



INTERNATIONAL
BIATHLON
UNION

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INTERNATIONAL **BIATHLON** UNION
EXECUTIVE
BOARD RULES

Effective 19 October 2019

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1. INTRODUCTION

1.1 These Executive Board Rules were adopted at the Extraordinary Congress meeting in October 2019. They supplement Part IV of the Constitution, which establishes the composition and powers of the Executive Board (Articles 17 and 18) and the duties of Executive Board members (Article 19), and also includes certain basic provisions about Executive Board meetings (Article 20).

1.2 These Executive Board Rules come into effect on 19 October 2019. From that date, they supersede any previous IBU rules covering the same subject-matter. They may be amended from time to time by the Executive Board in accordance with Article 20.1 of the Constitution, subject to the ultimate authority of Congress.

1.3 These Executive Board Rules 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 Executive Board Rules (denoted by italicised text) have the meaning given to them in the Constitution.

1.5 In the case of any conflict between these Executive Board Rules and the Constitution, the Constitution will prevail.

2. MEETINGS OF THE EXECUTIVE BOARD

2.1 The Executive Board will meet at least three times each calendar year, on such dates and at such times and places as the President decides. In addition, the President must call a meeting of the Executive Board within no more than 30 days if at least three elected Executive Board members submit a written request to do so. Members will attend such meetings in person or (exceptionally) by teleconference or such similar communications equipment as allows all persons participating in the meeting to hear each other at the same time (Virtual Attendance). Members may not send alternates to attend meetings in their place.

2.2 The agenda for a meeting of the Executive Board shall be set by the President in consultation with the Secretary General. Any Executive Board member and any Committee chairperson may request the inclusion of items on the agenda at an Executive Board meeting. The Executive Board may by Special Majority amend the agenda for a meeting at any time, including during the meeting.

2.3 Notice of Executive Board meetings and an agenda should ordinarily be provided at least 30 days before they are held. However, where more urgent action is required, the President (or at least three elected Executive Board members) may call an emergency meeting at shorter notice (of not less than 12 hours, unless unanimously agreed by the Executive Board members then in office). Such short notice will be delivered by the Secretary General as soon as practicable orally (in person or by telephone) and in writing (by email, facsimile or other available form of electronic communication). A meeting called on short notice may be attended by members by Virtual Attendance.

2.4 No business may be validly conducted at an Executive Board meeting unless a quorum is present (either in person or, if permitted, by Virtual Attendance). For these purposes, a quorum is at least seven of the members of the Executive Board then in office and entitled to vote (including the President and Vice-President). If there are less than seven members of the Executive Board who are entitled to vote in office at the relevant time, then the quorum is 50% plus one of the members of the Executive Board then in office who are entitled to vote.

2.5 The President will chair meetings of the Executive Board. If the President is unavailable for an Executive Board meeting, the Vice-President will chair the meeting. If the Vice-President is not available, the members of the Executive Board in attendance at the meeting will appoint a chairperson for the meeting from among their number.

2.6 Meetings of the Executive Board are not public but the President may invite third parties to attend all or part of such meetings, subject to such confidentiality protections as the President may deem appropriate.

2.7 Voting:

(a) Except for the Secretary General (who will not have a vote on any motion), each Executive Board member present (in person or by Virtual Attendance) at an Executive Board meeting will have one vote on each motion, save that Executive Board members may not cast a vote on any matter in respect of which they have a conflict of interest. Voting by proxy or by letter is not permitted.

(b) In the event of a dispute as to whether an Executive Board member has a conflict of interest, if the dispute arises before an Executive Board meeting it will be resolved as set out in the IBU Integrity Code. If the dispute arises at the Executive Board meeting, it will be resolved by decision of the Executive Board.

(c) Voting will be conducted by voice, or (if requested by any Executive Board member) by a show of hands, or (if so resolved by Special Majority) by ballot or by secret ballot.

(d) Unless otherwise specified in the Constitution or these Rules, motions of the Executive Board require a Simple Majority in order to be passed. In such cases, in the event of a tie in votes, the chairperson will have a deciding vote.

2.8 The Secretary General or their delegate will take minutes of each meeting of the Executive Board, noting the names of the persons present and all motions considered and all motions passed at the meeting. The minutes will be finalised by the chairperson and sent to Executive Board members within a month of the meeting. Any amendments to the minutes proposed by an Executive Board member who was present at the meeting in question will be discussed at the next meeting of the Executive Board and any agreed amendments will be noted accordingly. Once agreed, minutes of Executive Board meetings (or a summary thereof) will be published and distributed, including to NF Members, in the manner required by the Constitution.

