

# **CONSTITUTION OF THE SOUTH AMERICAN ATHLETICS CONFEDERATION**

## **TITLE I – GENERAL PROVISIONS**

### **Article 1. NAME, VENUE, EMBLEMS**

1. The SOUTH AMERICAN ATHLETICS CONFEDERATION, hereinafter CONSUDATLE, was founded on May 24th, 1918, and it is officially recognised by WORLD ATHLETICS, hereinafter WA, as the association of national entities which manage Athletics in the geographic area named South America.
2. CONSUDATLE and its members are subjected to the Constitution, standards, rules and regulations issued by WA.
3. CONSUDATLE is a legal entity according to the legislation in force in the Federative Republic of Brazil. Its headquarters are located in the city of Manaus, State of Amazonas, Brazil.
4. The Executive Council of CONSUDATLE defines its emblem and the flag, which must identify the geographical area that it represents.
5. The existence of CONSUDATLE is unlimited.
6. The official languages shall be Spanish, Portuguese and English. In case of doubt, Spanish language shall prevail.
7. CONSUDATLE may also be called "SOUTH AMERICAN ATHLETICS" for institutional communication purposes.

### **Article 2. AIMS AND OBJECTIVES**

1. The aim of CONSUDATLE is the promotion of Athletics in all its forms, in South America, in coordination with its Affiliates and following the directives of WA.
2. The objectives of CONSUDATLE are:
  - a) To act as the Continental Association of the South American area, designated by WA;
  - b) To gather all national entities of South America which manage Athletics in their corresponding countries;
  - c) To issue regulations for its international roles and adopt all provisions stated in the Constitution and Regulations of WA;
  - d) To recognise South American records of athletes from affiliated entities, in case they were established according to WA Rules;

- e) To organise South American Athletics Championships and other events in the area, jointly with the corresponding members appointed for this purpose, and establish rules and regulations for said championships to take place;
- f) To disseminate sports ethical values and campaign against all forms of doping, as well as discrimination demonstrations in Athletics, either of a racial, political, religious or of any other nature;
- g) To promote the development of Athletics in South America, the publication of specialised books and magazines, the organisation of cultural events, and the dissemination of technical information among its members;
- h) To grant honorary member titles, decorations and other awards to individuals or legal entities who stood out in the development and dissemination of Athletics.
- i) To adopt the World Anti-Doping Code, cooperating with the worldwide anti-doping campaign programme of WA and the World Anti-Doping Agency.
- j) To promote good governance practices among its members.

## **TITLE II - MEMBERS**

### **Article 3. REQUIREMENTS, ADMISSION, DISENROLLMENT**

1. The legal entities who are recognised as national sports entities of Athletics and manage this sport in their respective countries are affiliated to CONSUDATLE. It is considered that South America comprises all the countries located south of the Republic of Panama and including it.
2. In order to be affiliated to CONSUDATLE, a sports entity is requested to be affiliated to WA.
3. Only the Assembly with a qualified majority of two thirds may disaffiliate a CONSUDATLE affiliate. The decision may be appealed before WA in the first instance, and before the Court of Arbitration for Sports based in Lausanne, Switzerland, in the second instance.
4. A legal entity which is not a national athletics federation may be admitted as an associate member if it is in charge of the promotion and management of athletics in a territory located in South America which is not an independent country, subject to the following conditions:
  - a) That the territory is not part of a country that has a member affiliated to CONSUDATLE.
  - b) That the entity is not affiliated to WA.

c) That the national athletics federation of the country to which the territory belongs grants its consent.

