

## SECTION 2: GOVERNANCE & BY-LAWS



### 2.2 MEMBERSHIP POLICY & RIGHTS AND OBLIGATIONS OF MEMBERS

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#### 1 INTRODUCTION

- 1.1 Virtus: World Intellectual Impairment Sport is owned and managed by its Member Organisations (the “Membership”).
- 1.2 The Virtus Governing Board, its management team, officers and standing committees oversee the strategic direction and operation of the Federation on behalf of the Membership.
- 1.3 The Virtus management team shall keep an accurate record of the level of compliance and status of each organisation in membership with Virtus and shall publish a list of current members.

#### 2 MEMBERSHIP POLICY

- 2.1 Subject to compliance with the Virtus Constitution, Membership shall be open to the following categories:
  - i) Voting Members
    - a National Member Organisations: a national organisation recognised by Virtus as the sole representative of athletes with an intellectual impairment to Virtus in that country or territory. National Member Organisations undertake the coordination within the respective country and are responsible for relations and communications with Virtus.
    - b Virtus Regions: the 5 continental organisations recognised by Virtus including Virtus Africa, Virtus Americas, Virtus Asia, Virtus Europe and Virtus Oceania.
    - c International Federations: a recognised international organisation responsible for the governance or promotion of a sport, and wishing to work in partnership with Virtus through a signed MOU for the benefit and promotion of sport for athletes with an intellectual impairment.
  - ii) Non-Voting Members
    - a National Federations: a national federation of sport, recognised by and in membership of their respective international federation. A National Federation may only be accepted into membership in a nation where there is no National Member Organisation (as defined in article 3.1.ii.a) above, and membership must be surrendered should an organisation that fulfils the criteria of 3.1.ii.a above be approved.
    - b Individual Members: individuals who wish to join Virtus to support our work and activities.
- 2.2 Virtus Membership is offered on the principle of one nation-one member. ‘Nations’ may include those specific geographical areas, territories and administrative regions within countries as defined by the Governing Board.
- 2.3 Virtus Membership may be granted to organisations in compliance with the following conditions:

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- i) Compliance with the Virtus Constitution, Handbook and Bylaws: With the exception of individual members, all organisations registered as an autonomous organisation with activities linked to the promotion of Sport for people with an Intellectual Impairment and a constitution which is in compliance with the vision, aims, objects, purposes and goals consistent with the Virtus Constitution.
- ii) Signing an agreement with Virtus:
  - a) agreeing to respect Virtus sponsors and ensure any national sponsors are in accordance to the specific marketing regulations outlined in the Virtus bylaws.
  - b) agreeing that the policies relating to any issue or matter in which Virtus is involved shall be that which has been determined by the Virtus General Assembly or the Virtus Governing Board or the Court of Arbitration for Sport.
  - c) agreeing to comply with the World Anti-Doping Code.

### 3 PROVISIONAL MEMBERSHIP

- 3.1 In all cases except Individual Members, applicants that have complied with all conditions for Virtus membership may be granted by the Governing Board the status of 'Provisional Virtus Membership' until such time as the Virtus General Assembly can formally approve the application. If a provisional member breaches any of the obligations imposed on members this will be taken into account and may form a reason for the Governing Board not bringing forward a recommendation to the General Assembly to approve the membership.
- 3.2 Provisional members shall have all the same privileges and responsibilities as Members, except:
  - i) the right to vote at the General Assembly.
  - ii) the right to submit motions.
- 3.3 In the case of Individual Members, such applications will be managed by the Management Team.

### 4 GENERAL RIGHTS AND OBLIGATIONS OF ALL Virtus MEMBERS

- 4.1 In all cases except Individual Members and the conditions set out in (5), Members shall:
  - i) Have the right to attend any meeting of the Members of Virtus, including the General Assembly, subject to delegates being duly mandated in writing and in compliance with the published timelines.
  - ii) Have the right to nominate candidates for Virtus Standing Committees, subject to candidates being duly Nominated in compliance with the published Nomination procedures.
  - iii) Have the right to submit motions to the Virtus General Assembly, subject to compliance with the relevant Virtus Standing Order. The Virtus Governing Board will provide the General Assembly with its recommendations on such motions.
  - iv) Have the right to participate in all Virtus activities, including congresses/conferences and any other scientific, educational or promotional activities organised by Virtus,

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subject to payment of the participation fees and other relevant decisions made by the Virtus Governing Board.

