

**CONSTITUTION OF THE ST. KITTS AND NEVIS OLYMPIC COMMITTEE  
(SKNOC)**

1. **LEGAL STATUS**

SKNOC shall be a body corporate with perpetual succession.

2. **POWERS**

The SKNOC shall have all the powers of an individual including but not limited to the power to -

- (a) enter into contracts;
- (b) purchase, sell, lease, rent and acquire or grant legal or equitable interests of any kind in real and personal property.
- (c) borrow money.
- (d) mortgage, assign, pledge, grant security interests in and deal in any manner permitted by law with its property.
- (e) give guarantees of the debt or liabilities of any person.
- (f) make by-laws and regulations.
- (g) engage and terminate temporary or permanent staff, consultants, advisors and agents of any kind;
- (h) operate bank accounts.

3. **INTERPRETATION**

3.1 In this Constitution, unless the context otherwise requires:

- (a) **“By-laws”** means any by-Laws of the SKNOC from time to time in force;
- (b) **Commission:** means the Athletes' Commission of the SKNOC;
- (c) **Ifs:** means the international non-governmental organizations administering one or several sports at world level recognized as such by the International Olympic Committee.

- (d) **IOC:** means the International Olympic Committee.
- (e) **Member:** means a member of the SKNOC.
- (f) **Member organisation:** means a sporting organisation which is a Member.
- (g) **NFs:** means Olympic Sports Federations and other national sporting organisations administering sports which are not Olympic sports..
- (h) **NOCs:** means the National Olympic Committees.
- (i) **Olympic Charter:** means the Olympic Charter of the IOC.
- (j) **Olympic Games:** means the Games of the Olympiad and/or the Olympic Winter Games.
- (k) **Olympic Sports Federations:** means national federations affiliated to IFs recognized by the IOC in respect of Olympic Sports.
- (l) **Regulations:** means any regulations of the SKNOC in force from time to time.
- (m) **SKNOC:** means the St. Kitts and Nevis Olympic Committee recognized as such by the IOC.

3.2 Should there be any doubt concerning the interpretation of this Constitution or the By-Laws or omissions or discrepancies between them and the provisions of the Olympic Charter, the latter shall prevail; and

3.3 The singular includes the plural and the plural includes the singular; the masculine gender includes the feminine and neuter genders; the word “person” includes bodies corporate, companies, partnerships, syndicates, trusts and any association of persons; and the word “individual” means a natural person.

#### 4. **HEADQUARTERS**

4.1 The Headquarters of the SKNOC shall be in Basseterre, St. Kitts, at such address as the Executive Committee may fix from time to time by resolution.

#### 5. **SEAL**

- 5.1 The common seal approved by the Executive Committee an impression of which is made in the Executive Committee Minute Book, shall be the common seal of the SKNOC.

6. **OBJECTIVES**

- 6.1 The SKNOC shall have the following aims inter alia:
- (a) to ensure the development and protection of the Olympic Movement and sports in general in St. Kitts and Nevis;
  - (b) to affiliate with the IOC and to comply with, observe, and enforce the Olympic Charter in St. Kitts and Nevis;
  - (c) to enforce all the Rules and Regulations of the IOC;
  - (d) to ensure the observance of the Olympic Charter in St. Kitts and Nevis, and expressly undertake to comply with the Olympic Charter.
  - (e) to participate in the Games of the Olympiad by sending athletes, coaches, and officials;
  - (f) to propagate the fundamental principles of Olympism at the national level within the framework of sports activity and otherwise contribute to the diffusion of Olympism in the teaching programmes of physical education and sport in schools and university establishments;
  - (g) to encourage the creation of institutions which devote themselves to Olympic education, in particular National Olympic Academies, Olympic Museums and cultural programmes related to the Olympic Movement;
  - (h) to encourage the development of high performance sport as well as sport for all;
  - (i) to help in the training of sports administrators by organizing courses and to ensure that such courses contribute to the propagation of the fundamental principles of Olympism;
  - (j) to preserve its absolute autonomy and resist all pressures of any kind, including those of a political, religious or economic nature, that may prevent the SKNOC from complying with the Olympic Charter;
  - (k) to commit itself to taking action against any form of discrimination and violence in sport;