#### **Article 4. RIGHTS AND OBLIGATIONS OF MEMBERS**

1. CONSUDATLE's affiliated entities are entitled to the following rights:

- a) To organise themselves freely in the writing of their Constitution and Regulations, strictly observing the Constitution, Regulations and other CONSUDATLE and WA Rules;
- b) To participate in the activities of the Assembly, having the right to voice and vote;
- c) To appoint candidates for positions in CONSUDATLE's Executive Council and Committees;
- d) To promote and participate in championships, tournaments and circuits organised by CONSUDATLE, provided the Member has settled all outstanding fees or other monies payable to CONSUDATLE and WA;
- e) To have their athletes' results officially recognised as South American records of Athletics, pursuant to WA requirements.
- f) To undertake initiatives which do not challenge the Rules of CONSUDATLE and WA, to promote Athletics, to improve techniques, to educate and train coaches, referees and additional staff.

2. The obligations of CONSUDATLE affiliated entities are:

- a) To acknowledge CONSUDATLE as the only entity of Athletics of South America, obeying and helping enforce the Constitution, Rules and Regulations of CONSUDATLE and WA in their corresponding jurisdictions, under the penalty of sanctions which may vary from a written warning to suspension, according to the seriousness of the offence.
- b) Not to develop sporting relationships of any nature with entities which are not affiliated to CONSUDATLE or WA, or that are not recognised by them;
- c) To organise National Championships of Athletics in different categories every year, compulsorily.
- d) To submit to CONSUDATLE an annual report stating the detail of activities developed the preceding year, before 31 March. The activities will refer to administrative, legal, marketing, technical, economic and financial results.
- e) To notify in case of change of their authorities and their headquarters.
- f) To comply with the World Anti-Doping Code and cooperate with the anti-doping campaign programmes.

g) To be subjected to the Court of Arbitration for Sport based in Lausanne, Switzerland, pursuant to this Constitution.

3. Associate members shall have the same rights and obligations as CONSUDATLE members, with the following exceptions:

- a) They will not have the right to vote in the Assemblies.
- b) They will not be able to propose candidates to elective positions, nor their members will be able to accede to these positions.
- c) Associate member athletes who obtain the right to stand on the podium will share the position with the athlete of the CONSUDATLE member who is ranked immediately after.

#### **Article 5. HONORARY MEMBERS, DECORATIONS AND OTHER AWARDS**

CONSUDATLE grants titles to Honorary Members, decorations and other special awards to individuals or legal entities, who have provided services or contributed to the dissemination of Athletics in South America, in compliance with the corresponding Regulations.

### **TITLE III - GOVERNANCE BODIES**

#### **Article 6. GOVERNANCE BODIES**

The governance bodies of CONSUDATLE are:

- a) The Assembly
- b) The Executive Council

### **CHAPTER I - ASSEMBLY**

#### **Article 7. COMPOSITION**

The Assembly is the highest authority of CONSUDATLE. It comprises:

- a) Affiliated entities with the right to voice and vote.
- b) Three (3) representatives of the Athletes Committee, each one with the right to voice.
- c) The President or a representative of the South American Athletics Coaches Association, with the right to voice.
- d) Members of the Executive Council with the right to voice.
- e) The President of WA as an ex-officio member, with the right to voice.
- f) The past CONSUDATLE President, with the right to voice.

g) The South American representatives in the WA Council and WA Athletes Commission, with the right to voice.

## **Article 8. REPRESENTATION**

1. Each affiliated entity shall be represented in the Assembly by up to two delegates appointed by the corresponding executive body.
2. Each affiliated entity must send the appointment of its delegates, even if one of them is the President, fifteen days prior to the concerned Assembly, to CONSUDATLE's office by e-mail with acknowledged receipt.
3. The right to vote of affiliate entities shall be exercised by the delegates in the order in which they are nominated. Only one delegate shall have the vote of the corresponding affiliate.
4. The travel expenses of the delegates attending Assemblies shall be the responsibility of the respective affiliated entities, unless CONSUDATLE has a budget that includes such expenses with the authorization of CONSUDATLE's Finance Committee.

