

# CONSTITUTION

Of the

**Asian Triathlon Confederation**

(ASTC)

(Adopted May 2008)

<b>Adopted</b>	<b>September 1991, Beijing ASTC Congress, China</b>
<b>Amended</b>	<b>July 1993, Tianjin ASTC Congress, China</b>
<b>Amended</b>	<b>July 1999, Sokcho ASTC Congress, Korea</b>
<b>Amended</b>	<b>September 2002, Xuzhou ASTC Congress, China</b>
<b>Amended</b>	<b>October 2003, Chennai ASTC Congress, India</b>
<b>Amended</b>	<b>April 2004, Subic Bay ASTC Congress, Philippines</b>
<b>Amended</b>	<b>May 2008, Guangzhou ASTC Congress, China</b>
<b>Amended</b>	<b>September 2011, Yilan ASTC Congress, Chinese Taipei</b>
<b>Amended</b>	<b>April 2012, Tateyama City ASTC Congress, Japan</b>
<b>Amended</b>	<b>May 2016, Hatsukaichi City, ASTC Congress, Japan</b>
<b>Amended</b>	<b>September 2018, Gold Coast, ASTC Congress, Australia</b>

## **Article 1. DEFINITIONS**

CAS: Court of Arbitration for Sport.

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

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

Congress: The ASTC Congress.

Executive Board: The ASTC Executive Board.

ITU: International Triathlon Union

Member: A national governing body for Triathlon and its Related Multisport affiliated with the ASTC.

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

Officers: Individuals who hold the position of the ASTC Table Officers.

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

Regional Representatives: The representatives who represents the specific region of Asia. The criteria to distinguish each region shall be decided according to the definition of region by Olympic Council of Asia.

Related Multisports: Sports that are comprised of three segments, at least two of which segments include the sports from the triathlon components.

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

Rules: The ASTC Rules.

Table Officers: The ASTC Table Officers.

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

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

## **Article 2. NATURE & NAME**

This organization is formed, as an unincorporated non-profit making association shall be known as the Asian Triathlon Confederation (ASTC).

## **Article 3. OBJECTIVES**

The ASTC's principle objective is to promote the multi-sport events of Triathlon (which comprises any combination of swimming, cycling and running), Duathlon (which comprises any combination of running and cycling), Aquathlon (which comprises any combination of swimming and running) and Paratriathlon on behalf of the ASTC's members and generally to strengthen sporting friendship among Member Federations (MF) in Asia by:

1. Organizing and supervising Triathlon, Duathlon, Aquathlon and Paratriathlon competitions among ASTC members for all competitors of all ages.
2. To promote and generally advance the sport of Triathlon, Paratriathlon and its Related Multisports and act as its Asian governing body.
3. Organizing and supervising coaching camps and clinics for athletes and event officials.

4. To commission, author, prepare and publish video, audio, graphic and written study materials on triathlon, duathlon and aquathlon training, racing and similar matters.
5. Encouraging ASTC members in their endeavors to raise the level of performance in these events.
6. Aiding the interests and well being of ASTC members.
7. Supporting the aims, ideals and principles of the Olympic movement and supporting efforts undertaken by members, or regional or international organizations in which members may be interested, to ensure the continued inclusion of the sport of Triathlon in the programme of the Olympic Games, Asian Games and other international multi-sport games.
8. Assisting members in their aim to seek and receive appropriate recognition by their respective National Olympic Committees and National Sport Federation (Authorities).
9. Ensuring that there shall be no discrimination of members or of individual athletes, on the grounds of race, religion, politics or sex or other consideration in the affairs of ASTC
10. Implementing strict doping controls in ASTC events to ensure fair competition for all athletes. In accordance with the WORLD ANTI-DOPING (WADA) Code.
11. To develop sponsorship and marketing opportunities and commercial arrangements in relation to ASTC's intellectual property, as are appropriate with the purpose of creating a sustainable income stream to further its mission and objectives.
12. Undertaking or supporting any other initiatives, which will help in securing the participation of further Asian communities in Triathlon.
13. Undertaking and/or doing all such things or activities as are necessary, incidental or conducive to the advancement of its mission and objectives.

