

IBU RULES

**Adopted by the
13TH Regular IBU Congress 2018.**

WADA CODE compliant.

NOTE In the Constitution and all Rules, all gender terms refer to male and/or female as appropriate. When used in a general context, the words he, him and his shall be taken to also mean she, her and hers respectively.



INTERNATIONAL BIATHLON UNION

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01 | **CONSTITUTION OF THE INTERNATIONAL BIATHLON UNION (IBU)**

The IBU was founded on July 2 1993 in Heathrow by London/GBR.

The Constitution was adopted on the same day. Amendments were decided by the 1994, 1996, 1998, 2000, 2004, 2006, 2008, 2010 and 2012 Congresses. **The general reformulation was made by the 2014 Congress that was adapted at the 2016 and 2018 Congress.**

The Constitution was made subject to Austrian law at the establishment of the seat of the IBU by the Congress at the 1999 Constituent General Assembly in Minsk/BLR.

The Norwegian Biathlon Association propose that the IBU Executive Board elect an editorial committee for the period 2018-22. The editorial committee will be tasked to conduct a complete revision of the IBU Constitution before the IBU Congress in 2020. The revision should focus on developing the Constitution towards the fundamental values of good governance and value management.

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L. ENTRY INTO FORCE

A. GENERAL PROVISIONS

1. Legal Nature

The International Biathlon Union (IBU) is an association according to the provisions of the Austrian Law of Associations and a non-governmental international organization (NGO) as defined in Austrian Federal Law (Federal Law Gazette 174/1992).

2. Name, Registered Office, Financial Year

2.1 The association bears the name "IBU" ("the International Biathlon Union").

2.2 The registered offices of the association and its headquarters are in Salzburg, Austria.

2.3 The financial year of the association begins on 1 May and ends on 30 April.

3. Affiliation of Members

The IBU is the international federation founded by national sports associations that represent the sport of biathlon in their country and that are a recognized ruling body for this sport; only one biathlon federation from each country can become a member of the IBU.

4. Competence and Representation

4.1 The IBU is the supreme international authority in all matters concerning the sport of biathlon and represents the sport of biathlon in all international sports organizations and world sports federations, and in relations with government, the media, business, industry and sponsors.

4.2 The IBU cooperates with the IOC, WADA, UNESCO and other international organizations/ international sports organizations.

5. Purpose of the International Biathlon Union

5.1 The International Biathlon Union develops the sport of biathlon and promotes it worldwide.

5.2 Biathlon is a sport that combines cross-country skiing, or other forms of movement, with rifle shooting. Biathlon also includes roller biathlon (roller skiing and shooting), cross biathlon (running and shooting), bike biathlon

(mountain biking and shooting) and snowshoe biathlon (snowshoe hiking and shooting).

- 5.3 The IBU constantly aims to improve the conditions and fundamentals of the sport of biathlon and promote its cultural, sporting and humanitarian values worldwide.

6. Objectives

- 6.1 The IBU sets worldwide rules and regulations for the sport of biathlon and its conduct.
- 6.2 The IBU promotes doping-free biathlon.
- 6.3 The IBU promotes gender equality.
- 6.4 The IBU takes appropriate measures to confront illegal sports betting in the sport of biathlon.
- 6.5 The IBU embraces sustainability together with the partners, both during all events and competitions and in its daily administration.

7. IBU Events and IBU-Authorized Events

- 7.1 The IBU holds all rights pertaining to World Championships, Youth/Junior World Championships, World Cup events, IBU Cup events, Continental Championships, Continental Cups, Regional Cups, and all other international biathlon events (winter and summer) that are and/or will be introduced by it.
- 7.2 Any international biathlon event at which athletes from more than two IBU member federations are invited to compete and/or intend to participate must be approved in writing in advance by the IBU upon application of the respective national member federation.
- 7.3 The IBU will award and conduct IBU events with national federations (NFs) who are world anti-doping code compliant and have code compliant national anti-doping organizations both during the process of bidding/allocation of the events as well as at the time of the event.

8. IBU Licenses

- 8.1 All competition venues require an IBU license to host an IBU event.