- (l) to disseminate among young people an interest in sport and a sporting spirit;
- (m) to assist and cooperate in the provision of better facilities for the people's recreation;
- (n) to strengthen friendship between sportsmen in St. Kitts and Nevis without racial, political, religious or other discrimination;
- (o) to adopt and implement the World Anti Doping Code, thereby ensuring that the SKNOC anti-doping policies and rules, membership and/or funding requirements and results management procedures conform with the World Anti Doping Code and respect all the roles and responsibilities for NOCs that are listed within the World Anti Doping Code;
- (p) to organize, together with the respective national sporting organizations, the preparation and selection of athletes, by providing financial assistance to affiliated members towards development and preparation of competitors, thereby ensuring that St. Kitts and Nevis is represented at the Olympic Games and all other games having patronage of the IOC;
- (q) to exercise exclusive jurisdiction directly through its constituent members or committees over all matters pertaining to the participation of St. Kitts and Nevis in the Olympic Games and any other Games or events sanctioned by the IOC including the selection of teams to represent St. Kitts and Nevis in such Games, and to the designation of a city to host any such Games in St. Kitts and Nevis;
- (r) to raise funds for the purpose of sending teams to the Olympic, and any other Games sanctioned by the IOC and for such purpose to borrow monies on security or otherwise as may be deemed advisable from time to time, and to repay such monies as and when arrangements may be made therefor;
- (s) to affiliate with all other governing bodies of games having patronage of the IOC. It shall, wherever necessary or expedient, collaborate or enter into association with kindred Olympic Associations or Committees particularly in the Western Hemisphere;
- (t) to submit proposals to the IOC with regard to the Olympic Charter, the Olympic Movement in general and, the organization and conduct of the Olympic games;
- (u) to cooperate with government or non-governmental bodies

concerning the promotion of a sound sports policy and in order to fulfil its objectives;

- (v) to do such things that in the opinion of the SKNOC are incidental and conducive to its carrying out these objectives.

## 7. **PRINCIPLES**

7.1 The principles of the SKNOC shall be:

- (a) respect for the independence of the national sporting organizations;
- (b) respect for the sovereignty of all national sporting organizations over their various forms of sport; and
- (c) mutual respect between national sporting organizations affiliated to their respective international sporting organizations in their dealings with one another.

## 8. **RIGHTS GRANTED BY IOC**

8.1 The SKNOC:

- (d) has the exclusive powers for the representation of St. Kitts and Nevis at the Olympic Games and at the regional, continental or world multi-sports competitions patronized by the IOC;
- (e) constitutes, organizes and leads its delegation at the Olympic Games and at the regional, continental or world multi-sport competitions patronized by the IOC. It decides upon the entry of athletes proposed by its respective NFs. These rights are set forth in further detail in the Olympic Charter;
- (f) has the authority to designate the city which may apply to organize Olympic Games in St. Kitts and Nevis;
- (g) may formulate proposals to the IOC concerning the Olympic Charter and the Olympic Movement in general, including the organizing and holding of the Olympic Games;
- (h) may give its opinions concerning the candidatures for the organization of the Olympic Games;
- (i) may collaborate in the preparation of Olympic Congresses;
- (j) participates, at the request of the IOC, in the activities of the IOC

Commissions.

9. **TASKS**

9.1 SKNOC shall endeavour to:

- (a) regularly organize (if possible each year) an Olympic Day or Week intended to promote the Olympic Movement;
- (b) include in its activities the promotion of culture and the arts in the fields of sport and Olympism; and
- (c) participate in the programmes of Olympic Solidarity.

10. **MEMBERS**

10.1 Subject to Article 10.4 the SKNOC shall be comprised of:

- (a) the member(s) of the IOC in the country, if any. They are *ex officio* Members and have the right to attend and vote at both General Assembly and Executive Committee meetings;
- (b) the members of the Executive Committee;
- (c) all NFs affiliated to the IFs governing sports included in the programme of the Olympic Games. These NFs exercise a specific and real sports activity in their country and internationally, in particular by organizing and participating in competitions and implementing training programmes for athletes. The SKNOC shall not recognize more than one NF for each sport governed by such IF, and that organization must be affiliated to the relevant IOC-recognized International Federation;
- (d) active athletes and retired athletes who have taken part in the Olympic Games. The membership of a retired athlete terminates automatically at the end of the third Olympiad after the last Olympic games in which he took part;
- (e) one member of the Athletes Commission;

10.2 The SKNOC may admit to membership:

- (a) national sporting organisations administering non-Olympic sports and other sports-oriented organizations.

