

## **EUROPEAN AMPUTEE FOOTBALL FEDERATION (EAFF) STATUTES**

### **CHAPTER ONE**

#### **NAME, OPERATING AREA, REGISTERED OFFICE, LEGAL FORM**

##### **Section 1**

The EAFF Federation, hereinafter referred to as Federation, is an organization which brings together associations engaged in the field of physical culture and their unions, as well as other legal persons whose object is to promote physical culture among persons with disabilities.

##### **Section 2**

The operating area of the Federation is the territory of the Republic of Poland and other countries, and its registered office is in the Capital City of Warsaw.

##### **Section 3**

In its activities, the Federation is supervised by the Minister competent for sports matters.

##### **Section 4**

The Federation has legal personality. The Federation operates in accordance with the Law on Associations, the Sports Act, and these Statutes.

##### **Section 5**

The Federation may be a member of national and foreign organisations pursuing similar objects.

##### **Section 6**

1. The Federation is a voluntary, self-governing, non-profit sports organisation having perpetual existence, governed by applicable legal regulations and the decisions of its members.
2. The Federation may hire employees to manage its affairs.



## CHAPTER TWO

### GOALS AND OBJECTIVES

#### Section 7

1. The primary object of the Federation is to promote and popularize amp football, i.e. football played by amputees and persons with limb defects, and to provide all kind of support to people with disabilities.
2. In pursuing the objects referred to in Subsection 1, the Federation shall:
  - 1) bring together physical culture associations and their unions, as well as other legal entities engaged in the field of physical culture, especially in the field of amp football;
  - 2) actively promote the development of physical culture, popularize and organize all kinds of activities related to football, in particular amp football;
  - 3) develop training processes for players, coaches and referees, and organizational solutions in amp football;
  - 4) organize and conduct sports training and competitions, organize amp football competitions;
  - 5) support the activities of its members in the performance of their tasks, including statutory tasks;
  - 6) represent members vis-a-vis all state authorities, public administration, offices and institutions, local governments, trade and sports unions, associations and foundations, and other administrative and business entities at home and abroad;
  - 7) provide training by organizing seminars, symposia and conferences in the field of physical culture, and in particular in the field of amp football.

#### Section 8

1. In pursuing its statutory objects, the Federation may cooperate with organs of state and local government administration.
2. The Federation may engage in business activities to the extent they are designed to achieve its statutory objects; all income from such activities shall be used for its statutory purposes.



3. The Federation may engage in business activities corresponding to the following classes of the Polish Classification of Activities (PKD):
- 1) Advertising agencies (PKD 73.11.Z);
  - 2) Management consultancy activities (PKD 70.2);
  - 3) Retail sale via mail order houses or via the Internet (PKD 47.91.Z);
  - 4) Advertising (PKD 73.1);
  - 5) Organisation of fairs, trade shows and conventions (PKD 82.30.Z);
  - 6) Market research and public opinion polling (PKD 73.20.Z);
  - 7) Publishing of books, periodicals and other publishing activities, except for software publishing (PKD 58.1);
  - 8) Other retail sale not in stores, stalls or markets (PKD 47.99.Z);
  - 9) Rental and operating of own or leased real estate (PKD 68.20.Z);
  - 10) Rental and leasing of recreational and sports equipment (PKD 77.21.Z);
  - 11) Motion picture, video and television programme production activities (PKD 59.11.Z);
  - 12) Sports activities and entertainment and recreation activities (PKD 93)
  - 13) Physical well-being services (PKD 96.04.Z);
  - 14) Sound recording and music publishing activities (PKD 59.20.Z);
  - 15) Photographic activities (PKD 74.20.Z)

### CHAPTER THREE

#### **MEMBERS OF THE FEDERATION, THEIR RIGHTS AND OBLIGATIONS**

##### Section 9

1. The Federation may have:
- 1) ordinary members;
  - 2) supporting members.



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## Section 10

1. Ordinary members may be national or foreign physical culture associations and their unions and other legal persons pursuing similar objects.
2. Supporting members may be legal, national or foreign persons who declare and provide financial or in-kind support to the Federation.
3. Ordinary and supporting members are admitted by the Management Board of the Federation based on a written application for admission.
4. The detailed procedure for considering the applications for admission referred to in Subsection 3 shall be set out in a resolution of the Management Board of the Federation.