- 8.2** The Executive Board sets the criteria for the issue of IBU licenses. It may issue a new IBU license upon written request from the member federation wishing to apply to host an IBU event at a venue in their country if the criteria stipulated in the IBU Rules for Licenses are met.
- 8.3** The venue must have obtained a valid IBU license before the start of the application/bidding process. For WCH applications, the A-license must be valid at least until the end of the season in which the WCH is hosted.

9. Nationality of Athletes

The sphere of responsibility of the member federations is restricted to the territory of the country they represent. The respective member federation may only enter athletes who are citizens of the respective country. Athletes who are citizens of two or more countries at the same time may start either for one of them, as they may elect. However, after having started for one country in the Olympic Games, in Continental or Regional Games or in World or Continental Championships under the authority of the IBU, they may not start for another country, unless they meet the conditions for athletes who have changed their citizenship or acquired a new citizenship. Athletes who have started for one country in the Olympic Games, in Continental or Regional Games and/or World or Continental Championships under the authority of the IBU, and who have changed their citizenship or assumed a new citizenship may not participate in IBU competitions representing their new country until at least two years have passed since they last started for their former country. This period may be reduced or even annulled, with the agreement of the IBU member federations concerned, by the Executive Board of the IBU, which will take into account the circumstances of each case.

Stateless persons may participate for a member federation assigned by the IBU Executive Board upon the authorization of the IBU Executive Board and with that member federation's agreement.

10. Languages

- 10.1** The official language of the IBU is English.
- 10.2** The official Congress languages are English, German and Russian. In all other situations, the IBU organs, committees and other bodies may set one of the Congress languages as their working language.

10.3 For the interpretation of the IBU rules, decisions and relevant documents, the English-language wording is authoritative.

11. Non-Profit

The IBU acts as a non-profit organization as defined in its Constitution and supports the non-profit purposes of its member federations. Any Union funds may only be used for purposes that are in conformity with this Constitution.

B. MEMBERSHIP

12. Types of Membership

The IBU has the following types of membership: provisional, full, associate and honorary.

13. Membership Application Process

13.1 Membership applications are to be submitted in writing to the IBU Secretary General.

13.2 The applicant must be the recognized ruling body for biathlon in its country. It must submit the application, a copy of the applicant's statutes and a legally binding signed declaration containing the following pledges:

- Compliance with, and implementation on a national level of, the Constitution of the IBU, the IBU rules and regulations, and the resolutions of the IBU Congress and Executive Board.
- Annual organization and conduct of biathlon competitions in either winter or summer biathlon in the applicant's own country.
- Recognition of the international Court of Arbitration for Sports (CAS) as the final authority responsible for disputes.
- Compliance with the provisions of the IOC Charter.
- Compliance with the WADA CODE.

14. Application Decision

14.1 The membership application will be decided by the Executive Board. The rejection of a membership application requires justification.

- 14.2** The applicant will initially be granted the status of provisional member. This status must be confirmed by the IBU Congress.
- 14.3** It is the Congress that decides whether a provisional member is to be granted full membership, upon proposal by the Executive Board. A provisional member may only be granted full membership if such membership applicant meets all of its obligations towards the IBU stipulated in the Constitution. The provisional member must address the request for full membership to the Executive Board.
- 15. Provisional Membership**
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- 15.1** Provisional members participate at the Congress without the right to vote.
- 15.2** Provisional members are entitled to enter their athletes, in accordance with the applicable rules, in all IBU events and competitions authorized by the IBU.
- 15.3** Provisional members are to be heard by the IBU Executive Board in all matters that concern them.
- 15.4** Provisional members may take part in IBU programs and may organize international biathlon competitions that have been approved by the IBU.
- 15.5** Provisional members must promote the IBU objectives. They must furthermore comply with, and implement on a national level, the IBU Constitution, all IBU rules and regulations, and the resolutions passed by the Congress and the Executive Board.
- 15.6** Provisional members must pay an annual membership fee, amounting to half of the membership fee paid by full members, by the end of the financial year.
- 15.7** Provisional members must report to the IBU Headquarters annually by the end of the fiscal year on their national biathlon activity (competitions) if they have not entered athletes in IBU competitions.
- 15.8** Provisional members must ensure, as far as possible, that no biathlon events or competitions are organized in their country other than such that have been authorized in writing in advance, at the national level by them, or at the international level by the IBU Executive Board.
- 15.9** Provisional members must provide a copy of any relevant amendment of their constitution to the IBU for review.