3. CONDUCTING EXECUTIVE BOARD BUSINESS OUTSIDE OF MEETINGS

3.1 If all members of the Executive Board then in office and entitled to vote agree unanimously, any business that could have been conducted at an Executive Board meeting may be considered and voted upon by email, facsimile or other available form of electronic communication, without a meeting of the Executive Board having to be convened.

3.2 A motion in writing that is signed or consented to by email, facsimile or other forms of electronic communication by all of the members of the Executive Board then in office and entitled to vote will be valid as if it had been passed at a meeting of the Executive Board. Any such motion may consist of several documents in the same form, each signed or consented to by one or more of the Executive Board members.

4. VACANCIES

4.1 The office of an Executive Board member will automatically become vacant if that member:

- (a) dies;
- (b) becomes incapacitated such that they cannot fulfil their duties as member;
- (c) resigns from office (to be effective, such resignation must be in writing);
- (d) ceases to be Eligible;
- (e) is removed from office in accordance with Rule 5;
- (f) fails to attend three consecutive meetings of the Executive Board in circumstances that the Executive Board decides by Simple Majority are not justified; or
- (g) in the case of the chairperson or other nominee of the Athletes' Committee, ceases to be a member of the Athletes' Committee.

4.2 If a vacancy arises on the Executive Board, it will be filled as follows:

- (a) If the vacant position is the position of President, the Vice-President will become the interim President, and will exercise all of the powers and fulfil all of the responsibilities of the President under the Constitution and the Rules until Congress appoints a person to fill the vacancy. The Executive Board must call an Extraordinary Congress meeting for that purpose, unless the next Congress meeting is less than six months away.
 - (b) If the vacant position is the position of Vice-President, then the remaining members of the Executive Board will appoint one of their number (other than the Secretary General) to serve as Vice-President until a replacement Vice-President is elected at the next Congress meeting.
 - (c) If the vacant position is the position of nominee of the Athletes' Committee, then the Athletes' Committee will nominate another of its members to fill the vacancy for the balance of the term of the vacating member.
 - (d) If the vacant position is any other position (including as a result of application of the foregoing provisions of this Rule 4.2), the Executive Board may invite NF Members to nominate candidates and choose one such candidate to fill the vacancy until a replacement is elected at the next Congress meeting, or else the position may be left remain vacant until a replacement is elected at the next Congress meeting.
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5. SUSPENSION OR REMOVAL OF AN EXECUTIVE BOARD MEMBER

5.1 By motion passed by Special Majority, the Executive Board may suspend an Executive Board member from office where that member:

- (a) is under investigation for or is charged with commission of a criminal or a disciplinary offence, such as violation of the IBU Integrity Code or breach of the rules of an NF Member; or
- (b) is, in the Executive Board's opinion, in breach of one or more of their duties under Article 19 (or otherwise) of the Constitution.

5.2 The Executive Board may make a suspension imposed pursuant to Rule 5.1 subject to such terms and conditions as it considers appropriate. Where such suspension is triggered by an investigation or charges, it will remain in place pending resolution of the investigation or charges. Otherwise, however, it will remain in place for no longer than 12 months, unless the Executive Board extends it (by motion passed by a Special Majority) until the next Ordinary Congress meeting.

5.3 By motion passed by Special Majority, the Executive Board may remove an Executive Board member from office before the end of their term:

- (a) for serious or repeated or persistent breach of their duties under Article 19 (or otherwise) of the Constitution; and/or
- (b) for failure to meet the conditions that the Executive Board has imposed for lifting of a suspension under Rule 5.2 by the deadline specified by the Executive Board.

5.4 Before suspending or removing an Executive Board member under this Rule 5, the Executive Board will provide that member with:

- (a) written notice of the proposed suspension or removal, including the grounds for such proposal; and
- (b) the opportunity to make submissions to the Executive Board within a reasonable period (not less than 48 hours) as to why the proposed suspension or removal should not be carried out.

5.5 If an Executive Board member who is removed or suspended from the Executive Board is also a member of the BIU Board, they will automatically be removed or suspended (as applicable) from that position as well, and the remaining members of the Executive Board will appoint another member of the Executive Board to take that member's place on the BIU Board.

5.6 Nothing in this Rule 5 limits or prejudices any other powers that exist under the Constitution or the Rules to suspend or remove Executive Board members from office.

6. APPEAL

An Executive Board member who is removed or suspended from office before the end of their term may appeal that removal or suspension to the CAS in accordance with Article 32.2 of the Constitution.