



FIM AFRICA STATUTES

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1. GENERAL, NAME AND FOUNDATION

- (1) The name of the organization is FIM Africa.
- (2) FIM Africa is the Continental Union representing the National Federations of the African continent and was founded in 1998.

2. LOGO

The FIM Africa logo consists of the FIM logo in force at the time, near which the CONU name Africa is placed.

3. AUTHORITY

- (1) FIM Africa is an Africa based organization acting within its attributions in all matters in relation to motorcycling activities and, as such, in domains ranging from sport, tourism, leisure, environment, mobility, road safety, legislative affairs, protection and defence of the rights and interests of motorcycle users.
- (2) FIM Africa is also entitled to exercise any other power that has been entrusted to it by a decision of the Board of Directors of the FIM or the General Assembly of the FIM which will specify in detail the terms of references and the time limit thereof.
- (3) As far as motorcycle sport is concerned, the FIM Africa is the supreme and sole Africa authority empowered by the FIM to control Africa motorcycling sport activities organized under its jurisdiction throughout Africa.
- (4) The official titles of FIM Africa Championships, FIM Africa Cups and any other FIM Africa competitions and events in all disciplines of the motorcycle sport are the exclusive property of FIM Africa. Consequently, FIM Africa can impose technical and economic conditions which it judges necessary for the running of events relative to these titles.

FIM Africa is the sole owner of the rights of its FIM Africa Championships and FIM Africa Cups. These rights include in particular the rights to image and sound recordings for the media in general, for example television, radio, videos, video-cassette, sponsoring, marketing, advertising, merchandising, promotion, licensing, social media, and in particular vectors or networks (in particular analog or digital), telecommunications and IT (including Internet), especially in view of commercial exploitation.

4. HEADQUARTERS AND LEGAL STATUS

- (1) The headquarters of the FIM Africa is located in Johannesburg, South Africa.
- (2) FIM Africa is a declared non-profit organization, is also a body of the FIM and is subject to South African law.
- (3) FIM Africa is a judicial entity and possesses legal competency within its attributions as long as it is recognized by the FIM.
- (4) FIM Africa is politically, economically and administratively independent and does not allow any political, religious, sexual, racial or any other form of discrimination.

5. DISPUTE RESOLUTION CLAUSE

- (1) Any recourse against final decisions rendered by jurisdictional bodies or the GA of FIM Africa must be referred to the FIM International Court of Appeal.
- (2) The place of litigation for any legal action against FIM Africa that is not covered by the clause mentioned above in paragraphs (1) is the competent tribunal of the Canton of Vaud (Switzerland) or the competent tribunal of the headquarters of the FIM Africa.
- (3) Any recourse against decisions rendered by the FIM International Court of Appeal must be exclusively referred to the competent tribunal of the Canton of Vaud.

6. AIMS

The aims of FIM Africa are to develop and promote all forms of motorcycling in the Africa Region as well as the co-operation and friendship between its members taking in consideration safety, sustainability and social responsibility, and notably:

- to examine all questions related to the development of motorcycling in the Africa Region
- to organize FIM Africa Championships, Cups and Challenges and to establish all competitions that appear beneficial subject to the prior approval of the FIM;
- to co-operate with the FIM in all matters relating to the organization of international events and motorcycling in general;
- to organize camps and seminars for riders, officials, coaches and administrators of various FIM Africa FMNs;
- to support the creation and development of motorcycling activities in all FIM Africa countries;
- to promote the co-operation among all FIM Africa FMNs;
- to promote motorcycling among young people, both as sport and motorcycling in general;
- to encourage the use of motorcycles in FIM Africa countries and to develop motorcycle tourism;
- to represent the interests of motorcyclists to the African region authorities; and
- to promote the sport of motorcycling and the use of motorcycles in Africa through the media.

7. OFFICIAL LANGUAGE[S]

- (1) The official spoken language of FIM Africa is English.
- (2) All written material including the Statutes, By-Laws, the Disciplinary Code and minutes of meetings may also be available in French. In case of discrepancies the English text prevails.

8. FINANCIAL RESOURCES

Financial resources of FIM Africa are mainly:

- a percentage of the annual fees paid by the FMNs to FIM and redistributed by FIM in accordance with the FIM Financial Regulations;
- fees for inscription in the calendar, for licences and complementary items;
- income derived from the sale of television, radio, video, marketing, advertising, merchandising, promotional, licensing and any other rights owned by the FIM

Africa

- income derived from the investment of its capital;
- FIM subsidies;
- grants from Africa institutions;
- grants from the industry and other sources;
- profits from sponsorship; and
- any other income acquired.

9. FINANCES

- (1) The financial year of FIM Africa coincides with the calendar year.
- (2) The Secretary General will be responsible for drawing up a set of guidelines for all matters related to the management of the FIM Africa finances and financial procedures and regulations, which must be approved by the EB.
- (3) In conjunction with the BD, the independent finance company shall be responsible for the annual management of the FIM Africa accounts. They shall present their annual reports to the GA and provide them to the FIM.
- (4) The budget will be prepared by the Secretary General, reviewed by the Executive Board, approved, and thereafter submitted to the Board of Directors for final approval.
- (5) The Financial Statements are prepared quarterly by the independent finance company, submitted to the Executive Board, and approved by the Board of Directors.
- (6) The Financial Statements are submitted annually to the external auditor. The audited annual Financial Statements are approved by the Executive Board, approved by the Board of Directors, and presented to the General Assembly.