#### **Article 4. MEMBERSHIP**

##### **Article 4.1.**

1. Membership of the ASTC is open to those National Federation situated in Asia with authority from their National Olympic Committees or similar bodies to organize, promote or otherwise represent the events of Triathlon, Paratriathlon and Related Multisports in such countries / regions.
2. Only one member will be recognized from one country / region.
3. A National Federation wishing to become a member shall apply in writing to the Secretary General declaring an undertaking to observe and be bound by the provisions of this Constitution, enclosing a copy of its own constitution, details of the names of its executive officers, one year's annual membership fee in advance and evidence of official recognition by its National Olympic Committee or similar bodies as the case may be. On receipt of an application for membership, the Executive Board shall consider the case and, if thought fit, grant provisional membership and recommend that the Congress approve and confirm the

membership.

4. Annual membership fee is 150 US dollars, payable before March 31<sup>ST</sup> of each year. This fee may be revised by approval of the Executive Board
5. Membership shall cease in the event of a member giving written notice of its intention to resign and may be terminated upon expulsion of a member by a resolution in Congress passed by at least 75% of members present.
6. Honorary membership can be conferred by the Congress upon a person who has rendered the ASTC his exemplary service.

#### **Article 4.2.**

1. Members have the following rights:
  - a. To take part and to vote in the Congress.
  - b. To submit Resolutions for inclusion in the agenda of the Congress.
  - c. To propose candidates for the President, Table Officers, Executive Board and Committees of ASTC.
  - d. To enter their athletes in any official competition of ASTC, respecting the ASTC rules.
  - e. To take part in and benefit from ASTC's assistance, development and educational programmes; and
  - f. To exercise all other rights arising from this Constitution, the ASTC Rules, and other rules and decisions of ASTC.
2. Members have the following obligations:
  - a. Members must maintain full control and governance of Triathlon, Paratriathlon and their Related Multisports in their country.
  - b. Remain in good standing(including in good financial standing) as a member of ASTC and ITU at same time.
  - c. To comply with all applicable ASTC rules and decisions of Executive Board, Table Officers and Congress.
  - d. To insert in their Constitutions and Rules such provisions as may be required by the ASTC Constitution or other ASTC rules.
  - e. To pay the annual fee.
  - f. All Members shall be required to submit an annual report within the first three months of each year, which shall include the following information:
    - i. The mail address, email address, telephone, and fax, etc.
    - ii. A list of the Officers of the Member's Federation.
    - iii. Annual statistics about active membership of the Member (clubs, athletes, coaches, officials, etc).
    - iv. Major Championships and events to be held during the coming year, including date and location.
  - g. All disputes between Member and an athlete shall be resolved by ITU, accordance with the rules of ITU.

### **Article 4.3.**

1. The Executive Board may suspend a Member, which has either violated the ASTC Constitution and its rules or not fulfilled the requirements of Articles 3.1.2 of this Constitution.
2. The suspension due only to the non-payment of the annual fees may be lifted by the Secretary General when the Member is once again in good financial standing with ASTC.
3. Where an Member or an Officer either has not been accepted as an official Member, or has been suspended or expelled:
  - a. They will not be granted delegate status in the ASTC Congress and ITU Congress.
  - b. All individuals proposed for an elected position by the defaulting Member will immediately forfeit their positions upon suspension/expulsion from ASTC; and
  - c. The defaulting Member's athletes will not be allowed to participate in ASTC sanctioned events, unless otherwise decided by the Executive Board.
  - d. The defaulting Member will lose all membership rights during the period of suspension, i.e., the right to submit Resolutions and to take part in meetings, unless otherwise decided by the Executive Board.
4. Expelled members are liable for, and shall settle, all outstanding fees or other monies payable to the ASTC.
5. Before the Executive Board may use its power of suspension, the Member must have been sent notice in writing of the alleged infringement, at least one month before the next Executive Board meeting, at which the Member will be afforded a reasonable opportunity to be heard.
6. A Member in violation of the Constitution and/or policies, which remains in violation after having been previously warned or suspended, may be expelled from ASTC by Congress. The consent of at least two thirds (2/3) of the Members present is required.

