



INTERNATIONAL
BIATHLON
UNION

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INTERNATIONAL **BIATHLON** UNION
**RULES OF
CONGRESS**

Effective 19 October 2019

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PART I GENERAL PROVISIONS

1. Introduction

1.1 These Rules of Congress have been adopted at the Extraordinary Congress meeting taking place in October 2019, and may be amended from time to time by the Executive Board, subject to the ultimate authority of Congress. They supplement Part III of the Constitution, which establishes the composition and powers of Congress (Article 13) and also includes certain basic provisions about Congress meetings (Article 14), delegates at Congress meetings (Article 15), and voting at Congress meetings (Article 16). In case of any conflict between these Rules of Congress and the Constitution, the Constitution will prevail.

1.2 These Rules of Congress will be effective from 19 October 2019. From that date, they supersede any previous IBU rules covering the same subject-matter.

1.3 These Rules of Congress are governed by and will be interpreted in accordance with the laws of Austria and the rules of interpretation set out in Appendix 1 of the Constitution.

1.4 Unless otherwise stated, defined words and terms used in these Rules (denoted by italicised text) bear the meaning given to them in the Constitution.

2. Attendees and Observers

2.1 Executive Board members will have the right to attend and speak at meetings of Congress, but with no right to vote.

2.2 The chairpersons of each of the Athletes' Committee, the Technical Committee, and the BIU Board, as well as the Head of the BIU, will have the right to attend and speak at meetings of Congress, but with no right to vote.

2.3 The following persons may attend Congress meetings as Observers:

- (a) Honorary Presidents and Honorary Members;
- (b) other members of the Athletes' Committee;
- (c) up to two representatives of each provisional NF Member and each Extraordinary Member;
- (d) the chairpersons of other Committees;
- (e) the Secretary General;
- (f) other IBU Staff, if requested by the Secretary General;
- (g) the Auditors;
- (h) persons who are candidates for election to the Executive Board who are not otherwise entitled to attend an Election Congress in another capacity; and
- (i) other persons invited by the Executive Board or the President, which may include advisors to the IBU and/or members of Committees.

2.4 Observers (a) may speak at meetings of Congress only with the permission of the chairperson of Congress meeting (but during an Election Congress meeting no candidate for election may speak about themselves as a candidate, or request or permit any other person to speak in support of or against a person who is a candidate, other than as provided below); and (b) will have no right to vote.

3. Publicity

3.1 Meetings of Congress are generally open to the public. Congress may however decide at any time by Simple Majority to close all or part of the meeting to the public, and whether and in what form to report the results of the closed session.

3.2 If the Congress meeting is open to the public, the Secretary General may permit any person to attend, provided they meet any registration requirements. Such persons may not speak or vote at the meeting.

4. Notice of Ordinary Congress meeting

4.1 The Secretary General will give written notice of not less than 120 days of each Ordinary Congress meeting to all NF Members and others entitled to attend. Such notice will include:

- (a) the date, time and venue of the meeting;
- (b) registration forms and the date by which the registration forms must be returned (completed and signed by an authorised representative) to the Secretary General, registering the NF Member's delegates or the Observers (as applicable) for the meeting (being at least 90 days prior to the Ordinary Congress meeting);
- (c) motion forms and the date by which any proposed motions and other items of business of Congress must be submitted by full NF Members to the Secretary General (being at least ninety (90) days prior to the Ordinary Congress meeting); and
- (d) (if an Election Congress meeting) the positions to be elected, and the date by which nominations for such positions by full NF Members must be received by the Secretary General (being at least 90 days prior to the Election Congress meeting);

and may also include a provisional agenda fixed by the Executive Board.

5. Agenda and handbook for Ordinary Congress meeting

5.1 The Executive Board will fix the final agenda for the Ordinary Congress meeting, stating the nature of business to be transacted there.

5.2 The agenda will be sent by the Secretary General to the NF Members and registered Observers no less than thirty (30) days before the meeting, together with a handbook for the meeting. The handbook will include the following:

- (a) the annual Executive Board report, including the audited financial statements and Auditor's report for the preceding two financial years;
- (b) the annual reports from each of the Vetting Panel and the BIU Board for the two years prior to the meeting;
- (c) any motion(s) proposing to amend the Constitution or to approve Reserved Rules or to amend or annul other Rules;
- (d) a list of persons who have been nominated to stand in any election(s) to be conducted at the meeting;
- (e) a list of persons to be approved at the meeting as members of the BIU Board or as Auditors;
- (f) details of the voting rights of each full NF Member at the meeting; and
- (g) any other items of business that have been properly submitted in accordance with the Constitution for consideration at the meeting.

