

# RULES

## EUROPEAN TENNIS FEDERATION

### CONSTITUTION

#### 1. NAME

With the name “European Tennis Federation” (hereinafter called: the Federation) there exists an association within the meaning of articles 60FF. of the Swiss Civil Code.

The Federation is a Regional Association affiliated to the International Tennis Federation, hereinafter called the ITF (ITF; Art 7 of the Constitution of the ITF).

#### 2. MEMBERSHIP

- A. **Full Membership:** The Federation shall be open to all European National Federations/Associations (hereafter called Members) which have responsibility for the game of tennis in their countries.
- B. **Associate Membership:** The Annual General Meeting may confer under special circumstances Associate Membership to a country not situated in Europe and not affiliated to another Regional Association.

The Membership fee for Associate Members shall correspond to the lowest group fee in operation, but membership does not include a voting right.

The applicant to be successful must receive at least a 3/4 majority of the votes properly recorded at the Annual General Meeting in respect of the application.

- C. **Affiliated Membership:** The Annual General Meeting, following the recommendation of the Board of Management, may confer Affiliated Membership to European Organisations that are non profit making and are concerned with the benefit, development, interest and promotion of tennis.

Affiliated Members shall pay a membership fee decided by the Annual General Meeting on an annual basis, but membership does not include a voting right.

### **3. OBJECTS**

The objects of the Federation shall be:

- A. To promote and develop the game of Tennis in Europe at all levels as may appear expedient to the Members without unfair discrimination on grounds of colour, race, nationality, ethnic or national origin, age, sex or religion.
- B. To strengthen and develop the bonds of friendship and co-operation with the Members and all other related tennis bodies and to improve links between affiliated members.
- C. Contribute to a better understanding of the state of tennis in Europe, with emphasis on its values, fundamentals and beliefs.
- D. To safeguard the interests of Members and of the Federation as a regional body.
- E. To uphold the Rules and Regulations of the ITF.
- F. To execute all functions which the ITF may delegate.
- G. To employ the funds of the Federation in such a manner as shall be deemed to be in the best interests of the game.
- H. To establish, promote and co-ordinate development and educational programmes within the region.
- I. To promote and encourage the training of coaches, referees and court officials.
- J. To promote and control the holding of European Championships, Cup Competitions and Tournaments, at Senior, Professional and Junior level and to regulate and manage such events.

### **4. OFFICERS**

#### **A. The President**

The President shall be elected at an Annual General Meeting. He shall hold office for three years immediately following the meeting at which he is elected, but may be re-elected for further terms. The President shall be the Chairman of the Board of Management and shall preside at Annual General Meetings.

#### **B. Vice-Presidents**

A maximum of three Vice-Presidents shall be proposed by the President from within the Board of Management at the first Board of Management meeting following the Annual General Meeting. They shall hold office for three years immediately following the meeting at which they are elected.

#### **C. Honorary Treasurer**

An Honorary Treasurer shall be proposed by the President from within the Board of Management at the first meeting following the Annual General Meeting and shall hold office for three years following the meeting at which he is elected.

#### **D. Honorary Life President:**

Persons who have rendered long and distinguished service in the position of President of the European Tennis Federation may be nominated by the Board of Management for the position of Honorary Life President of the Federation. Such nomination shall be ratified by a two-thirds majority at an Annual General Meeting.

Honorary Life Presidents may attend and speak at all General Meetings and Meetings of the Board of Management but shall not have the power to vote.

#### **E. Honorary Life Vice-President**

Persons who have rendered long and distinguished service in the position of Vice-President of the European Tennis Federation may be nominated by the Board of Management for the position of Honorary Life Vice- President of the Federation. Such nomination shall be ratified by a two-thirds majority at an Annual General Meeting.

Honorary Life Vice-Presidents may attend and speak at all General Meetings and Meetings of the Board of Management but shall not have the power to vote.

#### **F. Honorary Life Counsellor**

The distinction of Honorary Life Counsellor may be conferred for special services rendered in connection with European Tennis.

- The distinction shall be conferred only at an Annual General Meeting
- Candidates shall only be nominated by the Board of Management
- Ratification shall require a two thirds majority of those voting
- In case of voting the ballot shall be secret
- Honorary Life Counsellors shall be entitled to attend the Board of Management meetings without the right to vote.

### **5. ELECTIONS**

The President and the eight members of the Board of Management shall be elected by the General Meeting. Each member shall serve for three years following the Annual General Meeting at which they are elected, but may be re-elected for further terms. All elected members of the Board of Management must be members of, and be nominated by, their National Federations/Associations.