### **Article 4.4.**

1. Any Member may withdraw its Membership at the end of any calendar year provided it has given the Secretary General at least six months prior notice in writing of its intention to do so.
2. The withdrawing Member shall settle all outstanding fees or other monies payable to the ASTC.

### **Article 5. JURISDICTION**

ASTC shall have jurisdiction over Triathlon and its related Multisports, as recognized by the ASTC.

**Article 6. GOVERNANCE OF THE ASTC**

Authority and responsibility and governance of the ASTC lies in the following order of precedence:

1. Congress
2. Table Officers
3. Executive Board
4. Standing Committees (Technical, Medical, Information, Audit, Promotion, Coaching, Women's, Athletes' and Para athlete Committee).

**Article 7. CONGRESS**

**Article 7.1.**

Congress is the general assembly of the Members and the highest authority of the ASTC. The groups who have the right to participate in Congress meetings are: i) all Members, ii) members of the Executive Board, iii) members of the Standing Committees, iv) Honorary Members (as further described in Article 12 below), v) representatives of the National Olympic Committee ("NOC") and National Sports Federation ("NSF") located in the country where a meeting of Congress is to be held. Details on the Congress are listed below:

1. Only Members in good standing may take part in the Congress.
2. Each Member shall be entitled to be represented by up to three (3) delegates at meetings of Congress.
3. Delegates of Members must be of the same nationality as the country or territory they represent, or have resided in that country for at least 183 days over the preceding 365 days.
4. A delegate may represent only one Member.
5. Each Member will have one (1) vote, which shall be cast by the lead representative. Except for the Members, no participants have the right to vote (except for the President in the case of a tie, as further described in item 8 below).
6. Those entitled to attend Congress without the right to vote may express their opinion on any matter on the agenda, provided they are recognized by the President.
7. There shall be no proxy votes. No postal/fax/email/or other electronic vote will be accepted at Congress.
8. The ASTC President (or the Vice-President chairing the Congress in the absence of the President) has the right to cast a deciding vote at Congress in the case of a tie.
9. The guests authorized and accepted by the Table Officers may attend the Congress, without any voting rights.

The names and addresses of the Members, together with details of the individual nominated as the lead representative shall be communicated in writing to the ASTC not later than thirty (30) days before the proposed meeting date of Congress.

**Article 7.2.**

ASTC Congress meetings shall be organized annually and, unless circumstances present difficulty, shall usually be held at the venue of and immediately preceding the Asian championships in that year. Where there is difficulty in holding a meeting of Congress at the venue of the Asian Championships then the date and place of the annual meeting of Congress shall be decided by the Table Officers. Notice of Congress meeting and relevant agenda and the Secretary General shall dispatch papers to Member Federations, Executive Board Members, Honorary Members and the NOC and NSF of the host country at least forty-five (45) days prior to the ASTC Congress.

**Article 7.3.**

Extraordinary Congress may be called, when very important and urgent matters need to be decided by the Congress, upon written request to the Secretary General on the part of at least 1/2 of the members in good standing.

**Article 7.4.**

The quorum of the Congress shall be at least 50% of the numbers in good standing. If a quorum is reached at the start of the meeting, said meeting can carry until its adjournment, even if quorum is lost during the meeting. A simple majority is enough to resolve all decisions, except as otherwise expressly resolved by the Congress.

**Article 7.5.**

The business and powers of the Congress shall comprise but not limited to:

1. Roll call of members.
2. Minutes of the last Congress.
3. Matters arising out of the Minutes.
4. Admission of new members.
5. Report of Executive Board and Committees and Asian Area Representative.
6. Report of Championships.
7. Recommendations of the Executive Board.
8. Adoption of annual budget.
9. Amendments to the ASTC Constitution and ASTC rules if any.
10. Motions and Resolutions.
11. Elections for President, two (2) Vice Presidents, Secretary General, Treasurer, Executive Board Members.
12. Appeals against sanctions.

**Article 8. Table Officers****Article 8.1.**

The Table Officers shall consist of President, two (2) Vice-Presidents, Secretary General, and Treasurer.