5.3 Subject to Rule 5.4, any matter that is not included in the agenda sent to the NF Members in accordance with Rule 5.2 may only be considered and voted upon at the meeting if agreed by motion passed by Special Majority.

5.4 Motions to amend the Constitution, to approve, amend or annul Rules, to set membership fees, or to dissolve the IBU or merge it with another association, may only be discussed and voted on at a meeting of Congress (whether in their original form or in the form of an amendment that has been agreed by motion passed by the requisite majority at the Congress meeting) if they have been submitted before the

set deadline and included in the final agenda distributed in accordance with Rule 5.2. Otherwise, such motions will be included in the agenda of the next Congress meeting.

6. Call and notice of an Extraordinary Congress meeting

6.1 A written request to call an Extraordinary Congress meeting is to be sent to the Secretary General and must state:

- (a) the specific purpose for which the Extraordinary Congress meeting is being called; and
- (b) the specific motion(s) on which the NF Members will be asked to vote.

6.2 On receipt of a request to call an Extraordinary Congress meeting, the Executive Board will fix without delay the date and venue for such meeting. The date fixed must be no less than 60 days and no more than ninety (90) days after receipt of the request.

6.3 The Secretary General will give notice of not less than 60 days to all NF Members and others entitled to attend the Extraordinary Congress meeting of:

- (a) the date, time and venue of the Extraordinary Congress meeting;
- (b) the specific purpose for which the meeting is being called and any proposed motion(s) that have been properly submitted for consideration; and
- (c) the date by which the registration forms enclosed with the notice for the registration of delegates or Observers (as applicable) must be received by the Secretary General, completed and signed by an authorised representative (which date will be no less than thirty (30) days prior to the date of the meeting).

6.4 The Secretary General will send an agenda for the Extraordinary Congress meeting to NF Members and registered Observers no less than fourteen (14) days before the date of the meeting. The agenda will be limited to the business for which the Extraordinary Congress meeting has been called.

7. Quorum for Congress meetings

7.1 No business will be transacted at any meeting of Congress unless a quorum is present at the time specified in the notice of the meeting for the start of the meeting and at all times during the meeting.

7.2 The quorum for a meeting of Congress will be voting delegates representing no less than one half of the total number of full NF Members in Good Standing and therefore holding a right to vote in accordance with Article 7.1.3 of the Constitution. However, no decision may be taken on the amendment of the Constitution or on the dissolution or merger of the IBU unless voting delegates representing at least two-thirds of all such full NF Members are present at the time of the call for this item on the agenda.

7.3 If a quorum is not obtained within 30 minutes of the scheduled commencement time of the meeting of Congress, then the meeting will be adjourned to a later time on that day, or the next day, at a time and place determined by the Executive Board. If still no quorum is obtained at the adjourned Congress meeting, the members present at such adjourned Congress meeting are deemed to constitute a valid quorum.

8. Chairperson

8.1 Subject to Rule 8.2, the President will chair meetings of Congress. If the President is unavailable, the Vice-President will chair the meeting. If the Vice-President is not available, the members of the Executive Board attending the meeting will elect a chairperson from among their number.

8.2 In an Election Congress, the chairperson of the Congress meeting will vacate the chair for the period of any election of a position for which they are seeking election. For the period of such vacation, the Vice-President will assume the chair, unless they are also seeking election for the same position, in which

case the members of the Executive Board attending the meeting will elect a chairperson from among their number for that period.

8.3 The chairperson has control of the Congress meeting and will:

- (a) preserve the order of the meeting, which may include removing any person from the meeting who is in breach of these Rules or the Constitution. If the person removed is the voting delegate of an NF Member, that NF Member will lose the right to vote at that meeting, even if it has another delegate present at the meeting;
- (b) ensure the Constitution and these Rules are adhered to;
- (c) decide on any points of order or any other procedural matters in accordance with the Constitution and these Rules, including deciding on whether a motion has been properly made, who may speak in respect of a motion, and any time-limits on interventions; and
- (d) decide on any matter of procedure during a Congress meeting where the Constitution or these Rules make no provision or insufficient provision.

8.4 The decision of the chairperson on procedural matters at a Congress meeting is final, and is not open to debate at the Congress meeting. Nor is it subject to any right of appeal or other challenge.

