

## **CONSTITUTION**

### **TITLE 1: SUBJECT**

#### **ARTICLE 1**

##### ***Definition***

The group of National Wrestling Federations of the Commonwealth countries and territories recognized by and affiliated to United World Wrestling (UWW).

Created on April 12<sup>th</sup> 2018 at the Gold Coast, Australia, during the XXI Commonwealth Games when a Constitutive General Assembly was held bringing together the Presidents of the Federations of the Commonwealth countries. This organization of common interests, affiliated to the International Federation, is called:

#### **The Commonwealth Wrestling Committee (CWC)**

#### **ARTICLE 2**

##### ***Headquarters***

The headquarters of CWC is attached to the domicile of the National Federation of its President.

The headquarters can be transferred to any other place, by decision of the General Assembly of the CWC.

The CWC is a legal entity under the national law of the place of incorporation.

It features, as visual identity, the emblem and the flag included as appendices to this constitution.

#### **ARTICLE 3**

##### ***Lifetime***

The lifetime of the association is unlimited.

#### **ARTICLE 4**

##### ***Objects***

The CWC aims:

1. To contribute to the broadest possible promotion of the practice of Wrestling and its associated disciplines;
2. To promote the necessary and useful contacts between National Federations of the Commonwealth to strengthen friendship and solidarity among all;
3. To organize the Commonwealth Wrestling Championships and any other events whose purpose is to increase the popularity of wrestling within the Commonwealth;

4. The CWC is opposed to any unlawful discrimination of any kind on the grounds of race, gender, religion, creed, political beliefs, disability, marital status, sexual orientation or otherwise

## **TITLE II. COMPOSITION**

The CWC consists of the Commonwealth National Wrestling Federations normally and regularly affiliated to the UWW and access may not be refused. The specific situation of Great Britain's home nations, and territories and countries with similar situations is recognized under the same logic as the Commonwealth Games Federation.

### **ARTICLE 5**

#### ***Members***

The CWC is composed of active members, associate members and honorary members.

Active members of the CWC are:

Commonwealth National Wrestling Federations recognized by and affiliated to the International Federation (UWW);

The Commonwealth National Wrestling Federations become active members from the time the CWC General Assembly approves the affiliation request and the annual subscription is paid.

Associate members are the President and Secretary General of the International Federation along with elected UWW Board members from Commonwealth countries.

Honorary members are individuals who render, or who have rendered, important services to the CWC. They are exempted from payment of any subscription but retain the right to attend General Assemblies without voting. This title is awarded by the Board of Directors upon the proposal of the President of CWC.

### **ARTICLE 6**

#### ***Loss of Membership***

Membership is lost:

By resignation notified to the Secretary General of the CWC;

By exclusion; on a decision by the General Assembly following a proposal from the Board of Directors; at least thirty days after the member in question has been given notice by registered letter with acknowledgment of receipt (AR), to provide explanations either written or oral. Exclusion is validated by the General Assembly on a reasoned proposal of the Executive Board. Pending the confirmation of exclusion, the member is suspended from membership.

The grounds for exclusion are:

1. Violation of any articles of this constitution;
2. Serious causes with moral or material prejudice to the CWC;
3. Violation of the Code of Ethics of the United World Wrestling.

## **TITLE III: ADMINISTRATION AND FUNCTIONING**

### **ARTICLE 7**

#### ***The General Assembly***

The bodies of the CWC are:

1. The General Assembly;
2. The Board of Directors;
3. The Executive Board.

### **ARTICLE 8**

#### ***The General Assembly***

1. The General Assembly is the supreme organ of the CWC. It is composed of:
  - a) Active members described in Article 5 (active members are represented at the General Assembly by their Presidents or their delegates); to attend the General Assembly, all must be mandated by the Executive Board or the Board of Directors of their Federations;
  - b) CWC elected Board Members.
2. Common provisions for the holding of Ordinary General Meetings:
  - a) Each active member (provided they are in good standing) has one vote;
  - b) The active members who cannot participate in the General Assembly have the right to be represented and to delegate their vote;
  - c) Each member of the Board has one vote, which cannot be delegated;
  - d) At an Elective General Assembly only active members shall have a vote;
  - e) For the avoidance of doubt, no person may be entitled to more than one vote;
  - f) Proxy voting is allowed, but postal voting is not allowed;
  - g) No person may hold more than one proxy.
3. Eligibility:
  - a) No more than one candidate per Federation is eligible for election to the Board of Directors of CWC;
  - b) Candidates for election must be aged at least eighteen years on the day of the election, having been nominated for the election by his or her National Federation (which must be in good standing) at least fifteen days before the Elective General Assembly by any means that can display proof of reception;
  - c) Any nomination must be supported by a written statement from the proposing National Federation that will ensure that all travelling and subsistence expenses of its candidate for the purposes of CWC Board Meetings will be met by that Federation;
  - d) The Board of Directors is elected by majority vote in a system comprising two rounds; that is, the candidates who on the first ballot obtain an absolute majority (over fifty per cent) of votes cast are elected. In the case that not all positions can be filled on the first ballot then those candidates not elected will go into the second round which will be decided by relative majority
  - e) In the case of a tie the youngest candidate will be elected;
  - f) Associate members may attend the General Assembly in an advisory capacity.