- v) Have the right to participate in the development of Virtus' Vision and Mission statement.
- vi) Pay the annual membership fee established by the Virtus General Assembly within the first ninety (90) days of the calendar year. Under special circumstances the Virtus Governing Board may consider a request for reduction or waiving of the membership fee. Such decisions will not revoke any rights of the Member.
- vii) Submit the governing document of the organisation to Virtus Headquarters (copy in English) and inform about any subsequent changes to the statutes.
- viii) Inform Virtus on any matter coming to their attention which may hinder the effective development of opportunities for athletes with intellectual impairment in sport or which may adversely affect Virtus.
- ix) Observe and comply with all policies, procedures, bylaws, codes, rules, regulations and the decisions of the Virtus Governing Board, and promote towards their respective individual members the principles outlined in the Virtus Code of Ethics.
- x) Maintain regular and on-going communication with Virtus and, in particular, respond to Virtus's official requests in a timely manner.

## 5 SPECIFIC RIGHTS AND OBLIGATIONS FOR MEMBERS

### 5.1 National Member Organisations in membership of Virtus:

- i) General
  - a) Shall make a formal application for membership of Virtus.
  - b) Shall honour, respect and promote the Virtus Vision, values and organisational philosophy throughout all activities.
  - c) Shall do all in its power to promote Virtus and its sport and competition programme, vision, values and strategic aims.
  - d) Have the sole right to submit athlete eligibility applications to Virtus.
  - e) Have the right to vote at the General Assembly subject to the policies and procedures set out in the relevant standing order.
  - f) Will operate open, democratic and transparent policies and procedures that are consistent with those of Virtus.
  - g) Have overall accountability to Virtus for their actions and those of their athletes and officials.
- ii) Marketing, Branding and Sponsorship
  - a) Are responsible in its own country for the use (including devolved use) and protection of the Virtus logo, Member Nation logo, Virtus flag, Virtus anthem and the name 'Virtus'.

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- b May use a Regional logo, designed and approved by Virtus.
- c Recognise the right of Virtus to initiate a global marketing strategy with other partners, agencies, subject to individual and/or collective consultations with Virtus stakeholders.

#### iii) Sport, Events and Competition

- a Support, and promote nationally, a wide range of sports and events within the Virtus programme.
- b Have the right to organise Virtus National Championships and other sports events or bid to host international Virtus competitions and other events.
- c Have a duty to enter their athletes in competitions organised or sanctioned by Virtus subject to compliance with entry rules and regulations and the decisions of the Virtus Governing Board.
- d Have the overall responsibility for the entry and coordination of athletes and teams to Virtus events, including where team management may be delegated to a 3rd party, and for the actions of those teams in competition.
- e Have a responsibility to ensure open and transparent practices with regards to team selection and maintaining the athlete pathway.
- f Observe and comply with the administrative and operational guidelines issued by Virtus with regard to entry, management and team preparation for Virtus sanctioned competitions.

#### 5.2 Virtus Regions in membership of Virtus:

##### i) General

- a Will make a formal application for membership of Virtus.
- b Shall honour, respect and promote the Virtus Vision, values and organisational philosophy throughout all activities.
- c Shall do all in its power to promote Virtus and its sport and competition programme, vision, values and strategic aims.
- d Will act as liaison with Virtus on behalf of its national members in the respective area, whilst recognising that such liaison cannot supersede the Members rights to directly liaise with Virtus on all matters.
- e Agree that the Virtus President or their nominated representative retains the right to attend all Regional meetings with speaking rights (non-voting).

##### ii) Governance and Financial

- a Shall adopt and publish a constitutional document and associated policies and procedures that are consistent with those of Virtus (a draft constitutional document can be found in Appendix 1).

