

SAMOA



**SAMOA ASSOCIATION OF SPORTS AND  
NATIONAL OLYMPIC COMMITTEE  
(INCORPORATED)**

**CONSTITUTION**

**PREAMBLE:**

The Samoa Association of Sports and National Olympic Committee Inc. (hereafter called “**SASNOC**”), an organization belonging to the Olympic Movement, hereby undertakes to respect the provisions of the Olympic Charter and the World Anti-Doping Code and to abide by the decisions of the IOC.

SASNOC undertakes, in accordance with its mission and role at national level, to participate in actions to promote peace and gender equity in sport.

SASNOC also undertakes to support and encourage the promotion of sport ethics, to fight against doping and to demonstrate a responsible concern for environmental issues.

**ARTICLE I: NAME AND INDEPENDENCE**

1. There exists and shall continue to exist an incorporated society named the **SAMOA ASSOCIATION OF SPORTS AND NATIONAL OLYMPIC COMMITTEE (INCORPORATED)** which is a non-governmental and not for profit organization, of perpetual succession, duly registered in Samoa pursuant to the Incorporated Societies Ordinance 1952 as administered by the Ministry of Commerce, Labour and Industry.
2. As declared under Article 15 of the Constitution of the Independent state of Samoa and the “Olympic Charter”, SASNOC has and shall continue to be an independent body and shall resist any and all pressures of any kind whether of a political, religious, racial or economic character and shall always endeavor not to make or impose any policies, decisions, rules, regulations or laws that discriminate against any person or body on any or all of these grounds.

**ARTICLE II: MISSION AND OBJECTS**

1. The mission of SASNOC is to develop, promote and protect the Olympic Movement in Samoa, in accordance with the Olympic Charter.
2. The role and objects of SASNOC shall be:
  - (a) To promote the fundamental principles and values of Olympism in Samoa, in particular, in the fields of sport and education, by promoting Olympic educational programmes in

all levels of schools, sports and physical education institutions and universities, as well as by encouraging the creation of institutions dedicated to Olympic education, such as a National Olympic Academy, an Olympic Museum and other programmes, including cultural, related to the Olympic Movement.

- (b) To ensure the observance and strict adherence to and compliance with the Olympic Charter in Samoa.
  - (c) To encourage the development of high performance sport as well as sport for all in Samoa.
  - (d) To help in the training of sports administrators.
  - (e) To take action against any form of discrimination and violence in sport.
  - (f) To adopt and implement the World Anti-Doping Code, thereby ensuring that SASNOC anti-doping policies and rules, membership and/or funding requirements and results, management procedures conform with the World Anti-Doping Code and respect all the roles and responsibilities for NOCs that are listed within the World Anti-Doping Code.
  - (g) To encourage and support measures relating to the medical care and health of athletes.
3. SASNOC has the exclusive authority for the representation of Samoa at the Olympic Games and at the regional, continental or world multi-sports competitions (whether or not) patronised by the IOC and shall constitute, organize and lead its respective delegations at such events and competitions. SASNOC shall decide upon the entry of athletes proposed by the respective national federations. Such selection shall be based not only on the sports performance of an athlete but also on his ability to serve as an example to the sporting youth of the country. SASNOC must ensure that the entries proposed by the national federations comply in all respects with the provisions of the Olympic Charter or standard for Regional or International non-Olympic Games. Moreover, SASNOC is responsible for the behaviour of the members of its delegations to any Olympic or non-Olympic Sports Event.
  4. SASNOC is obliged to participate in the Games of the Olympiad by sending athletes.
  5. SASNOC has the exclusive authority to select and designate the city which may apply to organise Olympic Games or other regional, continental or world multi-sports Games patronised by the IOC in the country.
  6. In order to fulfil its mission, SASNOC may cooperate with governmental bodies and work to develop and maintain harmonious and fruitful relations with governmental bodies, with mutual understanding and respect for the jurisdiction and responsibilities of each entity. However, SASNOC shall not associate itself with any activity which would be in contradiction with the Olympic Charter. SASNOC may also cooperate with non-governmental bodies.
  7. SASNOC must preserve its autonomy and resist all pressures of any kind, including but not limited to political, legal, religious or economic pressures which may prevent it from complying with the Olympic Charter.
  8. SASNOC may assist the national sports federations or associations to develop and promote their sport, as well as the athletes of the country, within the framework of the Olympic Charter and the applicable rules of the International Sports Federations concerned.
  9. To achieve its objectives SASNOC shall seek sources of financing in a manner compatible with the Olympic Charter.
  10. SASNOC is the sole authority which may represent the Olympic Movement of the country in Olympic events held inside or outside the country.



11. SASNOC may cooperate with other National Olympic Committees.
12. To incorporate in SASNOC according to its rules all eligible sports associations throughout Samoa to advance the cause of sports, and to promote and foster the interests of such clubs and associations.
13. SASNOC may establish any specific commissions or sub-committees to assist in carrying out its duties.
14. SASNOC may only use the Olympic symbol, flag, motto and anthem (which are the exclusive property of the IOC) within the framework of its non-profit-making activities provided such use contributes to the development of the Olympic Movement and does not detract from its dignity, and provided that it has obtained the prior approval of the IOC, in accordance with the Olympic Charter. All Olympic properties including but not limited to the Olympic symbol, flag, motto, anthem, identifications (including but not limited to "Olympic Games" and "Games of the Olympiad"), designations, emblems, flame and torches, and all rights to any and all Olympic properties, as well as all rights to the use thereof, belong exclusively to the IOC. SASNOC is responsible to the IOC for the observance, in Samoa, of Rules 7-14 and BLR 7-14 of the Olympic Charter. It shall take steps to prohibit any use of any Olympic properties which would be contrary to such Rules or their Bye-laws. It shall also endeavour to obtain, for the benefit of the IOC, protection of the Olympic properties of the IOC.
15. SASNOC shall have its own Olympic emblem in accordance with the Olympic Charter and subject to approval by the IOC.
16. SASNOC shall exercise all powers, rights and obligations of an NOC as granted by the Olympic Charter and by the IOC.
17. To promote, and advance and disseminate information, and research on sports and culture, through printed materials, newspapers, television and radio, electronic and any others type medium.
18. To propagate the fundamental principles of Paralympism and encourage the development of sports for the disabled within the framework of sports activity.
19. To foster active and effective working relationships with Government and its agencies, non-Government organizations, business and private sector and community at large.
20. To do all such things as are incidental or conducive to the attainment of its objects.

