



Statutes

August 2016

STATUTES OF THE EUROPEAN MINIGOLFSPORT FEDERATION (EMF)

The European Minigolf sport Federation was founded at 20.08.2000 in Riga / Latvia as a non registered organisation.

Part 1: GENERAL TERMS AND CONDITIONS

Art.1: Name, registered office and principles

- 1.1 The Association takes the name of **European Minigolf sport Federation (EMF)**, is the umbrella organisation of all male and female minigolf players, and is established for an unlimited time.
- 1.2 Members of the EMF are national minigolf federations or also associations if no national federation exists. In individual cases sport organisations may also be accepted following a prior inspection.
- 1.3 Legal seat of the EMF is in Basel, Switzerland.
- 1.4 The EMF acknowledges the statutes and the terms of the World Minigolf Sport Federation (WMF).
- 1.5 All wordings in these statutes refer to persons of either sex. In the following no distinction is made between the sexes for the exclusive purpose of better legibility.
- 1.6 The EMF advocates the principle of the free and voluntary practice and community of the sport.
- 1.7 The EMF is completely neutral with regards to politics, race, and religious faith and support gender equality.
- 1.8 The EMF acts directly and exclusively for charitable purposes.
- 1.9 All EMF organs and officials are volunteers. Travel costs and expenses are reimbursed according to the Executive Committee decisions.
- 1.10 The EMF stands for freedom in sport, its voluntary nature, and the community of sport

Art.2: Purpose

The EMF has the following purpose:

To boost minigolf sport throughout Europe and to adopt the necessary measures to reach this goal. It is not profit-oriented.

Art.3: Activities (non-material means)

The purpose stated in Art. 2 shall be reached through the following activities:

- 3.1 Representation of the interests of its members before the authorities, the other sport federations, the media and the public on a European level.
- 3.2 Boost the europewide competition activities amongst all minigolf players and the organisation of minigolf tournaments, in particular European championships, nations' cups and other all-european competitions for all sport categories.
- 3.3 Monitor compliance with the existing sport regulations.
- 3.4 Fight doping with all means standing to requirement, to accept the WADA- Code and the doping rules of WMF together with its members and to stand up for the fact that any use of doping substances and thus the use of forbidden, performance-increasing means of any kind in the sport is prevented. Nominate an Anti-Doping Officer appointed directly by the Executive Committee.
- 3.5 PR and advertising for minigolf sport through contact with all media, promotion of the public presence of the sport and initiation and organisation of broadcasts on TV, radio and internet.
- 3.6 The representation of the interests of EMF and its members towards the World Minigolf Sport Federation.
- 3.7 Establish rules for practising and organizing the sport activities within the EMF.
- 3.8 The establishment and execution of terms for the licensing of sport courses and equipment.
- 3.9 The nomination of continental selection teams.
- 3.10 Promote community work within the EMF in cooperation with the members.
- 3.11 Publication of notices and messages to the media as well as separate news editions.
- 3.12 Expert opinions on minigolf sport and co-operation with all the specific bodies of the all European and international sport.
- 3.13 Boost the foundation of and advertising for new active members in cooperation with the active EMF members.
- 3.14 To promote the values of the Olympic Movement as set out in the Olympic Charter and actively support the principles of the Olympic Agenda 2020.

Art.4: Funding

EMF shall raise the funds to comply with its tasks among others as follows:

- 4.1 membership contributions
- 4.2 profits from events
- 4.3 sponsors, ads, licences, advertising

- 4.4 financial and material donations
- 4.5 fees
- 4.6 module schemes
- 4.7 flea markets and basars
- 4.8 sale of goods (sale of sport and merchandising items, buffets at events)
- 4.9 subsidies
- 4.10 lessons and courses
- 4.11 proceeds from interest and equities
- 4.12 heritages, bequests, and donations
- 4.13 profits from broadcasting rights on TV and radio.

Part 2: MEMBERSHIP

Art. 5: Membership

The EMF has the following types of members:

- 5.1 Active members (national federations / sport organisations / associations if no national federation exists as yet in the respective country)
- 5.2 Honorary members

Art. 6: Conditions for the acceptance for active members

- 6.1 Only one active member per nation can acquire membership.
- 6.2 European Countries that are accepted by WMF are automatically member of EMF.
The acceptance of new members that are not yet WMF members is approved by Executive Committee. If no national minigolf federation exists yet in the applicant Country, Executive Committee can take any necessary temporary decision.
- 6.3 Upon access active members accept and acknowledge the statutes and regulations of EMF.
- 6.4 The active members accepted into the EMF shall pay the fees, dues, and duties determined by the Delegates' Assembly inside the payment terms.
- 6.5 The active members must be members of the World Minigolf Sport Federation-
- 6.6 Complaints against a refusal to accept a candidate or an imposed sanction may be brought within 60 (sixty) days from the notification before the Legal Committee subject to the Legal Order.

