascribed to them in this article:

“**Constitution**” means the AIBA Constitution adopted on December 13, 2020, together with all subsequent amendments;

“**Code of Ethics**” means the AIBA Code of Ethics;

“**Delegate**” means the delegate of a National Federation at a meeting of the Congress, including Voting Delegate and Non-Voting Delegates.

“**Elections**” mean a decision-making process by which the Voting Delegates at the Congress meeting choose persons to hold a position of the President or the Director;

“**Elections Committee**” means an ad hoc Committee established by the Board pursuant to article 29.1 (1) of the Constitution and article 3.1 of the Organisational Rules to manage the Elections within AIBA.

“**Electoral period**” means a period which starts on the date following the deadline for nomination of the candidates according to article 26.5 of the Constitution, and closes before the start of the voting on the Elections.

“**Membership Policy**” means AIBA Membership Policy approved by the Board and made effective on January 22, 2021;

“**Non-Voting Delegate**” means a delegate appointed by a National Federation to attend a Congress meeting without being entitled to vote;

“Organisational Regulations” mean AIBA Organisational Regulations approved by the Board and made effective on January 22, 2021;

“Regulations on Congress and Elections” mean these AIBA Regulations on Congress and Elections.

1.3 In these Regulations on Congress and Elections, unless otherwise specified:

- a) references to articles are references to articles in these Regulations on Congress and Elections;
- b) unless otherwise specified below, references to a “person” shall be construed so as to include any individual, firm, company, corporation, body corporate, government, state or agency of a state, local or municipal authority or government body or any joint venture, association, federation, confederation or partnership (whether or not having separate legal personality);
- c) a reference to any of the regulations, or to any provision or provisions in the regulations, shall be construed, unless the context otherwise requires, as including a reference to any amendment or replacement made to the same from time to time; and
- d) in the event of any inconsistency between these Regulations on Congress and Elections and the Constitution, the Constitution shall prevail.

1.4 All headings and titles in these Regulations on Congress and Elections have been inserted for ease of reference only and may not be considered as an aid to its interpretation.

SECTION A – GENERAL PROVISIONS

1 Application

These Regulations on Congress and Elections aimed at completing and facilitating the implementation of the provisions of the Constitution establishing the rules and conditions of the Congress meetings and holding of Elections at AIBA.

SECTION B – CONGRESS

2 Form of the Congress meeting

- 2.1 When convening a meeting of the Congress in accordance with the requirements of the Constitution, the Board shall decide how the Congress meeting shall take place.
- 2.2 The Congress meeting shall in principle be held in person, but can exceptionally take place by means of telecommunications.
- 2.3 The Board shall endeavor to schedule the Congress meeting in person. However, the Board may decide to hold a Congress meeting by means of telecommunications notably in the event of a pandemic situation, economic stability of AIBA, urgency or other specific circumstances.
- 2.4 Telecommunication meetings may be held by audio-visual link. In this case AIBA shall ensure that the voting on the Congress meeting is organized with a reliable electronic voting system. In case of elections, the voting process during elections has to be controlled by an independent notary. The electronic voting system (and independent notary if applicable) shall be proposed by the AIBA Head Office and accepted by the Chairperson of the Ethics Committee.

3 Congress meeting location

- 3.1 Unless a Congress meeting takes place by means of telecommunications, the Board shall decide on location of the Congress meeting.
- 3.2 AIBA should strive to hold the Congress meetings in different countries and locations at the invitation of a National Federation. For this purpose, the AIBA Head Office may call National Federations for a bid.
- 3.3 The National Federation hosting the Congress shall use its best endeavors to ensure that all delegates are able to obtain the visa necessary for entry into the country and ensure that there is suitable accommodation made available for all delegates, including those whose costs are not covered by AIBA as per article 6.2.

4 Duration

- 4.1 The Congress duration shall cover the Congress meeting itself, as well as any related events. The dates of the Congress shall be established by the Board.
- 4.2 The Ordinary Congress shall be held over a maximum period of five (5) days.
- 4.3 The Extraordinary Congress shall be held over the necessary period.

5 Expenses

5.1 As a general rule, AIBA shall bear the expenses related to the hosting of the Congress. The National Federation hosting the Congress may offer AIBA to cover such expenses either in full or partially.

5.2 In case the Congress meeting is held in person, AIBA shall bear the costs of economy class air travel, accommodation and meals for the Voting Delegate attending the Congress meeting. AIBA does not bear any costs of the Non-Voting Delegates, unless otherwise decided by the Board.