16. Full Members

- 16.1 Full members participate at the Congress with the right to vote.
- 16.2 Full members are entitled to enter their athletes in accordance with the applicable rules in all IBU events and IBU-authorized competitions.
- 16.3 Full members are to be heard by the Executive Board in all matters that concern them.
- 16.4 Full members may take part in IBU programs and may organize international biathlon competitions that have been approved by the IBU.
- 16.5 Full members must promote the IBU objectives. They must furthermore comply with, and implement on a national level, the IBU Constitution, all IBU rules and regulations, and the resolutions passed by the Congress and the Executive Board.
- 16.6 Full members must pay an annual membership fee by the end of the financial year.
- 16.7 Full members must report to the IBU Headquarters annually by the end of the fiscal year on their national biathlon activity (competitions) if they have not entered athletes in IBU competitions.
- 16.8 Full members must ensure, as far as possible, that no biathlon events or competitions are organized in their country other than such that have been authorized in writing in advance, at the national level by them, or at the international level by the IBU Executive Board.
- 16.9 Full members must provide a copy of relevant amendment of their constitution to the IBU for review.
- 16.10 Full members may make submissions to the Executive Board, submit motions to the Congress, and may nominate persons who are citizens of the country in which the nominating member federation has its registered office.

Any member federation may nominate up to two persons for two different functions on the Executive Board. Once one nation's nominee is elected, the second nomination for the EB is deemed to be withdrawn.

Member federations may nominate only one person for the Auditors and one person for the Technical Committee.

No nation may hold more than one function on any body with the exception of the nationality of the representative of the Athletes in the Technical Committee and the EB.

The election order will be:

- Executive Board in the sequence as set in the Constitution
- Auditors
- Technical Committee

16.11 Full members may inspect any contracts concluded by the Executive Board at the IBU Headquarters. Full members are obligated to maintain absolute secrecy towards third parties regarding the subject and content of any contracts they have viewed.

16.12 If a full member does not fulfil any of the above-mentioned obligations, the Executive Board may relegate that full member to provisional status.

17. Associate Members

17.1 The IBU Executive Board may admit international organizations that are interested in the sport of biathlon, or in a sport that is similar to the biathlon, as associate members of the IBU.

17.2 The written admission application and the written declaration that the organization will adhere to the purpose and objectives of the IBU must be addressed to the Executive Board.

17.3 The Executive Board will decide whether to admit the organization as an associate member. The rejection of an application for admission requires justification.

18. Honorary Members

The Congress may confer honorary membership upon individuals who have rendered the IBU exceptional services, upon the proposal of the Executive Board or the motion of a member federation. The IBU Rules for Honors are to be observed.

19. Duty of all Members to Promote IBU Interests

All members of the IBU are obligated to promote the interests of the IBU according to their ability, and to refrain from doing anything that could cause any harm to the reputation and/or the purpose of the IBU.

20. Termination of Membership

Membership in the IBU may be terminated by voluntary cancellation of membership, expulsion, dissolution of the membership federation concerned, non-admission of the provisional member as a full member by the Congress, and upon dissolution of the IBU.

21. Voluntary Cancellation of Membership

Any member may cancel its membership of the IBU by written declaration, which must be received by the IBU Headquarters no later than four (4) months before the end of the fiscal year, with effect from the end of that fiscal year.

22. Disciplinary Measures and Expulsion

22.1 Upon violation of the Constitution or the IBU Rules, disciplinary measures may be imposed by the Executive Board as stipulated in the Disciplinary Rules.

22.2 Any member that continues to seriously violate the Constitution and/or the rules and regulations of the IBU may be expelled by the Congress at the request of the Executive Board. The Executive Board may propose the expulsion of a member to the Congress.

22.3 The member may appeal the Executive Board's decision to expel it, in writing, by sending the request 90 days before the Congress to the IBU Headquarters. The Congress' decision is final.

23. Independence

Each member is to organize its association activities independently and is to ensure in its statutes that its organs are chosen by its general assembly.

C. ORGANIZATION STRUCTURE

24. Organs

The IBU has the following organs:

- The Congress is the supreme and legislative organ;
- The Executive Board is the executive organ;
- The Anti-Doping Hearing Panel is the jurisdictional organ in doping cases;
- The Court of Arbitration is the jurisdictional organ in all other cases.

