

STATUTES OF THE INTERNATIONAL BATON TWIRLING FEDERATION

ARTICLE 1

Section 1 NAME

1.1.1 The federation shall be known as the International Baton Twirling Federation, Inc., hereinafter referred to as IBTF.

1.1.2 The IBTF is constituted and incorporated as a not for profit corporation in Colorado, United States of America.

Preamble: The International Baton Twirling Federation is the union of the World Baton Twirling Federation, hereinafter referred to as WBTF and the World Federation of National Baton Twirling Associations, hereinafter referred to as WFNFTA. The IBTF governs all aspects of the sport of baton twirling worldwide, either directly or through its national member bodies.

The IBTF shall not pursue any political, philosophical, religious or racist policies.

Section 2 MEMBERS & MEETINGS

1.2.1 The IBTF shall consist of all member countries who involve themselves in the sport of baton twirling and who comply with the Constitution, Policies and Procedures of the IBTF as may be amended from time to time, and with any rulings and Regulations made by or on behalf of the IBTF.

1.2.2 The IBTF General Assembly of Members will convene bi-annually on the even numbered years.

1.2.3 QUORUM

1.2.3.1 In order to conduct the business of the IBTF, the number of member country delegates that must be present at the Bi-Annual General Meeting is 33% + 1 for items that appear on the written agenda for the meeting. The record date for determining the quorum is thirty (30) days prior to the meeting date.

1.2.3.2 For meetings of the Managing Committee, the Quorum shall be 50% +1 members of the managing committee.

1.2.4 TAKING OF DECISIONS

1.2.4.1 A list, stating the names of these delegates, plus the name of the delegate that will be speaking and voting on behalf of their federation, MUST be submitted to the President two (2) weeks BEFORE the beginning of the General Meetings.

1.2.4.2 Voting at the General Meeting is conducted by show of hands. Upon the request of any delegate entitled to vote, supported by at least one other delegate, any vote must be taken by secret written ballot. Elections shall always be decided by secret written ballot.

12.4.3 The General Assembly may meet in person or by telephone or video conference call, or it may take action by unanimous written consent in lieu of a meeting. The General Assembly may also act by written ballot, which shall include email communications.

Section 3 **PURPOSE**

1.3.1 The IBTF is a non-profit organization, organized to foster the development of countries that desire to join in membership, for the advancement of sport baton twirling in the world and to provide these countries with the opportunity to participate and contribute to the improvement of the sport of baton twirling.

1.3.2 The goal of the IBTF is to become the single governing body for the sport of baton twirling internationally with no more than two recognized member federations in each member country, those being from WFNBT and WBTF.

ARTICLE 2

Section 1 **GOALS AND OBJECTIVES**

All activities of the IBTF are independent of any political or governmental influence. The IBTF does not allow any discrimination on the grounds of race, religion, gender or political opinion. The IBTF promotes and supports with all means gender equality in its activities.

Its principal purposes are the regulation, promotion, development, supervision and furtherance of this sport on a world-wide basis. It fosters sporting links and friendly relations among its members and their competitors and officials.

Baton Twirling encompasses any discipline which utilizes the manipulation of a baton (metal rod) and the athlete's body to a coordinated program of skills. The sport offers a variety in the disciplines that are designed for individuals, pairs, and ensembles of various sizes and types.

The IBTF is furthermore responsible for and undertakes to:

- 2.1.1 Encourage and develop the widest participation and highest proficiency in the sport of baton twirling.
- 2.1.2 Protect the art of baton twirling as a sport discipline and to protect the integrity of true baton twirling and not diminish twirling's distinctiveness by imitating other sports.
- 2.1.3 Co-ordinate and assist member countries, athletes, coaches and judges in the pursuit of baton twirling excellence.
- 2.1.4 Aid member development and education programs that meet IBTF criteria.
- 2.1.5 Support development initiatives identified by Members, Technical Committees, Commissions and the Executive Board and Managing Committee.
- 2.1.6 Seek and accept donations and gifts in the furtherance of these objectives.
- 2.1.7 Engage in any and all matters whatsoever which may be required or incidental to the carrying out of the goals and objectives as set forth herein.
- 2.1.8 Encourage the membership of new countries into the IBTF.
- 2.1.9 Formulate rules and regulations of the sport of baton twirling for international and continental level competitions and provide any member country advice and support at any time, when required.
- 2.1.10 Strive to make Baton Twirling even more global, more accessible and more relevant for all and open to all age groups and to enhance the relationships among the affiliated member countries aiming to combine every member nation's efforts to make baton twirling increasingly stronger and more popular and maximizing opportunities to win public recognition.
- 2.1.11 Establish the IBTF as a cohesive force between all stakeholders in all sporting activities which involve the sport of baton twirling.