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- b Shall establish an appropriate management committee with clear terms of office, roles and responsibilities and election procedures. The Committee will meet at least twice per year.
  - c Will hold a Regional General Assembly approximately every two years, electing officers by rotation in a two-year cycle. Terms of office will be for 4 years, and officers may be elected for a maximum of 2 terms of office in any particular role.
  - d Will operate open, democratic and transparent policies and procedures that are consistent with those of Virtus.
  - e Shall admit into membership all National Member Organisations within the Region who are recognised members of Virtus within that Region.
  - f Have the right to vote at the General Assembly subject to the policies and procedures set out in the relevant standing order.
  - g Shall establish transparent procedures to nominate representatives to the Virtus Governing Board in compliance with the relevant standing order.
  - h May, at their discretion, collect an annual membership fee or regional surcharge from Member Organisations within the Region, however non-payment shall not be cause to suspend the member from Virtus membership. This fee may be collected independently, or by prior arrangement, as part of the annual Virtus membership fee whereupon it will be subsequently transferred to the region.
  - i Will operate an independent bank account, or by prior arrangement, may hold funds with Virtus centrally – such funds only to be used for the benefit of the region. Virtus may make a small charge to cover any additional banking or audit fees that this may give cause to.
  - j Shall establish clear accounting policies and procedures and be responsible for the proper use of funding received from Virtus, member organisations (including and Regional membership fee) or other supporters.
  - k Shall undertaken an insurance audit and maintain any compulsory and other insurances covers/policies necessary to protect both the Region and Virtus.
- iii) Marketing, Branding and Sponsorship
- a Are responsible for the use (including devolved use) and protection of the Virtus logo, Virtus flag, Virtus anthem and the name 'Virtus'.
  - b May use a Regional logo, designed and approved by Virtus.
  - c Will have a dedicated area of the Virtus website with administrative access rights. Regions may not operate a separate website.
  - d Will recognise the right of Virtus to initiate a global marketing strategy with other partners, agencies, subject to individual and/or collective consultations with Virtus stakeholders.

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#### iv) Sport, Events and Competition

- a Will coordinate development activities with Virtus to ensure the development of sport for people with an intellectual impairment within the respective area.
- b May nominate representatives to, and will support the work of, Virtus Sport Committees.
- c Where delegated authority has been received from the Virtus Governing Board, have the right to organise Regional Championships and other sports events whilst at all times respecting the specific calendar cycle/coordination agreements determined by Virtus. The World Calendar will always take precedence over the Regional Calendar.
- d Except where delegated responsibility has been granted to the Region in advance by the Virtus Governing Board, all bids for events and competitions shall be presented to the relevant Virtus Sports Committee for approval and be ratified by the Virtus Governing Board.
- e Where delegated responsibility has been granted to the Region for the management of a Regional competition programme, the Region:
  - i) must maintain appropriate public, professional and financial liability insurance in respect of all events, competitions and activities and;
  - ii) accept full responsibility for, and indemnify Virtus against, all liability, claims, and complaints arising from Regional events.

#### 5.3 International Federations in membership of Virtus shall:

- i) Coordinate development activities in partnership with Virtus to ensure the development of sport for people with an intellectual impairment within the respective sport.
- ii) Actively promote opportunities within the sport for people with an intellectual impairment amongst national federations.
- iii) Where appropriate, actively promote participation in Virtus events and competition.

#### 5.4 National Federations in membership of Virtus shall:

- i) Honour, respect and promote the Virtus Vision, values and organisational philosophy throughout all activities.
- ii) Do all in its power to promote Virtus and its sport and competition programme, vision, values and strategic aims.
- iii) Have a duty to enter their athletes in competitions organised or sanctioned by Virtus within the sport subject to compliance with entry rules and regulations and the decisions of the Virtus Governing Board.
- iv) Have the overall responsibility for the entry and coordination of athletes and teams to Virtus events.

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- v) coordinate development activities in partnership with Virtus to ensure the development of sport for people with an intellectual impairment within the respective sport at a national level.
- vi) relinquish all membership rights at such time that a National Member Organisation is formed within the Nation.
- vii) where appropriate, will actively promote participation in Virtus events and competition.

5.5 Individual Members of Virtus shall:

(Section to be added)

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#### Appendix 1 – Draft constitutional document for Virtus Regions

##### **Article 1. Name, Seat, Duration**

The organization is called: “Virtus [REGION]” and has its seat in [CITY, COUNTRY].

The association was established on [DATE].

The duration of the association is unlimited.