## **Article 9. MEETINGS**

1. The Assembly meets ordinarily every year to discuss the following Agenda:
  - a) Consideration of administrative reports by the President, the Committees and the Commissions, related to the preceding period;
  - b) Approval of the Balance Sheet and Finance & Accounts Reports corresponding to the preceding fiscal period, duly audited by the Audit Committee, submitted in advance to the affiliated entities together with the summon;
  - c) Approval of the Annual Budget proposed by the Executive Council;
  - d) Granting of titles, decorations and other awards to honorary members as suggested by affiliated members, as stated herein and according to the Regulations.
  - e) General issues expressly included in the Agenda;

When, due to exceptional circumstances, the Ordinary Assembly cannot meet in person, it may be held using virtual means or by videoconference.

2. The Assembly shall meet extraordinarily in the following cases:
  - a) When summoned by the President;
  - b) When requested to CONSUDATLE's President, by at least one third of the affiliated entities, in which case it must be summoned within a maximum period of ninety days after receiving the request.

In the cases foreseen in items a) and b) in this Article, the Assembly may only discuss the items included in the Agenda.

The Extraordinary Assembly may also be held by virtual means or by video conference.

#### **Article 10. SUMMONS**

The Ordinary and Extraordinary Assemblies are summoned by CONSUDATLE's President through an Official Circular stating the date and the place of the meeting. It shall be sent by the General Director to each member, at least sixty days prior to the Assembly date, together with the Agenda and all relevant documents.

#### **Article 11. AGENDA INCLUSION**

Members may submit proposals to be discussed by the Ordinary Assembly. Such proposals shall be sent to CONSUDATLE, at least thirty days prior to the date of the meeting.

#### **Article 12. DECISIONS**

All decisions made by the Assembly shall be adopted by a majority of votes of the members present at the meeting, except in cases foreseen in this Constitution.

#### **Article 13. QUORUM**

The Assembly of CONSUDATLE shall be legitimately established with the presence of representatives of at least seven entities affiliated to CONSUDATLE.

#### **Article 14. PRESIDENCY**

1. The meetings of the Assembly shall be called to order and presided by CONSUDATLE's President, and in case of the President's absence, by the Vice President.
2. The General Director of CONSUDATLE shall be the secretary of the Assembly, who shall prepare the Minutes of the Assembly Meeting, the conclusions of which shall be approved and sent to all members within a maximum period of sixty days after the date when the meeting was held.

#### **Article 15. ASSEMBLY VENUE AND LIABILITY**

The affiliated entity in whose territory the Assembly is held shall be responsible for the required organisation needs, such as the choice of suitable premises, facilities and infrastructure in general, as well as payment for accommodation, meals and internal transport for delegates, during the period the Assembly is being, and up to four additional days, before or after the Assembly, according to the flying schedule of their itineraries.

## **Article 16. EXERCISE OF THE RIGHT TO VOTE**

The participation of delegates in an Assembly is allowed, unless the affiliated entity has been suspended by the Assembly of CONSUDATLE, or by WA, but the right to vote depends on the following compliance requirements:

- a) To have settled all outstanding fees or other monies payable to WA and CONSUDATLE;
- b) To have participated in at least two official Championships promoted by CONSUDATLE over the last two years prior to the date of the Assembly.

## **Article 17. RIGHTS AND OBLIGATIONS OF THE ASSEMBLY**

The Assembly has the following rights and obligations:

- a) To guide and manage Athletics in South America;
- b) To preside over South American Athletics Championships and other CONSUDATLE events;
- c) To supervise compliance with the Constitution, Rules and Regulations of WA and CONSUDATLE in the area;
- d) To act as arbitrator in matters arising among affiliated entities, upon request of the parties;
- e) To amend the CONSUDATLE Constitution and Regulations, as proposed by members, the Executive Council, Committees or Commissions;
- f) To decide on any matter unforeseen in this Constitution and Regulations of CONSUDATLE.
- g) To rule on the recognition of South American records, in all categories and recognised Athletics events;
- h) To adopt resolutions and measures in general, concerning good operation and administration of CONSUDATLE;
- i) To appoint members of the Commissions and their Presidents as proposed by the affiliated entities.
- j) Admit new entities as associate members.