9. Running order

9.1 The order in which items on the agenda proceed at an Ordinary Congress meeting will be decided by the chairperson, but will usually be as follows:

- (a) Opening and welcome by the chairperson.
- (b) Roll call and first announcement of voting strength of the NF Members.
- (c) Approval of the minutes of the previous Ordinary Congress meeting and of any Extraordinary Congress meetings held in the intervening period.
- (d) If notified, motions relating to the admission, suspension, expulsion, or reinstatement of NF Members.
- (e) Second announcement of voting strength (which will include any changes in membership resulting from Rule 9.1(d)).
- (f) Receipt and approval of the annual report of the Executive Board, which includes the audited financial statements and the Auditors' report for the preceding two financial years.
- (g) Receipt and approval of the annual reports from the Vetting Panel and the BIU Board, which includes any funding request made by the BIU Board in accordance with Article 30.5 of the Constitution.
- (h) Appointment of a three-person committee (the Election Committee) by Congress on the proposal of the chairperson, to ensure the correct conduct of elections, in accordance with Rule 14.1.
- (i) Appointment of tellers by Congress on the proposal of the Executive Board, to assist in the distribution of ballots and counting of election votes (see Part II of these Rules of Congress).
- (j) Elections (if an Election Congress):
 - (i) President;
 - (ii) Vice-President;
 - (iii) Other Executive Board members;
 - (iv) Technical Committee members.
- (k) Approval of members of the BIU Board.

- (l) If an Ordinary Congress, motions addressing any vacancies.
- (m) Appointment of the Auditors, on the recommendation of the Executive Board.
- (n) Motions for the host of the next Biathlon World Championship and for the host of the next Ordinary Congress meeting.
- (o) If notified, motions proposing amendments to the Constitution.
- (p) If notified, motions seeking approval of Reserved Rules.
- (q) If notified, motions seeking amendment or annulment of any other Rules.
- (r) If notified, any other motions.
- (s) Grants of Honorary Membership and/or Extraordinary Membership.
- (t) Closing.

10. Voting on motions

10.1 Motions must be submitted as stipulated in the Constitution.

10.2 The correct conduct of voting on motions is the responsibility of the chairperson of the Congress meeting. The chairperson may conduct voting on motions by a show of hands or by a poll. If a vote is conducted by show of hands and the outcome is unclear, the vote will be conducted again but by poll. If five or more NF Members so request, voting on a motion will be conducted by poll. If NF Members so decide by Simple Majority, voting on a motion will be conducted by secret ballot.

10.3 To be valid and counted, a vote (a) must be cast by the voting delegate representing the NF Member in question, who must be present at the Congress meeting at the time of the vote; (b) may not be cast by proxy or by letter; (c) may not be an abstention, or left blank, or spoiled, or unintelligible.

10.4 Any objection to voting – e.g., that a person does not have right to vote, or that votes have been counted that should not have counted, or that votes that should have counted have not been counted – must be made at the meeting at which the vote was taken in order to be valid. The objection will be resolved by the chairperson, whose decision will be final and not subject to challenge.

11. Errors

11.1 Any irregularity, error or omission in notices, agendas, and/or relevant papers for a meeting of Congress or otherwise in the organisation of a meeting of Congress will not invalidate the meeting nor prevent Congress from considering the business of the meeting provided that:

- (a) the chairperson of the meeting decides in his/her discretion that it is appropriate for the meeting to proceed despite the irregularity, error or omission; and
- (b) a motion to proceed is carried by Special Majority.

12. Minutes

12.1 Video and/or audio recordings will be made of Congress meetings and retained by the IBU.

12.2 Minutes will be kept of each meeting of Congress and made available to all NF Members, attendees and Observers at the meeting within one month of the meeting.

12.3 Objections to the minutes must be raised in writing within one month of their publication. If no written objection is received by the Secretary General by that deadline, the minutes will be deemed approved. If any written objections are received by the Secretary General to the minutes by that deadline, they will be discussed at the next Congress.

PART II ELECTIONS

13. Nominations for election

13.1 Nominations for election must be submitted in accordance with Article 17 (Executive Board) and Article 26.2 (Technical Committee) of the Constitution and Rule 4.1(d), above. They must be signed by the president or secretary general of the nominating NF Member, and must be accompanied by the written consent of the nominee.

13.2 The personal presence of a nominated candidate at the Election Congress meeting is desirable but is not mandatory.

13.3 If there is no nominated candidate for a particular position, the full NF Members present at the Election Congress meeting may nominate a candidate who is present at the Congress by a Special Majority and proceed with the election. If the candidate is elected, the Vetting Panel will vet the candidate as soon as possible after the Election Congress meeting to confirm his/her Eligibility.