25. The Congress

25.1 The Congress consists of the representatives of the full members, of the non-voting representatives of the provisional and associate members, and of the non-voting members of the Executive Board. The chairpersons of the IBU Committees are entitled - and the Elected Auditors are required - to attend the Congress.

25.2 Each member federation may register up to three (3) official delegates to attend the Congress.

25.3 As the supreme organ, the Congress holds jurisdiction in all IBU affairs that have not expressly been delegated to other organs or bodies.

26. Convening Congress

26.1 The Executive Board convenes a Regular Congress every two years (every even-numbered year); it takes place between June and September. The venue of the regular Congress is decided by the Congress in non-Olympic years. In Olympic years, the congress takes place in Austria organized by the IBU administration. Member federations may bid to host a Congress by sending a written application to host the next Congress no later than 90 days before the Congress.

26.2 Invitations to attend the Congress must be sent out to the member federations, the Executive Board, the respective chairman of each Committee and to the Auditors by the Secretary General 120 days before the beginning of the Congress. The invitation must be accompanied by a registration form.

- 26.3** The Executive Board may convene an Extraordinary Congress if this, in its judgment, appears necessary.
- 26.4** The Executive Board must convene an extraordinary Congress if more than four (4) elected members of the Executive Board have resigned, if a well-founded motion has been submitted to this end by one tenth (1/10) of the member federations, or if such a decision is made by the simple majority of the Executive Board. Extraordinary Congresses must be held within two (2) months of receipt of the motion. The place and time of any Extraordinary Congress will be determined by the Executive Board.
- 26.5** If the elected host venue declares its inability to hold the Congress, or in exigent circumstances, the Executive Board will finally determine the host.

27. Motions

- 27.1** Motions to the Congress may be made by full members and by the Executive Board.
- 27.2** Motions from full members must be signed by their president or secretary general and must be submitted in writing not later than 90 days before the Congress (if it is a regular Congress) or not later than one (1) month before the Congress (if it is an extraordinary Congress) to the Secretary General. All duly received motions are to be included in the agenda of the Congress.
- 27.3** Motions that are submitted late or are brought forward during the course of the Congress may only be discussed and ruled upon if the Congress decides by a two third (2/3) majority (qualified majority) of votes cast to do so.
- 27.4** Motions to change the Constitution or to change the purpose of the IBU – and motions aiming at the dissolution of the IBU or its fusion with another association – may only be dealt with if they have been submitted before the set deadline and included in the final agenda that has been distributed to the members. Otherwise they will be on the agenda of the next following Congress.

28. Jurisdiction of the Congress

The Congress is responsible for:

- (1) The opening confirmation of the formalities (attendance, agenda, appointment of an election committee, approval of the minutes of the previous Congress, voting rights)
- (2) The admission of full members
- (3) The expulsion of a member
- (4) Receipt of the reports of the Executive Board, Elected Auditors and the certified auditing firm
- (5) Approval of the financial statements
- (6) Approval of the budgets for the next two financial years
- (7) Discharge of the Executive Board
- (8) Election of the Executive Board (every four years)
- (9) Election of the members of the Technical Committee (every four years)
- (10) Election of the Elected Auditors (every four years)
- (11) Election of the annual accounts auditing firm
- (12) Confirmation of amendments to the Constitution and to any IBU rules that the Executive Board has made in urgent cases since the last Congress
- (13) Voting on motions to amend the Constitution, the Disciplinary Rules, the Event and Competition Rules and its annexes, to the Anti-Doping Rules and to any other IBU rules - as far as they do not fall within the authority of the Executive Board
- (14) Selecting the hosts of the IBU World Championships
- (15) Selecting the host and the venue of the next Congress
- (16) Appointing honorary members (if applicable)
- (17) Confirmation of the removal from an elected IBU function and replacement (if applicable)
- (18) Dissolution of the IBU (if applicable)

29. **Entry into Effect of Congress Resolutions**

Resolutions passed by the Congress will become effective for all member federations 60 days after the Congress, unless the Congress sets another date for a resolution to take effect.

30. **Registration of Member Federations**

Members must submit their registration of up to three (3) official IBU Congress delegates no later than 90 days before the start of a Regular Congress/at least 30 days before the start of an Extraordinary Congress.