Art. 7: End of the membership of an active member

- 7.1 Membership of an active member expires as a consequence of withdrawal, expulsion, or dissolution of the active member, as well as if its membership in WMF is expired.

- 7.2 The withdrawal of an active member must have been decided by its supreme organ and the information must be submitted to the President subject to a period of notice of 3 (three) months by serving the minutes as a registered letter.
The duty to pay the membership fee shall only expire at the end of the current calendar year.
- 7.3 If an active member infringes the interests of the EMF, violates its reputation internally or externally, or shows disrespect for or violates the statutes or the regulations, the Executive Committee has the right to impose sanctions against the respective active member. Sanctions can be temporary exclusion of participation in every EMF championships or a fine that reflects the violation made by the nation.
The Delegates' Assembly shall have the final vote on an expulsion.

Art. 8: Honorary members

- 8.1 Upon proposal by the Executive Committees the Delegates' Assembly may appoint a honorary status to physical persons who earned merits for the European minigolf sport. An honorary member has the right to speak in the Delegates' Assembly.
- 8.2 Honorary membership may be rejected or canceled by the Delegates' Assembly.

Art. 9: Rights and duties of the members

Rights:

- 9.1. Unless the statutes provide differently in the individual case the EMF members pursuant to Art. 5.1 shall enjoy the rights resulting from the membership in the Federation
- 9.2 to a specialist, legal, and economic representation of interest which is to be verified and determined in the individual case by the Federation's organs.
- 9.3 to represent all common interests of the active members in front of authorities, institutions, and public and private bodies;
- 9.4 to participate in the Delegates' Assembly and submit motions to all the organs of EMF;
- 9.5 to participate in EMF events, in particular in championships, training camps, and other types of education subject to the terms, guidelines, and tenders to be determined by the EMF;
- 9.6 to information on joint regulations, measures, and procedures;
- 9.7 to participate in elections and votes subject to the respective terms of the statutes and the resolutions of the EMF and of its organs in

the Delegates' Assemblies.

Duties:

- 9.8 All members must acknowledge without exceptions the statutes of EMF as well as the decisions taken by EMF and its organs so far these are not against the statutes and to fulfill the duties consequent of these statutes and decisions
- 9.9 All goals and principles of the EMF are binding for all members
- 9.10 Active members, who do not fulfill their financial or other duties towards EMF their membership rights are laid down until the fulfil of financial or other duties.
- 9.11 Demands may be claimed and they are to be paid to the address of the Finance Manager.
- 9.12 The active members are obliged to immediately submit a list of the elected executive committee members to the EMF.

Part 3: ORGANISATIONS

1. THE DELEGATES' ASSEMBLY

Art. 10: Competences and tasks

- 10.1 The Delegates' Assembly is the supreme organ of the EMF and shall vote on questions and issues of fundamental importance in European minigolf sport whenever these are not reserved to the active members. The Delegates' Assembly shall determine the guidelines for the management of the Federation.
- 10.2 The competences of the Delegates' Assembly shall include as follows:
 - 10.2.1 Election of the members of the Executive Committee.
 - 10.2.2 Election of the Technical Committee, Youth Players Officer, Senior Plasyers Officer, Legal Committee, and of the Auditor Nations.
 - 10.2.3 Approval of the annual accounts and of the draft budgets.
 - 10.2.4 Approval of the work of the Executive Committee members.
 - 10.2.5 Determination of the membership fees and of the tournament fees.
 - 10.2.6 Vote on the establishment or on the dissolution of special committees.
 - 10.2.7 Vote on the existing motions by the active members, of

the Executive Committee and the Technical Committee.

- 10.2.8 Modifications to the statutes
- 10.2.9 Final acceptance of members
- 10.2.10 Expulsion of members
- 10.2.11 Dissolution of the Federation
- 10.2.12 Determining organisers/venues of all EMF championships as far this task is not the responsibility of WMF. In cases where the championships have not been awarded at least four years before the event, the right to decide the venue transfers to the Executive Committee.