- (b) **Individual members:** Individual membership shall be open to distinguished persons, who may enable the SKNOC to perform its tasks more effectively, or who have rendered eminent services to the cause of sport and Olympism, and who do not already hold any other form of membership of the SKNOC or represent a Member organisation;
- (c) **Honorary Members:** An honorary member shall not be entitled to hold any office or to vote at any meeting of the SKNOC.

### 10.3 **Qualifications of Members**

- (a) Membership may be granted pursuant to Article 10.2 to individuals and organisations recommended by the Executive Committee and confirmed by an affirmative vote of two thirds of the Members present and voting at a General Assembly to which such recommendation is submitted.
- (b) Individual members of the SKNOC must be Citizens of St. Kitts and Nevis, of age and full possession of their civil and political rights.
- (c) Neither Governments nor any other public authorities shall designate any members of the SKNOC. However, the SKNOC may decide, at its discretion, to elect as members representatives of such authorities.

### 10.4 **Olympic Sports Federations Majority**

The voting majority of the General Assembly shall consist of the votes cast by Olympic Sports Federations or their representatives. For this purpose members of the Executive Committee appointed by Olympic Sports Federations shall be regarded as representing their respective federations.

### 10.5 **Remuneration**

The members of the SKNOC, with the exception of those who are employed in the administration of sport, shall accept no salary or bonus of any kind in consideration of the performance of their functions. They shall perform their duties for the SKNOC on a voluntary basis. They may, however, be reimbursed for their traveling and accommodation costs and other justified expenses incurred in the carrying out of their functions. Furthermore, they shall not use their position for commercial purposes.

## 11. **APPLICATION FOR ADMISSION TO MEMBERSHIP**

- 11.1 This Article shall apply only to individuals and sporting organisations

which wish to be admitted to membership pursuant to Articles 10.2(a) and (b).

- (a) application for membership in the SKNOC shall be made in writing addressed to the Secretary-General. If the application is by a sporting organization a copy of such organization's Constitution and Rules and Regulations shall accompany such application which shall be signed by its President and its Secretary. Application by an individual must be signed by him;
- (b) the General Assembly may from time to time determine particulars to accompany membership applications;
- (c) the Secretary-General shall present membership applications before the General Assembly. No such application shall be considered by the General Assembly, unless at least 7 (seven) days prior to the meeting convened to consider such application, notice of such said application has been given to Members of the SKNOC entitled to vote at such meeting;
- (d) a successful applicant shall within twenty-one (21) days of being notified of his election to membership, pay the affiliation fee stipulated by the General Assembly, and on payment thereof, he shall be duly enrolled as a member of the SKNOC. Failure to pay the affiliation fee within the time aforesaid shall nullify his election to membership. On being enrolled as such, a member shall be furnished with a copy of the Constitution and By-laws of the SKNOC and any By-laws and Regulations in force.

## 12. **CESSATION OF MEMBERSHIP**

12.1 Membership of the SKNOC shall cease:

- (a) with respect to the NFs, upon disbandment;
- (b) with respect to the member(s) of the IOC in St. Kitts and Nevis, upon the loss of such position;
- (c) with respect to the retired athletes, by the end of the third Olympiad after the last Olympic Games in which they took part;
- (d) upon resignation or death;
- (e) upon expulsion by the Executive Committee following a hearing given to the Member concerned, for any or all of the following reasons:

- (i) non-payment of annual subscription, if such Member's subscription is in arrears on the 30<sup>th</sup> day of September of the current year; provided that such arrears shall be reported by the Secretary-General to the General Assembly which may direct that a final notice be given to such a member in arrears, that unless the arrears are paid within seven (7) days from the date of sending such notice, his membership shall cease and if such Member shall fail to pay such arrears in accordance with such said notice, his name shall be removed with effect from the seventh day from the date of such said notice from the list of members of the Association;
  - (ii) infringement of the Constitution and By-laws or of the Olympic Charter;
  - (iii) loss of St. Kitts and Nevis nationality or of civil and political rights;
- (f) if at a special general meeting of the General Assembly a resolution is passed by two-thirds of the Members present at the meeting that he be removed from membership for conduct inimical to the interests of the SKNOC. Expulsion shall follow a hearing at which the Member may appear and make representation on his own behalf;
- 12.2 The General Assembly may for the reason and in like manner set out in Article 12.1 (f) suspend the membership of any Member for a period fixed by the meeting.
- 12.3 (a) Any individual Member or Member organization may withdraw from membership of the SKNOC provided that he has fulfilled his obligations to the SKNOC.
- (b) Any individual Member or Member organization wishing to withdraw from membership of the SKNOC shall be required to give at least six (6) months' notice in writing stating reasons for so doing to the Secretary-General of the SKNOC.
- 12.4 Any Member whose name has been removed from the list of Members for non-payment of subscription may on payment of the full amount due apply to be restored to such list, and the Executive Committee may thereupon restore such Member's name subject to any terms and conditions imposed by the General Assembly.