10. MEMBERS

The FIM Africa is composed of the following Members:

- a) the Affiliated Members;
- b) Honorary Members

10.1 AFFILIATED MEMBERS

10.1.1 Definition

- (1) All countries of FIM Africa that have recognition from the United Nations (UN) and/or the International Olympic Committee (IOC) may be represented and accepted as Affiliated Member to the FIM and thus to FIM Africa, but each by only one National Federation (FMN) or organisation, which, in the opinion of the FIM and of FIM Africa, are representative of and exercise effective control over motorcycling activities in their own countries (including motorcycling sport and acting as the national advocate for motorcycling in their countries).
- (2) Each Affiliated Member of the FIM automatically becomes a member of the CONU corresponding to the geographical region of the country.
- (3) A Federation from outside FIM Africa can also be affiliated to FIM Africa, if requested by the FMN itself and approved by the FIM.

10.1.2 Powers of an Affiliated Member

- (1) Every FMN accepted as an Affiliated Member of FIM Africa shall be the sole organisation in its own country entitled to exercise the powers of the FIM and the FIM Africa as defined in the FIM Statutes and in these Statutes, the FIM By- Laws, the FIM Sporting Code and the regulations of the FIM.
- (2) Every FMN has the right to exercise these powers as long as it has not resigned or been suspended, expelled or dissolved.
- (3) Subject to these Statutes, every FMN Member has the right to participate in the meetings of the GA and exercise its voting rights in accordance with Article 11.1.3 of these Statutes.

10.1.3 Duties and roles of an Affiliated Member

The duties and roles of an FMN include the following:

- a) be the “local” representative of the FIM and of FIM Africa and be accountable to the FIM and to FIM Africa while advancing the goals of the FIM and of FIM Africa at the national level;
- b) encourage and promote new opportunities for sport, tourism, leisure, road safety and mobility in motorcycling at the national level;
- c) promote motorcycling, both as regards sport and motorcycling in general;
- d) help its members to improve their skills and develop economically at the national level;
- e) cooperate with the FIM and with FIM Africa in all matters relating to the organisation of international events and motorcycling in general; and
- f) provide the FIM and FIM Africa, upon request, with reports and detailed information on its activities.

10.1.4 Rights and obligations of an Affiliated Member

- (1) In accordance with the FIM Statutes and these Statutes, the FMN works within its attribution towards the fulfilment of the following rights and obligations, *inter alia*:
 - a) commit to the FIM and FIM Africa mission, vision and values and ensure its activities are compatible with the FIM and FIM Africa mission, vision and values;
 - b) comply and enforce compliance by its members and licence holders, with the FIM Statutes and these Statutes, FIM By-Laws and FIM and FIM Africa decisions (as regularly amended even after admission as a Member); and
 - c) exercise any other right that may be conferred on it by a decision of the Board of Directors or the General Assembly of the FIM or of the BD or the GA of FIM Africa. Any such decision shall spell out in detail the manner in which such a right shall be exercised and in particular the duration for which the right has been granted. A FMN has the right to exercise the rights delegated by the FIM or by FIM Africa as long as it is recognized by the FIM or by FIM Africa.
- (2) The FIM can expel an FMN that does not fulfil its obligations according to the FIM Statutes and FIM By-Laws.
- (3) The FIM or FIM Africa may interrupt the administrative services (e.g. issuing of licences) provided by the FIM or FIM Africa and/or cancel and demand reimbursement of up to the three last amounts paid as subventions and/or contributions as set out in the Financial Regulations of the FIM to a FMN that does not fulfil its obligations according to the FIM Statutes, these Statutes and FIM By-Laws.

10.1.5 Subscription fees

Each FMN shall pay the FIM annual membership fees decided by the FIM General Assembly on a proposal from the FIM Board of Directors. The FIM membership fees include the fees allocated for membership of the CONU.

10.2 HONORARY MEMBERS

- (1) Upon a proposal of the BD and in recognition of services rendered, the GA may award the title of Honorary Member to individuals who have occupied a position within the FIM Africa. The title of Honorary Member must be linked to the former position held within the FIM Africa body in which those services were rendered.
- (2) The GA can, upon the proposal of the BD, award the title of Member of Honour upon an individual or corporate body outside the FIM Africa in reward for important services rendered to the FIM Africa or to motorcycling activities in general.
- (3) The holder of an honorary title may attend the GA and the open meetings of the body for which they have received the title of Honorary Member, but they do not have voting rights. However, they can be nominated by their respective FMN as voting delegates at the GA.
- (4) The holder of an honorary title may not be a candidate for a post within the same body in which she/he was before and for which the honorary title was awarded to her/him.