6 Participation in the Congress

6.1 Each Eligible National Federation shall be represented at the Congress by one Voting Delegate. Each Eligible National Federation may appoint two additional Non-Voting Delegates, who may attend the Congress meeting, without being entitled to vote or speak on behalf of a National Federation.

6.2 The names of the Delegates, including the Voting Delegate, shall be submitted to the AIBA Head Office when Eligible National Federations are registering to an AIBA Congress as per article 7 of these Regulations on Congress and Elections. Further amendments to this list can only be made under extraordinary circumstances and shall be provided 24 hours before the first day of the Congress at the latest.

6.3 The AIBA Head Office enters the Delegates mentioned on to a list (numbered 1 to 3). The Voting Delegate is entered as number 1, the Non-Voting Delegates are entered as numbers 2 and 3 in alphabet order. Only the Voting Delegate may vote and act as representatives of a National Federation at the Congress.

7 Registration for the Congress

7.1 When registering to the Congress, each National Federation shall be obliged to supply AIBA with all necessary information as provided in article 9.1 of the Membership Policy.

7.2 For Ordinary Congress, the registration to the Congress shall be opened at least 2 months in advance before the first day of Congress meeting, and at least 45 days in advance before the first day of Congress meeting for Extraordinary Congress.

7.3 Each Eligible National Federation shall complete its registration to the Congress one month before the first day of Congress meeting.

7.4 The AIBA Head Office shall make determinations regarding the eligibility of Delegates, whereas the Election Committee shall have exclusive power to make determinations

regarding the eligibility of Delegates when the Election Congress meeting takes place. The Eligible National Federation shall be entitled to replace ineligible delegates 24 hours before the first day of the Congress at the latest.

8 Chairperson

8.1 The President shall preside over meetings of the Congress, subject to the provisions of article 21.1 of the Constitution.

8.2 Save as provided by article 21.3 of the Constitution, during each Election Congress meeting, the Chairperson of the Ethics Committee shall preside over the conduct of all elections for positions on the Board (including the President) held at such Election Congress meeting.

8.3 The Chairperson of the Congress shall ensure that the Congress is conducted in compliance with the Statutes and these Regulations on Congress and Elections. He or she shall open, conduct and close all the debates. He or she shall grant Delegates permission to speak and allot the time within which they may do so.

8.4 The Chairperson of the Congress may propose to prolong the debates; the debates shall only be prolonged if such a proposal is accepted by a majority of the votes.

9 Interpreters

The AIBA Head Office shall appoint qualified interpreters to provide simultaneous translation from/to any official Congress language as specified in article 6.1 of the Constitution.

10 Debates

10.1 Debates on each item on the agenda shall be preceded by a short report. Following each report, the Chairperson then opens the debate.

10.2 Permission to speak is granted in the order in which it is requested. A speaker may not begin speaking until he has obtained permission to do so.

10.3 A Delegate may only speak a maximum of twice on the same subject. If the Chairperson deems it necessary, he or she may authorize the delegate to speak again.

11 Procedure of voting on a decision

11.1 Voting shall be held on each particular agenda item.

11.2 Voting shall be carried out either by reliable electronic count, by raising hands or by secret

ballot. Voting by raising hands can include raising color panels (green means “yes”, red means “no” and white means “abstained”). The manner in which the voting will be carried out shall be decided by the Chairperson prior to the vote.

- 11.3 The Chairperson shall conduct and manage the voting procedure, in coordination with the scrutineers.
- 11.4 Before each vote, the Chairperson shall read the text of the proposal aloud and explain the voting procedure to the Congress.
- 11.5 No one is permitted to address the Congress during the votes and until after the final results have been announced.
- 11.6 The Chairperson or anyone appointed by the Chairperson shall announce the results.

12 Minutes of the Congress meeting

- 12.1 The Secretary General or a secretary appointed by the Chairperson of the Congress shall take the minutes of the Congress.
- 12.2 The minutes of the Congress shall contain:
 - (1) Place and date of the meeting;
 - (2) Indication to the type of the Congress meeting (Ordinary or Extra-Ordinary, Election or Non-Election);
 - (3) Form of the Congress meeting (in person, or by means of telecommunications);
 - (4) Quorum;
 - (5) Agenda;
 - (6) Consideration of each agenda item (including short description of the debates, taken decision, result of voting);
 - (7) Other significant issues.
- 12.3 The President and the Secretary General or a secretary appointed by the Chairperson of the Congress shall sign the minutes of the Congress.
- 12.4 Subsequent Congress meeting shall determine whether or not to approve the minutes of the previous meeting of the Congress.

