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BHUTAN OLYMPIC COMMITTEE

# CONSTITUTION OF THE BHUTAN OLYMPIC COMMITTEE, 2018







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## INTRODUCTION

The constitution of the Bhutan Olympic Committee (BOC) is the codification of the fundamental principles and rules, which govern the organisation, action, and operation of the BOC, in accordance with the Olympic Charter. In essence, the BOC constitution serves two main purposes:

- It serves as the guiding statutes for the BOC and
- It defines the main reciprocal rights and obligations of the three main constituents of the Olympic and Sports Movement in Bhutan, namely the Bhutan Olympic Committee, the National Sport Federations and the Dzongkhag Sport Associations, all of whom are required to comply with this constitution.

## FORMATION OF THE BHUTAN OLYMPIC COMMITTEE

The BOC was formed in November 1983. It succeeded the National Sports Association of Bhutan, which was established in 1972. In absence of a Ministry of Sports or any other body overseeing the development of sports in the country, the BOC will serve as the apex body for sports in Bhutan.

This Constitution of the BOC was formally approved and adopted by the 3rd General Assembly of the BOC held at Paro on 13th of February, 2018.



## PREAMBLE

As the duly recognized National Olympic Committee of Bhutan, by the International Olympic Committee, Olympic Council of Asia and the Royal Government of Bhutan, the BOC has full jurisdiction over the Olympic Movement and the development and promotion of sports in Bhutan. All names, symbols, flags, logos and the like, of the BOC and related Games are the property of the BOC.

Reference to Clauses, Sub-clauses and Appendices are unless otherwise stated, references to clauses and sub-clauses of and appendices to this constitution only. Unless the context otherwise requires, words importing the singular include the plural and vice versa, words importing the masculine gender include the feminine and vice versa.

References to “include”, “including” and the like are to be interpreted without limitation. Headings are for convenience only and shall not affect the interpretation of this constitution.

The official language of the BOC shall be Dzongkha and English.



## CHAPTER 1

# THE BHUTAN OLYMPIC COMMITTEE



## **1.1 NAME**

This organization shall be called the “Bhutan Olympic Committee,” the abbreviated name being “BOC.”

## **1.2 FUNDAMENTAL PRINCIPLES**

The BOC shall promote and develop the Olympic Movement and sport in Bhutan including the preservation of the culture and education of Bhutanese citizens, through sport. It shall promote those moral and physical qualities that come from fair competition in sports, Gross National Contentment within the country, international respect, friendship, goodwill, peace and environmental conservation. The BOC will apply and uphold the Olympic principles as defined in the Olympic Charter.

The BOC or any of its Members shall not discriminate in any way, against any other Member. No employee, representative, official or competitor of a Member Organization shall, on the ground of colour, disability, religion or politics, be subjected to any vexation.

Wilful transgression or evasion of these principles will be treated as a fundamental breach and dealt with appropriately by the BOC.

## **1.3 VISION AND MISSION**

**VISION:** Excellence through sports for all

**MISSION:** Develop, promote and protect the Olympic Movement in Bhutan, in accordance with the Olympic Charter, and establish a representative, organized sport system that delivers sports and recreation for all

## **1.4 GENERAL OBJECTIVES**

The BOC shall:

- 1.4.1 Promote the fundamental principles and values of Olympism in Bhutan, 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;

- 1.4.2 Ensure the observance of the Olympic Charter in Bhutan;
- 1.4.3 Stimulate interest in sport and physical recreation, in the people of Bhutan and be responsible for the promotion and development of sports, and the Olympic Movement and its ideals among Bhutanese people;
- 1.4.4 Establish a robust sport governance system that efficiently delivers organized sports and promotes values based sporting culture in Bhutan;
- 1.4.5 Encourage and support the promotion of values and good governance in sport as well as education of youth through sport and to dedicate its efforts to ensuring that, in sport, the spirit of fair play prevails and violence is banned;
- 1.4.6 Be the sole organisation with the overall charge of representing Bhutan at all international games at the Olympic, World, Asian and South Asian levels. In particular, the BOC shall constitute, organize and lead its respective delegations at such Games and events and shall be responsible for the behaviour of the members of its delegations. The BOC is obliged to participate in the Games of the Olympiad by sending athletes;
- 1.4.7 Be the representative authority at all other recognized bodies or authorities responsible for Olympic, continental, regional, international and world games;
- 1.4.8 As the apex body for sports in the country, be responsible to arbitrate and mediate, in all matters that may arise, among members or between members and others;
- 1.4.9 Preserve its autonomy, in particular by opposing any political or



commercial pressure over sport and athletes, whilst establishing harmonious relations with government authorities, and act against any form of discrimination affecting the Olympic Movement in Bhutan;

- 1.4.10 Facilitate mechanisms to secure the financial sustainability and the fair and transparent allocation of resources for development programs and also ensure accountability within all sport bodies;
- 1.4.11 Encourage and support the activities of institutions that dedicate themselves to sports development and its strategic benefits;
- 1.4.12 Protect the integrity of sport, by leading the fight against all forms of manipulation of competitions and related corruption;
- 1.4.13 Protect clean athletes and adopt and implement the World Anti-Doping Code, thereby ensuring that the BOC 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;
- 1.4.14 Encourage and support measures relating to the medical care and health of athletes.

## 1.5 BOC LOGO



The BOC logo comprises of the Olympic Rings representing the Olympic movement with the colors of Bhutan and a Bhutanese Dragon atop the Olympic Rings, as approved by the IOC in accordance with the Olympic Charter. Any further modification to the BOC logo shall be subject to IOC's approval.



The dragon clasping the jewels and protecting the Olympic Rings, represents the protection of the Olympic movement and the secure status of sport in the country as an apolitical realm in Bhutan. The four jewels in different colors represent the four pillars of gross national happiness, that are, good governance, sustainable socio-economic development, preservation and promotion of the culture, and the conservation of the environment. The four pillars in the national colors represent the four corners of Bhutan, and the reach of sports throughout the country.

The BOC logo is the sole property of the BOC. It is a registered trade mark of BOC and cannot be used for any purpose without the prior consent of the BOC.

## **1.6 BOC FLAG**

The BOC shall have its own flag. The BOC flag has a white background with no border. In the centre, it will have the BOC logo.

## **1.7 OLYMPIC PROPERTIES**

The BOC 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. The BOC is responsible to the IOC for the observance, in Bhutan, 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.