31. **Announcement of the Agenda**

31.1 The IBU Secretary General is to send the Congress agenda and handbook to the Congress participants no later than one (1) month before the beginning of a Regular Congress, and two (2) weeks before the beginning of an Extraordinary Congress.

31.2 In addition to all motions duly submitted by the Executive Board and the members, the agenda must include the following items:

- (1) An address by the President
- (2) Confirmation of attendance and number of votes
- (3) Adoption of the agenda
- (4) Confirmation of duly-called Congress
- (5) Appointment of tellers of votes and election committee
- (6) Approval of the minutes of the last Congress
- (7) Report by the Executive Board on activities since the last Congress
- (8) Report by the Elected Auditors
- (9) Report by the certified auditing firm
- (10) Approval of the financial statements and budgets
- (11) Discharge of the Executive Board
- (12) Elections (in Winter Olympic years)
- (13) Appointment of WCH hosts
- (14) Appointment of Congress hosts

32. Chair; Public Attendance

- 32.1** The Congress will be chaired by the President of the IBU or, in his absence, by the First Vice-President.
- 32.2** The sessions of the Congress are not public. At the proposal of the chair, the Congress may decide by simple majority to open up parts of the Congress to the public.

33. Voting Rights; Passing Resolutions

- 33.1** Every full member has one vote; provisional and associate members are not entitled to vote.
- 33.2** Full members exercise their right to vote by one of their officially registered delegates. Deferring the right to vote to others (voting by proxy) is forbidden. Persons holding any IBU function may not exercise a full member's right to vote.
- 33.3** Any duly-called Congress is competent to pass a resolution regardless of the number of the votes present. At the beginning of the Congress, the Secretary General will announce the number of members that are eligible to vote according to this Constitution.
- 33.4** Congress resolutions are passed by simple majority of the votes cast; motions to amend the Constitution must be carried by a two third (2/3) majority (qualified majority) of the votes cast. Motions to dissolve the IBU must be carried by a two third (2/3) majority (qualified majority) of the votes cast at two successive Congresses.
- 33.4.1** "Simple majority" means more than 50 % of the votes cast. "Qualified majority" means two thirds (2/3) or more of the votes cast.
- 33.4.2** Abstentions and invalid votes are not to be considered to be votes cast. They are disregarded.

34. Election Committee

The Election Committee, which is responsible for monitoring elections for IBU functions, consists of a chairperson and two more members elected by the Congress by simple majority.

35. Minutes

- 35.1** The Secretary General is to prepare written minutes of the Congress, which must include: the confirmation that the Congress was convened according to the provisions in the Constitution, the number of voting members, the number of voting members present, the results of the elections with the respective numbers of votes, the hosts of the WCH and Congress appointed, and the resolutions with the result of votes.
- 35.2** The minutes must be accompanied by a list of attendees.
- 35.3** The minutes must be signed by the chairperson of the Congress and the Secretary General, and distributed to all members within one (1) month after the Congress. The minutes will be considered approved if no written objection regarding the content is addressed to the Secretary General within one (1) month after distribution of the minutes. Any request for amendment or objection will be presented to the next IBU Congress.

36. Eligibility; Term of Office

- 36.1** Only persons who at least 90 days before the beginning of the Congress have been nominated in writing to the IBU Secretary General by a full member may be elected onto the Executive Board, the Technical Committee or as an Auditor. Article 16.10 applies accordingly.
- 36.2** Members of the Technical Committee should have a valid IBU IR license and/or have significant proven practical experience in the sport of biathlon and/or be or have been coaches or athletes within the past four (4) years before the candidacy. Elected Auditors must have appropriate professional expertise and practical experience.
- 36.3** All members of IBU organs are elected for a period of four (4) years; they remain in office until the next elections. Retiring officials are required to be available for assignment procedures and briefings relating to their replacement for a period of 20 days following the new elections.

37. Executive Board

The IBU Executive Board is composed of eleven (11) people, nine (9) of whom who are elected by the Congress:

- (1) President
- (2) First Vice-President
- (3) Vice-President of Finances

and six (6) members of the Executive Board, plus the representative of the Athletes' Committee, and the appointed Secretary General (who has no voting rights)

38. Term of Office; Duties

- 38.1** The Executive Board is elected by the Congress for a term of four (4) years.
- 38.2** Board members may be re-elected. Every Executive Board function must be exercised personally by the elected individual.
- 38.3** During their term of office, the Executive Board bears responsibility for the IBU on the basis of the Constitution and the decisions of the IBU Congress.