4. Ordinary General Meetings:
  - a) Meets at least once a year, convened by the President;
  - b) Its agenda is set by the Executive Board;
  - c) The notice of the meeting must include the agenda and arrangements set by the Board of Directors. Notice of meetings can be conveyed by any means and must be sent at least fifteen days in advance of the meeting to all members.
  - d) Any proposal or motion put to the meeting must be approved by the General Assembly.
  
5. The General Assembly is competent to:
  - a) Elect the officers of the CWC;
  - b) Adopt and/or amend the CWC Constitution and Regulations,
  - c) Approve the budget and the financial report submitted by the Board;
  - d) Approve the reports of activities and yearly plans;
  - e) Approve active members and associate members of CWC.
  
6. Functioning:
  - a) The decisions of the General Assembly are taken by simple majority of members present, except on the cases where different provisions are specifically stated;
  - b) The Chair of the General Assembly lies with the President or, in his/her absence, with the first Vice-President or, in his/her absence, with the second Vice-President.
  - c) The deliberations and decisions are recorded in written minutes on a register and signed by the President and the Secretary General.
  
7. Extraordinary General Meetings:
  - a) The General Assembly may be convened in extraordinary session either to amend the Constitution or dissolve the Association (CWC). Such a convention can be called by the President or by a written request of two thirds of the Board;
  - b) If a quorum is not obtained at the first convention, the Extraordinary General Meeting shall be convened again three months after the date of the first meeting. No quorum shall be required at the second meeting.
  - c) The Extraordinary General Meeting decides on matters within its exclusive competence;
  - d) Decisions are made mandatory by a majority of two thirds of members present or represented.
  - e) Voting shall be by show of hands unless at least one third of the members present, or represented, demand a secret ballot.

## **ARTICLE 9**

### ***The Board***

1. Composition:
  - a) The Board in its final form consists of seven members elected by the General Assembly;
  - b) At the end of the Elective General Assembly the Board of Directors elects from its number by secret ballot:
    - I. The President;
    - II. Three Vice-Presidents (one to be the Deputy President, another to be Treasurer and the third with no further designation)

- III. The Secretary General;
  - IV. Two members;
  - c) At least one board member must be a female.
2. Electoral power of the Board of Directors:
- a) Each Board member is entitled to one vote which cannot be delegated;
  - b) In case of a tie the vote of the President carries the decision. For the avoidance of doubt, this is not a casting vote.
3. Constitution of the Executive Board:
- a) The Executive Board consists of the President, the Secretary General and the three Vice-Presidents;
  - b) These positions are proposed by the Board of Directors to the General Assembly which has the power to approve it.

## **ARTICLE 10**

### ***Term of office***

Each director is elected for a term of four years. A director is eligible to be re-elected once. A director cannot serve for more than two consecutive terms but can offer him/herself for election again after a gap of four years. Such elections take place at the first General Meeting at, or following, a Commonwealth Games.

In case of a vacancy (death, resignation, disqualification or cancellation) the Board will appoint a temporary director.

Such a temporary director shall be confirmed or replaced at the next Ordinary General Assembly. The term of any temporary director shall expire at the same time as that of the director that he/or she replaced.

All Board members may be re-elected, however, a reasoned opposition by registered letter at least one week before the election may be filed by the National Federation having proposed the candidate for his or her first term.

It is important that an incumbent is supported by his or her National Federation to work in the best circumstances with the aim of promoting the sport, bearing in mind that only the National Federation as an active member is entitled to vote at the Elective General Assembly.

If opposition by a National Federation to an incumbent representing that Federation is raised, the examination of the application will be made by the Board after presentation by the National Federation of its reasons.

This application can be motivated and supported for reasons of continuity and its quality will be retained if a two thirds majority of Board votes is reached.

## **ARTICLE 11**

### ***The Executive Board***

The Executive Board (EB) administers the CWC.

To this end, it shall:

- a) Implement the decisions of the General Assembly;
- b) Develop, propose and implement the budget of the CWC;
- c) Propose the rate of the subscriptions;
- d) Pronounce, apart from exclusions, the penalties provided for in any Auxiliary Rules;
- e) Present to the General Assembly actions and programs;
- f) Choose the places and dates of the events (including Championships, General Assemblies and other CWC events);
- g) Choose dates and locations of meetings of the General Assembly.

An office can be established at the discretion of the President and approval by the Board of Directors.

The office provides day-to-day management and deals with urgent matters, in accordance with the statutory provisions, and in compliance with the decisions and under the control of the Administration (EB).