### **ARTICLE III: MEMBERSHIP**

1. In accordance with the Olympic Charter, SASNOC must include as voting members:
  - (a) Any IOC member(s) in Samoa.
  - (b) All national federations affiliated to the International Federations governing sports included in the programme of the Olympic Games or their representatives. In accordance with the Olympic Charter, these federations must constitute the voting majority of the General Assembly.
  - (c) Elected representatives of athletes. At least one of them must have taken part in at least one of the last three editions of the Olympic Games.

2. In addition, SASNOC may include:

- (a) National Federations affiliated to International Federations recognised by the IOC, the sports of which are not included in the programme of the Olympic Games, as voting members.
- (b) Multi-sports groups and other sports-oriented organisations or their representatives, as well as nationals of the country liable to reinforce the effectiveness of SASNOC or who have rendered distinguished services to the cause of sport and Olympism, as non-voting members.

**Qualifications for membership:**

- 3. (a) The members of SASNOC shall meet the following conditions in order to be recognised and registered as SASNOC members:
  - (i) Be nationals of Samoa (for individual members or representatives of legal entities).
  - (ii) Enjoy civil rights and shall not have been convicted of any criminal offense.
  - (iii) Be legally constituted and registered pursuant to the Incorporated Societies Ordinance 1952 (for National Federations, Sports Bodies and Organisations) and be affiliated to the International Federations concerned (for National Federations).
  - (iv) Must prove or demonstrate that it is, has or will conduct real and on-going sports activity including development and competition, and is affiliated to an International Federation recognised by the IOC or internationally recognised and be governed by and comply in all aspects with both the Olympic Charter and/or the rules of its International Federation.
  - (v) Act in accordance with the Olympic Charter, the IOC Code of Ethics, the World Anti-Doping Code and this Constitution.
- (b) SASNOC shall not recognise more than one national federation for each sport governed by an International Federation.
- (c) Government or other public authorities shall not designate any members of SASNOC.
- (d) A member expelled from the IOC may not be a member of SASNOC.
- (e) The members of SASNOC, except for professional sports administrators, shall not accept any compensation or bonus of any kind in consideration for their services or the performance of their duties. They may be reimbursed for their travelling, accommodation and other justified expenses incurred in the carrying out of their functions.

**Application for membership:**

- 4. (a) Any application to become a member shall be submitted in writing to the SASNOC Executive Board for consideration and, if the applicant meets the requirements of this Constitution, the application shall be provisionally granted subject to approval/ratification of the General Assembly at its next meeting.
- (b) The application filed shall meet the requirements established by SASNOC according to this Constitution and include all necessary supporting documentation. In particular, any applicant National Federation shall provide a copy of its Certificate of Incorporation, its Constitution, a list of its Executive Committee members and the minutes of the meeting

in which the members were elected as well as a copy of the letter / certificate of affiliation to its International Federation and a report detailing that it is, has or will conduct ongoing and real sports activities including development and competition.

- (c) The General Assembly may on the nomination and application of a member grant Honorary Membership (non-voting) to any National who has provided support and rendered distinguished services to sports or Olympism, and, membership with non-voting, rights to any multi-sport group or sports oriented organisation or their representative who are liable to re-inforce the effectiveness of SASNOC and have rendered distinguished services to Samoan sport and Olympism.

**Rights and duties of the members:**

- 5. (a) Voting members shall have the right to vote, to elect, to be elected and to nominate members for election in the elected governing bodies of SASNOC.
- (b) Non-voting members may attend the meetings of the General Assembly with a right to speak only.
- (c) Members have the right to be regularly informed of the activities of SASNOC and have the duty to regularly inform SASNOC of their own activities.
- (d) Members may benefit from the support and assistance of SASNOC to develop their activities, if necessary and if requested, and subject to the jurisdiction, possibilities, means and decisions of SASNOC.
- (e) Members shall actively participate in the work, meetings and activities of SASNOC.
- (f) Members must respect and implement the decisions / resolutions made by SASNOC and SASNOC's governing bodies.
- (g) Members must act in accordance with the Olympic Charter, the IOC Code of Ethics, the Constitution of SASNOC and (for legal entities) their own rules and regulations.
- (h) The National Federations shall work closely with SASNOC, in particular for the preparation and selection of the athletes in the Olympic Games and at the regional, continental or world multi-sports competitions patronised by the IOC.
- (i) Members shall exercise any other rights and duties in accordance with this Constitution and the Olympic Charter.

**Cessation of membership:**

- 6. (a) A member may cease to be a member in case of:
  - (i) Death;
  - (ii) Resignation;
  - (iii) Loss of capacity;
  - (iv) Loss of qualifications for membership;
  - (v) Dissolution of the Federation / Association or Organisation;
  - (vi) Upon expulsion, if the member has breached the Olympic Charter and/or this Constitution.



#### **Measures and sanctions against an infringing SASNOC member:**

7. When a member has failed to fulfil its duties and tasks, has infringed the Olympic Charter and/or the IOC's Code of Ethics and/or SASNOC Constitution or has not respected the decisions/resolutions of the competent governing bodies of SASNOC, the following measures and sanctions may apply (depending on the gravity of the facts and the level of damage or infringement):
  - i. Warning
  - ii. Suspension
  - iii. Expulsion
8. Any decision to address a warning shall be made by the Executive Board after having given an opportunity to the member concerned to be heard. The Executive Board shall report accordingly at the next meeting of the Assembly.
9. Any decision to suspend or to expel a member shall be made in accordance with the procedure mentioned under Article VII 4 and 5 after having given a reasonable opportunity to the member concerned to be heard.