11. BODIES OF FIM AFRICA

The Bodies of FIM Africa are the following:

- a) the General Assembly (GA);
- b) the Board of Directors (BD);
- c) the Executive Board (EB)
- d) the Commissions;
- e) the Administration (ADM);

11.1 THE GENERAL ASSEMBLY (GA)

11.1.1 Composition

- (1) The GA shall be attended by the voting delegates of the different FIM Africa FMNs, the BD, the Commissions, and the candidates standing for election.
- (2) If there are Commission meetings during the GA, its members may also attend.

11.1.2 Powers

- (1) The GA is the supreme authority of FIM Africa.
- (2) The GA may approve, reject, alter or defer any proposal submitted after taking into account the interests of the FIM and of FIM Africa. Except as provided for in these Statutes, all the decisions of the GA shall come into effect on the date fixed by the GA.
- (3) Upon proposal of the BD, the GA:
 - defines the general policies of FIM Africa in conformity with FIM governance principles;
 - approves the annual report presented by the BD;

- approves the accounts of the previous year;
 - approves the budget for the current year;
 - approves proposals made by BD, Commissions and Members;
 - creates and dissolves all FIM Africa Bodies; and
- (4) The GA:
- elects the President;
 - elects the BD members;
 - awards honorary title;

11.1.3 Voting rights

- (1) Each FIM Africa FMN is entitled to one single vote.
- (2) These votes will be cast by the FMN's delegate.
- (3) Votes may only be cast by one single delegate who has to be a member of the FMN and officially nominated as a voting delegate by the FMN she/he represents. Elected members may not be voting delegates.
- (4) Voting by mail or by proxy is not permitted and voting by electronic means shall be permitted.
- (5) To be entitled to vote, any FIM Africa FMN must have fulfilled its financial obligation towards FIM and FIM Africa.
- (6) At the beginning of the GA, the Secretary General informs, according to the report of the external auditors, about the financial situation of those countries not having fulfilled their financial duties and the consequences thereof. Then she/he has to inform the GA about the total amount of valid votes present and the respective quorum(s).

11.1.4 Convening notice and quorum

- (1) The ordinary GA shall take place once a year.
- (2) However, there may be extraordinary meetings of the GA upon written and motivated request of at least one-fifth (1/5) of African FMNs addressed to FIM Africa ADM or upon decision of the BD.
- (3) The GA shall be convened by written notice of its President at least 90 days before the date of the GA. At least 30 days' notice must be given prior to an extraordinary GA.
- (4) The convening notice must indicate the place, date and time of the GA and announce all open positions.

11.1.5 Agenda and proposals

- (1) The agenda shall include at least:
 - the composition of the GA;
 - the approval of the minutes of the previous GA;
 - the approval of the President's report presented in the name of the BD;
 - the approval of the Director Sport and Director Beyond Sport reports;
 - the External Auditor's Financial report;
 - the approval of the previous year's accounts;
 - the proposals of FIM Africa FMNs;
 - the approval of the budget for the following year; and
 - the elections to vacant posts.

- (2) Written proposals for the agenda may be submitted by all FIM Africa FMNs and shall reach the ADM, with the indication of the reasons for the proposals, not later than 60 days before the first day of the GA.
- (3) If the proposal concerns a modification of these Statutes or of the By-Laws, it must include the entire text of the new or amended article.
- (4) All FIM Africa or bodies submitting proposals to the GA must first be given the opportunity to present them before the GA.
- (5) The agenda and all pertinent documents must be sent to FIM Africa FMNs not later than 30 days before the GA.
- (6) Items that are not on the agenda shall not be considered unless approved by a majority of two-thirds (2/3) of the votes cast. However, no amendments to these Statutes or to the By-Laws may be put to a vote at the GA unless they are on the agenda.

11.1.6 Quorum

- (1) The GA can only take decisions if at least half (1/2) of FIM Africa FMNs plus one are present, except for the dissolution of FIM Africa (see Article 18 of these Statutes). If the quorum is not reached, the FMNs present may decide to hold a meeting; however, decisions taken during that session, to be valid as decisions of a GA, must be confirmed by the following GA.
- (2) The quorum for the extraordinary GA shall be the same as that of the ordinary GA.

11.1.7 Presidency

- (1) The GA is chaired by the FIM Africa President.
- (2) In case the election of the President is on the agenda of the GA, during the election of this position, the President is replaced by a person proposed and approved by the BD. After the President election, the elected candidate will chair the GA meeting.
- (3) During the GA, anyone who so requests will be given the floor. The chairman of the GA may at her/his discretion limit the time allotted for individual speeches.

11.1.8 Decisions

- (1) Except when a qualified majority is required in these Statutes, the decisions are taken with the simple majority of the votes validly cast according to the definitions given in these Statutes (see Article 12.7 of these Statutes).
- (2) When the half (1/2) of the votes is not an entire number, it will be rounded up to the higher number.
- (3) Voting by electronic means shall be permitted.

