

TAFISA Statutes – Proposed Revisions & Items for Discussion

Prepared for TAFISA General Assembly, 2009, in Taipei

Current Statutes (adopted September 30, 2007)

CHAPTER I

NAME AND HEADQUARTERS

Article 1:

The association bears the name "Trim and Fitness International Sport for All Association" (hereinafter TAFISA).

Article 2:

It has its legal seat in Frankfurt am Main (Federal Republic of Germany).

Article 3:

The association is registered in the register of associations at the Frankfurt am Main Regional Court.

Article 4:

The location of the Executive Office of TAFISA is determined by the Board of Directors.

CHAPTER II

OBJECTIVE

Article 1:

TAFISA's objective is the world-wide promotion of Sport for All and physical activity.

Proposed Changes and Items for Discussion

Suggestion:

"The association bears the name "The Association For International Sport for All" (hereinafter TAFISA)."

Requirement (by German Tax Office):

"TAFISA's objective is the promotion of sport."

Article 2:

This association objective is fulfilled in particular by means of the following:

- a. the organisation of world-wide congresses;
- b. the promotion of traditional cultures in games and sport through programmes, events, publications and scientific research in cooperation with other institutions;
- c. the international exchange of information, appropriate materials, consultancy services etc.;
- d. the organization of fund raising activities to generate the necessary resources for TAFISA's own operations
- e. cooperation with international institutions and establishment of alliances;
- f. the organization and coordination of international Sport for All programs like Intl. Challenge Day, World Walking Day, World Festival of Traditional Sports
- g. the establishment and recognition of regional/continental bodies under the umbrella of TAFISA
- h. the offering of educational and training programs in Sport for All

the recognition and support for regional conferences and international seminars in cooperation with promoting institutions;

Requirement (by German Tax Office):

“TAFISA’s objective, in cooperation with the Member organisations, is fulfilled by means of the following:

- a. the promotion of the individual and collective sport practice in reference to health and social quality of life, for example World Walking Day, International Challenge Day;
- b. the promotion of an active lifestyle as well as the ethical values which go together with sports activity;
- c. the promotion of traditional games and sport cultures by appropriate means, models etc., for example TAFISA World Sport for All Games;
- d. the development of comprehensive sport concepts, programs, models and activities in Sport for All, in cooperation with Member organisations, including the development of necessary framework requirements, for example “Active Cities – Active Communities – Active Citizens”;
- e. the strengthening of the integrative function of Sport for All in all social fields;
- f. the education and training of Member organisations in the development of Sport for All and physical activity, for example through activities like Certified Leadership Courses, publications, or cooperation with academic partners;
- g. the establishment of an effective partnership with scientific organisations, for example universities;
- h. the cooperation with internationally operating institutions with an interest in Sport for All, for example governments, IOC, WHO, UNESCO, private sector and other social groups; and
- i. the facilitation of international exchange of experiences, best practices, etc., for example through workshops, symposiums, etc.

CHAPTER III

FINANCIAL YEAR

Article 1:

The financial year is the calendar year.

CHAPTER IV

PUBLIC-BENEFIT STATUS

Article 1:

TAFISA pursues exclusively and directly public-benefit objectives within the meaning of the German fiscal code. The association operates disinterestedly and does not primarily pursue purposes of economic viability. TAFISA's funds may only be used for purposes in conformity with the statutes.

Article 2:

TAFISA's bodies and committees work voluntarily unless the present statutes make explicit statements to the contrary. Travel expenses and official expenditures may be reimbursed. The General Assembly may agree to grant an allowance for special expenditures for any particularly time-consuming discharge of duties and may arrange the details.

Article 3:

No-one may benefit from expenditures that are not in keeping with TAFISA's purpose or from unreasonably high salaries.

CHAPTER V

WORKING LANGUAGE

Article 1:

The TAFISA working language is English.

CHAPTER VI

MEMBERS

Article 1:

Active national, provincial or equivalent members

Active national, provincial or equivalent members are state or non-state institutions operating at national, provincial or equivalent level that promote Sport for All and physical activity.

Article 2:

Active international members

Active international members are institutions that promote Sport for All and physical activity internationally.

Article 3:

Supporter members

Supporter members may be either individuals, academic institutions or commercial institutions as well as public or private institutions offering or promoting "Sport for All".

Suggestion:

"Supporter members may be either individuals, academic institutions or commercial institutions, **including city or community administrations**, as well as public or private institutions offering or promoting—"Sport for All **and physical activity**"."

CHAPTER VII

ACCEPTANCE OF MEMBERS

Article 1:

Applications for membership shall be forwarded in writing to the Secretariat General.

Suggestion:

Revise wording as follows:

“Applications for membership shall be forwarded in writing to the Secretariat General, and shall include the following:

- a. Completed TAFISA Membership Application Form, including signature of the President or Secretary General,
- b. A copy of the applicant's statutes or constitution,
- c. A list of current Board Members and organisation chart,
- d. A copy of the applicant's certificate of legality as issued by the relevant authority,
- e. A document describing the main achievements of the applicant over the last two years and its priorities for the coming two years, and
- f. Payment of the applicant's fee for the first year of membership.