#### **Register of members:**

10. A register of members must be established and kept regularly up-to-date under the responsibility of the Secretary General. This register shall, in particular, include the following information: member's name and address; date of membership (and copy of the decision / minutes of the meeting at which the membership was granted); category of membership; membership status. This register shall be available at any time and shall, in particular, serve as reference to convene the meetings of SASNOC.

#### **ARTICLE IV SUBSCRIPTION:**

1. The annual subscription of affiliated members shall be determined from time to time at the Annual General Meeting of SASNOC.
2. All annual subscriptions shall be paid by 31 March each and every year.
3. Any affiliated member whose subscription is in arrears shall be liable to pay a penalty fee determined from time to time at the Annual Meeting of SASNOC.
4. Any affiliated member whose subscription is unpaid by the date of the Annual General Meeting shall be ineligible to attend and disallowed to vote at the Annual General Meeting. Such member shall furthermore cease to be a member of SASNOC but may be reinstated upon the payment of the subscription and of any penalties and arrears.

#### **ARTICLE V: GOVERNING BODIES OF SASNOC**

The governing bodies of SASNOC shall be as follows:

1. The General Assembly, which is the supreme legislative and decision-making body of SASNOC.

2. The Executive Board, which is the executive body of SASNOC.

#### **ARTICLE VI: COMPOSITION OF THE GENERAL ASSEMBLY**

**The composition of SASNOC General Assembly shall be as follows:**

1. (a) IOC member(s) in the country, if any, who shall be ex-officio voting member(s) of SASNOC General Assembly and Executive Board.
- (b) Two representatives from each national federation affiliated to an International Federation governing a sport on the programme of the Olympic Games, with one vote each. Those representatives authorised by each federation shall be at least members of the executive body of the federation and shall include in principle the President of the federation unless he/she is unable to attend. In accordance with the Olympic Charter, these federations / representatives must constitute the voting majority of the General Assembly.
- (c) One representative from the national federations affiliated to International Federations governing sports which are NOT included in the programme of the Olympic Games, which are members of SASNOC, with one vote each. This representative shall be, in principle, the President of the Federation or, if he/she is unable to attend, a member of the executive body of the Federation duly authorised by the Federation.
- (d) Two (if possible, one male and one female) athletes' representatives elected by SASNOC's Athletes' Commission established in accordance with the IOC guidelines, with one vote each. These elected representatives must have taken part in at least one of the last three editions of the Olympic Games, Continental Games or Commonwealth Games provided, however, that at least one of the two has taken part in any of the last three editions of the Olympic Games.
- (e) Honorary members of SASNOC, admitted in accordance with Article III 2 (b) and 4 (c) above, without voting rights.
- (f) Other members in accordance with Article III 2 (b), 4(c) above, without voting rights.

#### **Powers of the General Assembly:**

2. (a) The General Assembly is the supreme governing body of SASNOC.
- (b) The General Assembly shall, in particular, have the following powers:
  - (i) Adopt the agenda of the meeting and the minutes of the previous meeting.
  - (ii) Determine and approve the strategic plan and general policies of SASNOC.
  - (iii) Hear, examine and approve the annual report of activities of SASNOC presented by the President or the Secretary General on behalf of the Executive Board and hear, examine and approve the objectives and action plan for the following year proposed by the Executive Board.
  - (iv) Examine and approve the audited financial statements of the preceding year and examine and approve the annual budget for the following year proposed by the Executive Board.



- (v) Elect the officers and members of the Executive Board.
- (vi) Elect the members of the Independent Election Commission established prior to the elective General Assembly.
- (vii) Elect the auditor which shall review SASNOC financial statements annually.
- (viii) Take final decisions on admission, suspension and/or removal of expulsion of members as specified in this Constitution.
- (ix) Determine and specify from time to time the annual subscription fee to be paid by each member, the payment of which entitles a member to participate and vote at the AGM or other meetings of SASNOC.
- (x) Accept any financial or material assistance or donations in accordance with this Constitution.
- (xi) Consider and adopt this Constitution and any further amendments to this Constitution (by decision taken by at least two-thirds (2/3) of the votes cast by the voting delegates present at the General Assembly).
- (xii) Consider and approve any additional bye-laws or internal regulations proposed by the Executive Board, which are not in contradiction with this Constitution and the Olympic Charter.
- (xiii) Interpret this Constitution (subject to the applicable rules of the Olympic Charter) as the case may be.
- (xiv) Decide on the dissolution of SASNOC (in the presence of a quorum of at least two-thirds (2/3) of the voting members and by decision taken by at least two-thirds (2/3) of the votes cast by the voting delegates present at the General Assembly).
- (xv) Exercise any other powers as per this Constitution.
- (xvi) In general, decide on all matters on its agenda and on any matter which is not provided for in this Constitution, as the case may be, and subject to the Olympic Charter.

**Meetings of the General Assembly:**

3. (a) The General Assembly must meet in ordinary session (Annual General Meeting) during the first quarter of the year.
- (b) The General Assembly shall be convened by public notice and by notice sent by email to the President and Secretary of all affiliated members signed by the President and/or the Secretary General sent to the members at least twenty one (21) days prior to the date of the meeting, indicating the date, time, place and agenda of the meeting and including all necessary documents.
- (c) The General Assembly can validly act on the items appearing on its agenda. Proposals from the members concerning the agenda must reach the President and/or the Secretary General no later than fourteen (14) days prior to the date of the meeting. If any modifications have to be done in the agenda, the final agenda shall be communicated to the members no later than seven (7) days prior to the date of the meeting.
- (d) An extraordinary meeting of the General Assembly (Special General Meeting) may be convened whenever it is necessary at the request of the President, and/ or the Executive Board and/or at least one-third (1/3) of the voting members of the General Assembly, following the same procedure and deadlines. Any requisition by the members of the General Assembly shall be made in writing and sent to SASNOC office and shall express the reasons of the request. If such meeting is not convened within fourteen (14) days from the date of a valid requisition, the members requesting the meeting may



themselves convene a meeting by public notice sent to the members at least twenty one (21) days prior to the date of the meeting.