## **Article 18. ELECTIONS**

1. Every four years, in the same year of and before the elective Congress of WA, the Ordinary General Assembly shall elect the CONSUDATLE President and Vice President, three (3) members of the Executive Council and the members of the Finance and Audit Committees, with three (3) members each.
2. Voters shall cast a secret vote, in all cases, for the candidates who have previously sent their propositions for election.

3. Only affiliated entities shall have the right to propose candidates from their countries for CONSUDATLE positions.
4. Affiliated entities shall only have the right to propose one candidate for each position.
5. The members of the Executive Council and of each of the Committees - Athletes, Finance and Audit - shall be from different countries, except in what applies to the President of the Athletes Committee to be a member of the Executive Council.
6. The proposals of candidates shall be submitted by email, with acknowledged receipt, to the General Director of CONSUDATLE, thirty consecutive days prior to the date of the Assembly. Once the proposal is received, the General Director of CONSUDATLE shall notify all members, who shall have up to ten days before the Assembly to appeal a candidate nomination. From the presented appeals a notification shall be immediately dispatched to the member who submitted the proposal so that a response is to be given within three consecutive days, or a new candidate is proposed. If there is a statement of defence, the Assembly shall decide on the appeal as the first item on the agenda.
7. Elections shall be held nominally, position by position in the following order:
  - a) The President of CONSUDATLE;
  - b) The Vice President of CONSUDATLE;
  - c) Three members of the Executive Council;
  - d) Finance and Audit Committees.The most voted candidates shall be elected. In the event of a tie, a vote shall be cast among the candidates with most votes, until one is elected.
8. The members of the Executive Council shall not be eligible for more than three (3) consecutive terms of office.

## **CHAPTER II - EXECUTIVE COUNCIL**

### **Article 19. COMPOSITION, TERMS AND DUTIES**

1. The Executive Council of CONSUDATLE is composed of:
  - a) The President of CONSUDATLE;
  - b) The Vice President of CONSUDATLE;
  - c) Three (3) Members-at-large;
  - d) The Presidents of the Athletes and Finance Committees;
  - e) The President of WA as an ex-officio member;

- f) The Past-President of CONSUDATLE as advisor.
- g) The South American representatives in the WA Council as ex-officio members.

2. The President of WA, the Past-President of CONSUDATLE and the South American representatives in the WA Council shall not have the right to vote.
3. Both genders must be represented.
4. The term of office of the Executive Council of CONSUDATLE shall last four years, starting in the same year as the elective Congress of WA.
5. If the executive body of the affiliated entity of CONSUDATLE is modified during the term of office of the Executive Council or the Committees, such affiliated entity may request a removal from office of the individual of its nationality who holds a position in such bodies. The removal shall be decided by the Assembly, in which approval shall be granted by a majority of two thirds. In case of approval, a new member shall be elected in the same Assembly.
6. The removal from office shall not apply to the President or Vice President of CONSUDATLE and the members of the Athletes Committee.
7. The duties of the Executive Council are:
  - a) To adopt decisions that do not fall within the scope of the Assembly or any other body of CONSUDATLE in accordance with this Constitution;
  - b) To propose an annual schedule of competitions;
  - c) To propose the symbols and emblems of CONSUDATLE;
  - d) To create, when necessary, by initiative of the President, Commissions in charge of the execution and supervision of special or temporary tasks;
  - e) To approve entering agreements of amounts exceeding USD 100,000;
  - f) To agree with the appointment of the General Director and of the other administrative staff of CONSUDATLE.
8. The Executive Council may also meet by virtual or video conference means.

## **Article 20. PRESIDENCY**

1. The President of CONSUDATLE shall be elected at the Assembly for a period of four years and may be re-elected twice.
2. The President may be substituted due to inability or impossibility to exercise his/her duties, declared by two thirds of the Assembly, assembled ordinarily or extraordinarily, in which case a substitute shall be appointed in accordance with this Constitution.
3. The President shall be the legal representative of CONSUDATLE.