39. President

- 39.1** The President represents the IBU in all important issues, directs the Executive Board, and monitors the activities of the Secretary General and Headquarters.
- 39.2** With respect to third parties, the President and the Vice-President of Finances are collectively authorized to enter into agreements on behalf of the IBU, and legally binding documents must be signed by the President and the Vice-President of Finances.

40. First Vice-President

The First Vice-President is the deputy of the President. If the President is unable to exercise his office more than just temporarily, the first Vice-President is to represent him.

41. Vice-President of Finances

The Vice-President of Finances is responsible for the financial and business affairs of the IBU. The VP of Finance represents the IBU in financial matters, and reports on the financial situation to the Executive Board and to the Congress.

42. Secretary General

42.1 The Secretary General is appointed by the Executive Board on proposal of the President.

42.2 The Secretary General is a non-voting member of the Executive Board.

42.3 The Secretary General manages the day-to-day business of the IBU in accordance with the resolutions passed by the Congress and the Executive Board, and is in charge of the IBU Headquarters. The Secretary General's signatory power encompasses the implementation of the daily affairs of the IBU, the individual details of which are set by the President and the VP of Finance.

43. Executive Board Meetings

43.1 At least two times per year, the President convenes Executive Board meetings, stating a provisional agenda. The President has to convene a board meeting if at least three (3) board members request the President in writing to do so.

43.2 The Executive Board is competent to pass resolutions if all of its members have been summoned to attend the meeting and at least half of the voting Executive Board members are present.

43.3 Executive Board resolutions will be passed by simple majority; in the event of a tie, the President will finally decide the issue.

43.4 Minutes must be kept of the meetings. They must contain the names of the persons present and all resolutions that were passed. They must be signed by the recording secretary and must be distributed to the members of the Executive Board within two weeks after the meeting. The members present at that Executive Board meeting must verify the accuracy of the resolutions recorded in the minutes of the Executive Board.

If no attending member of the Executive Board objects to the minutes within two weeks after they have been dispatched, the minutes will be considered as having been approved. If one or more members raise an objection, the rest of the minutes will be considered approved, and the point of objection must be dealt with at the next meeting of the Executive Board.

For resolutions that have been passed in writing or by phone, a memorandum must be written immediately stating agreement to this procedure, the resolutions that were passed and the names of the persons involved. Such memoranda must be distributed to the members of the Executive Board immediately.

Following approval by the Executive Board, the minutes of the meetings of the Executive Board must be distributed to the Executive Board members, to the chairpersons of the committees, to the Elected Auditors and to the member federations.

44. Dismissal of Executive Board Members

44.1 The Congress may dismiss members of the Executive Board if, for compelling reasons, the person or behaviour of that Executive Board member render their further Board activities on behalf of the IBU unacceptable.

44.2 If any Executive Board members are absent for three (3) consecutive meetings between regular IBU Congresses without justified reason, or retire or are recalled before their term has ended, or are permanently unable to execute their office, the Executive Board may request nominations from all national federations and may provisionally fill each vacant office with one of the nominated candidates of the Executive Board's choosing until the next Congress. The term of office of all such substitute members ends at the next Congress.

45. Committees

45.1 The Technical Committee of the IBU consists of eleven (11) persons. Candidates should have either a valid IBU IR license, have significant proven practical experience in the sport of biathlon and/or be/have been coaches or athletes within four (4) years before the candidacy.

One of the eleven (11) members of the Technical Committee is reserved for a representative nominated by the Athletes Committee, who is active or who ended the career no longer than four (4) years before the nomination.

The remaining ten (10) Technical Committee members are elected by the Congress for a period of four (4) years upon nomination by full IBU members. The Technical Committee develops the rules for the sport of biathlon and for its clothing, equipment and competition facilities, and submits them to the Executive Board for approval. The members of the Technical Committee elect their Chairman.