Art. 11: Composition and voting rights

- 11.1 The Delegates' Assembly is composed of:
 - 11.1.1 the delegates of the active members (with voting right)
 - 11.1.2 the members of the Executive Committee. Each Executive Member has one personal vote, which is not transferable. A Member of the Executive Committee can not represent a Member Nation.
 - 11.1.3 the honorary members and guests (no voting right).
- 11.2 Voting right general
 - 11.2.1 Active members with up to 300 (licensed) tournament players have 2 (two) votes. Active members with more than 300 (licensed) tournament players and up to 2500 (licensed) tournament players have 3 (three) votes. Active members with more than 2500 (licensed) tournament players have 4 (four) votes. The votes are not transferable. The number of active players is based on the membership statistics report submitted by each active member for the current year.
 - 11.2.2 A delegate can exercise all voting rights of only one active member.
 - 11.2.3 A Delegate must be part of any official Organization of the Active Member
- 11.3 Proof of the voting rights

The voting right must be confirmed in writing by the respective active member and exhibited latest at the Assembly Registration.

Art. 12: Quorum and decision-taking

- 12.1 The duly called Delegates' Assembly shall have a quorum in any case.

- 12.2 A simple majority of votes shall apply to votes and decisions in the Delegates' Assembly with the exception of the cases listed in the statutes.
- 12.3 In case of parity of votes an extra round of voting is held. If there is still a parity of votes it qualifies as a rejection.
- 12.4 Minutes
 - 12.4.1 Minutes shall be drawn up on the resolutions of the Delegates' Assembly which is to be signed by the members of the Executive Committee with competence for the minutes and by the Secretary and must be served on all members no later than 60 (sixty) days after the meeting.
 - 12.4.2 The minutes shall qualify as approved unless objections from at least 25 % of votes present at the Delegates' Assembly including written reasons are claimed within 60 (sixty) days from its dispatch All objections made shall be dealt with at the next meeting. Until such time only those items of the minutes shall qualify as approved against which no objections have been raised.

Art. 13: Ordinary and extraordinary Delegates' Assembly

- 13.1 The ordinary Delegates' Assembly takes place every two years.
- 13.2 The Executive Committee, Legal Committee or at least **1/10** (one tenth) of the number of active members can affect or demand the convening of an extraordinary Delegates' Assembly.

Art. 14: Convening

- 14.1 The ordinary Delegates' Assembly shall be convened by a written notification to all members and the announcement of the agenda at least 90 (ninety) days before the scheduled date. The competent Executive Committee member shall be responsible for convening the Assembly, the venue and date may be set at a later time.
- 14.2 The term for the convening of an extraordinary Delegates' Assembly may be cut to a minimum of 30 (thirty) days.

Art. 15: Motions

- 15.1 Motions to the Delegates' Assembly may be submitted by:
 - 15.1.1 The Active Members
 - 15.1.2 The members of Executive Committee
 - 15.1.3 The members of Technical Committee

- 15.2 The motions must be submitted in writing with arguments at least 60 (sixty) days before the convened Delegates' Assembly to the EMF Office. The EMF Office shall provide all members with a list of the motions at least 30 (thirty days) before the Assembly.

2. THE EXECUTIVE COMMITTEE

Art. 16: Composition

- 16.1 The Executive Committee is composed of:
- 16.1.1 *The President*
 - 16.1.2 The Secretary General
 - 16.1.3 The Finance Manager
 - 16.1.4 The Sport Director
 - 16.1.5 The Media Manager

Art. 17: Election and period of office

The members of the Executive Committee are elected by the ordinary Delegates' Assembly for one office term of 2 (two) years and can be re- elected without restrictions.

Art. 18: Quorum and convening

- 18.1 The Executive Committee meets whenever there is a need or if requested to meet by at least 3 (three) members.
- 18.2 A quorum shall exist in the Executive Committee whenever three members are present.
- 18.3 Meetings are noticed with ten days in advance. Urgent meetings can be noticed, by the president two days in advance.
- 18.4 Minutes shall be drafted on the decisions of the Executive Committee and approved by majority of its members. Such minutes must be served to all members of the Executive Committee, Active Members, and Chairmen of the Committees, no later than 30 (thirty) days after the meeting of the Executive Committee.