### **6. MANAGEMENT**

The Federation shall be managed by a Board of Management consisting of:

- the President
- a maximum of three Vice-Presidents
- five elected members (one of whom shall be Honorary Treasurer)
- one Chief Executive Officer (without voting rights).

## **7. DUTIES AND POWERS OF THE BOARD OF MANAGEMENT**

The Board of Management shall:

- A. Be responsible for the Management and Administration of the Federation, including the appointment of the Chief Executive Officer.
- B. Carry out all directives and decisions taken at the Annual General Meeting.
- C. Appoint Committees as required and appoint Chairmen.
- D. Present the Annual Report to every Annual General Meeting.
- E. Present a Financial Report to every Annual General Meeting.
- F. Meet at least twice in each year.
- G. The quorum for meetings shall be the President or a Vice-President and four Members.
- H. Reach its decisions by a majority vote of those present and voting. In the event of a tie the President shall have an additional casting vote.

## **8. COMMITTEES**

- A. A Committee may have as many members as the Board of Management shall decide.
- B. Only Representatives of Members whose membership\_fees and dues are not in arrears may be appointed to serve on Committees and whenever possible at least one Member of the Board of Management should serve on each Committee.
- C. The Chairman of a Committee need not be a member of the Board of Management.
- D. In special circumstances, a Committee may include more than one representative from a Member, as well as invited specialists from the game as considered necessary.

## **9. ANNUAL GENERAL MEETINGS**

There shall be an Annual General Meeting to be held not later than May 31<sup>st</sup> in each year.

- A. The business of the meeting shall be to:
  - 1. Consider the Minutes of the previous Annual General Meeting
  - 2. Approve the Annual Report from the Board of Management
  - 3. Approve the Financial Report
  - 4. Elect every three years the President and the Board of Management.
  - 5. Appoint External Certified and Public Auditors
  - 6. Consider proposed alterations to the Rules
  - 7. Consider the admission of New Members to the Federation
  - 8. Consider the suspension/expulsion of Members
  - 9. Consider any other relevant Business
- B. Only Members whose membership\_fees and dues are not in arrears shall be

entitled to be represented at the Annual General Meeting.

C. Each such Member may be represented by not more than two delegates who must be Nationals of the Federation/Association they represent.

D. Entitlement to votes:

1. Each Member shall be entitled to vote under the following groups listed in Appendix 1.

No Member shall vote by proxy.

2. On election to full membership a new Member shall receive one vote.

Where a country has been divided into two or more countries, the Board of Management shall review its entitlement to votes and put forward a resolution to the Annual General Meeting.

3. A Member can only apply for an increase or decrease in votes to/from the next higher or lower group. No application for an increase in votes shall be accepted from a Member who during the previous three years has applied for and been given a decrease; and no application for a decrease in votes shall be accepted from a Member who, during the previous three years, has applied for and been given an increase in votes.

4. Notice of application by a Member for an increase, or decrease, in the number of votes must reach the Federation not later than sixty days before the date fixed for the next Annual General Meeting and shall be placed on the agenda of that meeting with the recommendation of the Board of Management.

5. An increase or decrease in the number of votes shall be effective from January 1 following the vote.

E. Elections

1. Any Member whose membership fees and dues are not in arrears may nominate one of its Nationals for the office of President.

If there is more than one nomination, election shall be by secret ballot and if more than two nominations there shall be a series of secret ballots at which the candidates having the fewest votes shall be successively eliminated.

Any equality shall be decided by the casting vote of the Chairman unless he is one of the tied candidates in which case it shall be decided by lot.

2. Any Member whose membership fees and dues are not in arrears may nominate one of its Nationals to serve on the Board of Management.

1. The nominations shall be listed on a ballot paper in alphabetical order and the names of retiring members nominated for re election shall be marked thereon with an asterisk.

2. Voting delegates shall be requested to delete the names of those whom they do not wish to elect, leaving the names of the eight persons they wish to elect.

3. The eight persons with the highest number of properly recorded votes shall be declared elected.

4. If the votes for the eighth place are equal, there will be a further vote for those persons concerned.

F. Motions and Nominations: Motions and Nominations can be made by Members; motions can also be made by the Board of Management.

1. Any Member or the Board of Management intending to put a motion before the Annual General Meeting shall send it to the Chief Executive Officer not later than sixty days before the intended Annual General Meeting.