1. Candidates will be nominated by the Members and elected by Congress.
2. The Table Officers shall meet at the discretion of the President or if called by three Officers.

3. Quorum shall exist if 4 Officers are present.
4. Each Officer carries one (1) vote. A simple majority is enough to carry all decisions. There shall be no proxy vote.

**Article 8.2.**

The powers of the Table Officers shall include the following:

1. Carry out decisions made by Congress.
2. Decide routine matters in between Executive Board meetings.
3. Decide matters referred to it by Congress.
4. Assist the President and the Secretary General in daily matters.
5. Approve amendments of to the budget for the current year. These changes may not increase or reduce the budget by more than 20% of the budget approved by Congress.

**Article 9. EXECUTIVE BOARD**

**Article 9.1.**

The Executive Board is responsible for supervising and directing the proper functioning of the ASTC in the period between its Congress meetings.

1. The Executive Board shall meet at least twice in a year, on the occasion of various Asian Triathlon activities and always before a meeting of the Congress.
2. The quorum of the meeting shall be at least fifty percent (50%) of the members of the Executive Board.
3. Each member of the Executive Board carries one (1) vote. A simple majority is enough to carry all decisions. There shall be no proxy vote.
4. Any Executive Board member who is absence from three (3) consecutive meeting will be deemed to have resigned.

**Article 9.2.**

The powers of Executive Board shall include the following:

1. Delegates the President and Secretary General to handle routine business.
2. Delegates the Treasurer to carry out all works relating to finance.
3. Carries out decisions made by Congress.
4. Decides routine matters.
5. Decides matters referred to it by Congress.
6. Submits Resolutions to Congress.
7. Informs Congress of its opinion concerning resolutions.
8. Supervises and gives guidance to the Committees and Commissions.
9. Creates Commissions and selects their members.
10. Supervises strict application of this Constitution.
11. Charges the Committees to submit Resolutions in their area of expertise.

12. Amends the Operations' Manual in consultation with the Technical, Medical, Multisport, Paratriathlon and Athletes' Committees and the relevant Commissions as experience demands, to ensure fair and safe events for athletes.
13. Acts on assignments and directions as given from time to time by the President.
14. Acts as the interpreter of the ASTC Rules. All matters not provided for under ASTC Rules shall be decided by the Executive Board.
15. Makes the necessary appointments.
16. Promotes a development programme for the benefit of member NFs requiring assistance in the training of coaches, officials, etc...
17. Appoints pro-tem replacements to the Executive Board and Committees until the next Congress, which will elect the vacated positions. (where possible, the person with the next highest vote received at previous Congress elections, shall be appointed).
18. Decides and applies sanctions according to this Constitution.
19. Approves amendments of the budget for the current year. These changes may not increase or reduce the budget by more than 20% of the budget approved by Congress.
20. Calls the annual of meeting of Congress and an extraordinary Congress meeting in accordance with this Constitution.
21. To borrow money upon the credit of the corporation, from any bank, corporation, firm or person, upon such terms, covenants and conditions at such times, in such sums, to such an extent and in such a manner as the Executive Board in its discretion may deem expedient; and to limit or increase the amount to be borrowed.
22. Remuneration for all officers, agents and employees and committee members shall be fixed by the Executive Board by resolution. Such resolution shall have force and effect until the next Congress, and shall carry on at the good pleasure of the Executive Board unless defeated by a resolution duly adopted by a majority of members present at a Congress.
23. Grants provisional membership to NFs.
24. Prepares and approves the terms and conditions for Asian Championships.

### **Article 9.3.**

The Executive Board is comprised of fourteen (14) members: President, two (2) Vice-Presidents, Secretary General, Treasurer and eight (8) Board members: five (5) Regional Representatives (according to the definition of region by Olympic Council of Asia at the time of 2015 Amendment, consisted with Central Asia, East Asia, South Asia, South-East Asia, West Asia), three (3) Elected Board members, and one (1) Technical Committee Chair who shall not have any voting right. Two (2) of eight (8) elected Executive Board members excluding the five (5) Regional Representative and one (1) Technical Committee Chair are reserved for women. The term of office of the Executive Board Members shall be four (4) years from the time of his / her election. If a vacancy occurs, it shall be filled at the next Congress for the remaining period of the term of appointment. Executive Board members shall be eligible for re-election on a completion of a term of office. The President, Vice-Presidents, Secretary General and Treasurer shall not stand

for re-election for the same post after the expiry of three (3) terms.