SECTION C – ELECTIONS

13 Election Committee

- 13.1 The Election Committee shall consist of the Chairperson of the Ethics Committee, the Chairperson of the Disciplinary Committee and the independent person nominated by joint decision of the Chairperson of the Ethics Committee and the Chairperson of the Disciplinary Committee. Gender Equality shall not be applicable to the Election Committee.
- 13.2 The Chairperson of the Ethics Committee shall serve as the Chairperson of the Election Committee, and the Chairperson of the Disciplinary Committee as the Vice-Chairperson of the Election Committee.
- 13.3 The Organisational Regulations shall apply to the Election Committee, save as the provisions directly provided by these Regulations on Congress and Elections for the Election Committee.
- 13.4 The Election Committee has following duties and responsibilities:
- (1) Make determinations regarding the eligibility of Voting Delegates when the Election Congress meeting takes place;
 - (2) Ensure that the Election process takes place in accordance with the Constitution and the Regulations, and certify the voting results for all positions;
 - (3) Provide information and clarification on the Election process and dealing with unforeseen circumstances;
 - (4) Decide on any issue that arises regarding the Election, except to the candidates' eligibility, and to ensure the integrity of the Election process;
 - (5) Ensure compliance with Campaign rules;
 - (6) Ensure that all appropriate steps have been undertaken to ensure that a reliable voting system is available, and that there is an option to revert to a paper-based voting system in the case of a technical failure of the electronic voting system during an in-person Congress meeting.

14 Candidates eligibility

Each Candidate shall deem eligible if he/ she satisfies the eligibility criteria contained in articles 26.1 and 26.2 of the Constitution. The Ethics Committee shall determine whether or not each candidate for Election satisfies the eligibility criteria.

15 Campaign rules

The following campaign rules are mandatory:

- (1) Candidates should abide by the Constitution, by the Regulations and by the AIBA Code of Ethics;
- (2) Candidates should refrain from carrying out any electoral campaigning outside the Electoral period;
- (3) Candidates should conduct their campaigns with honesty, dignity, moderation and respect for their opponents, limiting expenditure to a proportionate level;
- (4) Candidates should not directly or indirectly solicit, accept or offer any form of remuneration or commission, or any concealed benefit or service of any nature, connected with any AIBA activity or election or appointment to office;
- (5) Candidates should in no case and under no pretext give presents or offer donations or gifts or grant advantages or benefits of whatever nature to or at the request of any party who will vote at, or who may otherwise influence, an election;
- (6) Candidates should not enter into any promise or undertaking to personally act (whether as a Candidate or following election), for the direct or indirect benefit of the Officials, AIBA governing bodies and commissions, Confederation, National Federation or individuals within the AIBA;
- (7) When a Candidate promises to attract any funds (including from sponsors, investors etc.) or to obtain any advantage from an AIBA creditor or business partner, he should disclose the source of such funds, as well as the terms and conditions of any arrangements with a source of the funds and/or any information about the any arrangements possibly entered into with an AIBA creditor or business partner;
- (8) Candidates should not accept paid travel, expenses, air tickets or accommodation from other Candidates, their representatives, members or other associated organizations to attend meetings and activities directly related to a Candidate's elections;
- (9) Candidates should not enter into any form of undertaking with any individual or organization that is likely to affect the Candidate's freedom of decision or action if elected;
- (10) Candidates may make declarations or give interviews provided, in doing so, that

they comply with the rules;

- (11) Candidates should not produce (or cause third parties to produce) any spoken word, written text or representation of any nature likely to harm the image or reputation of another Candidate;
- (12) Candidates should not engage in any act, collaboration or collusion by or between Candidates with the intent to defraud or manipulate the result of the vote;
- (13) Candidates should not request support or service from the AIBA or from external advisors who are working with the AIBA in connection with their Candidacies;
- (14) AIBA resources should not be used to fund travel and campaign activities by Candidates who currently occupy elected or appointed positions;
- (15) The AIBA Head Office should maintain neutrality at all times. The members of AIBA Head Office should limit their relations with the Candidates strictly to the content of their role as members of AIBA Head Office.