2. In the appropriate year nominations for Officers and Board of Management shall be sent to the Chief Executive Officer not later than sixty days before the intended Annual General Meeting. In the event of a candidate becoming ineligible or unavailable after the date of his nomination, the President shall authorize such modification of the arrangements set out above as he shall think proper.

3. No Member may have more than one representative on the Board of Management.

4. At least one month before the date of the Annual General Meeting the Chief Executive Officer shall send to each Member a notice of the Agenda for the Meeting together with a copy of all Nominations, Reports, Alterations to Rules and Motions to be put before the Meeting.

## **10. EXTRAORDINARY GENERAL MEETING**

A. An Extraordinary General Meeting of the Members may be called at any time by direction of the Board of Management or upon receipt of a request in writing from at least one-third of the Members' aggregate votes capable of being cast at any Annual General Meeting of the Federation.

B. No business shall be transacted at such a Meeting except that specified in the agenda.

C. Members shall be given at least one month's notice of an Extraordinary General Meeting.

D. The Board of Management may, in a case of extreme urgency, reduce the amount of notice to be given for such a Meeting.

## **11. RESIGNATIONS AND RETIREMENTS**

A. Should the President resign or be unable to carry out his duties, the Senior Vice-President shall take his office until the next Annual General Meeting. The Senior Vice-President shall be the longest serving Vice-President or, if of equal service, the most senior in age.

B. Should a member of the Board of Management resign or be unable to carry out his duties, the Board of Management may appoint a successor to act until the next Annual General Meeting.

## **12. EXPENSES**

A. The travelling and subsistence expenses of 1 Delegates to Annual General Meetings, Members of the Board of Management and Members of Committees

shall be paid by their respective Federations/Associations.

- B. The expenses and remunerations of the Chief Executive Officer shall be paid from the funds of the Federation. Travel and subsistence expenses for the Board of Management shall be paid from the funds of the Federation when accounts permit, the decision to be made by the Board of Management.

**13. AUDITORS**

External Certified and Public Auditors appointed by the Annual General Meeting recommended by the Board of Management shall audit the accounts and submit a written report to the Annual General Meeting.

**14. FINANCIAL YEAR**

- A. The financial year of the Federation shall be from 1st January to the 31st December.

An annual statement of account shall be prepared and audited as soon as practicable thereafter.

- B. The Board of Management shall at each Annual General Meeting present
  - a statement of income and expenditure for the past year
  - a balance sheet containing a summary of the assets and liabilities of the Federation.

**15. MEMBERSHIP FEES**

- A. The fees to be paid by the Members shall be decided by the Annual General Meeting.

- B. The fees shall be based on three groups A, B and C.

**16. EUROPEAN TENNIS FEDERATION OFFICIAL EVENTS**

Only European Nations whose subscriptions and dues are not in arrears shall be entitled to participate in European Tennis Federation Official Events. Non-European nations may participate with the approval of the Board of Management.

**17. DOPING**

Drug (dope) testing: the Board of Management may order drug (dope) testing on a general or random basis to be conducted in strictest confidence at any European Tennis Federation authorized Event in compliance with the procedures referred to in Bye-law 4 of the International Tennis Federation.

Any necessary disciplinary action shall be taken by the Board of Management, and shall be subject to the notice and appeal procedure set out in that ITF Bye-law.

**18. HEADQUARTERS**

The Federation's headquarters are located in Basel/Switzerland.

**19. RESIGNATION, SUSPENSION OF MEMBERSHIP, TERMINATION OF MEMBERSHIP AND EXPULSION**

- A. A member may resign from the Federation at any time by notifying the Chief Executive Officer in writing.

Membership fees shall not be refunded to a resigning Member.

- B. Any member, whose continued membership, in the opinion of the Board of Management, seriously damages the international standing of tennis as a world sport, shall be suspended as a member of the Federation, if a resolution to that effect shall have been carried by a majority of at least two thirds of the votes properly recorded at a General Meeting.

Any such suspension shall be effective at the conclusion of the General Meeting where such action has been taken and shall be reviewed annually at any subsequent Annual General Meeting.

- C. Any member who, in the opinion of the Board of Management does not adequately represent the game of tennis in its country or territory, or who has not acted in accordance with these rules, shall cease to be affiliated to the Federation if a resolution to that effect shall have been carried by a majority of at least four-fifths of the votes properly recorded at a General Meeting.
- D. Any member who fails for two successive years to pay subscriptions, shall be suspended *or* expelled from the Federation.
- E. Notice of proposed suspension of membership, expulsion or termination of affiliation, shall appear on the agenda of the General Meeting at which it is to be moved.
- F. Any member who is suspended shall not be entitled to attend or vote at any Annual General Meeting and shall not participate in the official team competitions of the Federation.