**Article 9.4.**

The Executive Board shall be elected on a fair consideration of distribution of representatives from various geographical locations. The Executive Board Members shall not be from the same national federations, except for the Technical Committee Chair.

**Article 9.5.**

In the event of a post becoming vacant due to death, resignation, withdrawal from ASTC membership of the nominating country or loss of support from nominating country, (subject to the rectification of the Executive Board), the vacancy shall be filled by election at the next Congress, in accordance with the provisions of Articles 8.3 and 10, except that the term of the office shall be the remaining term of office of the departing member.

**Article 10. DUTIES OF OFFICERS**

**Article 10.1.**

The President is the highest Officer of ASTC, and shall represent the ASTC at all functions.

The President shall have the following roles and duties:

1. Directs ASTC, calls and chairs the meetings of Congress, the Table Officers, Executive Board, and Council.
2. Organizes and is responsible for the ASTC offices and of the whole ITU management
3. Is the spokesperson for ASTC and represents it at all appropriate occasions.
4. Ensures the implementation of all decisions taken by the Congress, Table Officers and Executive Board.
5. Negotiates or oversees the negotiation of all major contracts on behalf of the ASTC in consultation with the appropriate members of the Executive Board and/or any other relevant persons.
6. Supervises the activities of the Secretary General and Vice-Presidents.
7. Is an ex-officio member of all Committees and Commissions.
8. Elects a Senior Vice President from the elected Vice Presidents.

**Article 10.2.**

The Vice Presidents: assist the President in his/her duties.

1. The Senior Vice President is the deputy President in case the President is not able to fulfill his/her duties by replacing the President; he/she represents the President, and assumes the duties of the President, when absent or when asked to do so by the President.
2. Performs duties as assigned by the Secretary General in his/her absence.

3. Is entitled to attend all meetings of Committees and Commissions without the right to vote.

**Article 10.3.**

The Secretary General shall be responsible for the day-to-day administration of the ASTC and for the provision of support to its various bodies. He / She shall:

1. Sign all correspondence, which deals with members and other regional or international bodies.
2. Keep members informed of ASTC business and developments and shall execute the policies of the ASTC as directed by the Congress and the Executive Board.
3. Prepare meetings of Congress, Table Officers and Executive Board.
4. Arrange and keep Minutes of Congress and Executive Board meetings.
5. Keep a register of members.
6. Ensure compliance by all Members, Officers, Executive Board members, athletes, coaches, officials, staff, committee and commission members, with this Constitution and all ASTC Rules and decisions and to inform the Executive Board of any violations of the spirit and letter of them.
7. Be entitled to attend all meetings of commissions and committees, without the right to vote; should not attend meetings of juries so as to preserve the independence of the jury.

**Article 10.4.**

The Treasurer is responsible for the stewardship of the ASTC's finances. He / She shall:

1. Assists and advises the President in the development of ASTC's financial affairs.
2. Invest the funds of ASTC, after having consulted various financial experts and informed the President..
3. Collect revenues and make payments on behalf of ASTC.
4. Submit annual report to Congress concerning the financial situation of ASTC.
5. Keep clear and separate accounts of the accounts of the Executive Board and Committee expenses.
6. Sign, with the President and the Secretary General on behalf of ASTC, marketing and sponsorship agreements.
7. Prepare annual budget.
8. Sign cheques for withdrawal from the bank, with the President or Secretary General.
9. Assist in ensuring the receipt of annual fees from Members and any contributions, royalties and dues, emoluments, and fines imposed by ASTC.

**Article 11. COMMITTEES AND COMMISSIONS**

**Article 11.1.**

Members shall nominate members of committees and the Congress shall undertake appointments at the election year.

