

# Comité Olympique de Polynésie Française

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(C.O.P.F.)

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## STATUTE

Modified by the general Assembly on March 21<sup>st</sup>, 2009

### TITLE I – DENOMINATION, HEADQUARTER and SOCIAL OBJECT

#### ARTICLE 1 : DENOMINATION and HEADQUARTER

Founded and declared on January 3<sup>rd</sup>, 1973, under the July 1<sup>st</sup> 1901 law, the association called Comité Territorial des Sports ( C.T.S), then Comité Territorial Olympique et Sportif ( C.T.O.S), became the Comité Olympique de Polynésie Française, in English, the Olympic Committee of French Polynesia by decision of its extraordinary general assembly gathered on September 2<sup>nd</sup>, 2000

Under Article 12 of October 14<sup>th</sup> 1999 Resolution No. 99-17 6 APF, its statutes are adopted by the Council of Ministers.

Its term is unlimited.

Its headquarter is in Pirae; It may be transferred to any place in within French Polynesia just by decision of the Board of Directors, ratified by the next General Assembly.

#### ARTICLE 2 : SOCIAL OBJECTS

Its objects are :

- to federate all bodies governing the physical or athletic activities in French Polynesia, regularly declared under the July 1<sup>st</sup> 1901 law and to coordinate their effort
- to represent the Polynesian sport for all matters of general interest with governments and official bodies including the Pacific Games Council, the Pacific Community, excluding International Federations and depend organizations. It is the only authorized to liaise with the French National Olympic Comity.
- to safeguard and develop the Olympic spirit and sports according to the principles defined by the International Olympic Committee (IOC) as written in the Olympic Charter to enforce the rules that govern Olympic sports, as defined by the International Olympic Committee (IOC)
- to collaborate in the preparation, the selection of Polynesian athletes and their participation in the France and world championships and all the games in within the South Pacific region and internationally
- To contribute to sports development and to preserve the spirit;;
- To facilitate the promotion of the sportsman on the social plan ;
- To facilitate, to organize and participate to the initial and continuing training of executives, officials and technicians of sports organism;
- to promote the implementation of infrastructure and equipment for the needs and development of physical and sports activities;;
- to Possibly participate in the management of all bodies that competed directly or indirectly to the development of sport and physical activities and outdoor activities especially by designating representatives of the sports movement to different territorial commissions and the Board of Directors;
- to create awards for groups, competitors and leaders;

- to undertake any action that would bring to federations and member organizations an effective assistance in their plan in terms of research, forecasting, documentation, promotion;
- in a general way, directly or indirectly, everything that will be necessary to development of the idea and sports in French Polynesia;
- to facilitate resolution of conflicts arising within the sport movement, through conciliation or arbitration to take legal action to defend the collective interests of the sport movement.

In each island, the Olympic Committee of French Polynesia appoints a deputy. For each archipelago, the island delegates elect their representative.

### **ARTICLE 3 : COMPOSITION**

The Olympic Committee of French Polynesia (OCFP) is composed of :

- 1/ Polynesian Sports Federations holder of delegation deliver by the Government and affiliated to International Federations recognize by the International Olympic Committee, governing sports of the Olympic Games program
- 2/ other Polynesian federations delegates, in of the effective regulations and accepted by the Olympic Committee of French Polynesia,
- 3/ multisports federations, unisport or affinity, in accordance with the approved regulations and accepted by the Olympic Committee of French Polynesia,
- 4/ Schools and universities federations agreed in accordance with effective regulations and accepted by the Olympic Committee of French Polynesia
- 5/ Polynesian-based sports organizations recognized by the Olympic Committee of French Polynesia,
- 6 / Athletes or former athletes, who have participated in the Pacific Games,. Athletes are nominated by the General Assembly upon proposal of the Board of Directors. Former athletes must withdraw in that capacity on or before the end of the 3rd Pacific Games after the final which they participated.
- 7/ Honorary Members,
- 8/ benefactor members,
- 9/ Associate members.

To be recognize as Federation or groups only those who have at least 3 clubs member and no less than 100 licensees.

Pursuant to Rule 32 of the Olympic Charter, Federations governing a sports on the Olympic Games program must have the majority in both General Assembly, Board of Directors and its Board of officers.

May be affiliated to the Olympic Committee of French Polynesia only Unisport Polynesian Federation, multisport Federation or affinity, University and schools Federation and Polynesian organisations declared under the article 5 of the July 1st 1901 Law which have complied with legislative text in effect.

The provisional admission of said Federations or organisations is pronounced by the Board of Directors upon advice of the Membership Committee.

This admission must be ratified by the next general Assembly and it will be final after a period of **one year** and confirmed by the General Assembly following the end period.