- (e) The meetings of the General Assembly shall be chaired by the President. In the absence or incapacity of the President, the First Vice-President (or in the absence or incapacity of the First Vice-President, the Second Vice-President, or in the absence or incapacity of both, a voting member elected by the General Assembly) shall chair the meeting.
- (f) Unless otherwise stated in this Constitution, the quorum required for a General Assembly shall be at least half (50% +1) of the voting members present, including a voting majority of the Olympic sports federations members. If this quorum cannot be reached the meeting shall be adjourned seven (7) days later. If the quorum is still not reached at this second meeting, the meeting will take place provided that at least one-third (1/3) of the voting members are present, including a voting majority of the Olympic sports federations members.
- (g) Unless otherwise stated in this Constitution, the decisions shall be taken at the General Assembly by at least half (50% +1) of the votes cast by the voting delegates present.
- (h) In case of tie, the Chairman of the meeting shall have a casting vote.
- (i) Voting shall be conducted by open or secret ballot as decided by the General Assembly, except for the votes on persons (including in particular the elections) which shall be conducted by secret ballot.
- (j) Voting by proxy is not allowed.
- (k) The voting majority of the General Assembly must always consist of the votes cast by the delegates of the national federations affiliated to the International Federations governing sports included in the programme of the Olympic Games.
- (l) In addition, when dealing specifically with questions relating to the Olympic Games, only the votes cast by the delegates of the national federations affiliated to the International Federations governing sports included in the programme of the Olympic Games are taken into consideration.
- (m) Elections of the members of the Executive Board (Electoral Congress) must take place every four (4) years, within 12 months following the Summer Olympic Games to coincide with the Olympic cycle, during an Annual or Special General Meeting of the General Assembly which must include in particular this point on its agenda.
- (n) Elections shall take place according to the procedure mentioned in this Constitution (in particular in paragraphs 4 and 5 below).
- (o) Copies of the minutes of the meetings at which elections or replacement of members have taken place shall be sent to the IOC. All documents must be certified as true copies by the President and Secretary General of SASNOC.
- (p) The Secretary General (or in his/her absence a member of the Executive Board or General Assembly designated by the Chairman) is responsible for establishing the minutes of the meetings of the General Assembly. The minutes shall be circulated to all members within thirty (30) days following the meeting.

#### **Independent Election Commission:**

4. At a General Meeting preceding the elections, the General Assembly shall elect an Independent Election Commission which shall be fully responsible for developing, monitoring and conducting the election process as a whole (from the receipt of the nominations to the proclamation of the final results). This Independent Election Commission shall be composed of three (3) members, including a Chairman and two members, and two (2) substitute members (if necessary). None of these members must be candidates. They must be independent and neutral, have a legal background (if possible) and have no conflict of interest with the elections.

#### **Electoral Procedure:**

5. The procedure for the elections of the members of the Executive Board shall be as follows:
  - (a) Nomination forms shall be sent to all the voting members of the General Assembly no later than twenty one (21) days prior to the elections along with the notice of the meeting.
  - (b) Nominations may be submitted to the Independent Election Commission by any voting members of the General Assembly no later than fourteen (14) days prior to the elections, provided that no member may submit more than two nominations for any position within the Executive Board.
  - (c) Eligible for election are the members of any sports body affiliated to SASNOC as voting members.
  - (d) Nominations shall be sent in writing, signed by the voting member submitting the nomination and by the nominee accepting the nomination, and shall clearly indicate the position for which the nomination is made.
  - (e) In addition, nominations for the specific position of Treasurer shall demonstrate that the nominees meet the required qualifications and skills to exercise this function properly.
  - (f) The Independent Election Commission shall review the nominations received and shall notify the voting members of the General Assembly of the names and brief background of the eligible candidates no later than ten (10) days prior to the elections. Any potential objection/appeal from any voting member shall be filed to the Independent Election Commission no later than eight (8) days prior to the elections. The Independent Election Commission shall review the objection/appeal and make decision no later than six (6) days prior to the elections and, in this case, shall inform all the voting members accordingly. In case of any doubt as to the eligibility or the non-eligibility of a candidate, the Independent Election Commission shall refer the case to the General Assembly for final decision of the General Assembly before proceeding with the elections.
  - (g) Elections shall be conducted position by position and by secret ballot.
  - (h) The Independent Election Commission shall prepare a transparent ballot box and all ballot papers to be given to the voting delegates of the General Assembly.



- (i) The Independent Election Commission shall explain the election procedure and answer or clarify any questions before starting the election procedure.
- (j) Once all voting delegates present have been invited to vote by the Independent Election Commission, the Independent Election Commission shall open the ballot box and count the votes publicly.
- (k) If there is one or two candidate(s) for a position, the candidate obtaining 50 % + 1 of the votes validly cast shall be declared elected.
- (l) If there are more than two candidates and none of them obtains at least 50% + 1 of the votes validly cast in the first round, there shall be a second round between the two candidates obtaining the highest number of votes validly cast in the first round. In this second round, the candidate obtaining 50 % + 1 of the votes validly cast shall be declared elected.
- (m) The Independent Election Commission shall declare the results of the elections and shall deal with and make decision on any issue/objection which may be raised by any voting delegate before the closing of the General Assembly meeting.