1. Term of appointment is four (4) years.
2. Where a vacancy occurs, it shall be filled at the next Congress for the remaining period of the term of appointment.
3. Committees are standing committees of ASTC and shall meet once a year during the Asian Championships.
4. All Committee members will have one (1) vote within their Committee. A simple majority is enough to carry all decisions. In case of a tie in any Committee, the motion is lost. There shall be no proxy votes.
5. All Committees shall report to the Executive Board.
6. All Committee members have the right to attend Congress, with voice but no vote.
7. It is the responsibility of the members of each of the Committees to support ASTC's efforts to develop Triathlon, Paratriathlon and their related Multisports, within the geographic areas assigned to them by Congress.

**Article 11.2.**

All Committees will have a Chair and Secretary elected by and among the Committee members except for Technical Committee Chair. The Technical Committee Chair will be appointed by the President.

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

**Article 11.3.**

The Technical Committee shall comprise seven (7) persons and shall:

1. Supervise the strict application of the competition rules.
2. Prepare Resolutions concerning amendments to the competition rules and regulations.
3. Prepare clinics for coaches, referees, etc.
4. Prepare and control examination for international referee candidates.
5. Propose Technical Delegates for official ASTC competitions.

**Article 11.4.**

The Medical Committee shall comprise five (5) persons and shall:

1. Establish conditions at ASTC sanctioned competitions, which ensure health and safety of all participants.

2. Perform doping controls at Asian Championships and other ASTC events. Inform the Jury President of the competition and ASTC Secretary General if there is a report from the laboratory on positive test of an “A” sample and give its advice.
3. Organize medical seminars and research in field of endurance for multi-sports.

**Article 11.5.**

The Information Committee shall comprise five (5) persons and shall:

1. Keep the Secretary General informed of all information activities in Asia and other continents.

**Article 11.6.**

The Audit Committee shall comprise three (3) persons and shall:

1. Advise Congress and the Executive Board.
2. Have the following responsibilities:
  - a. Periodically review the financial statements prepared by the Secretary General and the Treasurer in charge of financial affairs, and have contact with the external auditor.
  - b. Periodically report to the Table Officers and to the Executive Board and to Congress on the status of the ASTC financial statements.

**Article 11.7.**

The Triathlon Promotion Committee shall comprise five (5) persons and shall:

1. Suggest various ways and means to promote and popularize Triathlon and its related Multisports in Asia.

**Article 11.8.**

The Women’s Committee shall comprise five (5) persons and shall:

1. Ensure equality of opportunity, recognition and reward for women in Triathlon and its related Multisports.
2. Devise policies on the development of the integration of women in all sporting activities.

**Article 11.9.**

The Athletes Committee shall comprise five (5) persons who shall be active athletes and shall:

1. Seek comments and suggestions from the athletes and communicate them to ASTC.
2. Look after the interest of athletes.

**Article 11.10.**

The Coaching Committee shall comprise of five (5) members and shall:

1. To prepare Asian triathletes to world standard.
2. To co-ordinate with ITU Sports development Programs Director in the conduct of camps for coaches and athletes.

**Article 11.11.**

The Para athlete Committee shall comprise five (5) members and shall

1. Seek comments and suggestions from Para Athletes and communicate them to ASTC.
2. Look after the interest of Para Athletes.

**Article 11.12.**

The President, Secretary General and Treasurer will be ex-official members of all committees.

**Article 11.13.**

Ad hoc Commissions may be formed by the Executive Board for specific tasks of a temporary nature in the promotion and development of ASTC. The Commission Chair is able to participate in Executive Board meeting in order to report the activities and progress to Executive Board.

**Article 12. HONORARY MEMBERSHIP**

**Article 12.1.**

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

1. Honorary Membership will be decided by Congress; recommendation being submitted by the Executive Board.
2. Congress may confer the title of Honorary President to a retiring President of ASTC.
3. Honorary Presidents and Honorary Members will be invited to attend Congress.

**Article 13. RESOLUTIONS**

1. Resolutions to Congress must be received by the ASTC Secretary General at least sixty (60) days prior to Congress.
2. Resolutions must be submitted in writing and signed by the President of the member.
3. Resolutions must be accompanied by argument for their justification.
4. The Executive Board is responsible for reporting all Resolutions to Congress. Committees and Commissions affected are responsible for reporting the Resolution to the Congress and to the Executive Board respectively.