14. Conduct of elections

14.1 The correct conduct of elections is the responsibility of the Election Committee appointed by Congress upon the proposal of the chairperson of the Congress, with one member nominated as chairperson of the Election Committee.

14.2 Prior to the elections, (a) each candidate for election to the Executive Board who is present at the Congress meeting will be given an equal opportunity to make a presentation to Congress on their credentials and their vision and objectives for their term if elected; and (b) thereafter the chairperson of the Election Committee will explain the voting procedures, including the criteria for a vote to be valid.

14.3 The elections will be conducted in the order stated in the agenda and in compliance with the Constitution and these Rules.

14.4 Elections will be conducted by secret ballot using ballot papers or electronic voting devices that have been certified for this purpose, save that if the number of candidates equals the number of positions to be filled, Congress may decide by Simple Majority to vote by a show of hands or by acclamation.

14.5 The voting system and the conduct of voting are to be checked and monitored by the tellers of the votes. If more ballot papers or electronic votes are returned than were distributed, the vote is invalid and a new vote will be held.

14.6 Votes by ballot will be counted confidentially by the Election Committee and the tellers of the votes.

14.7 The results of the election will be announced by the chairperson of the Election Committee, who will also sign the results sheets. No succeeding vote should take place until the result of the previous vote is known and announced. The number of votes polled for each candidate will be published on the IBU's website after the Election Congress meeting.

14.8 The signed result sheets will be preserved along with any ballot papers for 100 calendar days after the Election Congress meeting and then destroyed.

15. Elections

15.1 Executive Board:

- (a) The President is to be elected first.
- (b) The Vice-President is to be elected next.
- (c) The Treasurer is to be elected third.

- (d) If there is only one candidate nominated for either of these positions, he/she will be elected by Simple Majority.
- (e) If there is more than one candidate nominated for either of these positions, a candidate who receives a Simple Majority in the first ballot is elected.
- (f) If no candidate receives a Simple Majority in the first ballot, a second ballot is to be held among the two candidates (including tied candidates) who received the most votes in the first ballot. The candidate who receives a Simple Majority in the second ballot is elected. In case of a tie in the second ballot, a third ballot is to be held. In case of a tie in the third ballot, the election will be decided by lot.
- (g) The other six (6) elected members of the Executive Board will be elected from a list of nominated candidates (which may include unsuccessful candidates for election as President or Vice-President or Treasurer). Subject to the Citizenship and gender requirements of Articles 17.1.1 and 17.2 of the Constitution, the six (6) candidates who receive the most votes are elected.

Comment to Rule 15.1(f): For example, if the candidates elected as President and Vice-President and Treasurer and the four candidates for election to the Executive Board who receive the most votes are all from one gender, then (subject to the Citizenship requirements) the last two places on the Executive Board are to be filled by the two candidates of the other gender with the most votes.
- (h) In case of a tie for the last place or places, a second ballot is to be conducted among the tied candidates. In case of a tie in the second ballot, a third ballot is to be held. In case of a tie in the third ballot, the election will be decided by lot.
- (i) The tenth member of the Executive Board is an appointee of the Athletes' Committee and the eleventh member is the Secretary General. Neither is elected by Congress.

15.2 Technical Committee:

- (a) Ten (10) members of the Technical Committee will be elected from a list of nominated candidates. Subject to Article 26.2 of the Constitution, the ten (10) candidates who receive the most votes are elected for the ten positions on the Technical Committee.

Comment to Rule 15.2(a): For example, if the eight candidates for election to the Technical Committee who receive the most votes are all from one gender, then (subject to the Citizenship requirements of Article 26.2 of the Constitution) the last two places on the Technical Committee are to be filled by the two candidates of the other gender with the most votes.
- (b) In case of a tie for the last place or places, a second ballot is to be conducted among the tied candidates. In case of a tie in the second ballot, a third ballot is to be held. In case of a tie in the third ballot, the election will be decided by lot.
- (c) The eleventh (11) member of the Technical Committee is the appointee of the Athletes' Committee nominee. They are not elected by Congress.

15.3 Host of the next Ordinary Congress meeting:

- (a) The host of the next Ordinary Congress meeting to be held in a year other than an Olympic Year is elected by Simple Majority.
- (b) If no candidate receives a Simple Majority in the first ballot, a second ballot is to be held among the two candidates (including tied candidates) who received the most votes in the first ballot. The candidate who receives a Simple Majority in the second ballot is elected. In case of a tie in the second ballot, a third ballot is to be held. In case of a tie in the third ballot, the election will be decided by lot.