## **ARTICLE VII: COMPOSITION OF THE EXECUTIVE BOARD**

### **Composition of the Executive Board:**

1. (a) The Executive Board shall consist of the following elected officers and members:
  - (i) President
  - (ii) First Vice-President
  - (iii) Second Vice-President
  - (iv) Secretary General
  - (v) Treasurer
  - (vi) Two athletes' representatives elected by SASNOC Athletes' Commission established in accordance with the IOC guidelines.
  - (vii) Not more than four (4) members

In addition, the IOC member(s) in the country, if any, is (are) ex-officio member(s) of the Executive Board with voting right.

- (b) The Vice Presidents shall be of both genders. Both genders shall be represented on the Executive Board.
- (c) In addition, the representatives of the national federations affiliated to the International Federations governing sports included in the programme of the Olympic Games must always constitute the voting majority of the Executive Board, in accordance with the Olympic Charter.
- (d) With the exception of the representatives from the Athletes Commission, no person is eligible for election to the Executive Board unless he or she is a member of a sports body affiliated to SASNOC.

- (e) Any casual vacancy in any office shall be filled temporarily by the Executive Board which may appoint one of its members to the vacant office subject to ratification or new election at the next General Meeting for the remainder of the initial term of office.

**Term of office of the members of the Executive Board:**

2. The officers and members of the Executive Board shall be elected for a term of office of 4 years until the next Electoral Congress after the date of the last quadrennial elections, as per the election procedure established in this Constitution. They may be eligible for re-election (provided that they still meet the eligibility requirements and provided further that no officer shall be eligible for re-election after two consecutive terms in office, but can be elected into another post

**Vacation of office:**

3. For the purpose of these rules, the position of an officer of SASNOC or of any ordinary Executive Board member becomes vacant if the Officer or Executive Board member:
- (a) Dies;
  - (b) Becomes bankrupt or applies to take advantage of any law relating to bankrupt or insolvent debtors or compounds with creditors, or makes any assignment of his estate for their benefit;
  - (c) Becomes of unsound mind;
  - (d) Resigns his office by writing under his hand addressed to the Board;
  - (e) Ceases to be resident in the country;
  - (f) Fails, without leave granted by the Board to attend three consecutive meetings of the Board;
  - (g) If removed by a resolution of SASNOC in accordance with Article VII 4 and 5;
  - (h) Ceases to be a member of a sport that is affiliated to SASNOC or any individual Executive Board member who ceases to be a delegated member of his or her registered sport shall automatically cease to be an Executive Board member.

**Measures and Sanctions against an Officer, an Executive Board Member or Member of SASNOC:**

4. (a) Inclusive of and notwithstanding Article III Clauses 7, 8 and 9 but subject to this Article, the Executive Board may, when an Officer or Executive Board member, or a member of SASNOC has failed to fulfil his/her or its duties and tasks, or has infringed the Olympic Charter and/or the code of ethics and/or the SASNOC Constitution or has failed or refuse to respect and follow the decisions/resolutions of the General Assembly, Executive Board or any competent body of SASNOC, or has committed any conduct detrimental to the interests of SASNOC, decide to warn, provisionally suspend and/or make a recommendation to the General Assembly to remove or exclude such officer, Member of the Executive Board, or Member of SASNOC from SASNOC.
- (b) Where a majority of members of the Executive Board or the General Assembly, wishes to remove an officer or a member of the Executive Board or a member of SASNOC, a notice ("**the notice**") in writing signed by the requisitionists shall be caused to be served on the officer or an Executive Board Member or SASNOC Member concerned.



- (c) The same Members of the Executive Board or the General Assembly shall, at the same time, a copy of the notice is served on the Secretary, caused to be served on the President, a requisition in writing demanding the convening of a meeting of the Executive Board for the purpose of hearing the alleged contained in the case.
- (d) Upon receipt of the response in writing from the Officer or Member of the Executive Board or SASNOC member concerned, the President shall thereupon cause an Executive Board meeting to be held in accordance with paragraph 7 (d) of this Article after the said response in writing is received.
- (e) For a meeting held under this Clause 4 of Article VII, a panel of six (6) Executive Board members shall constitute the quorum to hear the matter against an officer, Executive Member or SASNOC Member.
- (f) Notwithstanding Clause 7 (c) of this Article, the meeting shall be chaired by one of the Vice Presidents. The President and the other Vice President will not sit in or take part in this meeting to hear allegations against an officer, Executive Member or SASNOC Member. The President and the other Vice President shall sit in at the Special General Meeting of the General Assembly if an officer, Executive Member or SASNOC Member seeks an appeal against the decision of the Executive Board or if a recommendation is made the Executive Board to remove or exclude the member/officer concerned.
- (g) At an Executive Board meeting, convened for the purpose of this Clause:
  - (i) No business other than the question of provisional suspension and/or recommendation to the General Assembly for removal or exclusion shall be transacted.
  - (ii) The Executive Board Members issuing the notice may place before the meeting details of the grounds for calling for measures and sanctions against the officer, the Executive Board Member or SASNOC Member.
  - (iii) The officer, Executive Board Member, SASNOC Member or a representative of the officer, Executive Board Member or SASNOC Member shall be given the opportunity to be heard.
  - (iv) The members of the Executive Board present shall vote by secret ballot on the question whether or not the officer, Executive Board Member or SASNOC Member shall be provisionally suspended from the Executive Board and/or SASNOC and/or whether or not a recommendation for removal or exclusion from the Executive Board and/or SASNOC shall be submitted to the General Assembly.
- (h) If at the Executive Board meeting a majority of the members present vote in favour of a provisional suspension, such suspension shall take effect forthwith. If at the Executive Board meeting, a majority of the members present vote in favour of a recommendation to the General Assembly for removal or exclusion, immediate action shall be taken to convene a Special General Assembly.