5. Resolutions duly received by the Secretary General must be circulated to all members at forty-five (45) days prior to Congress.
6. All voting is done by rising of hand by members. However, if a secret ballot is requested, it will be organized. Postal votes will be organized whenever necessary in the Executive Board and the Committees.

## **Article 14. ELECTION**

### **Article 14.1.**

The elections will take place at Congress from the year of 2015 and following every four (4) years.

### **Article 14.2.**

The order of election is:

- President
- 2 Vice Presidents
- Secretary General
- Treasurer
- 8 Board Members
- Members of the Committees
- Honorary President and Honorary Members (if applicable).

### **Article 14.3**

All candidates for election must:

1. Be nominated by their National Federation of citizenship or residence, which is a member of ASTC in good standing.
2. Be individuals at least 18 years of age, and have the power under law to contract
3. Submit their personal achievement records and the goals they want to achieve for ASTC. The records must be distributed, preferably electronically, to all Members 45 days before Congress as part of the package containing Congress Resolutions and Nominations.
4. Honorary President and Honorary Members, will be nominated by the Executive Board

### **Article 14.4**

If necessary, will conduct elections to fill vacancies:

1. At the next Congress
2. At an Extraordinary meeting of Congress, which has been called when very important and urgent matters must be decided, if at least 20 % of Members in good standing requests such a meeting.
3. The Executive Board positions shall be automatically vacated:

- a. if at a special general meeting of members, a resolution is passed by two-thirds (2/3) of the members present at the meeting that he/she be removed from office;
  - b. if a director has resigned his office by delivering a written resignation to the secretary-general of the corporation;
  - c. if he is found by a court to be of unsound mind;
  - d. if he becomes bankrupt or suspends payment or compounds with his creditors;
  - e. on death
4. A retiring Executive Board member shall remain in office until the dissolution or adjournment of the meeting at which his retirement is accepted and his successor is elected.

#### **Article 14.5**

Election for the President and Secretary General shall be done by secret ballot.

More than 50% of the vote's casts are required to be elected. If no candidate receives more than 50% of votes, the candidate with the lowest number of votes is eliminated. If two or more candidates received the same and the lowest votes, they will not be eliminated and a new ballot including only those candidates shall be organized in order to solve the tie. Consecutive ballots shall be organized until the election is decided. In the case such tie may not be eliminated by the means above, the President will cast the deciding vote.

Voting during elections, delegates must select a candidate as per the full number of vacancies for EB and committees members. Therefore, anyone who only votes for less than the number of vacancies will not have their vote counted.

#### **Article 14.6**

The election procedure for the Regional Representatives is that, after electing the President, two (2) Vice Presidents, Secretary General, Treasurer and three (3) elected Board Members, the Congress Delegates of each region will decide the Regional Representatives among the candidates except for previously elected person, by agreement or vote. And such decided person shall be deemed as elected as the Regional Representatives in Congress.

#### **Article 14.7**

The election procedures for the other positions are that:

1. A simple majority will be required to be elected.
2. Candidates with the most votes will be elected until all positions are covered, with an exception when the gender requirements are not covered. In these cases, the elected candidate will be the one with the most votes, who fulfils the gender requirements.
3. In the case of the election of the Committee Members, if a candidate is elected for more than one (1) Committee position concurrently, such Committee Member shall be permitted to serve on only one of such Committees which ranks the

highest in the Committee hierarchy. The person who obtained the most votes for the Committee from which such Committee Member has been eliminated pursuant to this Article shall be elected to serve on such Committee.