11.1.9 Minutes

- (1) The minutes of the GA shall be prepared by the Secretary General and approved by the President.
- (2) Within 45 days after the conclusion of the meeting they shall then be sent to the members of the BD and to the secretariats of the FIM Africa FMNS which shall be responsible for distributing them to their own delegates
- (3) Any request for correction or any objections to the minutes, together with supporting arguments, must be communicated in writing to the Secretary General. They must reach the Secretary General within 45 days following their publication. If no request

for correction or objections has been received within this time limit, the minutes shall be deemed approved. If a request for correction or an objection is raised in due time, the minutes must be approved at the next GA.

11.2 THE BOARD OF DIRECTORS (BD)

11.2.1 Composition

- (1) The BD shall be composed of the President, plus four BD members including the Secretary General who is member of the BD without voting rights.
- (2) The BD shall appoint via vote from among its members one Vice-President. The remaining two BD members will be responsible for Sport and Beyond Sport. The President can propose an additional BD member should it be necessary and for a specific project who is subject to the approval of the BD via a vote.
- (3) Upon the President's request, qualified persons may attend the BD meetings as Observers.

11.2.2 Powers and obligations

- (1) The BD shall have all powers that, according to these Statutes, are not explicitly reserved to the GA or other Bodies of FIM Africa with regard to the administration and management of FIM Africa as well as the pursuance of its aims.
- (2) The BD is empowered to manage and direct FIM Africa in accordance with these Statutes.
- (3) It shall ensure the implementation of decisions taken by the GA and take steps, on its own initiative, to promote and develop all forms of motorcycling in Africa in accordance with these Statutes.
- (4) It shall study and forward the proposals made by the Commissions to the GA unless otherwise stated in these Statutes.
- (5) The BD shall comply with the FIM regulations and decisions and shall ensure that FIM Africa complies with FIM regulations and decisions.
- (6) The BD shall create and dissolve the specialized commissions responsible for the management and organization of the different disciplines.

11.2.3 Meetings, quorum and decisions

- (1) The BD shall meet whenever necessary, but at least three times a year.
- (2) The BD shall meet at the FIM Africa GA.
- (3) The dates of the remaining BD meetings shall be decided by the BD.
- (4) The quorum for BD meetings is two thirds (2/3) of its members.
- (5) Decisions shall be taken by a simple majority of the valid votes cast. In case of a tie, the President shall cast the deciding vote.

11.2.4 Proposals and agenda

- (1) Proposals for the BD agenda must reach the ADM not later than ten days before the meeting.
- (2) The agenda shall be sent to the BD members by the ADM and reach them not later than seven days before the meeting, confirming the date and the venue.

11.2.5 Minutes

- (1) The minutes of the BD meetings shall be prepared by the Secretary General and approved by the President.
- (2) Within 30 days after the conclusion of the meetings, they shall be sent to the members of the BD.
- (3) Any request for correction must be received within 14 days following the issue of the minutes.
- (4) Any request for correction or any objections to the minutes, together with supporting arguments, must be communicated in writing to the ADM. They must reach the ADM within 14 days following their publication. If no request for correction or objections have been received within this time limit, the minutes shall be deemed approved. If a request for correction or an objection is raised in due time, the minutes must be approved at the next BD meeting.

11.2.6 The President

- (1) The President is the legal representative of FIM Africa and represents it before the law as well as before all external organisations or companies.
- (2) The President of FIM Africa may not hold any office or position in an industry or business connected with motorcycling except any FMN related offices. If such links exist at the time of the election, the President must terminate them within four months from the election.
- (3) The President has the powers and obligations as defined in these Statutes. She/he has overall responsibility for the general management of FIM Africa.
- (4) She/he must ensure that the functioning of FIM Africa conforms to the spirit of its foundation, these Statutes and the Standing Orders and that the decisions of the GA and the BD are implemented.
- (5) In urgent cases and after consultation with the other members of the BD Members, she/he may take any decision that she/he deems necessary in order to safeguard the interests of FIM Africa. Any such move must immediately be submitted to the BD for approval.
- (6) She/he may delegate powers to other members of the BD.
- (7) She/he must ensure that FIM Africa complies with the FIM Regulations and any FIM decision.

11.2.7 The Board of Directors (BD) members

- (1) The BD members are responsible, together with the President and the Secretary General, for the administration and management of FIM Africa as defined in these Statutes. Each BD member may be designated by the BD to carry out specific tasks.
- (2) In the BD, it is recommended to the best extent possible that the BD members must all be from different FMN of FIM Africa.
- (3) The Vice President shall replace the President in the case of the absence or momentary impediment of the latter.
- (4) If neither the President nor Vice President is present, the President will determine who shall be in charge from the BD members.

11.3 THE EXECUTIVE BOARD (EB)

11.3.1 Composition

- (1) The EB is composed of the FIM Africa President, the two Vice-Presidents and the Secretary General.
- (2) The Secretary General is a member of the EB without voting rights.
- (3) If a member of the EB is unable to fulfil her/his duties, the President or, in her/his absence, the First Deputy President, shall designate another Vice-President as a temporary substitute.