### **13. ORGANIZATION**

- 13.1 The organs of the SKNOC shall be:

- (a) the General Assembly;
- (b) the Executive Committee

**14. THE GENERAL ASSEMBLY**

- 14.1 The General Assembly shall be the highest organ within the SKNOC. The SKNOC shall operate under the supreme direction of the General Assembly, which shall exercise all policy and supervisory powers except those explicitly attributed to the Executive Committee.
- 14.2 The General Assembly shall be comprised of all Members referred to in Article 10.
- 14.3 The General Assembly shall hold an Annual General Meeting at least once in every year in order to:
  - (a) hear the President's Report;
  - (b) examine and approve the report on the activities of the Executive Committee, presented by the Secretary General;
  - (c) examine and approve the accounts of the previous financial year, as presented by the Treasurer;
  - (d) approve a budget for the following year;
  - (e) appoint auditors for the SKNOC;
  - (f) draw up and/or amend By-laws or Regulations;
  - (g) ensure that the By-laws and Regulations are respected;
  - (h) where required by Article 20, elect officers and members of the Executive Committee of the SKNOC;
  - (i) approve new Members of the SKNOC;
  - (j) other business properly included in the agenda.

**15. MEETINGS OF THE GENERAL ASSEMBLY**

- 15.1 (a) Meetings of the General Assembly shall be convened by written notice signed by the Secretary General or in his absence the Assistant

Secretary General. A copy of the agenda shall accompany the notice;

- (b) At least 21 days notice of the Annual General Meeting must be given to all Members. Extraordinary general meetings shall be convened by at least 7 days notice or where the agenda includes a proposal to amend the Articles, by at least 21 days notice;
- (c) All meetings of the General Assembly shall be held in St. Kitts/Nevis.

- at
- 15.2 An extraordinary general meeting of the General Assembly may be convened any time by the Executive Committee and shall be convened at the written request of at least two-thirds of the Members of the SKNOC;
  - 15.3 The President of the SKNOC, or, in his absence, the Vice President, or in the absence of the President, and the Vice President, one of the Members of the Executive Committee, shall chair the General Assembly;
  - 15.4 One-third of the Members in good standing shall constitute a quorum for meetings of the General Assembly. If a quorum is not present within an hour of the time fixed in the notice for commencement of the meeting the meeting shall stand adjourned to the date 14 days after the date of and at the same time as was fixed for commencement of the aborted meeting. If at such adjourned meeting a quorum is not present within one hour of the time set for commencement of same the Members present shall constitute a quorum and the meeting shall be held;
  - 15.5 Subject to Article 15.9 decisions shall be made by a simple majority of votes cast except for decisions regarding amendments to the By-laws which shall be made by at least two-thirds of the votes cast. In the event of a tie, the chair of the General Assembly shall have the casting vote;
  - 15.6 The agenda of the Annual General Meeting shall consist of all items set out in Article 14.3 or added pursuant to Article 15.8. The Executive Committee, or any Member by notice reaching the Secretary General not less than 28 prior to the date of the meeting, may propose a matter for inclusion under Article 14.3 (j);
  - 15.7 The agenda of any extraordinary general meeting shall consist of any matter proposed by the Executive Committee, and, if the meeting is called pursuant to Article 15.2, any matter proposed by the Members requesting the meeting, and any matter added pursuant to Article 15.8;
  - 15.8 Except for amendments to this Constitution or the By-laws an item may be added to the agenda by a vote of seventy-five per cent of the Members present and voting;

- 15.9 When dealing with questions relating to the Olympic Games only the votes cast by the Executive Committee and by the NFs affiliated to IFs governing sports included in the programme of the Olympic Games shall be counted.
- 15.10 Inadvertent omission by the Secretary General to give to any Member notice of any meeting of the General Assembly shall not invalidate its proceedings or any decisions taken at the meeting.

15.11 **VOTING AT MEETINGS OF GENERAL ASSEMBLY**

Without in any way derogating from the requirements of Article 10.4;

- (a) each NF shall have two (2) votes.
- (b) other Members shall each have one (1) vote.
- (c) only members in good standing shall be eligible to vote.
- (d) individual Members shall vote in person.
- (e) Votes shall be taken by show of hands save in respect of the election of the Executive Committee and any other matter in respect of which 3 Members present may require a secret ballot.