## **1.8 BHUTAN NATIONAL GAMES (BNG)**

- 1.8.1 The BNG shall be conducted to provide a platform for athletes in individual and team Sports, events to compete against athletes



from different Dzongkhags. The BNG will also contribute towards the identification and selection of athletes for international games and competitions;

- 1.8.2 The BOC, in accordance with its constitutional rights, shall decide the venue and the approximate time of the year for the celebration of the BNG. The development of games manual and organization of BNG shall be entrusted to the BNGOC chosen by BOC, whose officials may henceforth correspond directly with the BOC;
- 1.8.3 The BNG will be held consecutively, every two (2) years. The 1st BNG shall precede the South Asian Games. The competitions will be conducted under the technical Rules of the NSFs and SAs.

## **1.9 FINANCE**

- 1.9.1 The financial year will commence on the first day of July and end on the thirtieth day of June as per the RGoB fiscal year;
- 1.9.2 The BOC shall enable true and fair annual financial statements to be prepared and audited by an independent external auditor, using internationally recognised audit standards, appointed by the BOC General Assembly, and must allow the duly authorised auditor to inspect those records at all times;
- 1.9.3 The BOC shall open an account with a recognised financial institution into which all of the revenue and grants from all sources are deposited;
- 1.9.4 The BOC has the full authority and responsibility of managing and administering the OS Programmes in Bhutan in collaboration with concerned members;
- 1.9.5 The BOC shall seek and secure government financing for the development and promotion of sports in the country;
- 1.9.6 The BOC will also engage with and explore opportunities for private partnerships to deliver its mandate;



1.9.7 The BOC shall facilitate international funding support for its members.

## **1. 10 BOC LEGAL STATUS**

1.10.1 The BOC is a Bhutanese non-governmental autonomous agency, and a non-profit Sport Organisation recognized by the IOC, OCA and the Royal Government of Bhutan, of unlimited duration and having its Head Quarter in Thimphu, the capital city of Bhutan;

1.10.2 The GA is the supreme authority of the BOC on all matters concerning this Constitution, subject to the applicable provisions of the Olympic Charter for the NOCs which must prevail 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 decisions of GA are final and binding. Any dispute relating to the application or interpretation of the Constitution may be resolved by the EC, subject to final decision/ratification by the GA.

## **1. 11 JURISDICTION OF BOC**

The jurisdiction of the BOC will be throughout Bhutan and in all areas covered by the members affiliated to it.



## CHAPTER 2: **MEMBERSHIP**



## 2.1 MEMBERS

- 2.1.1 The members of BOC shall mean the NSFs, DSAs and SAs affiliated to the BOC, Bhutan Paralympic Committee, IOC member(s), if any, Bhutanese member(s) of IOC or OCA commissions, if any, Olympians and athletes' representatives, who are citizens of Bhutan, the Chairs of the Standing Committees and the Chair of the Athletes' Commission of the BOC, as specified in Article 2.2 of this Constitution;
- 2.1.2 Members must be completely independent and autonomous and in a position to resist all political, religious or commercial pressure;
- 2.1.3 Members must declare any conflict of interest on any issue being discussed and decided at the EC, GA and all other BOC meetings and, in this case, shall abstain from participating in the decision-making process;
- 2.1.4 Members cannot hold multiple portfolios in the NSFs and Associations affiliated to the BOC;
- 2.1.5 A member of the BOC is obligated to participate in the BNG. A member may be subject to the measures and sanctions referred to in Article 2.4 of this Constitution, if it decides not to participate in the BNG or withdraws its team partially, or as a whole, without any valid reason, from the BNG;
- 2.1.6 Every member of the BOC will strictly adhere to the Olympic Charter and the BOC constitution and, for the NSFs, DSAs and SAs, to their own statutes and that of their respective IFs, to which they are affiliated;
- 2.1.7 The articles of the Olympic Charter as well as any decision of the IOC shall be binding on the BOC as well as its members;
- 2.1.8 Government or other public authorities shall not nominate any member to the BOC. However, the BOC may decide, at its discretion, to elect representatives of such authorities as members;
- 2.1.9 Representatives of Government or other public or private authori-



ties may be invited to attend the meetings of the BOC, without any voting rights;

- 2.1.10 The members must conform to minimum standards for participation in international sports competitions and games and other terms and requirements for the purpose of receiving support from the BOC;
- 2.1.11 Considering and respecting the constitutions of the members, the financial management and accountability shall rest solely with the respective members;
- 2.1.12 The statutes, practice and activities of the members must be in conformity with the Olympic Charter and the BOC constitution, including the adoption and implementation of the World Anti-Doping Code, and, for the NSFs, DSAs and SAs, to their own statutes and that of their respective IFs, to which they are affiliated;
- 2.1.13 The members of the BOC, 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.

## **BYE-LAWS TO 2.1**

1. *All member NSF, DSA and SA must preserve their autonomy as envisaged in the BOC constitution and in the Olympic Charter. There should be no interference from the national or local Governments and their agencies in the functioning of the member SAs, DSAs and NSFs. However, strong and cordial relationships should be maintained with the Government and its agencies;*
2. *The member NSFs, DSAs and SAs have the sole authority to nominate its representatives for any post (elected or otherwise) in the BOC. Any such nominations, recommendations or communications on appointment of member NSF/DSA representatives/candidates for any post, by any Governmental body/agency, or any individual outside the member organizations, will be considered as interference and an infringement on the autonomy of the respective organizations. Thus, such nominations shall be considered illegitimate;*



3. *The approval of the NSF, DSA and SA Constitution by the BOC is a condition for recognition as a member. The same condition applies to any subsequent change or amendment to the constitution of the NSF, DSA and SA. Such statutes shall at all times comply with the Olympic Charter and the BOC Constitution and, for the NSFs, DSAs and SAs, to the statutes of their respective IFs, to which they are affiliated;*
4. *Every Member shall inform the BOC of the names of the duly elected office bearers including the President and General Secretary, along with the contact details of the member organization and notify the BOC whenever changes occur;*
5. *All communications from the BOC shall be addressed to the President or General Secretary of the members, as per the contact details provided.*

## **2.2 MEMBERSHIP**

The BOC shall compose of the following membership types:

### **2.2.1 Full voting member:**

- 2.2.1.1 All National Sports Federations affiliated to International Federations governing sports on the programme of the next edition of the Olympic Games. In accordance with the Olympic Charter, these NSFs must always constitute the voting majority of the General Assembly. Consequently, each one of these NSFs shall be entitled to two (2) votes irrespective of the number of representatives present at the GA;
- 2.2.1.2 Other National Sports Federations affiliated to International Federations recognised by the IOC and to the BOC, the sports of which are not included in the programme of the next edition of the Olympic Games. Each one of these NSFs shall be entitled to one (1) vote irrespective of the number of representatives present at the GA;
- 2.2.1.3 Dzongkhag Sport Associations affiliated to the BOC. Each one of them is entitled to one (1) vote irrespective of the number of representatives present at the GA;