11.3.2 Authority

- (1) The EB shall be responsible for the conduct of day-to-day business between meetings of the BD.
- (2) The EB shall be empowered to deal with all questions of safety or those of extreme importance which require an urgent decision. It may set a date for the entry into force of such decisions. In urgent cases, it shall also be authorised to initiate legal or proceedings with the relevant court on behalf of the FIM Africa.

11.3.3 Meetings

- (1) The EB shall meet whenever convened by the FIM Africa President.
- (2) The EB may hold its meeting also in the form of teleconferences or videoconferences.

11.3.4 Decisions

- (1) A decision shall only be considered valid if it is accepted by the majority of the members of the EB. In the case of a tie, the President shall have the casting vote.
- (2) Decisions taken by the EB carry the same weight as those of the BD.
- (3) Under no circumstances may decisions of the BD be changed by the EB.
- (4) The minutes of the EB must be submitted to the BD.
- (5) The BD must be informed immediately of any decision taken by the EB.
- (6) Where practicable, all decisions of the EB must be submitted to the BD for ratification at its next meeting.

11.4 THE COMMISSIONS

FIM Africa will have Commissions, which are created by the BD and coordinated by the Sporting or Beyond Sporting Director.

11.4.1 Composition

- (1) The Commissions are chaired by one member of the respective Commission and shall consist, including their Chairperson, of a minimum of three and a maximum of 15 members.
- (2) The members of the Commissions are proposed by the FIM Africa FMNs and appointed by the BD after consultation with the Commission Chairperson. Additional candidates in the case of vacancies announced by the BD may be proposed by FIM Africa FMNs on the occasion of the FIM Africa annual GA.
- (3) The members of the Commissions should come from different FIM Africa FMNs and must be nominated by the Federation of their nationality or residency. If, exceptionally, Commission members are nominated by another FMN, this nomination must obtain confirmation by the original FMN of the respective

candidate. The confirmation can only be refused if the original FMN can bring forward valid reasons.

11.4.2 The Chairperson of the Commissions

- (1) The Chairperson will be appointed by the BD after having heard the opinion of the Secretary General.
- (2) The Chairperson of the Commissions are responsible for the smooth and efficient operation of their Commissions and for the completion of the tasks they have been assigned.
- (3) The Chairperson of the Commissions can decide at its discretion that an observer may attend the meetings of their respective Commissions without the right to vote.

11.4.3 Powers

The Commissions shall deal with all matters established and deemed to be necessary.

11.4.4 Convening Notice and agenda

- (1) The Commissions meet on request and in agreement with the BD.
- (2) At least 10 days before a meeting, the ADM shall send the convening notice and an agenda within 5 working days which contains all the questions to be dealt with to all Commission members and to the BD.

11.4.5 Minutes

The minutes of the Commission meetings shall be produced within 45 days under the responsibility of the respective Chairperson and then sent to the Commission members and to the ADM which is responsible for distributing these minutes to the BD and the Secretariats of the FMNs.

11.5 THE ADMINISTRATION (ADM)

- (1) The ADM is the permanent administrative Body of FIM Africa.
- (2) It is responsible to the BD for carrying out all the administrative activity of the FIM Africa. It is also responsible to coordinate the promotional activities of all the FIM Africa bodies.
- (3) The Secretary General is the chief executive of the ADM.
- (4) All official communications must be addressed to the ADM and not to individuals. Confidential messages may be addressed to the President.

11.5.1 The Secretary General

- (1) The Secretary General is responsible for the running of the FIM Africa ADM.
- (2) She/he is appointed by the BD, upon proposal of the President.
- (3) The Secretary General is responsible in the first instance to the President and through them to the BD for necessary measures to implement the decisions taken by all Bodies of the FIM Africa as well as all activities of the ADM.
- (4) She/he is a member of the BD without voting rights.
- (5) She/he is ultimately responsible for the publication of the decisions of all FIM Africa Bodies and the distribution of the minutes of all meetings within the deadlines set

up in the rules.

- (6) It is the duty of the Secretary General to achieve coordination between the ADM and the secretariats of the FIM Africa FMNs.
- (7) The Secretary General shall receive copies of all correspondence from, to and between the different Bodies of the FIM Africa.
- (8) The Secretary General has the power of signature on the bank accounts of FIM Africa

12 MISCELLANEOUS PROVISIONS

12.1 CALL FOR NOMINATIONS AND DURATION OF OFFICE

- (1) With the convening notice for the GA, the FIM Africa FMNs shall receive a notice of open positions.
- (2) The FIM Africa FMNs shall send their nominations in writing to the ADM at least 45 days before the date of the GA.

12.2 TERM OF OFFICE

Without prejudice to Article 12.5, the term of office for all elective and appointed BD members positions is four years, renewable upon expiry. In this Article any period less than a four-year term shall be regarded as a full term.

12.2.1 President

Regardless of the number of elective terms served (whether consecutive or not), no one shall hold the office of CONU President for a period exceeding twelve years.