## Section 11

1. Ordinary members shall have the right to:
  - 1) appoint a delegate to participate in the General Assemblies of Delegates;
  - 2) designate their representatives to participate in national and foreign sporting and training events, on terms set out in a resolution of the Management Board of the Federation;
  - 3) submit requests and motions to the governing bodies of the Federation;
  - 4) exercise member rights resulting from membership of the Federation;
2. Supporting members shall have the rights of ordinary members except for those referred to in Subsection 1(1).

## Section 12

1. Members of the Federation shall be required to:
  - 1) actively promote physical culture and implement the statutory tasks assigned to them by the Federation;
  - 2) comply with the statutes, regulations and resolutions of the Federation's governing bodies;
  - 3) uphold and promote the good name of the Federation;



- 4) regularly pay membership fees in such amounts and at such dates as are specified by the Management Board of the Federation.

### Section 13

1. The status of ordinary or supporting member shall cease in the event:
  - 1) a member leaves the Federation by notice in writing to the Management Board of the Federation;
  - 2) the Federation dissolves;
  - 3) a member is expelled by the Management Board due to a breach of law or the provisions of these Statutes.
2. A member failing to make regular payments of the membership fee, who has been in arrears for at least 6 months and who has been summoned to pay the overdue amounts, may be expelled by a resolution of the Management Board by being deleted from the register of members.
3. A member of the Federation may be suspended in its rights by the Management Board in the event of failure to actively participate in the performance of tasks and pursuing objects of the Federation for a period of at least 6 months, or in the event of any other breach of these Statutes or resolutions of the Management Board.
4. Suspension in membership shall consist in the member being deprived of its statutory rights for a limited period of up to one year.
5. A resolution to exclude, delete or suspend a member in its rights may be appealed against to the Peer Disciplinary Board within 30 days of the member's being notified thereof.
6. A member of the Federation may be reinstated with full membership rights based on a resolution of the Management Board, at the request of the Management Board, the Peer Disciplinary Board, or the member concerned.

## CHAPTER 4

### GOVERNING BODIES OF THE FEDERATION

#### Section 14

1. The governing bodies of the Federation shall be:

- 1) the General Assembly of Delegates;
- 2) the Management Board;
- 3) the Audit Committee;
- 4) the Peer Disciplinary Board.

### GENERAL ASSEMBLY OF DELEGATES (GAD)

#### Section 15

1. The General Assembly of Delegates shall be the highest governing body of the Federation having the power to adopt resolutions on all matters relating to its activities.
2. The General Assembly of Delegates shall have the power to:
  - 1) adopt statutes and resolutions on amendments to these Statutes and dissolution of the Federation;
  - 2) appoint or dismiss members of the Management Board and the Audit Committee;
  - 3) elect the Chairman of the Peer Disciplinary Board;
  - 4) define the main objectives and action programmes to be pursued by the Federation;
  - 5) grant discharge to members of the Management Board for their term of office;
  - 6) consider and decide on proposals made by the Management Board and members of the Federation;
3. The General Assembly of Delegates shall convene for:
  - 1) Ordinary Reporting and Electoral Assemblies held every four years;
  - 2) Ordinary Reporting Assemblies held once a year (except for the years in which the Ordinary Reporting and Electoral Assembly of Delegates is convened);
  - 3) Extraordinary Assemblies.

## Section 16

A resolution on amending the Statutes or dissolving the Federation shall be taken by the General Assembly of Delegates by a qualified majority of 2/3 of the votes cast, providing that at least half of its members are present.

## Section 17

When adopting a resolution on the dissolution of the Federation, the General Assembly of Delegates shall specify the manner of its liquidation and the allocation of its assets.

## Section 18

1. Ordinary members of the Federation shall be entitled to participate in the General Assembly of Delegates. Each member shall be represented by one delegate with one vote. The name of the delegate representing an ordinary member must be notified 14 days before the date of the General Assembly of Delegates.
2. Ordinary members of the Federation shall be notified by the Management Board of the date, place and agenda at least 30 days before the date of the General Assembly of Delegates. The matters to be discussed by the General Assembly of Delegates shall be notified to the delegates 14 days before the date of the General Assembly of Delegates.
3. Not later than 14 days before the date of the General Assembly of Delegates, ordinary members shall have the right to submit their requests and objections concerning the agenda.