- 2.1.12 Co-work with any other association which benefits IBTF in its goals and objectives.
- 2.1.13 Safeguard the rights and health of the athletes and to combat doping and all other processes and procedures that might undermine sporting equality and integrity of results. The Olympic Movement Medical Code and the WADA Code are applied by IBTF.
- 2.1.14 Respect the *Olympic Charter* and to develop the sport towards possible program status in the Olympic Games.

ARTICLE 3

The IBTF's Statutes shall be published in English. English shall be used in the administration of the IBTF. The official language of the IBTF shall be English.

ARTICLE 4

All IBTF sanctioned competitions belong exclusively to IBTF. IBTF, alone, shall have the right to organize World, International or Continental baton twirling championships or to authorize others to do so. The words "World Championship", "Continental Championship", "International Championship", "International Baton Twirling Federation" "IBTF" shall not be used in connection with any baton twirling international events, whether by a Member Association or otherwise, without the explicit written consent of IBTF.

ARTICLE 5

Section 1 NOT FOR PROFIT FEDERATION

- 5.1.1 The IBTF shall be carried out without purpose of gain for its members and any profits or other accreditation to the IBTF shall be used for administration in promoting its goals and objectives.
- 5.1.2 No part of the net earnings of the IBTF shall inure to the benefit of any Director, Officer, Member, or any private individual (except that reasonable compensation may be paid for services rendered to, or for, the IBTF affecting one or more of its purposes), and no Director, Officer, Member or any private individual shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the IBTF. No substantial part of the activities of the IBTF shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the IBTF shall not participate in, or intervene in (including the publication or

distribution of statements) in any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Statutes, IBTF shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended. Upon dissolution of the IBTF, the assets of the IBTF shall be distributed exclusively to one or more organizations that would then qualify under the provisions of Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

ARTICLE 6

Section 1 FINANCES

6.1.1 The IBTF shall conduct its business without purpose of gain for its members and any profits or other accreditation to the IBTF shall be used in promoting its goals and objectives.

The IBTF will finance its own activities through sources such as:

6.1.1.1 Membership and subscription fees of its Members;

6.1.1.2 The fees for the organization and for the authorization of Competitions, as well as the competitor entry fees, and any other fees or profits deriving from official competitions;

6.1.1.3 Any other sources that may be available, including, but not limited to, licencing sponsorships, TV rights, events and event-related revenues, donations, fundraising, etc.

6.1.2 The activities of all bodies of IBTF are conducted without remuneration of the individuals who serve thereon. The expenses of the Executive Board, the Managing Committee and the Commissions are born by the IBTF or Members and Associate Members, as appropriate, according to the present Statutes and to regulations of the Executive Board.

Within approved budgets, the Managing Committee upon the recommendation of the Executive Board are empowered to authorize payment of fees and expenses to individuals and/or organizations to provide specific professional service or advice.

6.1.3 The General Assembly shall receive and approve all budgets detailing the forecast income from all sources and the proposed annual expenditure and shall establish and maintain financial accounting systems. The Managing Committee shall ensure that appropriate and accurate annual statements of account are produced for the IBTF Board of Directors.

Section 2 AUDIT

- 6.2.1 The books and accounts of the IBTF shall be audited, prior to the start of each General Meeting. Auditors shall be appointed by the President upon approval by the Managing Committee.
- 6.2.2 The Treasurer shall thereafter present at each General Meeting of the IBTF a written report showing the state and condition of the affairs of the IBTF. The information shall be compiled from the date of the last preceding statement. The Treasurer shall be the Chair of the Finance and Audit Committee.
- 6.2.3 Pending Managing Committee approval, outside independent auditor(s) may be hired and shall be paid a reasonable compensation.

Section 3 LIABILITY

- 6.3.1 Only the assets of the IBTF can be used settle IBTF liabilities and obligations. Member Associations of the IBTF are not personally liable for the debts and obligations of the IBTF.
- 6.3.2 No funds or other property of lien shall be paid to, or distributed among, the Member Associations of the IBTF.
- 6.3.3 The IBTF intends that its officers, directors, employees and Member Associations shall benefit from limited liability to the maximum extent permitted by law.

Section 4 CURRENCY

- 6.4.1 The basic currency for annual accounting purposes will be the US Dollar.

Section 5 FISCAL YEAR

- 6.5.1 The fiscal year of the IBTF shall commence January 1st and end on the 31st day of December of each year.