16. **DELEGATES OF MEMBER ORGANIZATIONS**

16.1

- (a) each Member organisation shall appoint a head delegate and an alternate to the SKNOC. The head delegate shall be considered as the voting delegate and official spokesman of his organisation but he may cede his position to his alternate;
- (b) delegates and their alternates must be nationals of St. Kitts and Nevis and should be of good standing, upright character, sound judgment and independent mind with a knowledge of, and belief in, Olympic principles;
- (c) the names of the delegates shall be communicated in writing to the Secretary-General of the SKNOC and such delegates shall continue to be delegates at the pleasure of the organisation they represent. Any organisation shall be entitled at any time to withdraw in writing the name of any delegate and to nominate in writing a delegate or delegates in place of or in succession to the former delegate or delegates;

- (d) if any delegate is appointed or elected as an Officer of the SKNOC such delegate shall immediately cease to represent his organisation which shall be entitled to appoint another delegate in his place.

- 16.2 The names and addresses of the delegates shall be sent to the Secretary-General in writing within 30 days after their selection by a Member organization. A delegate cannot represent more than one (1) Member organization.
- 16.3 Only delegates whose names have been submitted in writing shall be allowed to take their places and vote on behalf of their Member organisation..

**17. THE EXECUTIVE COMMITTEE**

- 17.1 The administration and management of the SKNOC shall be entrusted to its Executive Committee.
- 17.2 The Executive Committee shall be comprised of the following persons:
- (a) the President;
  - (b) the Vice President;
  - (c) any member(s) of the IOC in St. Kitts and Nevis;
  - (d) the Secretary General;
  - (e) the Assistant Secretary General;
  - (f) the Treasurer.
  - (g) Four other persons representing Olympic Sports Federations.
- 17.3 Subject to Article 20 the term of each Executive Committee shall be four (4) years.
- 17.4 The voting majority of the Executive Committee shall consist of the votes cast by the Olympic Sports Federations or their representatives.

**18. DUTIES OF THE EXECUTIVE COMMITTEE**

The Executive Committee shall:

- (a) manage and control the affairs of the SKNOC;
- (b) raise funds to finance the activities of the SKNOC;
- (c) control expenditure;
- (d) appoint and/or dismiss permanent employees, consultants, advisors and agents and fix their terms of appointment;

- (e) appoint committees and sub-committees necessary for the smooth running of the SKNOC and receive reports therefrom;
  - (f) draw up from time to time By-laws, Rules and Regulations for submission to the General Assembly;
  - (g) consider applications for membership and recommend for final approval by the General Assembly;
  - (h) propose the amount to be paid in annual subscription by members of the SKNOC;
  - (i) select representative teams;
  - (j) fill all vacancies (including that of auditors) as they arise;
  - (k) appoint from among its members suitable tribunals to consider and adjudicate on disputes/conflicts within Member organisations;
  - (l) carry on the general routine work of the SKNOC;
  - (m) recommend to the SKNOC General Assembly the removal from office of any Officer who refuses to carry out any of the functions of that office after being requested to do so or whose performance is unsatisfactory or inimical to the interest of the SKNOC or who has been absent from three (3) meetings of the Executive without permission and / or reasonable explanation during one (1) calendar year;
  - (n) report on its activities to the General Assembly;
  - (o) do all other things that are incidental and conducive to its carrying out of these duties.
- 18.2 The Executive Committee shall direct and cause proper books of account to be kept with respect to:
- (a) the assets and liabilities of the SKNOC;
  - (b) all sums of money received and expended by the SKNOC and the purpose of such income or expenditure;
- 18.3 The books of the SKNOC shall at all times be open to inspection by any member of the Executive Committee;
- 18.4 (a) the Executive Committee may from time to time prescribe reasonable

conditions as to time and manner when and in which the books of the SKNOC or any of them may be inspected by Members and subject to such conditions such books shall be open to inspection by Members of the SKNOC.

- (b) In case of a Member organization such inspection may be made on its behalf by any officer of such organization duly authorized in that behalf by writing signed by the President and Secretary of that organization.