The associate membership may be assigned by the General Assembly upon proposal of the board of directors, to Polynesian Organisms not include in none of the categories under the two preceding paragraphs, and making a recognized contribution for the sports and the defense of sports ethics.

Associate members shall coordinate their activities with those of the Comité Olympique de Polynésie Française; this one may be call them to collaborate within their competence, in workshop that the Committee is setting as well as the developing program of the Olympic Committee of French Polynesia.

The title of Honorary and benefactor member may be awarded by the General Assembly of the Olympic Committee of French Polynesia to personalities who have given distinguished service to sport.

The membership fees for unisport Sport Federations, Multisport federations, unisport or affinity, Universities or Scholar Federations and other affiliate associate organizations and individual members is fixed by the Annual General Assembly.

#### **ARTICLE 4 : LOSS OF MEMBERSHIP**

Members of the Olympic Committee of French Polynesia lose that membership:

- 1/ by dissolution of the Federation or the consider organisation,
- 2/ by resignation, if it is a corporation, must be pronounced in accordance with its statutes.
- 3/ by radiation pronounced by the Board of Directors, after notice the person for the following reasons,
  - a) for non-payment of the annual fee,
  - b) by continuation of object in contradiction with those defined by the Statutes and interne rules of the Olympic Committee of French Polynesia,
  - c) for offense to statute or interne rules of the Olympic Committee of French Polynesia,
  - d) by refusal to implement a decision taken by the majority of the General Assembly of the Olympic Committee of French Polynesia,
- 4/ by death.

Any member who has been subject to radiation pronounced by the Board of Directors according article 4 paragraph 3 may appeal to the General Assembly of the Olympic Committee of French Polynesia.

This assembly, after a rehearing of the interested party and a new examination of reasons may reverse the contested radiation with 2/3 of the votes present at the meeting.

## **TITRE II : ORGANISATION**

### **Section I – GENERAL ASSEMBLY**

#### **ARTICLE 5 : COMPOSITION and DUTY**

The General Assembly is composed of Federations and Polynesian Organization with sporting purposes referred in article 3, paragraphs 1, 2, 3, 4 et 5 grouped into the hereafter 3 colleges :

- a) Olympic Single sport Federations,
- b) Non Olympic Single Sports Federations,
- c) Multisport Federations or affinity and Organization with sporting purposes.

These Federations and Polynesian Organization are represented by their President or a appointed Member of Board of Officer.

Corporations and Physical Persons provide under article 3, paragraphs 4, 6, 7, 8, 9 and 10 attend the General Assembly with consulting vote.

It meets at least once a year during the first half of the calendar year to hear the activities report, to decide on the previous year financial report and on the proposed budget.

If appropriate, it proceeds to the election of the Board of Directors.

In more general terms, it examines all the issues on the agenda and takes all decisions in the context of objects defined in Article 2 of the present statutes.

It designated the Financial Commissioners.

The General Assembly may be convened either by the President or by the majority of the Member of the Board of Directors or by Members of the Olympic Committee of French Polynesia representing at least the majority of the vote of the General Assembly.

In the latter case, the Board of Directors shall convene the General Assembly within a month.

The General Assembly deliberation shall be valid only if the members present hold at least half of the total votes available by the Assembly as defined in article 6.

If this quorum is not reached, a new general assembly must be convened within fifteen days.

The Board of Officers is appointed by the Board of Directors as defined in article 8.

## **ARTICLE 6 : POWER OF VOTE**

Within the General Assembly, decisions are taken on the first ballot by an absolute majority, in the second round with a relative majority of votes cast.

The Olympic Committee of French Polynesia verify every year the numbers provide by Federations and affiliated Members, on the numbers of club and individual members, numbers transmitted on My 31<sup>st</sup> of the previous calendar year and/or on statements transmitted to SJS.

The amount of votes hold by each voter is determined as follow:

- a) Each Polynesian Federation, multisport, individual sport or affinity and Sports hold one vote at the General Assembly.
- b) Each Federation recognized as provided in article 3, paragraphs 1 & 2 hold one additional vote.
- c) Each Polynesian Federation governing an Olympic sport holds one additional vote.
- d) In addition, Each Sports Polynesian Federation individual, multisport or affinity and sports organization with three or more clubs representing at least 100 licensed has a number of additional votes in proportion of licensees (subject to an average of at least 10 licenses per club)

As shown in the scale here after :

From	100	to	500	licensees	1	additional vote,
from	501	to	1 000	licensees	2	additional votes,
from	1 001	to	5 000	licensees	3	additional votes,
from	5 001	and more		licensees	5	additional votes»

Only Polynesian Federations, multisport, individual sport or affinity, scholars and universities and Polynesian organizations which have paid their annual dues, in application with the article 3, shall have the votes provide in the present article

Postal voting is not allowed.