4. The President shall fulfil the role of Area Representative in the WA Council, for a period of four years, and his/her term of office shall start and end simultaneously with the Elect Members for the WA Council.

5. The President shall have the following rights and obligations:

- a) To ensure harmony among affiliated entities, in the interest of progress and enhancement of South American Athletics;
- b) To manage the administrative, technical and financial activities of CONSUDATLE;
- c) To summon and preside over the meetings of the Assembly, without the right to vote, except in the cases foreseen in this Constitution;
- d) To submit to the Assembly an administrative and accounts report of CONSUDATLE of the previous year, as well as the Provisional Budget for the year that begins, at their ordinary meeting;
- e) To open accounts in banking institutions, assign and issue titles, issue cheques, receipts and any other document comprising financial liability together with the Administration & Finance Director;
- f) To enter contract agreements and arrangements of any kind which constitute commitment, without affecting the direct assets of affiliated entities. In that case, approval from the Executive Council and reporting to the Assembly shall be mandatory;
- g) To manage work and coordinate actions of different Committees and Commissions of CONSUDATLE;
- h) To submit to the WA Congress, every two years, a report of CONSUDATLE activities;
- i) To appoint a General Director and other administrative staff of CONSUDATLE with the approval of the Executive Council.

## **Article 21. VICE PRESIDENCY**

1. The Vice President shall collaborate with the President regarding management, fulfilling the tasks assigned by the President.

2. The Vice President shall substitute the President in case of absence or temporary impediment. When the absence or impediment is permanent or in case of resignation, he/she shall substitute until the next Assembly, in which a new President shall be elected and his/her role of Vice President shall be resumed.

3. In case of permanent impediment of CONSUDATLE President, the Vice President shall substitute as representative of the Area in the WA Council until a new President is elected pursuant to this Constitution.

## **Article 22. MEMBERS-AT-LARGE**

Members-at-large, as members of the Executive Council, shall be responsible for the duties corresponding to that Council and to collaborate with the President regarding management, performing the tasks assigned.

## **TITLE IV - COMMITTEES**

### **Article 23. COMMITTEES**

1. The Committees of CONSUDATLE are:
  - a) Athletes Committee
  - b) Finance Committee
  - c) Audit Committee
2. The Committees of CONSUDATLE shall be composed of three (3) members, including their respective Presidents and their term of office coincides with that of the Executive Council.
3. The powers and responsibilities of the Committees shall be stated in the corresponding regulations which shall be approved by the Executive Council.

### **Article 24. ATHLETES COMMITTEE**

1. The Athletes Committee shall be responsible for promoting the interests of South American athletes and for collaborating with CONSUDATLE in managing South American Athletics.
2. The election will take place every four years, on the occasion of the South American Senior Championships, with all the athletes who participate in it having the right to vote.
3. The elected representatives must belong to different countries of the Area and both genders must be represented, where the most voted will be the President of the Committee.
4. Those who comply with the following conditions may be elected as members of the Committee:
  - a) Being a medallist in South American Senior Championships, in the Pan American Games, in the World Athletics Senior Championships or in the Olympic Games;
  - b) That their last participation in the South American Senior Championships, Pan American Games, World Athletics Senior Championships or Olympic Games has not happened more than six years ago, and
  - c) Have not been sanctioned by WADA, World Athletics or CONSUDATLE.

5. Other aspects related to the election will be regulated by the Executive Council.

#### **Article 25. FINANCE COMMITTEE**

The Finance Committee shall supervise the management of financial affairs and advise the Executive Council on finance and asset administration. It shall analyse the annual budget and accounts of CONSUDATLE, prepared by the Financial and Administrative Director, and shall submit them to the Executive Council for approval.

#### **Article 26. AUDIT COMMITTEE**

The Audit Committee shall be responsible for verifying the reliability and accuracy of the financial accounting and shall present a report related to the balance sheet to the General Assembly.