**Convening a Special General Assembly to hear an appeal made by an Officer, Executive Board Member or SASNOC Member and/or to make a decision to remove or exclude the member concerned:**

5. (a) An officer, Executive Board Member or SASNOC member who has been provisionally suspended by the Executive Board under Clause 4 above that disagrees with the decision of the Executive Board may appeal against the decision to the General Assembly by filing an appeal ("**Appeal Notice**") against the decision within seven (7) days from the date of the Executive Board's decision.
- (b) The Appeal Notice shall be addressed to the President specifying the grounds of the appeal and shall cause to be served on the President, the said notice in which the appealing officer, Executive Board Member or SASNOC Member shall in writing requisition and demand the President to convene a Special General Meeting of the General Assembly and notwithstanding Article VI 3 (d) of this Constitution, the President shall cause a General Meeting to be called and convened in accordance with paragraph (c) below of this Clause to hear the appeal.
- (c) Upon receipt of an appeal notice from an Officer, Executive Member or SASNOC Member concerned and/or upon recommendation of the Executive Board to remove or exclude a member, the President shall thereupon cause a Special General Meeting to be called and held within twenty one (21) days from the day the appeal notice was received and/or from the day the recommendation for removal or exclusion was made by the Executive Board.
- (d) The Special General Meeting shall be chaired by the President but if the President is conflicted or unavailable, then by the Vice President who had not sat in the initial meeting of the Executive Board that is being appealed against and/or that made the recommendation for removal or exclusion. If for any valid reason, the said Vice President cannot chair the Special General Meeting, then the General Assembly shall elect a voting member to chair the Special General Meeting.
- (e) At the Special General Meeting convened to hear the appeal from an officer, Executive Member or SASNOC Member under this Clause and/or to decide on the removal or exclusion of a member/officer:
  - (i) No question other than the appeal against the provisional suspension and/or the recommendation for removal or exclusion shall be transacted.
  - (ii) The appealing Officer, Executive Board Member or SASNOC Member shall place before the meeting their grounds and case against the Executive Board's decision for provisional suspension and/or the Executive Board's recommendation for removal or exclusion.
  - (iii) The officer, Executive Board Member or SASNOC Member or a representative of the officer, Executive Board Member or SASNOC Member shall be given the opportunity to be heard.
  - (iv) The members of SASNOC present shall vote by secret ballot on the question whether or not to uphold or overturn the Executive Board's decision to provisionally suspend the officer, Executive Board Member or SASNOC Member from the Executive Board and/or SASNOC and/or on the question whether or not to remove or exclude the member/officer concerned from the Executive Board and/or SASNOC.



- (f) The General Assembly by a two thirds majority may decide to either uphold or overturn a provisional suspension decision of the Executive Board and/or to remove or a member/officer.

#### **Powers and Duties of the Executive Board:**

6. The Executive Board is charged with the responsibility of managing the affairs of SASNOC. It performs the following duties:
- (a) Administer the programmes of SASNOC on a day-to-day basis.
  - (b) Prepares submissions, proposes changes and makes recommendations to SASNOC.
  - (c) Administers the finances of SASNOC.
  - (d) Authority to hear matters against an officer, Executive Board Member of SASNOC Member and determine to warn, provisionally suspend or make a recommendation to the General Assembly for exclusion or removal of such officer, Executive Board Member of SASNOC Member from SASNOC as provided under this Constitution.
  - (e) Appoints and dismisses staff for the administration of the work of SASNOC.
  - (f) Keeps the records of SASNOC.
  - (g) Submits proposals to SASNOC on any proposed changes to the Constitution;
  - (h) Facilitates all activities of SASNOC e.g. awards, fundraising, sponsorship, income-generating development, programming, events etc. the Executive Board may delegate any of its powers and duties to any of its officers or members.
  - (i) Appoints relevant sub-committees as it sees necessary to act as advisory bodies and/or to technically assist the Executive Board to carry out any of its functions;
  - (j) To borrow on the security of SASNOC property.

#### **Meetings of the Executive Board:**

- 7.
- (a) The Executive Board shall meet at least once every two (2) months.
  - (b) Urgent meetings of the Executive Board may be convened as necessary by the President and/or at the request of at least one-third (1/3) of the members of the Executive Board.
  - (c) The meetings shall be convened and chaired by the President. In the absence or incapacity of the President, the First Vice-President (or in the absence or incapacity of the First Vice-President, the Second Vice-President) shall convene and chair the meeting.
  - (d) Meetings of the Executive Board shall be convened by notice sent to all members of the Executive Board no later than seven (7) days prior to the meeting indicating the date, time, place and agenda of the meeting and including all necessary documents.
  - (e) The quorum required for a meeting of the Executive Board is at least half plus one (50% +1) of the members of the Executive Board.
  - (f) All members of the Executive Board shall have one voting right each.
  - (g) Decisions are taken by simple majority of the votes cast by the members present.
  - (h) In case of tie, the Chairman of the meeting shall have a casting vote.
  - (i) Voting shall be conducted by show of hands or by secret ballot as decided by the Executive Board.
  - (j) The Secretary General (or in his/her absence a member of the Executive Board designated by the Chairman) is responsible for establishing the minutes of the meetings of the Executive Board. The minutes shall be circulated to all members of the Executive Board within seven (7) days following the meeting.

**Responsibilities of the President:**

8. (a) The President shall represent SASNOC in the country and abroad.
- (b) The President shall act and sign as the legal representative of SASNOC.
- (c) The President shall co-sign together with the Treasurer any financial authorisation or expense.
- (d) The President shall convene and chair the meetings of the General Assembly and Executive Board.
- (e) The President shall ensure the observance of this Constitution and the Olympic Charter in the country.
- (f) The President shall promote the Olympic principles and ethical behaviour within the Olympic Movement in the country.
- (g) The President shall work to maintain and strengthen harmonious relationships with all authorities, institutions, partners and stakeholders in the country and abroad.
- (h) The President shall perform any other functions as may be prescribed by the General Assembly or the Executive Board from time to time.