- 2.2.1.4 IOC Member(s) who are citizens of Bhutan, if any, shall be ex-officio voting member(s) of the BOC GA and EC;
- 2.2.1.5 Two athletes' representatives elected by the BOC Athletes' Commission established in accordance with the IOC guidelines, with one vote each in the GA. These elected representatives must have taken part in at least one of the last three editions of the Olympic Games.
- 2.2.2 Associate non-voting member:
  - 2.2.2.1 Sport Associations;
  - 2.2.2.2 Chairs of the Standing Committees of the BOC;
  - 2.2.2.3 Chair of the Athletes' Commission of the BOC;
  - 2.2.2.4 Bhutan Paralympic Committee;
  - 2.2.2.5 Other Olympians who are citizens of Bhutan;
  - 2.2.2.6 Bhutanese members of IOC or OCA Commissions, if any.  
Associate members have speaking rights only.
- 2.2.3 Register of members:

A register of members must be established and kept regularly up-to-date under the responsibility of the BOC Secretariat. This register shall, in particular, include the following information: member's name and address; date of membership; 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 the BOC.

## **2.3 APPLICATION AND QUALIFICATIONS FOR MEMBERSHIP**

- 2.3.1 Any NSF or DSA or SA wishing to join the BOC as a member shall apply to the President, who shall lay the application with full facts



about it before the EC for decision. The decision of the EC shall be subject to ratification by the GA;

- 2.3.2 Proof must be adduced that the applicants exercise a specific and real on-going sports activity in the country, in particular by organising competitions and implementing programmes;
- 2.3.3 Membership applications to BOC will be considered by the GA and will only be accepted after two-thirds (2/3) of the voting members present, vote in favour of the applicant in each case;
- 2.3.4 The BOC shall only recognise one NSF for each sport governed by an IOC recognized IF;
- 2.3.5 The BOC shall only recognize NSFs having territorial representation across the country and with at least five sports associations or clubs affiliated to it;
- 2.3.6 The BOC shall only recognize DSAs with at least five clubs affiliated to it.
- 2.3.7 Application must include following documents:
  - 2.3.7.1 Constitution which clearly outlines the governance structure, roles and responsibilities of each and every office, election procedures in a democratic and transparent manner, and conduct of meetings.
  - 2.3.7.2 A declaration that the applicant will comply fully with the constitution, regulations, provisions and decisions of the BOC, IOC and IF.
  - 2.3.7.3 Documents that demonstrate that the NSF/DSA represents the sporting population, organise and supervise sport:
    - a. Report on the number of athletes by men, women, youth by region
    - b. Report on the number of coaches and sports officials
    - c. Details on the sports infrastructure by number, types and



standards

- d. Report on the number of Clubs and Associations affiliated

## **2.4 CESSATION OF MEMBERSHIP AND MEASURES/SANCTIONS**

2.4.1 Cessation of Membership: Membership shall be terminated in the following circumstances: Death; Resignation; Loss of capacity or qualifications for membership; Dissolution of the Federation/ Association; Exclusion, by decision of the GA, as specified in this Constitution.

2.4.2 Measures and Sanctions:

2.4.2.1 When a member/representative has infringed the Olympic Charter and/or the IOC's Code of Ethics and/or this Constitution, or has neglected or knowingly jeopardized the interests of the BOC, or has misused its funds and properties or abused its powers, or has failed to respect/ implement the decisions/resolutions of the competent governing bodies of the BOC, or has failed to attend the GA meetings or to take any active part in the work of the BOC for two consecutive years without acceptable excuses, the member/representative in question may be subject to the following measures and sanctions (depending on the gravity of the facts and the level of damage or infringement):

- a. Warning and/or fine
- b. Suspension
- c. Exclusion

2.4.2.2 Decision to address a warning/fine to a member/representative shall be taken by the EC, after having given an opportunity to the member/representative concerned to be heard. Such right includes the right to be acquainted with the charges and the right to appear at the EC or to submit a defence in writing. The EC shall report accordingly at the next meeting of the GA. Decision to suspend or exclude a member/representative shall be taken by



the GA, upon proposal from the EC, after having given a reasonable opportunity to the member/representative concerned to be heard. Such right includes the right to be acquainted with the charges and the right to appear at the GA or to submit a defence in writing. Any decision to suspend or exclude a member/representative requires a majority of at least two-thirds (2/3) of the votes cast by the voting members present at the GA.



## CHAPTER 3:

# ORGANIZATIONAL STRUCTURE



The powers of BOC are exercised by its organs, namely:

- a. The General Assembly (GA)
- b. The Executive Committee (EC)
- c. The President

### **3.1 GENERAL ASSEMBLY (GA)**

- 3.1.1 The GA shall consist of all (voting and non-voting) members listed under Article 2.2 of this Constitution. Only full voting members listed in Article 2.2.1 of this Constitution shall have the right to vote, as specified in Article 2.2.1. The Olympic NSFs referred to in Article 2.2.1.1 of this Constitution must always have a voting majority in the meetings of the GA. In addition, when dealing specifically with questions relating to the Olympic Games, only the votes cast by Olympic NSFs referred to in Article 2.2.1.1 must be taken into consideration;
- 3.1.2 EC members who are not representatives of any member of the BOC, as well as Chairman and Secretary General of the BNGOC may attend the GA without voting rights;
- 3.1.3 The NSFs, DSAs and SAs seeking recognition by the BOC may be invited to attend the GA, at their own cost without voting rights;
- 3.1.4 No other representatives shall be allowed to attend the GA without the prior approval of the BOC;
- 3.1.5 Multiple voting, meaning one (1) person voting in more than one (1) capacity, is not allowed. Abstentions and blank or spoiled votes will not be taken into consideration in the calculation of the required majority;
- 3.1.6 Proxy votes are not allowed;
- 3.1.7 The GA shall meet every year at a time and place decided by the President. These meetings shall be called ordinary meetings for which thirty (30) days' written notice together with agenda for the meeting shall be circulated by the BOC to all Members listed un-



der Article 2.2 of this Constitution and the other categories listed under 3.1.2 and 3.1.3;