Section 6 **CONFLICT OF INTEREST POLICY**

6.6.1 No member of the General Assembly, Executive Board, Managing Committee, any Committee, or anyone acting on behalf of IBTF shall participate in any discussion or vote on any matter in which he or she or a member of his or her immediate family has a potential conflict of interest due to having material economic involvement regarding the matter being discussed or for other reasons related to an interest in the outcome of the matter being discussed. When such a situation presents itself, the individual must announce his or her potential conflict, disqualify himself or herself, and be excused from the meeting until discussion is over on the matter involved. The President of the meeting is expected to make inquiry if such conflict appears to exist and the board or committee member has not made it known. The Managing Committee is empowered to adopt a more detailed Conflict of Interest policy as appropriate.

ARTICLE 7

7.1.1 The following people are recognized as the only signing officers for the IBTF:

7.1.1.1 The President

7.1.1.2 First Vice President

7.1.1.3 The Secretary General

7.1.1.4 The Treasurer

7.1.2 Documents must be signed by the President and at least one other individual identified above in Section 1.1. Signing officers must represent both WBTF and WFNBT.

7.1.3 Aside from purely administrative matters, documents may only be signed by the above listed officers of IBTF in accordance of duly adopted decisions of the organs of the IBTF.

ARTICLE 8

Section 1 **HEAD OFFICE**

8.1.1 The Head Office of the IBTF shall be located at a location designated by the Managing Committee.

8.1.2 The IBTF may establish such other offices and agencies as the Managing Committee may deem expedient.

ARTICLE 9

Section 1 INDEMNIFICATION AND INSURANCE

- 9.1.1 IBTF shall indemnify members of its Managing Committee, and its officers, employees, fiduciaries and agents, to the maximum extent permitted by law.
- 9.1.2 IBTF shall purchase and maintain in force an appropriate policy of insurance that covers any liability asserted against a director, officer, employee, fiduciary or agent of the IBTF arising from that person's status with the IBTF.

ARTICLE 10

Section 1 ANTI-DOPING

- 10.1.1 The IBTF shall follow the World Anti-Doping Code as applied to the signatures. Members of the IBTF accept and recognize the authority of the IBTF Anti-Doping Commission. The IBTF Anti-Doping Commission and the IBTF Anti-Doping Director are appointed by the IBTF Managing Committee. It is a condition of membership in IBTF that the IBTF Anti-Doping Code and all related procedures are accepted by all IBTF members and that all athletes, athlete support personnel and all other officials in IBTF are bound by these rules and procedures.
- 10.1.2 IBTF ANTI-DOPING COMMISSION AND APPEALS
- The function of the Anti-Doping Commission is to ensure that the IBTF's rules and activities comply with the World Anti-Doping Code. The Anti-Doping Commission assists to develop and implement an Anti-Doping Policy & Procedures according to the World Anti-Doping Code.
- 10.1.3 Decisions of the Anti-Doping Commission may only be appealed to the Court of Arbitration for Sport (in Lausanne, Switzerland). The procedure before the Court of Arbitration for Sport takes place according to its regulations. The award of the Court of Arbitration for Sport shall be final and binding, subject only to an appeal to the Swiss Federal Tribunal
- 10.1.4 Rules concerning this Commission are set out in a regulation made by the General Assembly.

10.1.5 The Anti-Doping Commission is composed of up to six members, who are approved by the General Assembly on the recommendation of the President. In each Anti-Doping case, the panel reviewing the case on behalf of the Commission consists of three members, chosen by the Commission Chair depending, amongst other, on the availability of the Members to sit in the particular case and of its independence toward the concerned athlete.

ARTICLE 11 (new article)

Section 1 DISCIPLINE/RELEASE/SUSPENSION/EXPULSION/RESIGNATION

11.1.1 All Member Country Delegates(s), Technical Advisor/Delegate and Judges may be subject to disciplinary action for any conduct which conflicts with the Statutes, Policies and Procedures, Rules and Regulations of the International Baton Twirling Federation. The disciplinary action may take any form, up to and including suspension, removal, or expulsion. Decisions to suspend, remove, or expel any Member Country Delegates(s), Technical Advisor/Delegate or Judge shall be based only on cause.

11.1.2 Member federations may be subject to disciplinary action for the following reasons:

- a. Financial
- b. Lack of responsibility
- c. Failure to pay dues, when and as required
- d. Failure to follow anti-doping requirements
- e. Failure to adhere to the statutes and regulations of the IBTF

Abuse of any one or more of the above items are grounds for loss of membership.