12.2.2 Elected and appointed members of the Board of Directors

Under this Article, it is specified that the CONU President is not considered an elected or appointed member of the Board of Directors. Regardless of the number of elected or appointed terms served (whether consecutive or not), no one shall hold the position of elected or appointed member of the Board of Directors for a period exceeding twelve years. For the purposes of this Article, the Secretary General is not considered as an appointed BD member and therefore is not subject to the limitation of the twelve years.

12.3 TAKING OFFICE

Delegates shall take office as soon as they have been elected or appointed, with the exception of the President of the CONU who shall take office only after the conclusion of the electoral session.

12.4 REMOVAL FROM OFFICE

Any person elected who does not attend two consecutive meetings (including electronic meetings) of the body to which s/he is elected - unless the reason for such absence is accepted by the BD - shall be immediately removed from his/her office. Subject to these Statutes, such posts shall remain vacant until the next GA.

12.5 TRANSITIONAL PROVISION

From the approval of Art. 11.2, the term(s) already served by the current President of the CONU, all current members of the BD will be taken into account for the calculation of the maximum twelve-year term.

12.6 PREMATURE VACANCIES

- (1) The FIM Africa FMNs shall be immediately informed of any vacancy occurring in the BD, and Commissions following death, resignation, removal from office or withdrawal of a mandate.
- (2) Any position prematurely vacated before a period of office has ended shall be filled for the remainder of the period of office at the following GA.

12.7 VOTING AND ELECTIONS

12.7.1 General procedure

- (1) Membership of all FIM Africa Bodies except the GA is personal.
- (2) Delegates elected or appointed for those Bodies will have voting rights.
- (3) Each delegate (President included) will have one vote.
- (4) Votes by proxy are not allowed and voting by electronic means shall be permitted.
- (5) For all Bodies, only valid votes shall be regarded as votes cast. Abstentions, blank and void votes or ballot sheets shall be deducted before the votes are counted.

12.7.2 Conflicts of interest and/or loyalty

Any delegate who has a conflict of interest and/or loyalty either financial or personal in any proposal that is put before the meeting of the relevant Body must declare that conflict of interest and/ or loyalty and must leave the meeting and not seek to influence debate on the proposal nor vote on the proposal. In the case of any challenge to a person being eligible to vote on any matter then the person chairing the relevant meeting will take a decision.

12.7.3 Quorum in meetings of the BD and Commissions

In order to take decisions at meetings of Commissions, a minimum of half (1/2) plus one, and at meetings of the BD, a minimum of two-thirds (2/3), of its members must be present.

12.7.4 Voting for decisions

- (1) For any matter that has to be voted on, the decision shall be reached by a simple majority of the valid votes cast unless a qualified majority is required in these Statutes. If there is a tie, the proposal shall be rejected.
- (2) Voting shall be by a show of hands or by a roll call of the members attending the meetings, unless a secret ballot has been provided in these Statutes or asked for by one of the members.
- (3) Further to the general dispositions of Article 12.7.1 of these Statutes, ballot sheets

shall not be considered as valid when they contain any comment or marking not relating to the subject to be decided on. This subject and the voting procedure must be clearly defined by the Chairman of the respective FIM Africa Body.

12.7.5 Voting for elections

- (1) Elections of persons shall take place at the FIM Africa GA or at an extraordinary GA according to Article 11.1 of these Statutes.
- (2) Prior to the castings of ballots, all candidates shall have the possibility to introduce themselves and to explain orally their program and targets to the GA. The time allotted to each of them will be decided by the BD and mentioned in the agenda of the GA.
- (3) Independent scrutineers will be appointed by the GA, on proposal of the FIM Africa President, in order to supervise the elections and count the votes.
- (4) Before the poll is open, the voting delegates will receive their ballot sheets containing the names of all candidates standing for the respective body or post.
- (5) The voting will take place upon roll-call of the voting delegates who will use one of the two voting booths at disposal inside the GA Hall.
- (6) The voting shall be carried out in a confidential manner and following the procedure decided by the BD and indicated by the Secretary General before the elections.
- (7) Further to the general dispositions of Article 12.7.1 of these Statutes, ballot sheets shall not be considered as valid, if they include names other than the candidates, contain more names than the vacant places or bear any marking permitting the recognition of the voter.
- (8) On the first and the second ballot, if any, candidates shall require an absolute majority (50% + 1 vote) of all valid votes cast. Voting shall be carried out by secret ballot.
- (9) If all vacancies have not been filled as a result of the first ballot, the following procedure will apply for the second ballot:
 - In case the number of remaining candidates is higher than the number of vacant post(s) after the first ballot, the number of candidates who will take part in the second ballot, selected according to the number of votes obtained, will be determined according to the following formula: number of vacant post(s) + 1.
 - In case of an identical number of candidates and vacant posts after the first ballot, all candidates will take part in a second ballot.
- (10) If all the vacant posts have still not been filled after the second ballot the following procedure shall take place to fill the vacant post(s):
 - Candidates that failed to obtain an absolute majority (50% + 1 vote) shall fill the vacant post(s) by selection in order of the higher number of votes they obtained during the second ballot provided they achieved at least 25% of the valid votes cast.
- (11) There will be no third ballot.
- (12) Names of the candidates taking part in the second ballot have to be clearly displayed in writing for all those present.
- (13) After the elections, the chairman shall announce the results indicating the total number of votes cast, the number of abstentions as well as the number of void and valid votes. Furthermore, she/he shall announce the number of votes on which the majority is based, as well as the voting result for each of the candidates.
- (14) The signed scrutineers' results sheets shall be preserved but the actual voting papers shall be destroyed immediately after the closing of the respective meeting or the GA, except where the result is challenged.