- 3.1.8 The Agenda for the GA will include amongst others, the following items, if necessary:
- a. Roll call;
  - b. Welcome address by the President;
  - c. Confirmation of the minutes of the preceding GA;
  - d. Annual report of the BOC by the Secretary General;
  - e. Submission of Annual Statement of Accounts duly audited as specified in Article 1.9.2 of this Constitution;
  - f. Appointment of the independent external auditor, as specified in Article 1.9.2 of this Constitution;
  - g. Endorsement of any plans, rules, byelaws, guidelines, protocols and manuals if required;
  - h. Appointment of the ad-hoc elections commission at the elective GA, in accordance with the election procedure mentioned in Article 3.8 of this Constitution, if required;
  - i. Approval of the creation of standing committees as proposed by the President;
  - j. Election of the EC every four (4) years, in accordance with article 3.2.1 and the election procedure mentioned in Article 3.8 of this Constitution;
  - k. Endorsement of membership to BOC;
  - l. Any other matter;
  - m. Date and venue for the next meeting
- 3.1.9 Members can duly propose other items in addition to the agenda circulated by the President or Secretary General, fifteen (15) days before the GA. All such agenda items shall be dealt with at the GA;
- 3.1.10 The Chair upon a written request from a member, may permit the inclusion of a new item in the agenda without notice. No decision on such an item will however, be valid unless passed by a two-thirds (2/3) majority of Members present and voting;
- 3.1.11 The quorum for an ordinary meeting of the GA will be 50%+1 voting members, including a voting majority of Olympic NSFs re-



ferred to in Article 2.2.1.1 of this Constitution. Decisions of the GA are taken by a simple majority of votes cast, except for expulsion of members, which shall be as per 2.4.2. However, a two thirds (2/3) majority of all BOC voting members is required to endorse or amend the BOC Constitution;

- 3.1.12 Extraordinary GA may be called at any time by the President at his/her discretion or by decision of the EC or at the written request of not less than 50%+1 voting members of the GA. The President will circulate the place, date and agenda of the extraordinary meeting fifteen (15) days before the extraordinary meeting. The quorum for the Extraordinary meeting will be two-thirds (2/3) of all BOC voting members;
- 3.1.13 A secret ballot may be taken if the Chair so decides or if more than ten (10) of the voting members present make a demand. Except as otherwise provided in this Article, a simple majority of votes (50%+1) will decide all matters. If votes are equal, the Chair may exercise his/her casting vote, except for elections;
- 3.1.14 All matters of procedures at the GA, not provided for in this Article, shall be decided by the Chair unless there is an appeal in the GA;
- 3.1.15 The BOC shall provide board, accommodation and daily allowances for two (2) delegates and travel expenses for one (1) delegate only from each Member organization to attend the GA.

### **BYE-LAWS TO 3.1**

1. *Any decision of the GA including decisions on amendment to the BOC Constitutions & Rules comes into effect immediately, unless otherwise decided by the GA;*
2. *In case of urgency, a resolution may be submitted to a vote by correspondence, including by fax or electronic mail to the members by the President;*
3. *Minutes of all meetings and other proceedings of the GA are established*



*by the Secretary General under the authority of the President;*

4. *No motion, unless expressly sanctioned by a simple majority of members present, and no amendment of which notice has not been given as required by this constitution, shall be put up to any meeting other than the following procedural motions:*
  - a. *Motions to change the order of business;*
  - b. *That a vote be now taken;*
  - c. *For adjournment;*
  - d. *To pass on to the next item of business on the agenda paper;*
  - e. *An amendment which may be accepted by the Chair as purely formal.*
5. *At the time appointed for the GA, the Secretary General shall take note whether a quorum is present. If there is not and if a quorum is not present within fifteen (15) minutes, the meeting shall be adjourned. For an adjourned meeting to be held on the same day no quorum is necessary. The decisions taken at such an adjourned meeting shall be circulated to all members by fax, electronic mail or post for their acceptance or otherwise. If and when a majority acceptance is received, including a voting majority of Olympic NSFs referred to in Article 2.2.1.1 of this Constitution, the decision will be deemed to be ratified; otherwise, it shall be null and void;*
6. *An adjourned meeting due to no quorum may be held with fifteen (15) days notice. The decisions taken in this meeting will be considered as valid, provided that at least one-third (1/3) of the voting members are present, including a voting majority of Olympic NSFs referred to in Article 2.2.1.1 of this Constitution. The Chair shall decide all points of order and his/her decision shall be final.*

## **3.2 EXECUTIVE COMMITTEE (EC)**

3.2.1 The EC shall consist of the following members;

3.2.1.1 President of BOC;

3.2.1.2 Secretary General of BOC appointed by the EC (without



voting right);

3.2.1.3 Five (5) elected Representative of DSAs affiliated to BOC;

3.2.1.4 Five (5) elected Representative of the NSFs affiliated to BOC, including at least four (4) elected Representatives of the Olympic NSFs referred to in Article 2.2.1.1 of this Constitution who shall be entitled to two (2) votes each in the EC meetings;

3.2.1.5 One Athletes' representative elected by the BOC Athletes' Commission and approved by the GA;

3.2.1.6 The IOC Member(s) who are citizens of Bhutan, if any, as ex-officio voting member(s);

3.2.1.7 Chairs of the Standing Committees (without voting right);

3.2.1.8 Both genders shall be represented within the EC.

3.2.2 In the absence of the President, or while he/she is unable to act, the most senior (by age) EC member will perform the duties and functions of the President and act in his/her place, as may be convenient and agreed by the majority of the EC members. If the President vacates office, the work of the office will be carried on in accordance with the above procedure until a new President is elected at the next GA meeting, which must be convened by the Secretary-General at the earliest. If the office of the Secretary General falls vacant during the term, the President may nominate an interim Secretary General to perform the duties and functions of the office for the remainder of the term, subject to ratification by the EC;

3.2.3 The President shall be ex-officio member of the EC and the Secretary General shall be an ex-officio member of all committees;

3.2.4 The EC meeting shall be held at least two (2) times a year on a regular basis. For a meeting of the EC, a minimum of thirty (30) days written notice by letter, fax or e-mail, will be given by President or Secretary General to all EC members. In case of urgency



between two meetings, a resolution or decision may be submitted to a vote by correspondence, including by fax or electronic mail, of the members of the EC by the President;

- 3.2.5 At the time appointed for the EC meeting the Secretary General shall take note whether a quorum is present. If there is not and if a quorum is not present within fifteen (15) minutes, the meeting shall be adjourned. For an adjourned meeting to be held on the same day no quorum is necessary. The decisions taken at such an adjourned meeting will be considered as valid and shall be circulated to all members for information by letter, fax or e-mail;
- 3.2.6 Simple majority (50%+1) of voting members of the EC shall form the quorum, but however if adequate confirmations are not received from the voting members, the President may reschedule the meeting, with a fifteen (15) day written notice by letter, fax or e-mail. If however, the quorum is not met again, then the Chair may conduct an EC meeting with a quorum of 25%+1 of the voting members. The decisions taken in this meeting will be considered as valid and shall be circulated to all members for information by letter, fax or e-mail;
- 3.2.7 Extraordinary EC meetings may be held by decision of the President or after a requisition is made to the President by a simple majority of the voting members of the EC. A notice period of fifteen (15) days must be provided by letter, fax or e-mail. However if adequate confirmations are not received from the voting members, the President may reschedule the meeting, with a seven (7) day written notice by letter, fax or e-mail;
- 3.2.8 Decisions of the EC shall be taken by simple majority of the votes cast by the voting members present. In the event of a tie, the Chair of the meeting shall have a casting vote.
- 3.2.9 The rules regarding quorum and validity of decisions of all Extraordinary EC meetings will be the same as that for ordinary EC meetings;
- 3.2.10 The BOC will provide daily allowances, travel expenses, board and accommodation to the members attending the EC meeting;