**Responsibilities of the Vice-Presidents:**

9. (a) The Vice-Presidents, by protocol order, shall perform the duties and assume the responsibilities of the President in case of absence or incapacity.
- (b) The Vice-Presidents shall perform any other functions as may be prescribed by the General Assembly or the Executive Board or the President from time to time.

**Responsibilities of the Secretary General:**

10. (a) The Secretary General shall manage the administration of SASNOC and monitor and oversee all administrative work as directed by the General Assembly, the Executive Board and the President.
- (b) The Secretary General shall make all the necessary arrangements for the meetings of the General Assembly and the Executive Board.
- (c) The Secretary General shall establish and keep all records and minutes of the meetings of the General Assembly and the Executive Board.
- (d) The Secretary General shall keep the register of the members up-to-date and available at any time.
- (e) The Secretary General shall coordinate the work of the commissions and working groups.
- (f) The Secretary General shall perform any other functions as may be prescribed by the General Assembly or the Executive Board or the President from time to time.

**Responsibilities of the Treasurer:**

11. (a) The Treasurer shall have specific qualifications and skills to exercise his/her functions properly.
- (b) The Treasurer shall receive all dues, fees or any funds or property paid or donated to SASNOC.
- (c) The Treasurer shall deposit all funds received in a reliable bank to the credit and name of SASNOC as approved by the Executive Board.
- (d) The Treasurer shall co-sign all payments with the President and/or any other member of the Executive Board authorised by the President and the Executive Board.
- (e) The Treasurer shall maintain and administer the accounts of the SASNOC.



- (f) The Treasurer shall maintain proper, accurate and regularly updated records of all expenditures, revenues and other financial transactions of SASNOC available at any time to the Executive Board.
- (g) The Treasurer shall prepare all the necessary financial reports and annual budgets for the Executive Board and the General Assembly.
- (h) The Treasurer shall ensure that the financial statements of SASNOC are properly and annually audited by the Auditor elected by the General Assembly.
- (i) The Treasurer shall perform any other functions as may be prescribed by the General Assembly or the Executive Board or the President from time to time.

**Responsibilities of the other members of the Executive Board:**

- 12. (a) The members of the Executive Board shall actively participate in the work of the governing bodies of SASNOC.
- (b) The members of the Executive Board shall perform any other functions as may be prescribed by the General Assembly or the Executive Board or the President from time to time.

**ARTICLE VIII: FINANCES**

- 1. The finances of SASNOC may come from the following sources:
  - (a) Financial support from the IOC and Olympic Solidarity.
  - (b) Financial support allocated by the government of the country.
  - (c) Membership fees as decided by the General Assembly.
  - (d) Revenues derived from marketing and sponsorships activities and the use of the name and emblem of the NOC in accordance with the Olympic Charter and this Constitution.
  - (e) Unconditional donations and grants accepted by the Executive Board and General Assembly.
  - (f) To set up, and operate keno, Lotto, a totalisator betting and/or any other type of betting or Gaming operation and/or any other type or types of lotteries operations with the profits to be used solely to promote and advance sports.
  - (g) Any other legitimate sources or revenues in accordance with the Olympic Charter and this Constitution.
- 2. Any contributions and specific funding received from national or international entities must be used strictly for the purpose of pursuing the objectives and activities of SASNOC, in accordance with this Constitution and the Olympic Charter.
- 3. Any specific funds allocated through the Olympic Solidarity programmes shall be used only for the purpose of the programmes designed by Olympic Solidarity.
- 4. The financial year of SASNOC begins on 1<sup>st</sup> January and ends on 31<sup>st</sup> December of the same year.

**ARTICLE IX: CONTROL OF TEAMS**

**Uniform and Colours**

- 1. SASNOC shall determine the uniform and colours to be worn by teams representing Samoa at the Olympic Games and all international multidisciplinary events.

## **Selection to games and control of teams**

2. (a) SASNOC shall have the sole power to select and approve entries for the Olympic Games and other sports Festivals associated with Olympic Movement. In the matter of selection, a selection committee appointed by the Executive Board members shall show in writing, within seven (7) days upon the demand of any affiliated association, its reasons for refusing to accept the nomination.
- (b) It shall be the duty of SASNOC to undertake all arrangement for the assembly, training, outfitting, transport and management of representative teams. In such matters, SASNOC may delegate under the full authority and responsibility of the Executive Board the technical arrangements and operational management to whom it may in its absolute discretion think fit.
- (c) SASNOC shall be responsible for the behaviour of all members of the representative teams attending Games Festivals, and shall require the manager of such teams to make a written report on any matters affecting the team. SASNOC may also request statements in writing from any other members of such teams.

## **ARTICLE X: AUDITOR**

An auditor shall be appointed at the Annual General Meeting for the ensuing year, and shall be eligible for re-appointment.

## **ARTICLE XI: ALTERATIONS**

- (a) This Constitution may be altered, amended or repealed on a Notice of Motion only at an Annual General Meeting, or at a Special General Meeting duly called for that purpose.
- (b) Such Notice of Motion must be communicated in writing to the Secretary of SASNOC not less than 21 days before the date of the General Meeting at which it is to be considered and to all members of the Federation no less than fourteen (14) days before such date.
- (c) The Constitution shall be amended or altered only as a consequence of a Notice of Motion being received from a member and by a resolution passed by at least two-thirds majority of the members entitled to vote. The Notice of Motion shall set out the details and purpose of the proposed amendments, being a change, in addition or deletion, the wording of the motion and the name of the member from whom the Notice of Motion was received.

## **ARTICLE XII: STANDING ORDERS AND INTERPRETATION**

### **Interpretation**

1. (a) On all questions concerning the interpretation of rules, regulating, standing orders



or points of order, the Chairman's decision shall be final; provided that it should be competent for any delegate to move that the meeting disagree with such a ruling, which motion being properly seconded, shall be put to the meeting without discussion.