## 19. **OFFICERS**

### 19.1 **PRESIDENT**

- (a) the President shall preside over all activities of the SKNOC and represent the SKNOC in all matters;
- (b) he shall lead discussions and shall preside at all General Assembly Meetings and at all meetings of the Executive Committee;
- (c) the President shall be an '*ex officio*' member of every committee of the SKNOC, but shall not preside at meetings of committees other than the Executive Committee unless specifically appointed to do so.
- (d) The President shall submit a written report to each Annual General Meeting.

### 19.2 **VICE-PRESIDENT**

- (a) the Vice President shall be of general assistance to the President, and shall perform such duties as may be assigned by the President;
- (b) he shall deputise for the President when the latter is absent.
- (c) he shall act for the President at the discretion of the Executive Committee.

### 19.3 **SECRETARY-GENERAL**

- (a) The Secretary-General shall be responsible to the Executive Committee;
- (b) he shall be in charge of correspondence;
- (c) he shall forthwith hand over to the Treasurer any fees or other monies that may be sent to him for the account of the SKNOC.

- (d) he shall be responsible for the convening of meetings and his duties shall also include the keeping of:
  - (i) the register of members of the SKNOC, showing each class of membership and the members in each class separately from the rest;
  - (ii) the register of members of the Executive Committee and all committees that may be appointed;
  - (iii) true and proper Minutes of all proceedings at any General Assembly Meeting, meetings of the Executive Committee and meetings of all committees;
- (e) he shall perform such additional duties as may be assigned to him by the Executive Committee.
- (f) he shall submit a written report to each Annual General Meeting.

#### **19.4 ASSISTANT SECRETARY-GENERAL**

The Assistant Secretary-General shall assist the Secretary-General in the performance of his duties and shall perform such additional duties as may be assigned to him by the Executive Committee.

#### **19.5 TREASURER**

##### 19.5.1

- (a) all long-term financial commitments shall be made by the Executive Committee or (where provision is made in the SKNOC Annual Budget for such commitment) by the President and Treasurer;
- (b) the Treasurer shall place all commitments made by the President and him pursuant to Article 19.5.1(a) on the agenda of the first Executive Committee meeting thereafter.

19.5.2 All monies of the SKNOC shall be placed to its bank account, and no money shall be withdrawn from any such account except by cheque signed by any two (2) of the following: President, Vice-President, Secretary-General, Assistant Secretary-General, Treasurer and any other member of the Executive Committee designated by the Executive Committee, provided however, without prejudice to the foregoing, the Executive Committee may authorize the Treasurer to retain a

stated amount of monies at any one time to pay out such petty disbursements as may be required to be paid.

19.5.3 It shall be the duty of the Treasurer to:

- (a) keep up to date such books of account as may be necessary, or as the Executive Committee shall from time to time direct;
- (b) receive all monies payable and paid to the SKNOC and issue receipts therefor;
- (c) deposit all such monies (save so much as the Executive Committee may authorize him to retain) in the bank to the credit of the account of the SKNOC;
- (d) make such payments as may be duly authorized by the Executive Committee;
- (e) be one of the persons to operate the banking account of the SKNOC;
- (f) prepare and submit for audit, with all proper vouchers, a financial statement for the period ending 30<sup>th</sup> day of September in every year, such statement to be so prepared and submitted not later than the 7<sup>th</sup> day of November of the year;
- (g) present to the Secretary-General the financial statement as soon as the same shall have been duly audited so that the copies thereof may be issued to the members with the notice convening the Annual General Meeting.

19.5.4 Should the Treasurer resign he shall surrender to his successor, within a maximum of 30 days, all funds, books and documents kept by him properly brought up to date. A report on this act of surrender shall be prepared and signed by the outgoing and incoming Treasurers.

19.5.5 Records must be kept of all monies expended by Members of the SKNOC on behalf of the SKNOC. Refunds of such expenditure shall not be made where there are no records of such payments.

## 20. **ELECTION OF EXECUTIVE COMMITTEE**

This Article does not apply to members of the IOC in St. Kitts and Nevis who are entitled ex officio to sit on the Executive Committee.