- 3.2.11 The agenda for the EC meeting will include amongst others, the following items, if necessary:
- a. Roll Call;
  - b. Welcome Address by the President;
  - c. Report by BOC Secretary General;
  - d. Review of annual budget and plans of the BOC;
  - e. Review of any rules, byelaws, guidelines, protocols and manuals for onward submission to the GA;
  - f. Report and plans on all Games;
  - g. Report by Chairs of the Standing Committees;
  - h. Report on OS and other projects by the SG;
  - i. Report by BNGOC;
  - j. Review of membership application to the BOC;
  - k. Review of strategic plan of the BOC for onward submission to the GA;
  - l. Study and recommend investment opportunities for BOC, if required;
  - m. Establishment of ad-hoc committees, if required;
  - n. Appointment of advisors and experts, if required;
  - o. Date and venue for the next meeting.

### **BYE-LAWS TO 3.2**

1. *In case of a vacancy created in the EC/Standing Committee, the EC shall appoint a new member in his/her place for the remaining term from any BOC members, subject to ratification by the GA at its next meeting;*
2. *Wherein an EC member has been absent from three (3) consecutive EC Meetings, within one (1) term, without reasons acceptable to the EC, the EC shall have the right to declare that such member has forfeited his/her membership, subject to ratification by the GA at its next meeting. The EC according to sub section 1 above may then fill the vacancy;*
3. *Advisors/Experts appointed by the President, in accordance with this constitution, may be invited to attend the EC Meeting as Observers or*



*as Resource Persons, if required, without any voting rights;*

4. *Any EC member shall not hold more than two posts/portfolios in the sports administration during his/her tenure as an executive member;*
5. *Only elected members may attend the EC Meetings, no representative on behalf of the member shall be allowed.*

### **3.3 CESSATION OF EC MEMBERSHIP**

- 3.3.1 Any EC member may cease his/her membership at any time by delivering his/her written resignation to the President;
- 3.3.2 In the event an EC member resigns or is terminated from his/her position in the NSF/DSAs/Standing Committees he/she shall cease to be a member of the EC and the EC shall appoint a new member in his/her place for the remaining term from any BOC Member, subject to ratification by the GA at its next meeting;
- 3.3.4 Where an EC Member does not conform to the BOC Constitution or breaches the fundamental principles of the BOC as enshrined in this constitution, he/she may be subject to the measures and sanctions referred to in Article 2.4.2 of this Constitution, including exclusion/termination after due process and decision of the GA, as mentioned under Article 2.4.2;
- 3.3.5 Where any EC member reaches the age of 70 during his/her term, may continue and complete the term, after which he/she will cease to be a member.

### **3.4 RESPONSIBILITIES AND AUTHORITY**

The defined role and duties of the GA, EC and office-bearers are as follows:

#### **3.4.1 General Assembly**

The GA shall be held at least once a year and is the final authority on all matters concerning the BOC. In particular, it has the authority to enforce the Constitution of the BOC. The GA is responsible



for the following, on which its decision is final:

- 3.4.1.1 Adopt or amend the BOC constitution;
- 3.4.1.2 Election of the President and the EC Members every four (4) years as per the election procedure mentioned in Article 3.8 of this Constitution;
- 3.4.1.3 Adoption of annual report, annual audited statement of accounts and the plans and programs of the BOC;
- 3.4.1.4 Selection of the venues for BNG;
- 3.4.1.5 Admission of new members eligible or suspension or expulsion of their membership as per the BOC constitution;
- 3.4.1.6 Approval of rules, byelaws, guidelines, protocols and manuals;
- 3.4.1.7 Approval of the creation of standing committees as proposed by the President;
- 3.4.1.8 Resolve and decide upon all other matters assigned to it by law or by the BOC constitution;
- 3.4.1.9 As the highest decision making body of the BOC, exercise any other power, on all matters brought before it by the EC, not contrary to the Olympic Charter and BOC constitution.

#### 3.4.2 Executive Committee

The EC is a body constituted for the effective control, policy directives and management of the BOC. The EC is accountable to the GA. The decisions taken by the EC will be forwarded to the GA for information or ratification. The responsibilities and authority of the EC shall be as follows:

- 3.4.2.1 Safeguard the autonomy and apolitical nature of BOC and



its member organizations;

- 3.4.2.2 Ensure national standards for sporting excellence in line with global best practices, regulatory compliance within the sporting community, and where necessary, provide neutral mediation or arbitration on sports matters in accordance with article 3.10 of this Constitution;
- 3.4.2.3 Review of annual report, annual audited statement of accounts and the plans and programs of the BOC and its members;
- 3.4.2.4 Decide on all financial investments and loans for the BOC, NSFs, DSAs and SAs, concerning assets belonging to the BOC;
- 3.4.2.5 Review of membership application to the BOC and appointment of advisors and experts;
- 3.4.2.6 Take all decisions, and issue regulations, which are legally binding, in the form it deems most appropriate to ensure the proper implementation of the BOC constitution;
- 3.4.2.7 The application and interpretation of the BOC Constitution shall fall within the competence of the EC, subject to final decision/ratification by the GA;
- 3.4.2.8 All residual powers not listed in the BOC Constitution shall rest with the EC, subject to approval by the GA at its next meeting.

### 3.4.3 President of the BOC

The President is the head of the BOC and its official representative, and will be final authority on all matters relating to the BOC secretariat. The President must be nominated by the NSFs and DSAs, and elected by the GA. The President may take any actions or decisions on behalf of the BOC, when circumstances prevent them from being submitted to the GA or the EC. All such decisions



however, must later be submitted to EC or GA for information/ratification.