45.2 The Athletes' Committee of the IBU consists of two (2) female and two (2) male members, who are elected by the IBU WC athletes in Olympic years and confirmed by the Executive Board. The Athletes' Committee is called upon to advocate the needs of active biathletes. Proposals from the Athletes' Committee are to be tabled at the following Executive Board meeting.

The members of the Athletes Committee elect their Chairman.

45.3 All Committee decisions require the approval of the Executive Board in order to take effect.

45.4 The Executive Board may decide to establish other Committees, and defines their duties, size and membership. It selects the Committee members - and appoints the chairperson - from among full members' nominations.

D. UNION JURISDICTION

46. IBU Court of Arbitration

46.1 The IBU Court of Arbitration consists of three (3) arbitrators, of whom at least the chairperson must be a qualified judge or a licensed attorney/barrister or hold a comparable legal qualification.

46.2 The secretary general of the Court of Arbitration is chosen by the IBU Legal Committee, and will maintain an open list of qualified persons nominated as arbitrators by the members. The arbitrators will be chosen from this list.

- 46.3** The IBU Court of Arbitration is a tribunal as defined in the Austrian Code of Civil Procedure [Zivilprozessordnung].
- 46.4** The Court of Arbitration is responsible for:
- (1) Ruling on disputes between the IBU and its members, organs, functionaries and elected officials
 - (2) Ruling on appeals against non-admission as provisional members, or against relegation from full member to provisional membership status by the Executive Board
 - (3) Ruling on members' appeals against penalties imposed
 - (4) Ruling on disagreements arising from public law contracts or from agreements between the IBU and third parties.
 - (5) Ruling on appeals against decisions of the EB imposed pursuant to the Olympic Movement on the Prevention of the Manipulation of Competitions.
- 46.5** The IBU Disciplinary Rules apply at all proceedings of the Arbitration Court, from the appointment of the arbitrators to the pronouncement of their verdict.
- 46.6** Within IBU jurisdiction, the decisions of the Court of Arbitration are final.
- 47. Anti-Doping Hearing Panel**
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- 47.1** If any IBU anti-doping testing (out-of-competition or in-competition at an IBU event) and/or valid testing results by a third party at the Olympic Games reveal a possible violation of the IBU Anti-Doping Rules, the case will be assigned to the IBU Anti-Doping Hearing Panel for adjudication.
- 47.2** The proceedings before the Anti-Doping Hearing Panel are subject to the procedural rules defined in the Anti-Doping Rules.
- 47.3** Decisions of the IBU Anti-Doping Hearing Panel may be appealed directly to the international Court of Arbitration for Sport.

E. CONSTITUTION FINANCIAL PROVISIONS

48. Procurement of Funds

- 48.1** The IBU obtains funds to achieve the association's purpose in particular by sponsorship and marketing agreements, donations, levies, asset management, the exploitation of rights sales revenues and from membership fees.
- 48.2** Membership fees are set by the Congress. Fees and levies are set by the Executive Board. The Executive Board also determines the manner in which any rights held by the IBU are exploited and the manner in which sales revenues are generated. Annual contributions and fees are to be set in such a way that the IBU is at any given time in a position to meet its financial obligations.
- 48.3** Any accounts payable by the IBU may only be settled from among its assets; no member federation may be held liable in any form whatsoever.

49. Financial Management; Reserves

- 49.1** The Vice-President of Finances is responsible for the management of the IBU finances.
- 49.2** The two end-of-year accounts statements are to be provided to the member federations with the Congress agenda.
- 49.3** The Executive Board is to establish reserves totaling at least one and a half (1 ½) annual budgets to provide the necessary bridging capital in years of poorer finances. The reserves are to cover the projected costs of running the Headquarters and of IBU operations.
- 49.4** The Executive Board is to establish a risk management policy.

50. Auditing Firm

- 50.1** To fulfill the IBU's obligation as a major association to obtain qualified accounting advice under the Austrian Law of Associations, the Congress of the IBU will select a certified public accountant or an accounting firm as its annual accounts auditing firm and entrust it with the comprehensive tasks and powers defined in the Austrian Law of Associations.

50.2 The Executive Board will conclude a contract with the annual accounts auditing firm selected by the Congress and entrust it with the auditing duties legally required under Austrian law.

51. Elected Auditors

51.1 The Congress elects two Auditors for a term of four years. They may be re-elected. Auditors may be nominated by full member federations.