Should the application be denied for any reason, TAFISA will refund the fee for the first year of membership.”

Article 2:

Applications for membership are to be received by the Secretary General no later than three months before the date of the General Assembly.

Article 3:

The Board of Directors shall decide on the provisional acceptance of the applicant. A final decision shall be taken by a simple majority of votes at the following General Assembly.

Article 4:

Membership shall expire as a result of resignation, exclusion or death. Resignation is possible at any time and is to be communicated to the Secretariat General in writing. The obligation to pay any outstanding membership contributions shall continue to exist.

CHAPTER VIII

BODIES

Article 1:

TAFISA's bodies are as follows: - the General Assembly and - the Board of Directors.

CHAPTER IX

GENERAL ASSEMBLY

Article 1:

The General Assembly is TAFISA's supreme decision-making body.

Article 2:

The General Assembly shall take place every two years in connection with the TAFISA World Congresses. An extraordinary General Assembly shall be called if the Board of Directors decides to do so or if one-third of the members call for such a meeting. The Secretary General issues invitations to the General Assembly at least three months before it is due to take place, stating the date, venue and agenda. In the case of an extraordinary General Assembly, this period is reduced to four weeks. Motions by the members have to be sent in written form to the Secretary General three months before the General Assembly and two weeks before an extraordinary General Assembly.

Article 3:

Every General Assembly that is called in accordance with the rules has a quorum, if at least one-third of its members entitled to vote are present. Decisions shall be taken by a simple majority of votes insofar as the present statutes do not make provisions to the contrary.

Article 4:

The tasks of the General Assembly include in particular the following:

- a) Deciding on the general principles for achieving the association's objectives as well as agreeing on the working programme for the next two years.
- b) Deciding on membership applications and exclusions.
- c) Deciding on the venue for the respective next-but-one TAFISA World Congress, games festivals and "Sport for All Festivals" as well as all other TAFISA programs.
- d) Recognising and paying tribute to outstanding Sport for All projects, particularly in developing countries.
- e) Deciding on the budget for the next two years.
- f) Approving the report of the Board of Directors (activity reports and financial report confirmed by a notary public).
- g) Electing the Board of Directors and the nomination committee. The nomination committee is formed by three active members, who are not members of the board.
- h) Electing Honorary Presidents and Honorary Members.
- i) Deciding on auditors for two years
- j) Deciding on the amount of the membership contributions.
- k) Taking a decision on motions to amend the statutes and other motions.
- l) Deciding on dissolution.

CHAPTER X

BOARD OF DIRECTORS

Article 1:

The Board of Directors consists of the following:

- a) the President,
- b) four Vice-Presidents,
- c) the Treasurer,
- d) the Secretary General,
- e) up to five other members.

At least two members of the Board of Directors are to be female. The four Vice-Presidents are to come from different continents (America – Asia/Oceania – Africa – Europe). Honorary Presidents may be invited to the Board of Directors but do not have the right to vote.

Article 2:

The members of the Board of Directors shall be elected for a period of four years. They remain in office until a new election. Re-election is possible. In such case as a member of the Board of Directors under items 1 a) - d) above should leave during his term of office, a member of the board shall be co-opted whose confirmation must take place at the next General Assembly.

Suggestion:

“The Board of Directors consists of the following:

- a) the President,
- b) four Vice-Presidents,
- c) the Treasurer,
- d) the Secretary General,
- e) **one representative from the Board of each of TAFISA’s officially recognised regional bodies Boards of Directors, and**
- f) up to five other members.

At least two members of the Board of Directors are to be female. The four Vice-Presidents are to come from different continents (Americas – Asia/Oceania – Africa – Europe). **Representatives of TAFISA’s regional bodies are to nominated by the respective regional bodies Board of Directors. Representatives of regional bodies can hold the title of TAFISA Board Member only, and not TAFISA President, Vice-President, Treasurer or Secretary General.** Honorary Presidents may be invited to the Board of Directors but do not have the right to vote.”

Article 3:

The Board of Directors within the meaning of Section 26 of the German Civil Code is the President in combination with the Treasurer or the Secretary General. If the President is unable to attend the Treasurer and the Secretary General shall represent the organization. The reason for him being unable to attend does not need to be proven in any individual case.

At the same time, the President, the Treasurer and the Secretary General comprise the Executive Board. Certain tasks may be allocated to them by the General Assembly or by the entire Board of Directors.

Article 4:

Meetings of the Board of Directors shall be called by the President, or if he is unable to do so, by the longest serving Vice-President. The calling of meetings shall take place by telefax or email at least eight weeks before the meeting is due to take place. The invitation shall state the venue, date and agenda. Any documents for the meeting shall be communicated to meeting participants in good time.