If the President is unable to fulfil the duties of office, the most senior (by age) EC member will carry out the duties and responsibilities of the President until the President resumes his/her functions, as specified in article 3.2.2 of this Constitution. The President's duties are to:

- 3.4.3.1 Preside over the EC and the GA meetings and shall have the casting vote in both meetings, except for elections;
- 3.4.3.2 Represent the BOC at regional, continental and international sports events and meetings or nominate a representative on his/her behalf;
- 3.4.3.3 Nominate the representatives of the BOC on the regional, continental, international and other sports bodies;
- 3.4.3.4 Ensure the implementation of all initiatives recommended by the EC;
- 3.4.3.5 Oversee the work of all the committees formed by the BOC;
- 3.4.3.6 Oversee the financial affairs and governance of the BOC;
- 3.4.3.7 Define the position of the BOC on international issues and inform the Royal Government of Bhutan where applicable;
- 3.4.3.8 Sign agreements/contracts and MoUs on behalf of the BOC;
- 3.4.3.9 Creation of standing committees and appointment of their chairs, in accordance with provisions of this constitution;
- 3.4.3.10 Appoint individuals and/or establish ad hoc Committees/teams for some particular mission or position. These appointees shall be from amongst those sports leaders who have significant prior experience and who have contribut-



ed to the BOC and/or who are experts of the related subject. Such appointments, however, shall be reported to the next EC meeting;

- 3.4.3.11 Appoint Advisors/Experts for the execution of specific assignments, as he/she might deem appropriate in the interest of the BOC;
- 3.4.3.12 Liaise with RGOB and all relevant domestic and external stakeholders to provide financial and technical support for the development and implementation of organized sports;
- 3.4.3.13 Carry out all other duties as may be required for the fulfilment of the objectives of the BOC and the directives of the EC;
- 3.4.3.14 May delegate his/her responsibilities and authority to the Secretary General, as he/she deems fit.

#### 3.4.4 Secretary General

The Secretary General will be appointed by the President and ratified by the EC. His/her functions will be designated by the President, and are as follows:

- 3.4.4.1 He/she is responsible for the management and execution of all the plans and activities of the BOC, and is the official spokesperson of BOC;
- 3.4.4.2 Be responsible and accountable for the financial affairs and administration of the BOC under the supervision of the President;
- 3.4.4.3 Shall be responsible for calling meetings of the GA and EC as per the instructions of the President and shall maintain records of the proceedings of the EC and GA meetings;
- 3.4.4.4 Be a non-voting Member of the EC and GA and is an ex-officio member of all committees formed by the BOC and



shall ensure the functioning of all the Committees formed by the President, through their respective Chairs;

- 3.4.4.5 Prepare the annual report of the BOC for submission to the President, EC and the GA;
- 3.4.4.6 Ensure that the plans and programs are coordinated appropriately and submitted to the EC for endorsement;
- 3.4.4.7 Assume any responsibility related to the BOC as decided by the President, the EC or the GA and assist the GA and EC in performing their duties.

### **3.5 QUALIFICATIONS OF EC MEMBERS**

The candidates who can stand or be appointed for any of the elected offices/positions within the EC including the BOC President and Secretary General must satisfy the following conditions:

- 3.5.1 Must be a Bhutanese and must speak the official language of the BOC (Dzongkha and English);
- 3.5.2 Must be a graduate of a university recognized by the Royal University of Bhutan, with at least five year's work experience. However, this criteria is exempted for the representatives of the Athletes' Commission;
- 3.5.3 Must not have any criminal record;
- 3.5.4 Must have formal sports background or be known to have been associated well with sports for at least one year;
- 3.5.5 Must be below the age of 70 on the date of the election;
- 3.5.6 Must not be a registered member or candidate or office bearer of any political party.



### **3.6 TENURE OF EC MEMBERS**

- 3.6.1 The duration of the terms of the elected members of the EC is four years;
- 3.6.2 All elected member may serve for maximum of two successive terms on the EC, regardless of the capacity in which he/she has been elected;
- 3.6.3 Where any EC member reaches the age of 70 during his/her term, may continue and complete the term, after which he/she will cease to be a member.

#### **BYE-LAW TO 3.6**

1. *The above term limit applies to all elected members only and not to the Secretary General, who shall serve in the EC as a non-voting ex-officio member.*

### **3.7 STANDING COMMITTEES AND ATHLETES' COMMISSION**

#### **3.7.1 Standing Committees**

BOC Standing Committees are created for the purpose of advising the GA, EC or the President as the case may be, by the President with the approval of the GA. The Chair and Members of the Committees will hold office for a term of four (4) years for a maximum of two successive terms.

The Committees shall consist of One (1) Chair and a minimum of Five (5) Members each. The Chair of the Committees will be appointed by the President. The members of the committee shall be nominated by the NSFs and appointed by the Chair of the Committees. The members must represent expertise in the core area of work of their respective Committees.

The BOC can have the following Committee(s):

##### **3.7.1.1 Women and Sports Committee (WSC)**



The WSC shall advise the BOC on the interest and issues relating to women in sports in Bhutan. It shall also emphasize on the importance of women in sports and to assist in the promotion of gender equality in sports in Bhutan.

### 3.7.2 Athletes' Commission

The BOC shall establish an Athletes' Commission (AC) in accordance with the IOC guidelines for the NOCs' Athletes' Commissions, to serve as a bridge between the BOC and the athletes, and to advise the BOC on the interest and issues regarding athletes in Bhutan. The AC shall be governed by its own terms of reference.

No meeting of any Committee or Commission or working group may be held without prior approval of the President/Secretary General.

## 3.8 ELECTIONS OF THE PRESIDENT AND EC MEMBERS

- 3.8.1 Nomination forms shall be sent by the BOC Secretariat to all the voting members of the General Assembly no later than thirty (30) days prior to the elections along with the notice of the meeting of the elective GA;
- 3.8.2 Nominations for the President position and each category of EC members, along with a copy of the resume of the candidate and a letter of secondment, must be submitted in writing to the BOC Secretariat by any voting members of the GA no later than fourteen (14) days prior to the meeting of the elective GA;
- 3.8.3 The nominations received must be scrutinised by the BOC Secretariat in accordance with the qualification criteria set in this Constitution and the full list of all the nominations received at the BOC Secretariat, indicating for each one of them whether they are eligible, or not, under this Constitution, must be circulated by the BOC Secretariat to all the voting members of the GA at least ten (10) days prior to the meeting of the elective GA;
- 3.8.4 Any doubt or objection concerning the eligibility of any candidate must be submitted in writing to the BOC Secretariat at least five



- (5) days before the meeting of the elective GA. The BOC Secretariat must inform all the voting members of the GA accordingly before the meeting and, on the election day, the ad-hoc election commission (established as per article 3.8.6 below) shall submit the case to the elective GA for final decision, after having given an opportunity to the candidate concerned to be heard at the GA, before proceeding with the elections;
- 3.8.5 If the number of candidates proposed does not exceed the number of vacancies to be filled, and there is no objection raised under article 3.8.4 above concerning the candidates, the Chair shall declare the candidates to be elected, with the approval of the GA;
- 3.8.6 If the number of candidates exceeds the number of such vacancies, or if there is any doubt/objection raised under article 3.8.4 above concerning the eligibility of any candidate, an election shall take place by secret ballot. In this case, an ad-hoc election commission consisting of three (3) members (including a chair) must be appointed by the elective GA, from among independent persons who are not candidates for these elections, to conduct the election process and decide upon any matter of procedure concerning the election process in accordance with this Constitution;
- 3.8.7 The tally of votes shall be the responsibility of the ad-hoc election commission. The candidate receiving the highest number of votes shall be declared elected. In case of a tie another ballot will be held between the candidates concerned until the tie is broken;
- 3.8.8 The ad-hoc election commission shall declare the results of the elections and shall deal with any issue/objection which may be raised by any voting member, subject to final decision/resolution by the GA, before closing the election process and handing over to the newly elected President to continue the meeting of the GA;
- 3.8.9 Candidates must be present during the election;
- 3.8.10 Copies of the minutes of the meetings at which elections or replacement of members have taken place shall be sent to the IOC.