The order of the hierarchy of the Committees shall be as follows:

- 1) Technical Committee
  - 2) Women's Committee
  - 3) Audit Committee
  - 4) Para Athlete Committee
  - 5) Information Committee
  - 6) Promotion Committee
  - 7) Medical Committee
  - 8) Coaches' Committee
  - 9) Athletes' Committee
- 
4. Each Member will have one vote for the election of each position, and will have the same number of votes as positions to be elected.
  5. A vote with less names than the ones to be elected will not be valid.
  6. In case of a tie with the candidates with the least number of votes in a round where the number of candidates is in excess of the number of available positions, all candidates with more than 50% votes shall be elected and a second round of voting shall take place only between those tied

## **Article 15. ASTC COMPETITIONS**

### **Article 15.1.**

The official competitions of ASTC are:

1. Asian Triathlon Championships (Olympic Distance)
2. Asian Duathlon Championships
3. Asian Aquathlon Championships
4. Asian Triathlon Cup Series
5. Asian Sprint / Asian Long Distance Events will be ASTC sanctioned events.

### **Article 15.2**

Asian championships and Asian Triathlon Cup Series shall be organized annually and other events on a regular basis. These events shall have elite, junior and age group categories for both sexes.

### **Article 15.3**

The ASTC shall ask for bidding for ASTC events to the member federations on the terms and conditions decided by the ASTC Executive Board. For all ASTC official competitions and ASTC sanctioned events, entries / correspondence will be accepted / recognized only if sent through ASTC member federations.

**Article 15.4**

For the Asian Games, the ASTC shall make and assist members in making all reasonable efforts to ensure that the Olympic Council of Asia (OCA) establishes the sport of Triathlon as a regular sport in the Asian Games program. The ASTC shall co-operate with OCA and the Organizing Committee for the successful and smooth conduct of Triathlon.

**Article 16. COMPETITION RULES**

International Triathlon Union (ITU) Competition rules shall apply for all ASTC Competitions.

**Article 17. ATHLETES' ELIGIBILITY RULES**

1. ASTC shall follow ITU Rules on eligibility for ASTC events, unless otherwise stipulated in ASTC's Competition Regulations.
2. ASTC shall follow ITU Rules on eligibility for all competitions related to ITU events.
3. ASTC shall follow IOC Rules and By-laws on eligibility for all competitions related to Olympic Games.
4. ASTC shall follow OCA Rules on eligibility for all competitors related to Asian Games or other Asian events under the auspices of OCA.

**Article 18. RULE VIOLATIONS, PROTESTS AND APPEAL PROCEDURES****Article 18.1**

A member violating the ASTC Constitution will be penalized with a view to the gravity of the case, either by warning or by suspension for less than 24 months. A suspended member loses all rights during the suspension period, i.e. the right to submit motions, to take part in meetings and to enter in competitions organized by ASTC or by its members. If a member willingly violates the Constitution and persists after having been warned or suspended, it will be excluded from ASTC membership.

**Article 18.2**

Penalties in doping offence case shall be dealt with in accordance with the relevant ITU Rules. Members must adopt the same disciplinary measures in doping cases in their own competitions.

Whereas compliance with the World Anti-Doping (WADA) code is one of ASTC's priorities just like ITU as member of the Olympic movement.

And whereas, there is a requirement by WADA and ITU that ASTC ensure its members to fully comply with the WADA and the ITU that ASTC ensures its members to fully comply with the WADA code, under the threat of penalties by WADA and the IOC.

**Article 18.3**

All Members suspended or penalized by decisions have the right to appeal to the Congress within 30 days of the decision. The Congress's decision is final.

An appeal does not suspend the effect of the penalty. Every appeal must be made along with a draft of US\$50.

**Article 19. SECRETARIAT**

The Secretariat of the ASTC shall be located at the address of the Secretary General unless otherwise decided by the Congress.

**Article 20. LANGUAGE**

The official language to be used in all official papers and meetings of ASTC shall be English. However, a member may bring an interpreter to the meeting.

**Article 21. GOVERNING LAW**

The governing law of the ASTC shall be Korean law.

No disputes relating to ASTC affairs can be brought before a civil court. Disputes can only be brought finally to the Court of Arbitration for Sports (CAS) located in Lausanne, Switzerland.

**Article 22. DISSOLUTION OF THE ASTC**

If three-fourth(3/4) of members of the ASTC determine that there are insufficient grounds for the ASTC to continue in operation, then its affairs shall be wound up and any surplus remaining after payment of its debts shall be divided equally among and paid over to its Members.