Art. 19: Competences and tasks

- 19.1 The competences and tasks to be transferred to the Executive Committee include as follows:
 - 19.1.1 The management of the federation.
 - 19.1.2 The management of all budget and cash transactions.
 - 19.1.3 The establishment of periodical reports and accounts.
 - 19.1.4 The preparation of the Delegates' Assembly and establishment of the agenda.
 - 19.1.5 The execution of all decisions taken by the Delegates' Assembly.
 - 19.1.6 Registration of new members.
 - 19.1.7 The internal and external safeguarding of the interests of the federation.
 - 19.1.8 The creation of the budget plan.
 - 19.1.9 The imposition of temporary and permanent bans on competition in the event of infringements against the doping ban.
 - 19.1.10 Awarding international championships. For championships that take place more than 4 (four) years ahead of the first coming Delegates assembly this has to be approved by the delegates Assembly before the contract can be signed.
 - 19.1.11 Appointment of the EMF anti-doping officer for implementation of the anti-doping regulations. The anti-doping officer is supported by all areas of the EMF organisation, works independent of and reports regularly to the Executive Committee.
- 19.2 Responsibilities and juridical liability
 - 19.2.1 The Executive Committee presents a program of functions and tasks including rights to represent the federation and submits it to active members, and committees.
 - 19.2.2 The President and a Member of the Executive Committee are authorized to represent the federation outwards in all juridical procedures, whereas always two signatures are necessary.

3. THE TECHNICAL COMMITTEE

Art. 20: Composition

The Technical Committee is composed of:

- 20.1 The Sport Director (Chairman)
- 20.2 The Youth Players Officer

20.3 The Senior Players Officer

Art. 21: Competences and tasks

- 21.1 The Technical Committee can independently take effective decisions on competitions organised by the EMF.
- 21.2 In addition, the following competences and tasks have been transferred to the Technical Committee:
 - 21.2.1 Consultation on general issues of the Europe wide international minigolf sport and sport regulations.
 - 21.2.2 The technical monitoring of all championships and other tournaments organised by the EMF.
 - 21.2.3 The definition of application criteria for all the competitions organized by EMF and the evaluation of applications to be forwarded to the Delegates' Assembly.

Art. 22: Convening, quorum, motions

- 22.1 The Technical Committee holds its meetings when necessary.

The Technical Committee in addition may only convene subject to the President's approval, unless it needs to discuss especially important issues that cannot be delayed.
- 22.2 The Technical Committee is convened by the Sport Director in analogous application of Art. 14.
- 22.3 A quorum exists in the Technical Committee if two members are present. Each member has a personal vote that cannot be transferred.
- 22.4 Motions to the Technical Committee can be brought by:
 - 22.4.1 The active members
 - 22.4.2 The members of Executive Committee
 - 22.4.3 The committees
 - 22.4.4 The members of the Technical Committee
- 22.5 Minutes shall be drafted on the decisions of the Technical Committee, to be signed by the person responsible for the minutes and the chairman of the meeting and served on all of its members, the Executive Committee, the chairmen of the committees, the Auditors and the active members no later than 30 (thirty) days after the Meeting.
- 22.6 Executive Committee and the members of the committee have the right to raise objections against decisions by the Technical Committee within 60 (sixty) days of the dispatch of the minutes of the meeting. In this case the issue needs to be re-discussed at the next meeting of the Technical Committee and in the next

Delegates' Assembly. Art. 12.4.2 applies analogously.

4. THE YOUTH PLAYERS OFFICER

Art. 23: Term of office

- 23.1 The Youth Players Officer is elected at the ordinary Delegates Assembly for a period of 2 (two) years. He can be re-elected without any restrictions.

Art. 24: Competence and tasks:

- 24.1 Consultation of the youth-specific issues of the EMF.
- 24.2 The technical supervision of the youth competitions organised by the EMF.
- 24.3 The consultation and vote on all necessary technical sport issues required for the functional progress of the youth competitions stated in 24.2.
- 24.4 The definition of application criteria for all the youth championships organized by EMF and the evaluation of the applications to be forwarded to the Delegates' Assembly.
- 24.5 The Youth Players Officer submits its recommendations and proposals in motions to the Technical Committee, to the Executive Committee and/or to the Delegates' Assembly as well as to the Youth Officer of WMF.

5. THE SENIOR PLAYERS OFFICER

Art. 25: Term of office

- 25.1 The Senior Players Officer is elected at the ordinary Delegates' Assembly for a period of 2 (two) years. He can be re-elected without restrictions.

Art. 26: Competences and tasks

- 26.1 The consultation of EMF on senior player specific questions.
- 26.2 The technical monitoring of the senior player's competitions organised by the EMF.
- 26.3 The consultation and vote on all required issue of importance for sport required for the functional progress of the senior player's competitions named in 26.2.
- 26.4 The definition of application criteria for all the senior championships organized by EMF and the evaluation of of the applications to be forwarded to the Delegates' Assembly.