- 20.1 The Executive Committee of the SKNOC serving at the date of this Constitution shall remain in office until the 31st day of December 2008.
- 20.2 Election of the Executive Committee shall take place in the month of November 2008 and in the month of November in each fourth year thereafter.
- 20.3 The Executive Committee so elected shall take office on the 1st day of the year following their election and shall serve a term of four (4) years.
- 20.4 Elections shall be held at an Annual General Meeting of the General Assembly or at an extraordinary General Meeting expressly convened for this purpose.
- 20.5 Members of the Executive Committee shall be duly nominated by a proposer Member and a seconder Member. If there are two or more nominations for any office, the election shall be by secret ballot.
- 20.6 Members of the Executive Committee shall be eligible for re-election.
- 20.7 Nominations for the Executive Committee, shall be submitted to the Secretary-General of the SKNOC at least fourteen (14) days prior to the date of the General Assembly Meeting for election of the Executive Committee.
- 20.8 Vacancies on the Executive Committee shall be filled at a meeting of the General Assembly convened for that purpose within sixty (60) days of such vacancy arising. The replacement shall hold office until the end of the current term but shall be eligible for re-election.
- 20.9 Any member of the SKNOC's Executive Committee may be removed before the expiration of his term by a two-thirds (2/3) majority vote of no confidence duly passed by the General Assembly.

21. **PROTECTION OF OFFICERS**

21.1 No officer of the SKNOC shall be liable to the SKNOC for:

- (a) the acts, receipts, neglects or defaults of any other officer, or employee;
- (b) any loss, damage or expense incurred by the SKNOC through insufficiency or deficiency of title to any property acquired by the SKNOC or for or on behalf of the SKNOC;
- (c) the insufficiency or deficiency of any security in or upon which any of the moneys of or belonging to the SKNOC shall be placed out or invested;

- (d) any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, including any person with whom any moneys, securities or effects shall be lodged or deposited;
- (e) any loss, conversion, misapplication or misappropriation of or any damage resulting from any dealings with any moneys, securities, or other assets belonging to the SKNOC;
- (f) any other loss, damage or misfortune whatever which may happen in the execution of the duties of his office or trust or in relation thereto,

unless the same happens by or through his failure to exercise the powers and to discharge the duties of his office honestly and in good faith with a view to the best interests of the SKNOC and in connection therewith to exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

21.2 Nothing herein contained shall relieve an officer from the duty to act in accordance with this Constitution and the By-laws or relieve him from liability for breach thereof.

21.3 If any Officer of the SKNOC is employed by or performs services for the SKNOC otherwise than as an Officer or is a member of a firm or a shareholder, director or officer of a body corporate which is employed or performs services for the SKNOC, the fact of his being an officer of the SKNOC shall not disentitle him or such firm or body corporate, as the case may be, from receiving proper remuneration for such services, provided that the Officer shall have previously disclosed to the Executive Committee his interest in the contract for such services.

## 22. MEETINGS OF THE EXECUTIVE COMMITTEE

- (a) the Executive Committee shall meet not less than once per quarter.
- (b) it shall also meet, either at the request of the President or at the written request of no less than five (5) members of the Executive Committee when circumstances require. In such cases the President shall decide time and place for the meeting to be held provided that if it is convened on the aforesaid request of Members it must be held within 14 days of receipt by the Secretary General of the request.
- (c) two-thirds (2/3) of the members of the Executive Committee shall constitute a quorum.

- (d) The voting majority of the Executive Committee shall consist of votes cast by the Olympic Sports Federations or their representatives.
- (c) notice of any Executive Committee meeting shall be given at least seven (7) days before the date of the said meeting and shall be accompanied by the agenda. In an emergency, the President acting in his sole discretion may convene a meeting on shorter notice.
- (d) The minutes of meetings of the Executive Committee shall be signed by the President and the Secretary-General and shall thereupon be, in the absence of manifest error, binding on the Committee;
- (e) Executive Committee members shall be jointly and severally bound by decisions properly taken by the Committee on items appearing on the agenda of a General Assembly Meeting. They may not therefore defend any other point of view during discussions at a General Assembly Meeting;
- (f) Members of the Executive Committee may not appoint alternates

23. **RESPONSIBILITY OF MEMBERS OF THE EXECUTIVE ON RESIGNATION OR TERMINATION**

Any member of the Executive Committee who for any reason ceases to be a member of the Committee shall promptly deliver up to the Secretary General or the President all records and other property of the SKNOC held by or entrusted to him and shall promptly report in writing to the Secretary General or the President on all matters of the SKNOC for which he was responsible at the time he ceases to be a member of the Executive Committee.

24. **FINANCIAL MATTERS**

24.1 The SKNOC shall seek sources of financing that will enable it to maintain its autonomy in all respects. The collection of funds must, however, be accomplished in accordance with the Olympic Charter and in such a manner that the dignity and independence of the SKNOC are not harmed.