### **TITLE V - COMMISSIONS**

#### **Article 27. COMMISSIONS**

1. The Commissions of CONSUDATLE are:

- a) Competition Commission
- b) Development Commission
- c) Governance Commission
- d) Gender Equity Commission

2. The CONSUDATLE Commissions shall be composed of three (3) members, including their respective Presidents, designated by the Executive Council. Both genders must be represented. The South American members of WA Commissions must be part of the respective CONSUDATLE Commissions.

3. The composition, powers and responsibilities of the several Commissions shall be stated in the specific Regulations which shall be issued by the Executive Council.

4. The President shall represent the commission and lead assignments according to the pertaining Regulation and instructions received from the President of CONSUDATLE.

5. The Commissions may submit to the Executive Council proposals to amend their specific Regulations.

6. The President, in consultation with the Executive Council of CONSUDATLE, may create temporary and specific Working Groups, when required by circumstances, appointing their members.

7. The Commission meetings shall be held by electronic means, unless under exceptional circumstances authorized by the Finance Committee of CONSUDATLE.

#### **Article 28. COMPETITION COMMISSION**

1. The Competition Commission has the following functions:

- a) Advise on the format, qualification, program and organization of all South American Athletics International Competitions, including Championships, Grand Prix, Circuits, Cups and any other type of Athletics specialties recognized by WA and its Regulations.
- b) Assist on preparation of the South American Athletics annual and multi-year Competition Calendar, including suggesting new events.
- c) Advise on the appointment of area technical officials and technical delegates to South American Athletics official competitions.
- d) Collaborate with the relationships of South American Athletics with partner organizations related to matters of competitions.
- e) Advise on policies related to sustainability, medical, health and science issues affecting athletes and events.

#### **Article 29. DEVELOPMENT COMMISSION**

1. The Development Commission has the following functions:

- a) Advise on the growth and development of Athletics in South America to build skills, capacities and tools that allow increasing levels of participation from grassroots to elite and help address social issues such as health and wellbeing.
- b) Advise on the creation of measures and activities to increase participation across all age groups, especially for young people at school age.
- c) Advise on the organization, monitoring and evaluation of programs and activities delivered by the Area Development Center (ADC) on behalf of WA, including e-learning programs for all human resources necessary for the development of Athletics. Including necessarily the education and training of coaches, officials and administrators certified by the official WA system.
- d) Advise on partnerships with organizations, institutions, governments or agencies on matters of development.
- e) Advise on the promotion and protection of the values of Athletics throughout the area.
- f) Advise on policies related to sustainability, safeguarding, gender equity, medical, health and science issues affecting the development of Athletics.

#### **Article 30. GOVERNANCE COMMISSION**

1. The Governance Commission has the following functions:
  - a) Monitor and embed good governance and ethical compliance practices in CONSUDATLE and its members and to uphold the highest standards of integrity.
  - b) Advise on the Constitution and other rules, including those related to governance, candidacy, vetting, ethical compliance, anti-doping and other integrity and disciplinary related rules.
  - c) Advise on governance structure and practices including those of the Executive Council, Committees, Commissions and any other CONSUDATLE bodies.
  - d) Advise on education and training programs in governance, ethical compliance and integrity.
  - e) Ensure compliance with the rules of good governance in the relationship of CONSUDATLE and its members.
  - f) Ensure gender equality and inclusion in governance and leadership.

### **Article 31. GENDER EQUITY COMMISSION**

1. The Gender Equity Commission has the function of coordinating aspects related to the participation and equitable development of both genders in all instances of government, competition, supervision, organization of events and operation of CONSUDATLE.
2. Coordinate jointly with the Development Commission and with the Area Development Center (ADC) education on gender issues.

## **TITLE VI - JURISDICTION**

### **Article 32. DISCIPLINARY MEASURES**

1. CONSUDATLE shall exercise disciplinary authority over all those who participate in Athletics in South America, specially, but not limited to:
  - a) Affiliated entities and entities liaised with their affiliates;
  - b) Officials of their affiliated entities and officials of entities liaised with their affiliates;
  - c) Athletes;
  - d) Staff accompanying the athlete, especially coaches, physical trainers, doctors, physiotherapists;
  - e) Technical Officials.