11.1.3 Any IBTF Officer may be removed, with cause only, by an affirmative vote as described below.

11.1.4 Any IBTF Officer shall be permitted to resign after submitting a statement of resignation to the President.

Section 2 NOTICE

11.2.1 Notice of the intent to call for a vote on any disciplinary action (up to and including suspension, removal, or expulsion), naming the individual or member federation, must be given at least thirty (30) days prior to the meeting. The notice to suspend, remove, or expel must specify an effective date of the action, which may be immediate.

Section 3 MEETING and VOTE

11.3.1 The General Assembly shall have the authority to take the disciplinary actions described above. In between bi-annual meetings of the General Assembly, the Managing Committee shall have the authority to take such actions.

11.3.2 A disciplinary decision, including a decision to suspend, remove, or expel, shall require an affirmative vote of at least two-thirds of the voting body.

ARTICLE 12

Section 1 DISCIPLINARY AND DISPUTES

12.1.1 The function of the Disciplinary Commission is to investigate and take appropriate action following any complaint concerning breach of the Statutes and all other IBTF rules and regulations approved by the General Assembly and the Managing Committee as appropriate (including the IBTF Anti-Doping Rules) or other misconduct. The Disciplinary and Disputes Commission shall also be responsible for resolving disputes between Members and individuals affiliated with IBTF.

12.1.2 The Disciplinary and Disputes Commission is composed of up to nine members, none of whom shall be an officer or member of the General Assembly or Managing Committee, who are approved by the General Assembly on the recommendation of the President. The Disciplinary and Disputes Commission members shall be of varied nationality to the extent reasonably possible.

12.1.3 The Disciplinary and Disputes Commission shall follow the procedures set forth in the Dispute Resolution section of these Statutes.

ARTICLE 13

Section 1

DISPUTE RESOLUTION

- 13.1.1 Any Member or individual with standing to challenge a decision of any individual or body of the IBTF shall file a complaint plainly and simply stating the nature of the challenge, with specific reference to the rule or regulation allegedly violated and the facts underlying such alleged violation, with the Chair of the Disciplinary and Disputes Commission along with any filing fee set by said Commission. The responding party shall have fifteen days within which to file its response to the complaint. The Chair of the Disciplinary and Disputes Commission shall appoint three independent and impartial members of the Disciplinary and Disputes Commission (none of whom shall be the Chair of said commission) to hear the complaint. The Disciplinary and Disputes Commission members appointed to hear the complaint (“Hearing Panel”) shall conduct the hearing and issue a decision within three months of the filing of the Complaint, unless in exceptional circumstances the Chair of the Disciplinary and Disputes Commission grants additional time for the Hearing Panel to do so. The standard of review for such challenges shall be *de novo*.
- 13.1.2 Any party may appeal the decision of the Hearing Panel to the Managing Committee within fifteen days of receiving the Hearing Panel’s written decision. The other party to the dispute shall file its responsive statement to the appeal with the Managing Committee within fifteen days of receiving the notice of appeal. The Managing Committee shall render a written decision on the appeal with reasons therefor no later than 45 days after the notice of appeal is filed.

Section 2

COURT OF ARBITRATION FOR SPORT (CAS)

- 13.1.3 IBTF recognizes the independent Court of Arbitration for Sport (CAS) with headquarters in Lausanne, Switzerland to resolve appeals from any decisions of the Managing Committee arising under this Article. The provisions of the CAS Code of Sports-Related Arbitration shall apply to the proceedings. CAS shall primarily apply the various regulations of the IBTF and, additionally, Swiss law.
- 13.1.4 Jurisdiction of CAS – Any such appeals against final decisions of the Managing Committee shall be lodged with CAS within the time required by the CAS Code of Sport-related Arbitration.

13.1.5 Recourse may only be made to CAS hereunder after all other internal channels have been exhausted.

13.1.6 Federations must follow the decisions of CAS and sanction members that do not.

Section 3 OBLIGATION

13.1.7 The IBTF Members shall agree to recognize CAS as an independent judicial authority and to ensure that their members, affiliated athletes and Officials comply with the decisions rendered by CAS regarding international disputes regarding IBTF-related disputes.

13.1.8 Decisions made by CAS are final and recourse to ordinary courts of law is prohibited.

13.1.9 Regarding national matters, internal disputes are resolved within the member country's federation.

ARTICLE 14

Section 1 DISSOLUTION OF THE IBTF

14.1.1 A three quarters majority of the General Assembly may propose the dissolution of the IBTF. The dissolution becomes effective on approval of the proposal by a three-quarter majority of the General Assembly, providing that at least two third of the members entitled to vote are present or represented at the General Assembly. The disposal of the assets of the IBTF shall be decided by the General Assembly dissolving the IBTF and shall be in keeping with the aims of the IBTF and transferred to a tax exempt legal entity as required by applicable law.