## Section 19

1. The General Assembly of Delegates shall be presided over by a Chairman elected from among the delegates. The proceedings shall be recorded by a minutes secretary appointed by the Chairman.
2. Resolutions of the General Assembly of Delegates shall be adopted by a simple majority, with at least 1/2 of the total number of members present on the first date, and regardless of the number of members present on the second date.
3. In the event of a voting tie, the Chairman of the General Assembly of Delegates shall have the casting vote.



4. One delegate may represent more than one ordinary member at the General Assembly of Delegates.

#### Section 20

1. The Extraordinary General Assembly of Delegates shall be convened by the Management Board based on:
  - 1) a resolution of the Management Board;
  - 2) a request from the Audit Committee;
  - 3) a motion submitted by at least 1/2 of the total number of ordinary members of the Federation.
2. The Extraordinary General Assembly of Delegates shall be convened by the Management Board within 4 months of the date of the resolution or proposal, and shall deliberate on matters for which it has been convened.

### MANAGEMENT BOARD

#### Section 21

1. The Management Board of the Federation shall manage day-to-day activities of the Federation and report to the Audit Committee and the General Assembly of Delegates. The Management Board shall be composed of 1 to 5 members, including the President, elected by the General Assembly of Delegates for a period of 4 years, in such a way that the President of the Management Board shall be elected in the first vote, and shall then nominate the remaining members (if the Board is to consist of more than one member), who may be approved or rejected by the General Assembly of Delegates in the second vote. If the nominations are rejected, the President of the Management Board shall nominate members who may be approved or rejected by the General Assembly of Delegates in the third vote. If no members of the Management Board are elected in the third vote, only the President of the Management Board shall remain a member of the Management Board. The first members of the Management Board shall be appointed by the Founding Assembly. The President of the Management Board and Members of the Management Board may be re-elected.



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2. Members of the Management Board shall perform their functions without compensation, unless the General Assembly of Delegates decides otherwise.
3. The rules on remunerating members of the Management Board shall be laid down in a resolution adopted by the Management Board at its first meeting.
4. The terms of reference and proceedings of the Management Board shall be governed by rules of procedure adopted by the Management Board.

## Section 22

1. The Management Board of the Federation shall have the power to:
  - 1) represent the Federation in dealings with third parties and to act on its behalf;
  - 2) implement resolutions, guidelines and recommendations of the General Assembly of Delegates;
  - 3) manage the overall activities of the Federation;
  - 4) manage the Federation's assets and funds, set the amount of membership fee and other payments to the Federation;
  - 5) prepare annual reports on the activities of the Federation;
  - 6) raise funds to finance activities pursued by the Federation;
  - 7) adopt action plans and financial plans;
  - 8) convene the General Assembly of Delegates and prepare relevant documents in relation thereto;
  - 9) admit, suspend, delete or exclude members of the Federation;
  - 10) adopt resolutions on all matters except those reserved for the General Assembly of Delegates or the Audit Committee.

## Section 23

1. In case of a breach of these Statutes, regulations or other provisions applicable to the Federation – the Management Board shall have the right to impose penalties on members of the Federation.

2. The disciplinary procedure and the types of penalties shall be defined in the disciplinary rules adopted by the Management Board.
3. Disciplinary cases shall be examined in a two-instance procedure.

#### Section 24

1. Declarations of intent on behalf of the Federation, including in legal transactions and commitments made on its behalf, including in property matters, may be made by the President of the Management Board acting individually, or two other members of the Management Board acting jointly.
2. The Management Board, based on a separate resolution, may appoint a person authorized to make declarations of intent on behalf of the Federation as its attorney-in-fact.
3. The Management Board takes decisions in the form of resolutions. Resolutions shall be adopted by open vote; a secret ballot may be used, however, on a request made by a majority of the Members of the Management Board adopting the resolution concerned.
4. Resolutions shall be adopted by a simple majority of votes cast, providing that at least half of the persons entitled to vote are present, unless these Statutes provide otherwise.
5. A simple majority of votes shall mean a situation where the number of votes “for” is greater by 1 than the number of votes “against”.
6. In the event of a voting tie, the President of the Management Board shall have the casting vote.
7. A resolution shall be deemed adopted if it has received a simple majority of votes.