2. Disciplinary sanctions shall be stated in a special Regulation which shall observe the principle of legality while also establishing suitable procedures that guarantee the right of defence.
3. The events of doping shall be subjected to the Disciplinary Tribunal of WA, when they occur during competitions organised by CONSUDATLE directly or by delegation of one its members

### **Article 33. DISCIPLINARY TRIBUNAL**

1. The Disciplinary Tribunal shall be composed of one President and two members-at-large appointed by the Assembly.
2. The members of the Disciplinary Tribunal shall remain in office for the same period as the Executive Council.
3. The Disciplinary Tribunal shall make decisions by the majority of its members, according to the respective Regulation.
4. The disciplinary power to suspend or exclude a member of CONSUDATLE shall be reserved to the Executive Council and the Assembly, pursuant to this Constitution.

### **Article 34. COURT OF ARBITRATION OF SPORT**

1. CONSUDATLE shall recognise the jurisdiction and competence of the Court of Arbitration for Sport based in Lausanne, Switzerland, called “Tribunal Arbitral du Sport” or “Court of Arbitration for Sport”, in French or English, as the only body of appeal for the whole final decision of WA and its bodies, which shall definitely resolve the dispute in accordance with the Arbitration Code in the field of sport. The period for appealing shall be twenty-one days from the notice of decision that shall be the matter of appeal. The languages for procedure shall be Spanish or English.
2. The members of CONSUDATLE shall compulsorily and exclusively submit to the Court of Arbitration for Sport, any appeal concerning - or arising from - a final decision of CONSUDATLE by the enforcement of the Constitution and Regulations of CONSUDATLE, or of WA.
3. Members of CONSUDATLE may also submit internal disputes, concerning or resulting from the enforcement of its Constitution or regulations to the Court of Arbitration for Sport or to a National Court of Arbitration.
4. The appeal to ordinary courts is prohibited, unless it is stated by the Constitution of CONSUDATLE or WA, or by mandatory provision of the national legislation.

## **TITLE VII - ADMINISTRATIVE SCOPE**

### **Article 35. GENERAL DIRECTOR**

1. The Executive Council of CONSUDATLE shall appoint a General Director.
2. The General Director shall be responsible for the activities of CONSUDATLE and shall be in charge of the administrative operation of its staff, including the publication of Circulars, which is the means of communication between CONSUDATLE and its affiliated entities. In addition, the General Director shall be responsible for the preparation of an administrative report which shall be submitted by the President to the Assembly.
3. The General Director of CONSUDATLE shall have the following duties:
  - a) To administratively manage CONSUDATLE under the instructions of the President and the Executive Council;
  - b) To keep an updated record of the Constitution and Regulations of CONSUDATLE and its members;
  - c) To execute the budget approved by the Assembly, under the instructions of the President and the Executive Council;
  - d) To keep an updated record of sponsorship, marketing and television agreements that CONSUDATLE has signed;
  - e) Any other duty assigned by the President or by the Executive Council.
  - f) To execute orders given by the Executive Council
  - g) To coordinate the activities of Committees and Commissions.
4. For a better fulfilment of the duties of the General Director, the President of CONSUDATLE, in accordance with the Executive Council, shall appoint an Administrative & Financial Director and a Foreign Relations Secretary.
5. The Administrative and Financial Director shall help the President of CONSUDATLE to manage and control the financial resources of CONSUDATLE, including payments to be made, and shall prepare a report on accounts audited by an independent company, which shall be submitted by the President of the Assembly, as well as a partial Balance Sheet in case of a change of authorities.
6. The Foreign Affairs Secretary shall be in charge of contacting WA and other international institutions.