51.2 The Elected Auditors must be independent and must not hold any function within the IBU or any member federation board function.

51.3 The elected auditors are to be provided with the audit report issued by the certified auditing firm and with the minutes of the IBU organs in order to fulfill their duties to:

(1) annually review the IBU book-keeping

(2) audit the expenditures with regard to their correctness and compliance with the budget

(3) check that the decisions of the IBU organs comply with the Congress decisions and IBU Constitution

(4) annually submit a written report to the Executive Board in English (in Congress years the report is to be submitted no later than 45 days before the beginning of the Congress to the Secretary General so that the report can be dispatched with the Congress documents to the member federations)

(5) Report the results of their audit to the Executive Board and to the Congress.

51.4 The auditors must maintain strict confidentiality towards third parties regarding the progress and outcome of their review. Their duty to report to the Executive Board and to the Congress remains unaffected.

F. RIGHTS

52. The IBU as Rights Holder

- 52.1** The IBU is the owner and holder of all the rights associated with IBU biathlon events. These rights include, but are not limited to, any kind of marketing and merchandising; any form of media or production rights; television and radio broadcasts; film recording and playback rights, and multimedia rights. The rights to all emblems, badges, and pictorial representations of the IBU are also comprised by the foregoing.
- 52.2** The IBU is solely responsible for the distribution of sound, image and other data from IBU biathlon events without any exception being made for the context, time, location, and/or the technical and legal aspects.
- 52.3** Prior to the conclusion of TV and marketing contracts, the key IBU member federations are to be informed and consulted.
- 52.4** The IBU may set up and use a website or other electronic media, issue publications and otherwise take any further measures to serve the practice and further popularization of the sport of biathlon worldwide.

G. RULES

53. IBU Rules

The Executive Board issues the following IBU Rules:

- (1) Code of Ethics
- (2) Event and Competition Rules, including annexes A, B, C and D
- (3) Disciplinary Rules
- (4) Anti-Doping Rules
- (5) Rules for Committees
- (6) Rules for Honors
- (7) Rules for Elections
- (8) Rules for Flag and Anthem
- (9) IBU Whistleblowing Policy
- (10) Rules for Bidding Committees

and submits them to the Congress for adoption. This procedure does not apply to essential rule amendments regarding

- (1) The layout of competition venues and organization of an IBU event
- (2) Compliance of the IBU Rules with the IOC Charter and the WADA Code.
- (3) Amendments of Annex A of the Event and Competition Rules may be decided by the Executive Board on proposal of the Technical Committee

H. DISCIPLINARY ACTION

54. Penalties and Disciplinary Measures

Penalties and disciplinary measures may be imposed by the respective decision-making bodies in accordance with the IBU Disciplinary Rules, which are part of this Constitution.

I. LIABILITY

55. Liability for Public Officials

The IBU may be held liable for all actions by members of the Executive Board, the Committees, its Court of Arbitration and the competition jury, by technical delegates, international referees, staff and functionaries that such persons have performed in their role at the IBU or in their work on behalf of the IBU, except for the intentional or grossly negligent causation of injuries or property damage.

J. LIMITATION OF LIABILITY

56. Limitation of Liability in Time

All mutual claims by and entitlements owing to the IBU and its members and by persons covered by membership of the IBU, on whatever legal grounds, will lapse after one year. The limitation period begins on the last day of the year in which the claim or entitlement arose.

K. USE OF IBU FUNDS AND ASSETS UPON DISSOLUTION

57. Decisions

- 57.1** In the event of the dissolution of the IBU, the Congress must - at the same time as it decides to dissolve the IBU - decide on the use of the Union's assets and appoint two liquidators (who must be lawyers and/or accountants) to implement the decision to dissolve the IBU.
- 57.2** If any members leave the Union, or in case of the dissolution of the Union, members have to fulfill their due financial obligations to the IBU and will receive their outstanding claims from the IBU.
- 57.3** In the event of the dissolution of the Union, the Union funds may only be used for non-profit and/or charitable purposes as defined in the relevant legal provisions of the Republic of Austria. Where possible and permitted, the Union funds are to be donated to institutions pursuing the same or similar purposes as the IBU.

L. ENTRY INTO FORCE

This Constitution underwent comprehensive revision and was adopted by the Congress of 2014.