It shall ensure financial management and shall take all measures that are not the responsibility of the General Assembly or the Board of Directors.

It implements the decisions of the Executive Board and other measures as may be specified by the General Assembly.

## **ARTICLE 12**

### ***Meetings***

The Board shall meet at least once in any calendar year, convened by the President.

Its sessions are led by the President and, in his absence, by the Deputy President or another Vice-President or by the Secretary General.

The Executive Board must have in attendance a quorum of at least half its members (for the avoidance of doubt three out of five members).

Decisions are taken by simple majority of those present. In case of a tie, the President will have a casting vote.

The minutes of meetings are signed by the President and the Secretary General and communicated to the members of the General Assembly after approval by the Executive Board.

**ARTICLE 13**

***Board Functions***

The President represents the interests of the CWC.

The President chairs the meetings of the General Assembly and the Board of Directors and Executive Board and monitors the execution of decisions of the General Assembly.

The Board authorizes expenditure. It represents the CWC in all acts of civil life and in the courts.

The Deputy President will act in place of the President when necessary to ensure continuity.

Vice Presidents support the President in the exercise of his or her office.

The "official UWW" members act as technical advisers from the office.

The Secretary General manages the administrative aspects of CWC, co-ordinates and controls the various activities and presents the Board's report on activities of Directors to the General Assembly. He or she shall draw up the minutes of the meetings attended.

The Treasurer is responsible for accounting and finance of the CWC. He or she regulates the expenditure authorized by the President and presents the financial report to the General Assembly.

**ARTICLE 14**

***Technical Director***

The Board of Directors and the Executive Board may be assisted by a Technical Director chosen for his/her recognized expertise in technical supervision, administration and sports management of Wrestling.

**ARTICLE 15**

***Commissions***

The CWC's Board of Directors may decide to create various Commissions to which it may entrust the execution of specified duties.

**TITLE IV: RESOURCES AND TAXES**

**ARTICLE 16**

***Resources***

CWC's resources consist of:

- a) Contributions (subscriptions) of its members;
- b) Product sponsorship revenue and events organized by it;
- c) Grants, donations and bequests;
- d) Revenues from the sale of various products;
- e) Any other resources that are not contrary to the laws in force.

Any Federation not in good standing will be denied participation in events (competitions and meetings) organized by the CWC, including the right to vote in the General Assembly

#### **ARTICLE 17**

##### ***Management of Assets***

CWC's assets are managed by the Board of Directors under the control of the General Assembly. The funds and securities shall be deposited in a bank account in the name of CWC.

#### **ARTICLE 18**

##### ***Auditing and Accounting***

The control of the financial accounts is assured by an auditor, appointed from outside Council members by the Board of Directors.

Accounting of CWC is maintained in accordance with international laws and regulations in force in the country of the CWC's Headquarters.

Nonetheless it must show an income statement, a balance sheet and an appendix.

Correspondence, reports and minutes of any kind will be written in English.

#### **TITLE V: AMENDMENTS TO THE CONSTITUTION AND DISSOLUTION**

#### **ARTICLE 19**

##### ***Amendments***

This Constitution can only be amended by an Extraordinary General Assembly and by a majority of two thirds of the active members.

It is a matter for the Board of Directors to propose any changes to the General Assembly.

#### **ARTICLE 20**

##### ***Dissolution***

The dissolution of the CWC may only be decided by the Extraordinary General Assembly specially convened for this purpose. In order for decisions to be valid, the assembly must have in attendance at least two thirds of the active members.

If this quorum is not reached, the Assembly is convened again in three months and this time, it may deliberate regardless of the number of members present.

In all cases, the dissolution can only be pronounced by a majority of two thirds of the members.



**ARTICLE 21**

***Assets***

In case of dissolution of the CWC, its assets are moved to the jurisdiction of United World Wrestling.

**ARTICLE 22**

***Communication of Changes***

Changes in the administration of the CWC and to this Constitution must be made known to the UWW and the CGF within a calendar month.

**TITLE V: MISCELLANEOUS**

**ARTICLE 23**

***Provisions***

The provisions of this Constitution shall be supplemented as appropriate by Auxiliary Rules.

**ARTICLE 24**

***Arbitration***

All disputes arising from the application of these statutes will be brought first to the Court of Arbitration for Sport in Lausanne (Switzerland), before being referred to the competent courts under national law of the place of the registered office.

**TITLE VI. INTERNAL RULES**

**ARTICLE 25.**

***Auxiliary Rules***

Auxiliary Rules can be established by the Board of Directors, which are then approved by the General Assembly.

The Rules are intended to address any issues not covered by this Constitution, including those relating to the practical operation of CWC activities.

**ARTICLE 26.**

***Administrative Formality***

The President shall perform all the formalities of declaration and publication of the CWC as required by the law of its country at the time of its establishment.