24.2 The income of the SKNOC shall be derived from:

- (a) membership subscriptions as fixed;
- (b) subsidies from the State, public entities and other bodies;
- (c) subsidies from the IOC Olympic Solidarity and other subsidies from the IOC which shall appear distinctly in the accounts of the financial year;

- (d) gifts and bequests that the General Assembly may accept;
- (e) marketing revenues;
- (f) the proceeds of events like Olympic Day, from stamp issues, the sale of emblems approved by the IOC for use for commercial purposes, the publication and sale of printed material, the licences to third parties for the use of the St. Kitts and Nevis official emblem in strict accordance with the Olympic Charter;
- (g) fees for services rendered; and
- (h) any other source that the Executive Committee may accept.

25. **THE FINANCIAL YEAR**

25.1 The financial year of the SKNOC shall commence on the 1<sup>st</sup> October of one year and end on the 30th September, of the following year.

26. **AUDITORS**

26.1 Once in every year the accounts of the SKNOC made up to the previous 30<sup>th</sup> day of September shall be audited by the auditors duly appointed in that behalf.

26.2 The auditors shall subject to Article 26.3 hereof be appointed at the Annual General Meeting.

26.3 The auditors shall serve until the next Annual General Meeting or such earlier time as may be determined by the General Assembly at a General Meeting.

26.4 The auditors may receive an honorarium from the SKNOC.

26.5 The auditors shall be eligible for re-appointment.

26.6 A Member of the Executive Committee shall not be eligible for appointment as auditor.

27. **APPLICATION OF INCOME AND PROPERTY**

27.1 The income and property of the SKNOC whensoever derived shall be applied solely towards the promotion of the objectives of the SKNOC as set out in this Constitution, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend or otherwise by way of profit to any Member of the SKNOC. Provided, however, that if in the opinion of the General Assembly, any officer or member shall at

any time or from time to time render any special services deserving of recognition, nothing herein contained shall prevent the payment to him in good faith of an honorarium in respect of such services.

28. **EXECUTION OF INSTRUMENTS**

28.1 The Executive Committee shall have power from time to time by resolution to appoint any Officer or person on behalf of the SKNOC to affix the common seal of the SKNOC and/or to sign contracts, documents, and/or instruments in writing generally or to sign specific contracts, documents or instruments in writing.

29. **FLAG, EMBLEM AND ANTHEM**

- (a) The SKNOC may have its own emblem, flag and anthem. The emblem, the flag and the anthem adopted by the SKNOC for use in relation to its activities, including the Olympic Games, must be submitted to the IOC for approval.
- (b) The emblem may be used, if the SKNOC so wishes, for commercial purposes in accordance with the Olympic Charter. Should the SKNOC prefer not to use the official emblem on a commercial basis, a second emblem may be designed for this purpose and shall be forwarded to the IOC for approval.
- (c) The SKNOC must take steps to protect the Olympic marks of the IOC and those of the SKNOC, in the territory of the SKNOC, as set forth in further detail in the Olympic Charter.

30. **LANGUAGES**

30.1 The official language of the SKNOC is English.

31. **AMENDMENT OF CONSTITUTION, BY-LAWS AND REGULATIONS**

- (b) Subject always to approval by the IOC of any changes or amendments to this Constitution, this Constitution and any By-laws may be amended by a two-thirds majority vote of the Members at an Annual General Meeting or at an extraordinary general meeting of the General Assembly convened for that purpose by at least 21 days notice. The agenda shall state the specific amendments proposed. A quorum for such meeting shall be two-thirds of the Members.

- (b) Regulations passed by the General Assembly may be amended by a majority vote of the Members at any meeting of the General Assembly provided that the agenda includes as a separate and specific item the proposal for such amendment.

**32. DISSOLUTION**

The SKNOC may not be dissolved except with the written consent of all members of the SKNOC in good standing. All income and property shall then be distributed to charitable organizations as decided by the Executive Committee, after all debts incurred by the SKNOC have been paid.

**33. ARBITRATION**

Any decision made by the SKNOC disciplinary committee or any decisions made by the General Assembly or the Executive Committee with regard to the expulsion or termination of the membership of any Member may be submitted exclusively by way of appeal to the Court of Arbitration for Sport in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of Sports-Related Arbitration. The time-limit for appeal is twenty-one (21) days after receipt by the party affected of the decision concerning the appeal.

Dated the                    day of                    200 [    ].

.....  
President

.....  
Secretary General

This Constitution was approved by the International Olympic Committee on the day of                    200 [    ].