



## **THE WMRA CONSTITUTION**

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## TABLE OF CONTENTS

	<b>page</b>
<b>DEFINITIONS</b> .....	<b>3</b>
<b>PART I: CONSTITUTION - NAME – OBJECTIVES – DURATION – HEADQUARTERS – RESOURCES</b> .....	<b>4</b>
Article 1: Constitution – Name .....	4
Article 2: Objectives .....	4
Article 3: Duration – Financial year .....	5
Article 4: Headquarters .....	5
Article 5: Resources .....	5
<b>PART II: MEMBERS OF THE ASSOCIATION</b> .....	<b>6</b>
Article 6: Members .....	6
Article 7: Membership .....	6
Article 8: Termination of Membership .....	6
Article 9: Liability of members .....	7
<b>PART III: ADMINISTRATION – COUNCIL</b> .....	<b>7</b>
Article 10: Council .....	7
Article 11: Elections .....	7
Article 12: Power and duties of Council .....	8
Article 13: Duties of the Council Members .....	9
Article 14: Council’s Meetings .....	10
<b>PART IV: ADMINISTRATION – CONGRESSES</b> .....	<b>10</b>
Article 15: Congresses’ Procedure .....	10
Article 16: Dissolution .....	12
<b>PART V: GENERAL ADMINISTRATION</b> .....	<b>12</b>
Article 17: Amendments – Advertising .....	12
Article 18: Registry .....	13
Article 19: Arbitration .....	13
Article 20: By Laws .....	13

## DEFINITIONS

### **WMRA**

World Mountain Running Association.

### **IAAF**

International Association of Athletics Federations.

### **WMRA Member** (with a capital “M”: Member)

National Mountain Running Association as defined in Article 6.3

### **WMRA member** (with a “small m”: member)

An individual person member of the WMRA Council, or Honorary member

### **WMRA “Associate Member”**

Organisers of international mountain running competitions, as defined in Article 6.6

### **IAAF Member**

Any National Governing Body affiliated to the IAAF.

### **Simple Majority**

A Simple Majority is the highest number of valid votes cast for a candidate, subject or motion in a specific vote.

### **Absolute Majority**

An Absolute Majority is half the valid votes cast plus 1.

### **Special Majority**

- for changes of the Constitution: a two-third of the votes of those Members present voting at a Congress, such two-thirds to represent at least one half of the total voting power of all Members of the WMRA.
- for dissolution of the WMRA: 80% of the votes of those Members present voting at a Congress, such 80% to represent at least one half of the total voting power of all Members of the WMRA.

### **Valid Vote**

The following shall not be counted as valid votes:

- (a) abstentions;
- (b) blank votes;
- (c) votes for more or fewer candidates than the number required;
- (d) votes declared void by the scrutineers whose decision shall be final, e.g., unintelligible votes.

**PART I: CONSTITUTION - NAME – OBJECTIVES –  
DURATION – HEADQUARTERS - RESOURCES**

**1. Article 1: Constitution – Name**

- 1.1. The WMRA (World Mountain Running Association) was created in 1984 under the name of ICMR (International Committee for Mountain Running); the 1998 Congress (in Ile de la Réunion) has decided to change its name into WMRA
- 1.2. The 2012 Congress (1 September in Valle Camonica, Italy) has decided to locate its Headquarters in Monaco and to become a Monaco Association in due respect of the Law N° 1.355 of December 23, 2008 and its By-Laws 2009-40 of 22 January 2009. WMRA is governed by the general principles of law applicable to contracts and obligations and the provisions hereof.
- 1.3. The definition of Mountain Running is the one established by the IAAF (International Association of Athletic Federations), also located in Monaco. WMRA Council has authority to make this definition more accurate.
- 1.4. WMRA is an Association under IAAF patronage.
- 1.5. The language of reference for this Constitution is French. For all other WMRA activities, the language of reference is English. At the Congress, each Delegate may speak in his own language but has to arrange for the translation of the address into English. All written rules, minutes, reports and other communication will be in English. Unless otherwise provided for, all legal matters with third parties shall be negotiated in English.
- 1.6. WMRA shall be a non-profit organisation.
- 1.7. WMRA shall strive to ensure that no racial, religious, political or other kind of discrimination will be allowed in mountain running and take all practicable measures to stop such discrimination.