### AUDIT COMMITTEE

#### Section 25

1. The Audit Committee is the body in charge of overseeing the overall activities of the Federation, and consists of 3 to 5 persons elected by the General Assembly of Delegates. The first members of the Audit Committee are appointed by the Founding Assembly. Members of the Audit Committee are appointed for an indefinite period until they have been



dismissed by the General Assembly of Delegates or a member of the Audit Committee has resigned in writing. The Committee elects a Chairman from among its members.

2. The Audit Committee shall have the power to:

- 1) carry out, at least once a year, an audit of all activities of the Federation, with a particular emphasis on its financial activities as regards their purpose, reliability and legal compliance;
- 2) make recommendations to the Management Board based on audit findings and request clarifications and rectification of irregularities;
- 3) receive annual reports on the activities of the Federation, including those submitted to the competent Minister;
- 4) submit reports on the Committee's activities to the General Assembly of Delegates, and make proposals for granting discharge to the Management Board;
- 5) request that an Extraordinary General Meeting of Delegates be convened in the event of finding any activities of the Management Board to be unlawful or contrary to essential interests of the Foundation.

3. Members of the Audit Committee may not:

- 1) be members of the Management Board or be related by blood or marriage or report to persons in charge of the Federation;
- 2) have been convicted by a final and binding judgment for wilful misconduct.

4. The Audit Committee acts within its statutory powers on the basis of its adopted rules of procedure.

## Section 26

In the event of a vacancy in the Management Board or the Audit Committee, the body in which a vacancy exists may, based on its own resolution, co-opt new members. The number of co-opted members may not exceed 1/3 of the number of elected members of that body. Otherwise, the Management Board shall convene an Extraordinary Assembly Meeting of Delegates to hold by-elections.

## **PEER DISCIPLINARY BOARD**

### **Section 27**

1. The Peer Disciplinary Board shall consist of 2 to 3 members elected for a period of 4 years from among persons who are not members of any other bodies of the Federation.
2. The General Assembly of Delegates shall appoint at least 1 member of the Peer Disciplinary Board.
3. The Management Board of the Federation shall appoint at least 1 member of the Peer Disciplinary Board.
4. The Chairman of the Peer Disciplinary Board shall be a member of the Peer Disciplinary Board elected by a resolution adopted by the General Assembly of Delegates.
5. Each member of the Peer Disciplinary Board shall have 1 vote. In the event of a voting tie, the Chairman shall have the casting vote.
6. The procedure to be followed in proceedings before the Peer Disciplinary Board shall be laid down in the rules of procedure adopted by that Board.
7. The Peer Disciplinary Board shall have the power to:
  - 1) resolve disputes between members;
  - 2) consider appeals lodged by members against resolutions adopted by the Management Board and the General Assembly of Delegates;
  - 3) report on its activities to the General Assembly of Delegates.
8. The Peer Disciplinary Board shall consider requests and appeals within 14 days of their receipt.
9. Decisions of the Peer Disciplinary Board are final.
10. Where the case at issue concerns a member of the Peer Disciplinary Board, that member shall be excluded for the duration of such proceedings from the works of the Peer Disciplinary Board. Furthermore, if a member of the Peer Disciplinary Board remains in a relationship with a party to the proceedings which may compromise his or her impartiality, another member of the Peer Disciplinary Board may be co-opted by the Management Board on a case-by-case basis.

## **CHAPTER 5**



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## ASSETS AND FUNDS OF THE FEDERATION

### Section 28

1. The assets of the Federation shall include real estate, movable property and other assets.
2. The assets of the Federation shall be created from:
  - 1) proceeds from membership fees;
  - 2) donations, grants, subsidies and bequests;
  - 3) proceeds from its own statutory and business activities.

### Section 29

1. No transfer or use of assets may be made on behalf of a member of the Federation, a member of its bodies, a staff member, or any of their next of kin, other than on arm's length terms.
2. No goods or services shall be procured on special terms – from entities in which any of the persons referred to in Subsection 1 have an interest.
3. The next of kin of staff members referred to in Subsection 1 shall mean:
  - 1) spouses;
  - 2) relatives in the direct line, relatives in the collateral line up to the second degree;
  - 3) relatives by marriage in the direct line and relatives by marriage in the collateral line up to the second degree;
  - 4) persons related by adoption, custody or guardianship.

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