(15) Any such protest must be made in writing and presented to the President before the closing of the respective meeting or the GA.

12.7.6 Criteria applicable to candidates for the position of President and BD members

- (1) Candidatures must be put forward by one of the FIM Africa affiliated FMNs.
- (2) Every candidature must be accompanied by a detailed curriculum vitae of the candidate.
- (3) A candidate who is put forward for the first time must be present at the relevant GA, unless in case of justified impediment. The President decides on accepting or refusing the justification.
- (4) A person may not be a candidate for more than one position in FIM Africa any one time.
- (5) A candidate who already holds an elective position inside FIM Africa must resign from that position if she/he wants to be a candidate for a new position of FIM Africa. The resignation must be presented before the elections, at the moment of the presentation of the candidature application, but it is valid only after the elections, in order to grant the continuity of the activities carried out.
- (6) A candidate must be and remain accessible by e-mail whenever possible.

12.7.7 Eligibility for the position of President, BD members

The candidates for the position of President and BD members must be able to express themselves in the official language of the FIM Africa (see Article 7 of these Statutes).

12.8 MOTIONS OF CENSURE

The procedure for motions of censure is as follows:

- (1) A motion of censure may be requested by an FMN of the FIM Africa or the BD. The request, with supporting arguments, must reach the ADM at least 60 days before the date fixed for the beginning of the GA;
The Secretary General shall include the proposed motion of censure together with the supporting arguments on the Agenda of the GA;
- (2) A proposal for a motion of censure may also be tabled during the GA if a statement of reasons is submitted and signed by the voting delegates of at least one quarter of all FMNs. The statement of reasons must be distributed to all delegates;
- (3) The members of the body which is the subject of the motion of censure have the right to defend themselves or to have themselves represented;
- (4) If the proposal for a motion of censure is maintained, it shall be put to a secret vote;
- (5) For a motion of censure to be accepted, it must be supported by a majority of two-thirds of the votes cast;
- (6) Once a motion of censure has been carried, the dismissed body will continue to handle only day-to-day matters until the new body has been set up. Where necessary, the GA shall take any measures that may be required.

12.9 REMOVAL FROM OFFICE OF PERSONS ELECTED BY THE GA

The procedure for removal from office is as follows:

- (1) Any FMN of the FIM Africa or the BD may ask that a person on a body be removed from office. The proposal must be accompanied by supporting arguments and must reach the ADM at least 60 days before the date fixed for the beginning of the GA; The Secretary General shall include this proposal together with the statement of reasons on the Agenda of the GA;
- (2) The person who is the subject of the proposal, or the person's representative, must have the opportunity to communicate observations in writing and/or orally to the GA if the person so wishes;
- (3) If the proposal to remove a person from office is maintained, the matter shall be put to a secret vote;
- (4) The proposal is accepted by the GA if a majority of two-thirds of the votes cast are obtained;
- (5) As soon as the proposal is accepted, the person concerned shall leave office immediately.

13 ECONOMIC QUESTIONS / BUDGET

13.1 BUDGETARY AND ACCOUNTING STANDARDS

- (1) The economic and administrative activity of FIM Africa shall be governed by the annual budget.
- (2) In order to facilitate the work of the Secretary General when drawing up the annual budget, the BD shall outline the policy that the FIM Africa shall pursue in the following year.
- (3) Each year, the Secretary General shall prepare a draft of the budget for the following year.
- (4) The draft budget shall forecast in detail the receipts and the expenditures of the FIM Africa for the year in question.
- (5) The draft budget shall be accompanied by a concise explanation of all expected income and expenditure. It shall make comparisons with the budget of the current year and the results of the previous year.
- (6) The draft budget shall be sent by the Secretary General to the members of the EB for consideration.
- (7) Transfers of reserves in an account from one section to another or of a subsidy destined for a certain activity to another shall not be made without the prior consent of the BD.

13.2 MANAGEMENT OF FIM AFRICA CAPITAL AND FUNDS

- (1) The negotiable securities of FIM Africa forming its capital and funds shall be deposited in the name of FIM Africa in one or more banks upon decision of the BD. For the investment of these funds, the joint signatures of the President and the Secretary General of FIM Africa shall be necessary.
- (2) Investment of FIM Africa funds in real estate shall not be made or altered without special authorisation from the BD.
- (3) For daily management of the ADM activities, the BD shall give its consent to the opening of a current account in the name of FIM Africa which will be under the control of the Secretary General and supervised by the President. The amount and usage of the account shall be determined by the BD.