Each voter may mandate an individual officer of the Federation.

No proposal for a special College under article 5 shall be submit to the General Assembly if it has not previously received the authorization from the majority of the College concerned.

The specific Character of a proposition is determined by the Board of Directors.

## **Section 2 – THE BOARD OF DIRECTOR**

### **ARTICLE 7 : composition**

The Board of Directors is composed of 11 members, for a period of 4 years ending at most 6 month after the end of the Pacific Games.

- a) 10 members elected under the 3 colleges defined in Article 5 in respect of :
  - 6 members from Olympic unisport Federation college,
  - 2 members from non Olympic sports Federations college,
  - 2 members from multisport or affinity and recognised Polynesian organisations college.

Elected Members under the colleges defined above must belong to a Federation or a Polynesian Organisation dependent from these colleges.

A Federation may be represented by only one member who loses his representation when he ceases to represent his Federation.

- b) 1 « co-opted » member designated by Scholar and university Federations

All members are elected with secret ballot by the General Assembly with absolute majority of the cast votes at the first and with a relative majority at the second round.

The vote of the General Assembly is distinct for each category of the above listed Members.

The mandate of the Members of the Board Of Directors of the Comité Olympique de Polynésie Française ceases with full-right, the day when they no longer belong to the Board of Officers of their Federation.

In that case, the seat remains vacant until the next General Assembly of the Comité Olympique de Polynésie Française which provides its replacement.

Members of the Board of Directors shall be of French Nationality, residing in French Polynesia and The Members of the Board of Directors shall be of French Nationality, residing in French Polynesia and enjoy their civil rights

The functions of Members of the Board of Directors can't be of any remuneration.

#### **ARTICLE 8 :**

The Board of Directors is responsible for the management of current affairs, administers the heritage of the Olympic Committee of French Polynesia as directed by the General Assembly and implements decisions taken by it.

The Board of Directors may appoint with advisory consulting voice :

- a representative of territory technical Directors;
- 2 high level Polynesian athletes in activity proposed by the Territory Sport high level Committee and nominated by the Board of Directors.
- Presidents of other Committees, standing or management when they are not members of the Board Of Directors.

### **Section 3 – THE BOARD OF OFFICERS**

#### **ARTICLE 9 :**

The Board of Officers implements the decisions of the statutory bodies, General Assembly and Board of Directors. With the delegation of the Board of Directors, it manages the current affaires.

It is composed :

- a President,
- and five members elected by the Board of Directors, upon proposition of the President, on uninominal vote with secret ballot by an absolute majority in the first round and relative majority in the second round :
  - a Vice-President,
  - a General Secretary,
  - an Assistant Secretary,
  - a Treasurer General,
  - an Assistant Treasurer.

The Board of Officers may meet every month.

The President, choose within the members of the Board of Directors and upon it proposal, is directly elected by the General Assembly by secret ballot by an absolute majority of votes.

In case of a tie, there shall be a second ballot for which a relative majority is required.

The Board of Directors shall appoint the representatives of the sports movement in all Committees and Board of Directors in which it has representation, and their alternates to the conditions set by the administrative authority.

#### **ARTICLE 10 :**

At the request of at least half of the Members of the General Assembly, a vote on the operation or general policy of the Olympic Committee of French Polynesia, as applied by the Board of Directors, may be cast by secret ballot in conditions provide in article 6.

The Board of Directors will be forced to resign if the Assembly General would express an unfavorable vote to a majority of 2/3

#### **ARTICLE 11 :**

The Board of Directors meets at fixed date four time a year and whenever necessary.

The presence of half of the members is required for a validity of deliberations.

Decisions are taken by majority of members present or represented.

In case of tie votes, the President vote shall be decisive.

At the express demand of a member, the vote can be by secret ballot, it will be mandatory for all elections.

A written minute of meetings is made.

The minutes are signed by the President and the Secretary General. They are written without spaces or erasures on numbered pages and stored at the headquarter of the Olympic Committee of French Polynesia.

#### **ARTICLE 12 :**

Members of the Board of Directors shall receive no remuneration for the function they are entrusted. Refunds for their expenses are possible.

They shall have the express approval of the Board of Officers, acting without the presence of the interested; justifications shall be produced which are subject to verifications.

Employees, agents on detachment with the Committee, might be called, by the President, to assist, with no voting, to General Assembly, Board of Directors or Board of Officers.