### **3.9 AMENDMENT OF CONSTITUTION**

- 3.9.1 Only the GA has the authority to amend the BOC Constitution;
- 3.9.2 Proposals to amend the BOC Constitution can only be received from members of the BOC. The President will forward the proposal to the EC for review and recommendations. The recommendations of the EC will then be put forward to the GA for endorsement;
- 3.9.3 A two-thirds (2/3) majority of all BOC voting members is required to endorse or amend the BOC Constitution, as indicated in article 3.1.11 of this Constitution;
- 3.9.4 Any amendment will come into effect from the day of adoption by the GA;
- 3.9.5 This Constitution, and any subsequent amendment to this Constitution, must be submitted to the IOC for approval.

### **3.10 SETTLEMENT OF DISPUTES**

- 3.10.1 The EC, upon the recommendation of the President and Secretary General, may form a Dispute Resolution Committee (DRC), to resolve disputes amongst members of the BOC;
- 3.10.2 The DRC shall comprise of at least 3 members, provided that at least one of them must be a legal practitioner for a minimum period of five years;
- 3.10.3 The DRC shall be responsible for resolving the dispute in a fair, timely and transparent manner, without fear or favour;
- 3.10.4 Where a member is alleged to have committed an offence in violation of the Olympic Charter, the World Anti-Doping Code and the BOC constitution, such a member may be called before the DRC, by the Secretary General;
- 3.10.5 The DRC shall be independent of any structure of the BOC and shall be answerable to the EC and GA only;



### 3.10.6 Notice of dispute:

- 3.10.6.1 Any member may give written notice of dispute to the Secretary General;
- 3.10.6.2 The Secretary General will forward written details of the dispute to the President, EC members and all parties to the dispute within seven (7) days;
- 3.10.6.3 A meeting shall be called between all parties to the dispute, to resolve the dispute within fourteen (14) days of notice being forwarded to all parties;
- 3.10.6.4 If the parties are unable to resolve the dispute at the meeting, the Secretary General shall forward the case to the President and the EC to form a DRC within thirty (30) days;
- 3.10.6.5 All decisions made by the DRC are final in nature. However, if the aggrieved parties are not satisfied with the decision of the DRC, then they may submit their appeal, within ten (10) days of the passing of the decision by the DRC, to the GA for final decision at the BOC level. If the aggrieved parties are not satisfied with the decision of the GA, they may submit an appeal, within twenty-one (21) days after the decision of the GA, to the Court of Arbitration for Sports (CAS) in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of Sports Related Arbitration.

## 3.11 RESIDUAL POWERS

- 3.11.1 The EC will decide on all matters relating to the interpretation and application of the BOC Constitution, as well as all matters not provided herein, subject to final decision/ratification by the GA;
- 3.11.2 In the event of disagreement concerning the interpretation and application of the BOC Constitution shall be within the competence



of the GA whose decision shall be final;

- 3.11.3 In the absence of any provision to the contrary in the Constitution of the BOC, all residual authority shall rest with the EC, subject to approval by the GA at its next meeting;
- 3.11.4 The BOC Constitution 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.



## DEFINITIONS

Unless the contrary intention appears from the context:

**Constitution:** Means this Constitution of the Bhutan Olympic Committee including the bye-laws;

**President:** The President of the BOC;

**Secretary General:** The Secretary General of the BOC;

**Member:** A member of the BOC holding any category of membership;

**Notice:** Means a notice, agenda or other document given to any member under this Constitution;

**Olympic Charter:** Means the codification of the Fundamental Principles of Olympism, Rules and By-Laws adopted by the IOC, as amended from time to time;

**Olympian:** Means any athletes who attended as an Olympic Team member of Bhutan for any of the Olympic Games;

**Bye-laws:** Rules and regulations which shall be made from time to time in accordance with this constitution and for purposes thereof;