##### **Article 2. Objectives**

The aim of the association is:

- a. To support the aims and objectives of the world organisation of the “International Federation for Athletes with Intellectual Impairments (Virtus)”, in this constitution indicated as “the world organization/Virtus”, in [REGION].
- b. To provide a liaison between Virtus and its [REGION] members.
- c. To deal with any matter referred to it by Virtus and with any [REGION] matter referred to it by a [REGION] member.
- d. To always act in accordance with the policies and procedures of Virtus as set out in the membership agreement.

##### **Article 3. Membership and Finance**

- a. Every National Member Organisation of Virtus within the Region is automatically a member of Virtus [REGION], but only those members in good standing with Virtus [REGION] may vote at a General Assembly, subject however to the stipulation below in 3b.
- b. Virtus [REGION] may levy a membership subscription on its members the amount of which will be set by the Regional General Assembly. Non-payment of this subscription does not prevent a member participating in any Championship or Competition, but voting rights will not be granted at the Regional General Assembly.

##### **Article 4. Organisation**

Virtus [REGION] shall be made up of

- a Regional General Assembly
- the Executive Committee
- any such other committees as the Region shall decide.

##### **Article 5. The Regional General Assembly**



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- b. The Regional General Assembly will meet at least every two years during the period of the Virtus (World) General Assembly. Each Regional member shall have one vote, subject however to the stipulations above in 3a and 3b, but may be represented by up to three persons.
- c. The Regional General Assembly will
  - receive a report of all activities since the last Assembly
  - receive audited accounts for the past two years
  - discuss and decide the budget of the organization for the next two years
  - discuss plans for the next two years
  - determine any membership subscription or any capitation tax
  - discuss and decide on resolutions submitted by members
  - undertake any other business which falls within the objectives of the Region
  - elect or dismiss the officers, members of the Executive Committee and other representatives as required.
  - Determine nominees to the Virtus Governing Board
- d. The Regional General Assembly may elect a Regional Chairperson.
- e. Resolutions for the Regional General Assembly must be sent to the secretariat in writing at least three months prior to the Assembly.
- f. The Regional General Assembly shall be called in writing at least 6 months in advance.

#### Article 6. The Executive Committee

- a. The Regional Executive Committee shall have the responsibility of conducting the affairs of the Region within any policy laid down by the General Assembly.
- b. The Executive Committee will:
  - decide the location of the headquarters of the Region
  - meet at least once per year
  - consult with the representative of the Regional Paralympic Committee on matters relating to the [Regional] Paralympic Committee
  - assist the world organisation (Virtus) in evaluating information in respect of new applications for membership
  - submit a report to the Regional General Assembly every two years, or more frequently if necessary
- c. The Legal Representative of the organisation is the Regional Chairperson.

#### Article 7. Finance

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- a. The sources of finance will be
  - any sum allocated by Virtus
  - donations, grants and sponsorship
  - levies on members
  - capitation taxes on competitors in Championships.
- b. Until finances of the Region permit otherwise, each member sending a delegate or representative to a meeting shall meet that individual's expenses.
- c. In case of dissolution of the Region, the Regional Assembly shall decide on the use of assets remaining after payment of liabilities whilst observing any relevant national and local laws.

#### **Article 8. Officers of the Executive Committee**

- a. The Executive Committee shall comprise: [to be determined by the Region]
  - Chairperson
  - Vice-Chair
  - Secretary General
  - Treasurer
  - Members at Large
- b. The members of the Executive Committee shall be elected to their specific positions by the Regional Assembly for a period of four years, on a rotating basis of elections every two years with approximately 50% standing down each time.

#### **Article 9. Elections**

- a. The officers of the Executive Committee will be elected by the Regional Assembly by the following procedure.
  - Nominations by Regional Members will be submitted in writing to the Secretary General at least three months prior to the Regional Assembly. Only nominees from Members in good standing, i.e. full members of Virtus will be accepted.
  - Individuals may be nominated for more than one position but may stand only for those positions for which they have been nominated. Nominations are binding.
- b. Vacancies arising may be filled by the Executive Committee until the next Regional Assembly.
- c. Voting shall be by secret ballot at the Regional Assembly.

#### **Article 10. Relations with the world organisation of Virtus**

- a. Virtus [REGION] is made up solely of members of the world organisation Virtus in the Region. It will at all times operate within the policies of the world organisation of Virtus.

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Virtus [REGION] will nominate individuals to the Virtus Governing Board in accordance with the relevant Virtus Policy