- 26.5 The Senior Players Officer submits his recommendations and proposals to the Technical Committee, to the Executive Committee and/or to the Delegates' Assembly.

6. THE LEGAL COMMITTEE

Art. 31: Composition, term of office, and election

- 31.1 The Legal Committee consists of a Chairman, 2 (two) members, and 2 (two) deputy members neither belonging to any other organ of the EMF or the WMF nor to the same active member.
- 31.2 The members of the Legal Committee are elected by the Delegates' Assembly for one term of office of 2 years and can be re-elected without restrictions.

Art. 32: Competences

- 32.1 The Legal Committee settles and decides all disputes presented to the Committee, among
- 32.1.1 the active members.
 - 32.1.2 active members and organs of the EMF.
 - 32.1.3 organs of the EMF.
- 32.2 The Legal Committee shall also have competence for imposing fines under the legal and penal order as well as for remedies against fines imposed by other organs of the EMF.

Art. 33: Structure, term of office and elections

- 33.1 The Delegates Assembly designates 2 (two) active members to be in charge of auditing for a period of 2 (two) years.
- 33.2 If possible, both designated active members should announce immediately the representative who is instructed to carry out the actual auditing.
- 33.3 In addition, the Delegates Assembly may appoint an external qualified professional auditor, totally independent from the EMF, to carry out the audit.

Art. 34: Duties

- 34.1 The auditors must check the accounts and expenditure of the EMF,

and make a yearly report on the financial situation to be presented to the Delegates Assembly by way of the Executive Committee.

- 34.2 They can carry out an audit at any time, provided they inform both the Finance Manager and the President of the EMF in writing at least 14 days in advance.
- 34.3 A written audit is possible at any time, and must however be carried out at the end of the calendar year.
- 34.4 The duty of an external qualified professional auditor is limited to the review of the financial accounts, unless the Delegates Assembly assigns other duties.

7. THE ANTI-DOPING OFFICER

Art. 35: Structure and nomination

- 35.1 The Anti-Doping Officer is the encharged EMF Official responsible for the application of the WADA principles and codes. Executive Committee can decide to assign these duties to any other specialized Organization. It consists of an expert directly nominated by the Executive Committee
- 35.2 The Officer shall not be members of any EMF bodies or of national legal bodies. The purpose pursued by the Officer are:-
To advise the Executive Committee on Medical and Anti-Doping issues - To coordinate and approve the Anti-Doping test distribution plan ~- To establish medical standards for EMF competitions - To represent medical expertise in EMF decision making - To supervise the safeguarding of athletes' health and welfare - To conduct research into medical questions related to minigolf - To act as medical supervisors for EMF competitions.

Part 4: FINAL PROVISIONS

Art. 36: Amendments to the statutes

Amendments to the statutes can only be decided by the Delegates' Assembly. A two-thirds majority of the casted votes is necessary.

Art. 37: Dissolution of the Federation

37.1 The EMF can be dissolved:

37.1.1 through a merger with other non-profit international sport federations.

37.1.2 through liquidation.

37.2 The dissolution of the federation can only be decided at a specifically called extraordinary Delegates' Assembly. A 3/4 - majority of the votes by the delegates entitled to vote is required for this purpose.

37.3 Unless other people have been commissioned by virtue of a decision by the Delegates' Assembly the Federation shall be dissolved by two members of the Executive Committee, who are authorized to represent EMF.

37.4 In the event of a merger the Federation's existing assets are contributed to the merging federation. In the event of a liquidation of the federation these assets are contributed to the World Minigolf Sport Federation, to be used directly and exclusively for charitable purposes for Minigolfsport.

Art. 38: Dispute resolution

38.1 Any dispute arising from, or related to the Statutes, rules, regulations and decisions of EMF, and after passing the Legal Committee, will be submitted exclusively to the Court of Arbitration for Sport (CAS), in Lausanne, Switzerland, applying its own procedural rules. Its decisions are final.

38.2 Legal remedies from any ordinary court of any country are hereby excluded.

Art. 39: Official language:

39.1 The official language of the EMF is English.

Art. 40: Entry into force

40.1 These statutes shall enter into force immediately.

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Changes in this document have been made after the following delegates assembly:

Steyr (AUT), 22nd of August 2005.

Neutraubling (GER), 17th of August 2014.

Vizela (POR), 21st of August 2016.

Vizela, 21st August 2016