**20. RE-ADMITTANCE TO MEMBERSHIP**

Any former member who has applied for re-admittance to membership, may when it paid any subscription arrears and the current year's subscription, may be admitted to membership at the discretion of the Board of Management.

The Annual General Meeting may in special circumstances waive payment of any subscription arrears.

**21. TENNIS EUROPE AWARD**

Persons who have rendered long and distinguished services to the game of tennis through the European Tennis Federation or their National Associations may be nominated by their National Association or by the Board of Management for the Tennis Europe Award.

The following categories are eligible for nomination:

- A. ADMINISTRATORS:** Presidents, Chief Executives, General Secretaries or Board of Management members for at least two terms (6 years); Delegates to the Annual General meetings (attendance at 10 Annual General Meetings); Committee members of at least 3 terms (9 years).



- B. PLAYERS:** Those who have given outstanding services to the game at Davis Cup, Fed Cup, Veterans, Wheelchair or Tennis Europe Championships.
- C. OFFICIALS:** Tournament Directors of Official Tennis Europe Championships (10 years); Referees of the Davis Cup Final or Fed Cup Competition (3 times); Referees of Davis Cup Ties (25 ties) and Tennis Europe Official Events (10 years).
- D. COACHES:** For long and outstanding contribution to tennis teaching, both nationally and internationally.
- E. MEDIA:** For long and outstanding contribution.
- F. NATIONAL ASSOCIATIONS:** May also nominate one person per year for long and outstanding contribution to the game of tennis in Europe.
- G. OTHER CONSTITUENTS:** Who have given outstanding services to European Tennis.

The Board of Management may also nominate National Associations for special service to tennis or individuals working closely with the Federation.

Nominations must reach the Federation by the date set for acceptance of normal resolutions to the Annual General Meeting each year (60 days prior to the meeting). They will be considered by the Board of Management for approval at the following Annual General Meeting.

For the avoidance of doubt, all awards previously made by the Federation for services to the Game of Tennis will continue to be recognised and acknowledged.

## **22. LIABILITY**

For obligations and liabilities of the Federation exclusively the assets of the association are liable. No member shall be liable for any obligations or liabilities of the Federation.

## **23. ARBITRATION**

Any dispute or controversy in relation to the Federation, be it between members or between members and the Association, shall be resolved by arbitration in accordance with the Swiss Rules of International Arbitration of the Swiss Chambers of Commerce in force on the date when the notice of arbitration is submitted in accordance with these rules. The number of arbitrators shall be three. The seat of the arbitration shall be Basel. The arbitral proceedings shall be conducted in English. Each party shall bear its own costs. Swiss Law shall apply.

If all parties agree, they may submit such dispute or controversy to the Court of Arbitration for Sport, Lausanne (Switzerland). Apart from that, the provisions of the preceding paragraph shall apply accordingly.

## **24. ALTERATIONS TO RULES**

This Constitution and Rules shall not be altered or supplemented except by motion put before and passed by a two-thirds majority of those present and voting at an Annual General Meeting.

## APPENDIX 1: LIST OF THE MEMBER NATIONS 2008/2009

I) GROUP A - 3 VOTES EACH:

FRANCE  
CZECH REPUBLIC  
GERMANY  
GREAT BRITAIN

ITALY  
RUSSIA  
SPAIN  
SWEDEN

(II) GROUP B - 2 VOTES EACH:

AUSTRIA  
BELARUS  
BELGIUM  
BULGARIA  
CROATIA  
DENMARK  
FINLAND  
ISRAEL

NETHERLANDS  
NORWAY  
POLAND  
SLOVAK REPUBLIC  
SLOVENIA  
SWITZERLAND  
TURKEY  
UKRAINE

(III) GROUP C - 1 VOTE EACH

ALBANIA  
ANDORRA  
ARMENIA  
AZERBAIJAN  
BOSNIA & HERZEGOVINA  
CYPRUS  
ESTONIA  
GEORGIA  
GREECE  
HUNGARY  
ICELAND  
IRELAND

LATVIA  
LIECHTENSTEIN  
LITHUANIA  
LUXEMBOURG  
FYRMACEDONIA  
MALTA  
MOLDOVA  
MONACO  
MONTENEGRO  
PORTUGAL  
ROMANIA  
SAN MARINO  
SERBIA

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