Article 5:

The Board of Directors has a quorum if more than half of its members are present.

Article 6:

The President shall decide on the participation of guests.

Article 7:

The Board of Directors may deploy commissions, commissioners and special advisors to perform subtasks.

CHAPTER XI

ELECTIONS / VOTING RIGHTS

Article 1:

Each country has one vote each in elections and votes. Supporter members and Active international members do not have the right to vote.

Article 2:

The transfer of voting rights to other countries is excluded.

Article 3:

The right to vote shall be suspended if the membership contributions for the years between the General Assemblies have not been credited to TAFISA's account by the beginning of the General Assembly.

Article 4:

In the case of elections to the Board of Directors, only persons may stand whose candidature is backed by their home country's active national member in an official letter three months before the General Assembly.

Article 5:

The nomination committee shall propose to the General Assembly persons for election;

Article 6:

All decisions on motions shall be taken by simple majority; motions to amend the statutes shall require a majority of two-thirds of the votes cast, however. Invalid votes and abstentions shall not be taken into account. A tie shall mean rejection.

Article 7:

Decisions by the Board of Directors and the commissions may also be taken electronically, particularly by telefax or email, if no member of the Board of Directors rejects this procedure; in the case of such decisions, too, the simple majority of votes suffices.

Article 8:

Elections shall be held in writing and secretly in principle. If only one person is proposed for an office and if that person is willing to take up the office, the ballot may take place by an open vote with a show of hands if there is no application for a secret ballot.

Article 9:

Persons may be elected in absentia if they have declared in writing their willingness to accept the office.

Article 10:

If only one person stands for an elected post, that person is elected if he receives a majority of the votes cast. If a number of persons are standing for election, the person who receives more than half of the votes cast is the person elected. If this number of votes is not reached by any person, a run-off ballot shall take place between the two persons who received the most votes in the first ballot, to be decided by simple majority. In such case as both candidates receive the same number of votes, the ballot shall be repeated after a break. If the two candidates once again have the same number of votes, the decision shall be taken by lot.

Article 11:

By-elections and reappointments shall apply to all bodies and commissions for the respective current electoral term.

CHAPTER XII

FINANCING

Article 1:

TAFISA shall finance itself from the following sources:

- a) membership contributions,
- b) contributions from other national and international institutions and persons,
- c) foundations and payments by sponsors,
- d) income from licensing agreements,
- e) real estate and movables purchased as well as
- f) income from real estate and movables obtained through purchase or endowment.

Article 2:

The membership contribution shall be paid annually by the members' meeting at the latest to the amount agreed at the last members' meeting. In years in which no General Assembly takes place, the amount is due by April 30 at the latest.

Article 3:

The President, the Treasurer and the Secretary General shall draw up a plan of measures and a draft budget for the plan of measures before the beginning of each financial year and shall submit them to the Board of Directors for a decision to be taken.

Article 4:

The President, the Treasurer and the Secretary General shall write an activity and year-end financial report following the end of the financial year that requires the approval of the Board of Directors and every two years by the General Assembly.

Article 5:

The accounts should be audited every year by an auditor.

CHAPTER XIII

OFFICE

Article 1:

TAFISA shall have an office to carry out ongoing tasks.

Article 2:

The Secretary General shall manage the ongoing business and shall report regularly on it to the Executive Board and Board of Directors.

CHAPTER XIV

MINUTES

Article 1:

Minutes shall be kept of the General Assembly and of the meetings of the Board of Directors and the Executive Board. These shall be signed by the person in charge of the meeting and the secretary general. The minutes shall be sent to the members of the respective bodies within three weeks.

CHAPTER XV

REGIONAL BODIES

TAFISA recognizes regional bodies as its regional representatives. It is understood that these regional bodies consider TAFISA as its umbrella organization.

Suggestion:

“TAFISA recognizes regional bodies as its regional representatives in each of Asia/Oceania, Africa, Europe and the Americas. It is understood that these regional bodies consider TAFISA as its umbrella organization, **and this will be reflected in the statutes of those regional bodies, including the pursuit of TAFISA activities and programs.**”

CHAPTER XVI

DISSOLUTION

Article 1:

The members' meeting shall decide on TAFISA's dissolution with a majority of threequarters of the votes cast. A vote may only take place if the motion to dissolve TAFISA was substantiated in the invitation. In the case of the dissolution of the association, its remaining assets shall be transferred to a public-benefit organisation or a foundation for use for public-benefit purposes in the field of sport.

Requirement (of German Tax Office):

“The members' meeting shall decide on TAFISA's dissolution with a majority of threequarters of the votes cast. A vote may only take place if the motion to dissolve TAFISA was substantiated in the invitation. In the case of the dissolution of the association or **cessation of tax-privileged purposes**, its remaining assets shall be transferred to a public-benefit organisation or a foundation for use for public-benefit purposes in the field of sport.”