16 Consequences of Campaign rules breach

- 16.1 The Election Committee shall decide on each case whether a breach of the Campaign rules is committed or not ex officio or based on a complaint of an Official, the AIBA Head Office, a Candidate or a National Federation.
- 16.2 Before issuing any decision, the Election Committee shall provide notice to the Candidate of opening proceedings against him/ her, grant the right to be acquainted with the charges against him/ her and to exercise the right to be heard.
- 16.3 When the Election Committee finds a breach of the Code of Ethics in the Candidate's behavior, the case shall be submitted to the Ethics Committee.
- 16.4 Without prejudice to any proceedings before the Ethics Committee (if a breach of the Code of Ethics is occurred), the Election Committee may warn the Candidate for breach of the Campaign rules. In case of persistent, repeated or serious breach of the Campaign rules, the Election Committee may refer the matter to the Ethics Committee, which may, possibly, declare a Candidate ineligible.
- 16.5 A decision of the Election Committee shall be notified to the concerned Candidate and published on AIBA website.

17 Appeal against decisions declaring a Candidate ineligible

- 17.1 Decisions relating to Candidates' eligibility (i.e. either a decision determining that a Candidate does not fulfil the eligibility criteria provided for in article 26 of the Constitution, or declaring a Candidate ineligible for a breach of the Campaign rules) may be appealed before the Court of Arbitration for Sport (CAS) in accordance with article 48 of the Constitution within thirty (30) days following notification of the motivated decision. Decisions of the Election Committee shall be final and not subject to any appeal.
- 17.2 AIBA shall accept an expedited procedure at the CAS upon the appellant's request with the view to allowing the CAS to issue its award before the Elections.

18 Procedure of voting on elections

- 18.1 Elections shall be carried out by secret ballot, either by a reliable electronic voting system or by ballot papers. The manner in which the voting will be carried out shall be decided by the Election Committee prior to the vote.
- 18.2 The Election Committee shall conduct the distribution and counting of the ballot papers.
- 18.3 The number of ballot papers that have been distributed shall be announced by the Chairperson before the count. If the number of ballot papers returned is equal to or fewer than the number of ballot papers distributed, the election shall be declared valid. If the number returned exceeds that of the ballot papers distributed, the vote shall be declared null and void and another vote shall be taken immediately.
- 18.4 No one is permitted to address the Congress during the votes and until after the final results have been announced.
- 18.5 When ballot paper is applied, each Delegate shall vote in voting booth, and ballot paper shall be put in a transparent ballot box.
- 18.6 The Chairperson shall announce the result of each ballot.
- 18.7 The Election Committee shall put the ballot papers that have been collected and counted into envelopes intended for this purpose and seal them immediately. The Chairperson of the Ethics Committee shall keep these envelopes and destroy them 100 days after the end of the Congress, unless the result of the elections have been challenged before the CAS (where the envelope must not be destroyed before a final CAS award has been issued).

SECTION D – MISCELLANEOUS

19 Elections at Confederations and National Federations

19.1 This article 19 of these Regulations shall be incorporated by Confederations and National Federations into their regulations.

19.2 AIBA shall be entitled to send an observer to attend at any elections congress meeting and/or to undertake any other step to ensure that Elections comply with the Regulations and the AIBA Constitution.

19.3 AIBA reserves the right to investigate any Election conducted by a Confederation or National Federation.

19.4 AIBA reserves the right to refuse to recognise the results of any Election conducted by a Confederation or National Federation if AIBA concludes that such election was conducted with a serious breach of:

(a) applicable provisions in the AIBA Constitution and the Regulations, including the Membership Policy;

(b) the constitution or regulations of the Confederation or National Federation concerned and generally recognized democratic and good governance principles;

(c) any relevant national legislation and regulations.

19.5 Any decision on refusal to recognize the results of the Elections conducted by a Confederation or National Federation shall be taken by the Board. Before issuing such decision, AIBA shall provide notice to the Confederation or National Federation concerned of the opening of a proceeding against it, grant this Confederation or National Federation the right to be acquainted with the charges against it and to exercise its right to be heard.

19.6 If AIBA decides not to recognize Elections, it shall grant a time limit to the Confederation or National Federation concerned to regularize the situation. If the situation is not regularized within such time limit, the Confederation or National Federation shall be deemed to have committed a serious breach of the AIBA Constitution and Regulations and it may be suspended in accordance with the AIBA Constitution or subject to further sanctions or enforcement measures provide for in the AIBA Constitution and the Regulations.

20 Adoption and Enforcement

- 20.1 These Regulations on Congress and Elections are adopted by the Board on April 19 2021 and comes into force on April 19 2021.
- 20.2 These Regulations on Congress and Elections shall be applicable to any Congress and Elections conducted after its entry into force.