13.3 END OF YEAR ACCOUNTS

- (1) The year-end financial statements and realisations on budget shall be examined by the independent finance company and the BD.
- (2) These documents must be distributed by the Secretary General to the to the BD before the meeting accompanied by the following:
 - the financial statements and realisations on budget on 31 December; and
 - the list of the debtors and creditors, indicating the corresponding amounts.
- (3) FIM Africa must submit to the FIM Administration as well as to the FIM Internal Auditors, by 31 May at the latest, the following documents:
 - the official financial statements of the CONU for the preceding year, including the balance sheet and profit & loss statements for the period from 1 January to 31 December, according to a standard format defined by the FIM;
 - the operating budget of the current year, according to a standard format defined by the FIM.
- (4) In addition, the inventory indicating the assets must be available at the ADM for inspection.
- (5) The External Auditors and the BD after having examined the financial statements and supporting documents shall submit the accounts together with its recommendation to the GA for approval.

13.4 FINANCIAL RESULTS

- (1) Any excess income over expenditure at the end of a financial year may be transferred to the capital fund or to other specific funds upon decision of the BD.
- (2) If the financial results show a deficit, the BD must propose a way in which this deficit may be absorbed.

13.5 SETTLEMENT OF ACCOUNTS

Each FIM Africa Member must have fulfilled its financial obligations before the opening of the GA, in order to have voting rights.

13.6 GRANT FOR ANY FIM AFRICA ACTIVITY

In order to help FIM Africa FMNs organizing a GA or other activities, FIM Africa may make a grant to be decided by the BD, the amount of which shall appear in the annual budget.

13.7 TRAVEL EXPENDITURE OF OFFICIALS AND DELEGATES TO THE FIM AFRICA

FIM Africa shall pay the travel and accommodation expenses of its representatives in the various FIM Africa Bodies as approved by the BD in the annual budget.

14 ALTERATIONS TO THE STATUTES

- (1) These Statutes may be modified by a resolution of the GA.

- (2) The modification is subject to a majority of two-thirds (2/3) of the votes cast by the African FMNs present.
- (3) The date of taking effect shall be immediately after the decision has been taken, unless the GA decides otherwise.
- (4) Before submission to its own GA, The FIM Africa shall submit to the FIM Administration any amendment proposal to its statutes for prior approval by the FIM BD. As long as any amendment proposal to the FIM Africa statutes has not been approved by the FIM BD, it will not be applicable.

15 BY-LAWS

- (1) The By-Laws include the procedural rules to be applicable for the organization of the FIM Africa GA. They also include the procedure regarding the FIM Africa awards and the protocol to be observed at official ceremonies of FIM Africa.
- (2) They must be approved by the GA with an absolute majority (50% + 1 vote) of the votes present, upon the proposal of the BD.

16 CODES

- (1) For all provisions not included in these Statutes or in the By-Laws of FIM Africa, the FIM shall be taken into consideration and applied directly.
- (2) On proposal of the BD, the GA approves notably the following codes:
 - Sporting Code which governs the sporting activities and the Regulations, including the technical regulations, applying to the various sporting disciplines and FIM Africa Championships, Cups and Prize Events.
 - Disciplinary Code which defines the disciplinary Bodies and the procedures to follow together with the sanctions which can be inflicted in disciplinary matters.
 - Medical Code that contains medical standards for sporting activities to be enforced by the Sporting Commissions.
 - Ethical Code that contains all applicable rules and principles in relation to ethical matters. In case the FIM Africa does not provide for an Ethical Code, the FIM Code of Ethics shall apply:
 - Environmental Code that contains regulations and recommendations for sporting activities and road users in order to protect the environment.
 - Any new regulation or amendment of the FIM rules which are deemed to be necessary to realize the aims of the FIM Africa

17 CONTRADICTION BETWEEN THE STATUTES AND ANY OTHER PROVISIONS

- (1) In the event of any contradiction between a rule of these Statutes and another FIM Africa rule, the statutory provision will prevail.
- (2) In the event of any contradiction between a rule of these Statutes and the FIM Statutes, the FIM Statutes shall prevail.

18 DISSOLUTION

- (1) The dissolution of FIM Africa may only be decided by an extraordinary GA convened for this specific purpose and attended by at least two-thirds (2/3) of the Members.
- (2) The decision shall be valid if attained by at least three-quarters (3/4) of the votes of FIM Africa Members present with voting rights.
- (3) If the quorum cannot be reached during this GA, a second extraordinary GA shall

be convened 30 days later during which no quorum is necessary but the decision to dissolve FIM Africa shall only be valid if passed by at least three-quarters (3/4) of the votes of FIM Africa FMNs present with voting rights.

- (4) In case of the dissolution of FIM Africa, the available assets at the date of dissolution shall be distributed according to the decision taken by the extraordinary GA.

19 DATE OF IMPLEMENTATION OF THE STATUTES

Unless the GA decides otherwise, decisions will be entered into force immediately.

20 STATUTES - ADOPTION AND DATE OF ENFORCEMENT

These Statutes were adopted by the FIM Africa GA on _____ [date] and came into force immediately.

FIM Africa President

FIM Africa Secretary General