### **Article 36. AREA DEVELOPMENT CENTER (ADC)**

The Area Development Center (ADC) in South America shall have the following duties:

- a) To keep an updated record of athletes, in which the names of the athletes who have participated in competitions organised by CONSUDATLE are recorded by country;
- b) To keep an updated record of naturalised athletes, in which there shall be updated copies of the document or certification which grants naturalisation;
- c) To keep an updated record of technical officials and referees, in which referees are registered upon the request of affiliated federations, specifying their nationality, date of birth and speciality;
- d) To keep an updated record of South American Championships, Tournaments and Circuits, stating place, date, results of the competitions organised by CONSUDATLE, thus constituting the recorded history of South American Athletics;
- e) To keep an updated register of South American records, containing the history of the best continental Athletics results;
- f) To keep an updated record of Honorary Members, decorated members and members holding other special awards;
- g) To continuously update CONSUDATLE website, as well as the communication with the media.
- h) To organise training courses according to the needs of CONSUDATLE members.

## **TITLE VIII - ASSETS AND FINANCES**

### **Article 37. ASSETS**

The assets of CONSUDATLE is comprised by all goods, donated or acquired by virtue of any title, as well as financial resources which were granted to its disposal.

### **Article 38. FISCAL YEAR**

The administrative and financial period starts 1 January and ends 31 December each year.

### **Article 39. INTELLECTUAL PROPERTY RIGHTS**

1. CONSUDATLE is the owner of all Athletics Competition rights organised directly or through its members, as well as of the events arising from those competitions. These rights include, among other, all kind of proprietary rights, registration rights, reproduction and audio-visual broadcasting rights, multimedia rights, sponsoring/promotional and marketing rights, as well as intangible rights such as name and distinctive brands rights and copyright.

2. The Executive Council shall decide if these rights shall be exercised by CONSUDATE exclusively, or if it shall do so jointly with a third party, or entirely through a third party.

## **TITLE IX. INTERNATIONAL COMPETITIONS**

### **Article 40. APPLICABLE LEGISLATION**

1. The Constitution and Regulations of CONSUDATE shall be applicable to the following international competitions:
  - a) South American Athletics Championships, Tournaments, and Circuits, which are always organised by CONSUDATE;
  - b) International Competitions of the South American Area, expressly authorised by WA, by CONSUDATE.
2. All international competitions held in the South American Area, in which a foreign athlete participates, shall be authorised by CONSUDATE.

## **TITLE X. CONSTITUTION INTERPRETATION AND AMENDMENT - APPROVAL AND AMENDMENT OF REGULATIONS**

### **Article 41. MAJORITY AND PROCEDURE.**

1. To amend the present Constitution, approval is required by two thirds of the Ordinary or Extraordinary Assembly.
2. The amendment proposals of the Constitution may be submitted by the President, by the Executive Council or by any of the members of the Assembly for consideration by the Assembly.
3. The amendment proposals of the regulations may be submitted by the President, by the Executive Council or by any of the members of the Assembly or Commissions for consideration by the Assembly.

### **Article 42. INTERPRETATION**

The interpretation of this Constitution shall correspond to the Assembly which, ultimately, shall solve omissions in the corresponding text.

## **TITLE XI. FINAL AND TEMPORARY PROVISIONS**

### **Article 43. DISSOLUTION AND LIQUIDATION**

1. CONSUDATLE may only be dissolved by resolution of three quarters of the members assembled in the Assembly to this only end.
2. Once dissolution is complete, assets shall be delivered to WA, and placed in trust as *bonus pater familiae* until the reconstitution of CONSUDATLE.

### **Article 44. CONSTITUTION VALIDITY**

This Constitution and any other amendment, shall come into effect immediately after approval by the Assembly of CONSUDATLE, and shall be submitted to WA to this end.

### **Article 45. TRANSITORY DISPOSITIONS**

Item 5 of article 18 comes into force after the new election of authorities in 2023.

**This Constitution was approved by the CONSUDATLE Assembly held in São Paulo, on 28 March 2017 and amended by the Assemblies held in Manaus, on 25 February 2019, in Doha, on 24 September 2019, virtually, on 30 October 2020 and in São Paulo, on 12 September 2022.**