- (b) In the case of conflict between the Rules and the provisions of the Olympic Charter, the Olympic Charter shall prevail.
- (c) No motion shall be discussed before it has been proposed and seconded.
- (d) Any delegate except the mover and seconder of the motion under discussion may move an amendment thereto, and on being seconded such amendment shall be open for discussion.

#### **Amendments**

- 2. (a) No further amendments shall be received by the Chairman until the one already before the meeting is disposed of;
- (b) Amendments must always be put to the meeting first, then the motion.

#### **Procedure**

- 3. (a) On all matters or questions before the meeting, each delegate may speak once. The mover of a motion alone shall have the right of reply which he shall not exercise until called upon by the Chairman immediately after which the motion shall be put.
- (b) Should a delegate desire to speak to a motion or amendment after having previously spoken thereon, application shall be made to the Chairman who shall use his discretion.
- (c) All questions shall be asked through the Chair.
- (d) If in a division there be an equality of votes, the Chairman will decide by casting vote. The Chairman may also use his deliberative vote.
- (e) No motion may be carried and rescinded at the same meeting.

#### **Notices of Motion**

- 4. (a) All Notices of Motion shall be handed to the Secretary in writing and discussed at a subsequent meeting.
- (b) All delegates shall receive a copy of such Notice or Notices of Motion prior to the meeting called to decide the same.

#### **Order of business for Meeting**

- 5. (a) Minutes of previous meeting;
- (b) Business arising out of minutes;
- (c) Correspondence and business arising therefrom;
- (d) Current statement of Income and expenditure;
- (e) Report of officers of sub-committee;
- (f) Notices of Motion;
- (g) General Business.

### **ARTICLES XIII: DISSOLUTION AND WINDING UP**

1. SASNOC may be dissolved by decision of the General Assembly in the presence of a quorum of at least two-thirds (2/3) of the voting members and by resolution taken by at least two-thirds (2/3) of the votes cast by the voting delegates present.
2. In case of dissolution, all debts and liabilities legally incurred on behalf of SASNOC shall be fully discharged and the residuary fund shall be donated to the legal successor or, if not, to such organisations pursuing similar objectives as may be decided by the General Assembly and after prior consultation and coordination with the IOC.

### **ARTICLE XIV: COMMISSIONS**

#### **Commissions:**

The Executive Board may recommend and confirm the selection of important Commissions that will be required for the strengthening and promotion of work of SASNOC at various levels.

The Commissions may include but not be limited to:

- (a) Athletes' Commission established in accordance with the IOC guidelines;
- (b) Sponsorship and Finance Commission;
- (c) Development and Programme Commission;
- (d) Activities/Events Commission;
- (e) Olympic Academy;
- (f) Gender Equity Commission;
- (g) All Sports Commission;
- (h) Sports Programme Commission
- (i) Sports Medical and Anti-Doping Commission;

### **ARTICLE XV: COMMON SEAL**

SASNOC shall have a Common Seal in such form as may be fixed by the Executive Board. It shall be in the custody of the Secretary and shall be affixed to any documents pursuant to a resolution of the Executive Board and in the presence of the President, or if he is absent, the Vice President, and one other member of the Executive Board.

### **ARTICLE XVI: OFFICE AND HEADQUARTERS**

The Office and Headquarters of SASNOC shall be at Olympic House, Tuanaimato or any location that may be determined by the Executive Board and the General Assembly from time to time.

### **ARTICLE XVII: DISPUTES RESOLUTION**

1. Any sports-related or institutional disputes arising within SASNOC or between SASNOC and its members shall be resolved by the competent governing bodies of SASNOC (in close consultation and prior coordination with the International Federation concerned if the case involves a national federation), and outside the ordinary Courts. The case shall be referred to the Executive Board and/or the General Assembly as the supreme authority of SASNOC. The General Assembly



may decide to make a final decision in the dispute in question, or the General Assembly may decide to establish a specific conciliation, mediation or arbitration body to resolve the dispute.

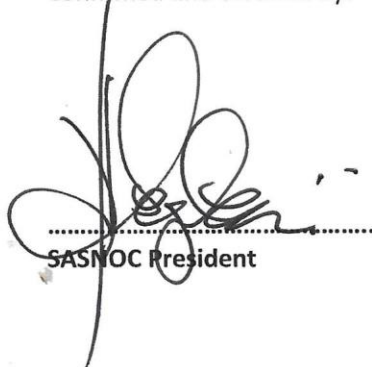
2. Any final decision made by the General Assembly in the dispute in question or by the conciliation, mediation or arbitration body established by the General Assembly for that purpose may be submitted exclusively by way of appeal to the Court of Arbitration for Sport (CAS) which will resolve the dispute definitively in accordance with the Code of Sports Related Arbitration. The time-limit for appeal is twenty-one days (21 days) after the reception of the decision concerning the appeal.
3. According to the Olympic Charter, any dispute arising on the occasion of, or in connection with, the Olympic Games shall be submitted exclusively to the Court of Arbitration for Sport (CAS), in accordance with the Code of Sports-Related Arbitration.

#### **ARTICLE XVIII: FINAL PROVISIONS**

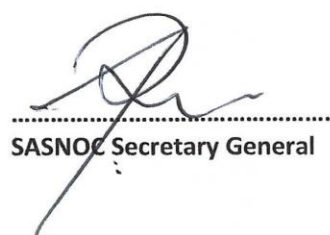
1. The Constitution of SASNOC shall, at all times, comply with the Olympic Charter to which it must refer expressly. If there is any doubt as to the signification or interpretation of this Constitution, or if there is a contradiction between this Constitution and the Olympic Charter, the latter takes precedence.
2. This Constitution, and any subsequent change or amendment to this Constitution, must be submitted to the IOC for approval.
3. This Constitution shall become effective once adopted by the General Assembly of SASNOC and shall replace and supersede any other previous Constitution of SASNOC.

Date of adoption by the General Assembly of SASNOC: **25 June 2020.**

Confirmed and certified by:



.....  
SASNOC President



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SASNOC Secretary General