#### **ARTICLE 13 :**

The deliberations of the Board of Directors relating with acquisitions, exchanges and transfers of building necessary for the object of the Association, creation of mortgages on said real estate, leases exceeding nine years, transfer of real estate used for endowment and borrowing, shall be subject to approval by the General Assembly.

#### **ARTICLE 14 :**

The President represents the Committee in all civil life acts. He directs the expenses. He may delegate some of his power under the conditions fixed by the Internal Rules.

In case of court representation, the President may be represented only by a mandatory person designated by the Board of Directors and acting under special power.

Committee representatives shall hold full exercise of their civil rights.

#### **ARTICLE 15 :**

Upon President's proposal, the Board of Directors nominates Administration Directors and hire agent for the Comité Olympique de Polynésie Française.

The Board of Directors may hire employees under private contract or seek detachment of agents or from Tahiti's or France Administration office-holders.

### **TITRE III - RESSOURCES ET DOTATION**

#### **ARTICLE 16 :**

The annual resources of the Committee consist of :

- 1/ income property,
- 2/ dues and subscription of its members,
- 3/ grants from France, Territory, Public Institutions, Municipalities
- 4/ products of gifts, whose use is permitted during the year,
- 5/ resources created as an exception, and if necessary with the approval of the competent authority.
- 6/ products of payments received for services given,
- 7/ broadcasting rights of any sporting events paid by broadcasting companies and television.
- 8/ products of any promotional activity connected to the organisation of the Pacific Game and of Polynesia, as well as all international sporting events.

#### **ARTICLE 17 :**

An accounting is required annually showing operating account, annual exercise and financial report.

It is justified annually with the Minister of Sports the use of the funds coming from grants awarded during the calendar year.

## **TITRE IV - MODIFICATIONS AUX STATUTS ET DISSOLUTION**

### **ARTICLE 18 :**

These Statutes can only be amended by an General Assembly especially convened for that purpose upon proposal of the Board of Directors or upon demand of Members of the General Assembly representing at least half of the total votes that would hold the Assembly in application of the scale provide by the article 6.

In that case, that proposal shall be submitted to the Board of Directors at least one month before the Assembly.

In both cases, the proposed modifications are listed on the agenda of the General Assembly, which shall be sent to Federations and Organisations at least fifteen days in advance.

The General Assembly convened for that purpose, to be able to validly deliberate, be composed of Delegates representing at least half of the voting power allocated to above Federations and organisations.

If the quorum is not reached, the Assembly is convened again by the President, but at least two weeks apart, and, this time, may validly deliberate, whatever the number of delegates present.

In all cases, the statutes can be changed only with a majority of 2/3 of the votes of the members present at the General Assembly.

### **ARTICLE 19 :**

The General Assembly called to pronounce on the dissolution of the Olympic Committee of French Polynesia, especially convened for that purpose, to be able to deliberate must be composed of Polynesian Federations, multisport, unisport or sports affinity and associate members representing half plus one of the votes allocated, according to the scale provide in article 6, to Polynesian Federations, multisport, unisport or sports affinity, scholar and university, and Polynesian organizations with sporting vocations.

If that proportion is not reached, this General Assembly is convened again within 15 days and, this time, may validly deliberate, whatever the number of Polynesian Federations, multisport, unisport or sports affinity represented and votes they dispose.

In all cases, the dissolution can be voted only with a majority of 2/3 of the members present at the General Assembly.

### **ARTICLE 20 :**

In case of dissolutions, the General Assembly appoints one or more Commissioners full of liquidation of the Comity Assets. The General Assembly attributes the net assets to one ore more similar organisations with similar Objects.

### **ARTICLE 21 :**

The deliberations of the General Assembly under the article 18, 19 and 20 are addressed without any delay to the Minister of Sports and to the Department of Regulation and Control of the legality.

### **ARTICLE 22 :**

The President of the Olympic Committee of French Polynesia shall, within three months, notify the Department of Regulation and Control of the legality all changes occurred in the administration of the Association and also to the Minister of Sports.

The registers of the Olympic Committee of French Polynesia and its accounting records are presented without any movements on requisition of the Minister of Sports or any his accredited Officer.

The annual and financial reports are addressed every year to the Minister of Sports.

**ARTICLE 23 :**

The Minister of Sports has the right to have his delegates to visit the establishments founded by the Olympic Committee of French Polynesia and be reported back on their functioning.

**ARTICLE 24 :**

The Intern Rules prepared by the Board of Directors and adopted by the General Assembly shall be addressed to the Minister of Sports.

*The present statutes has been modified and approved during the Extraordinary General Assembly held on March 21st 2009*

**The Secretary General,**

**The President,**

**Nancy TEHEI**

**Tauhiti NENA**