**Year:** Fiscal year starting from 1st day of July and ends on 30th day of June.

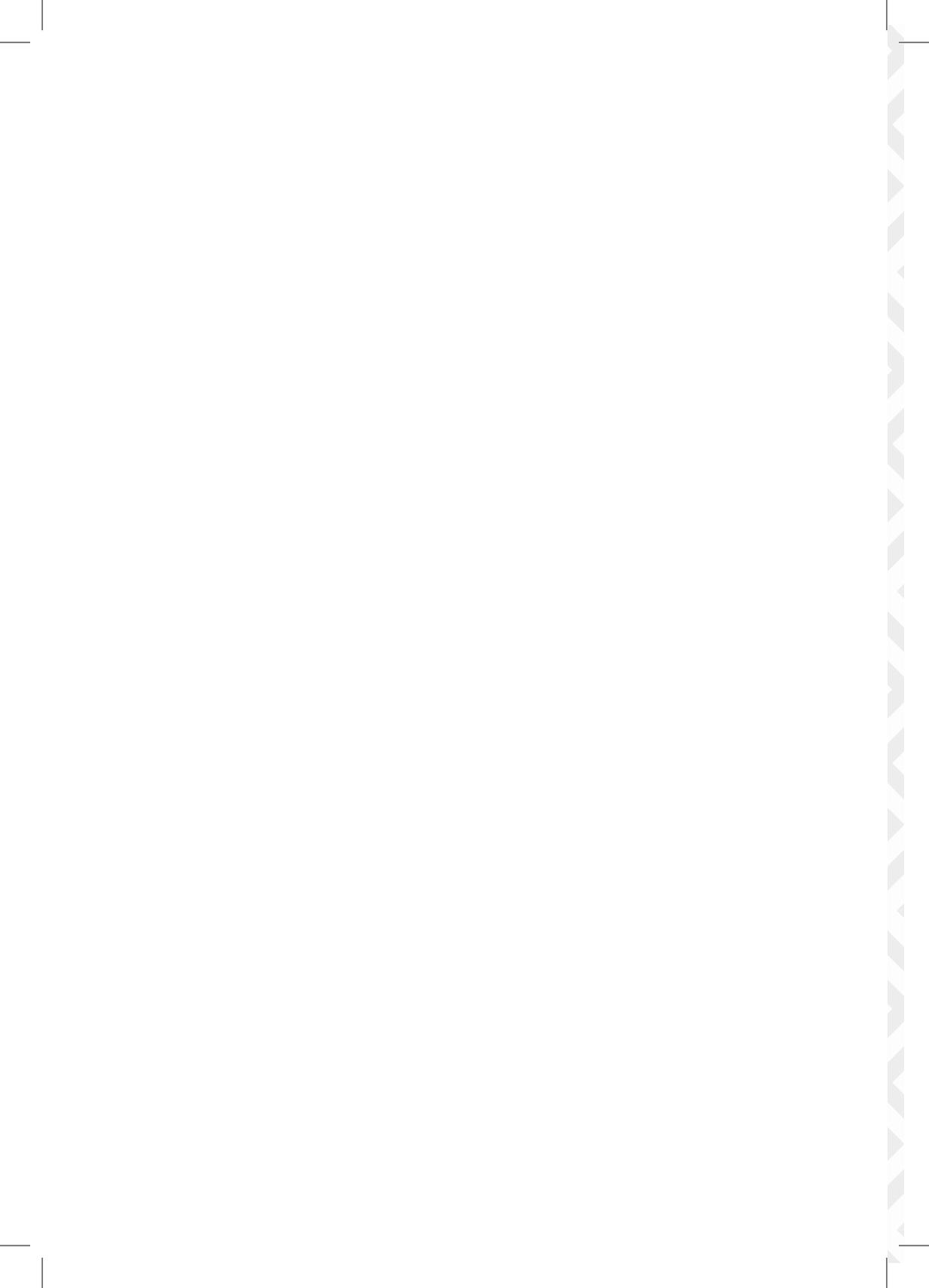


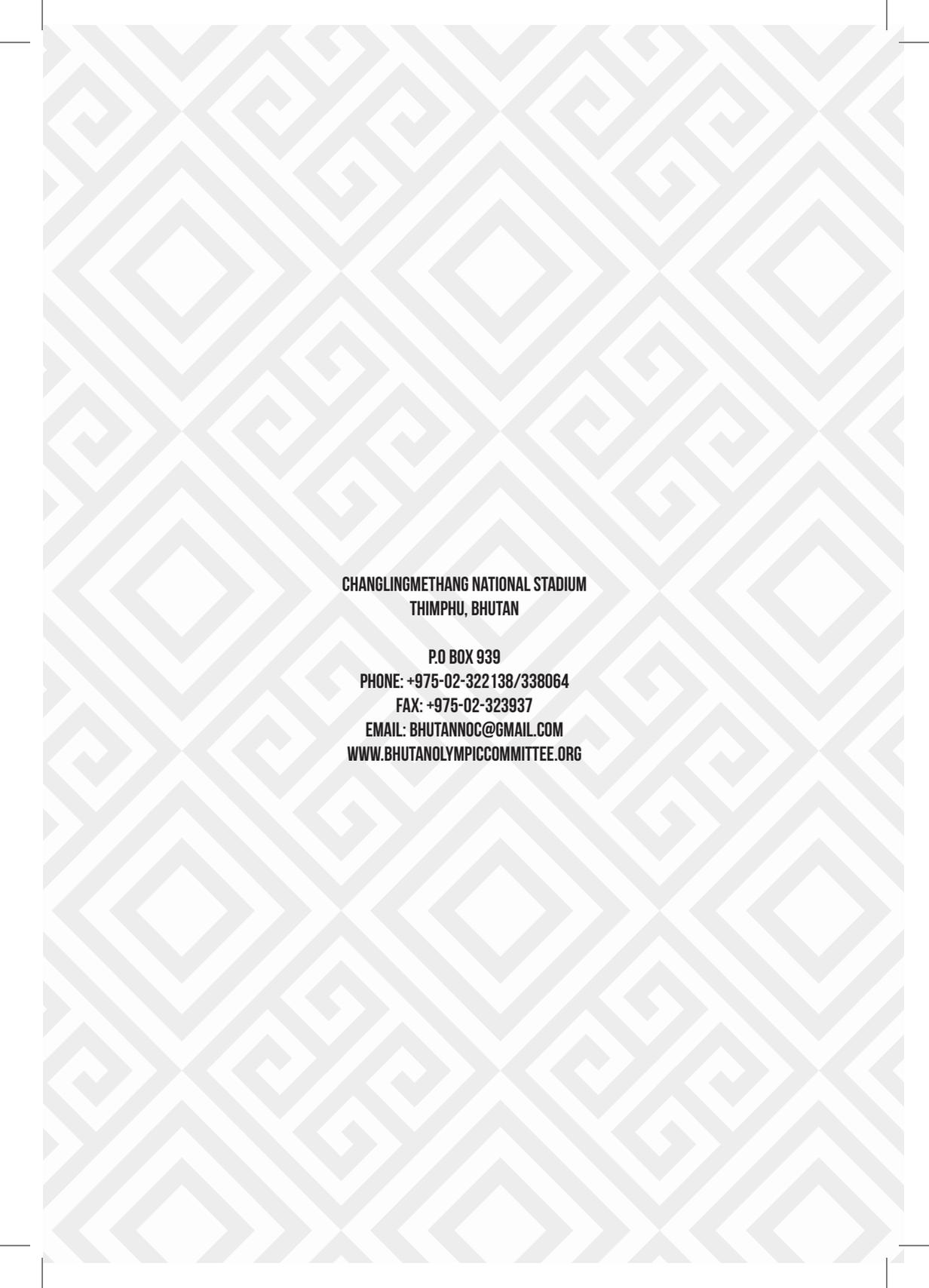
## **ABBREVIATIONS USED**

AF	Asian Federation
GA	General Assembly of BOC
AC	Athletes Commission
BNGOC	Bhutan National Games Organizing Committee
BIGSA	Bhutan Indigenous Games and Sport Association
BNG	Bhutan National Games
BOC	Bhutan Olympic Committee
EC	Executive Committee of BOC
WSC	Women and Sports Committee
HQ	Headquarters
IF	International Federation
IOC	International Olympic Committee
RGoB	Royal Government of Bhutan
NOC	National Olympic Committee
NSF	National Sport Federation
OCA	Olympic Council of Asia
OS	Olympic Solidarity
SA	Sport Association
SC	Sport Club
DSA	Dzongkhag Sport Association
BPC	Bhutan Paralympic Committee









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