**2. Article 2: Objectives**

The objectives of the WMRA shall be:

- 2.1. to promote worldwide mountain running,
- 2.2. to stage championships at world level,
- 2.3. to cooperate in way that IAAF Area Continental Associations stage Continental Championships.
- 2.4. to compile rules, regulations and guidelines governing mountain running international competitions as well as coordinate the WMRA calendar and list the annual WMRA competitions to be inserted in the WMRA Calendar such as:
  - a. World Mountain Running Championships;
  - b. International Mountain Running Youth Cup;
  - c. World Long Distance Mountain Running Championships;
  - d. Masters World Mountain Running Championships (in agreement with WMA);
  - e. World Cup (or any other denomination decided by Council”);
  - f. WMRA Permit races (see Article 6.6).
- 2.5. To cooperate with other Sport Associations, i.e. WMA (World Masters Association), Balkan Association, Commonwealth Games Federation, CISM (Comité International du

Sport Militaire), IWGA, European Small Countries Association, Mediterranean Association, and so on... in way to stage other international events.

- 2.6. to operate within the framework of IAAF and in accordance with its rules.
- 2.7. to encourage formal relationships between mountain runners and the IAAF Members.
- 2.8. to foster international friendship, understanding and loyal co-operation between all Members, athletes, clubs and organisers for the benefit of mountain running throughout the world.
- 2.9. to present Mountain Running in printed and electronic media.
- 2.10. to create and enforce a mechanism whereby all disputes arising within the WMRA are resolved by Arbitration.

### **3. Article 3: Duration – Financial year**

- 3.1. The duration of the Association is unlimited.
- 3.2. The financial year begins January 1st and ends December 31st.

### **4. Article 4: Headquarters**

The WMRA Headquarters are located 17 rue Princesse Florestine in Monaco. They may be transferred to any other place in the territory of the Principality of Monaco by resolution of the Council.

*Note: The WMRA Council decided in January 2015 that the address of the new Headquarters will be, from 1<sup>st</sup> March 2015: 6-8 Quai Antoine 1er in Monaco.*

### **5. Article 5: Resources**

The annual incomes of the Association include:

- 5.1. the annual IAAF administration grant;
- 5.2. annual membership fees
  - a. the amount of this annual fee is determined by the Congress (see Article 6.4);
  - b. it has to be paid by January 1st each year (and at latest by 31 December);
  - c. it can also be deducted from any travel grant paid to the teams during WMRA competitions;
  - d. the non-payment of the annual fee could lead to the exclusion of the member (see Article 8.3)
- 5.3. other exceptional sources of income such as collections, raffles, subject to the approval of the Council;
- 5.4. income generated by its activities and especially by the organisation of competitions;
- 5.5. financial support provided by public institutions or commercial entities;
- 5.6. donations granted in its favour, subject to authorization under sections 778 and 804 of the Civil Code;
- 5.7. and generally, all receipts that are not prohibited by law and regulations.

## **PART II: MEMBERS OF THE ASSOCIATION**

### **6. Article 6: Members**

- 6.1. The Members of WMRA are the National Associations of Mountain Running.
- 6.2. There can only be one WMRA Member per country.
- 6.3. These Members will be:
  - a. preferably, the IAAF Member in any country; this body shall take precedence for WMRA Membership in this country;  
OR
  - b. The National Mountain Running organisation, recognised and authorised by the IAAF Member to be the WMRA Member;  
OR
  - c. The National Mountain Running organisation of a country in which the recognised IAAF Member is either, not involved, or not interested in the organisation or support of mountain running may be a WMRA Member.
- 6.4. In order to take part in WMRA business and competitions, Members must pay an annual membership fee, the amount of which will be determined by the Congress.
- 6.5. Due to tradition, UK Athletics (the IAAF member for GB & NI) may be represented in non-championship competitions, by its associated athletic bodies of England, Scotland, Wales and Northern Ireland.
- 6.6. “Associate Membership” of WMRA is open to the organisers of international mountain races which comply with criteria set by the Council in order to obtain a WMRA Permit. “Associate Members” will enjoy privileges set by the WMRA Council, but shall not form part of the administrative structure of WMRA.

### **7. Article 7: Membership**

- 7.1. Membership applications should be addressed on a form elaborated by WMRA, either to the WMRA President or the WMRA General Secretary. They must support this Constitution. The Membership is permanent unless there would be a resignation or exclusion (see Article 8)
- 7.2. The Council shall act on such application without having to justify its decision whatsoever.
- 7.3. The Council reports on admissions of new members to the Congress.

### **8. Article 8: Termination of Membership**

Membership of the Association shall be lost:

- 8.1. For a National Member, by resignation in writing to the Council, by placing in receivership or dissolution for any reason whatsoever, but also
- 8.2. By exclusion imposed by the Council for non-payment of dues and/or annual fees, failure to observe the Constitution or any other serious reason, at the discretion of the Council, the body having been previously invited to rectify the situation and/or provide written explanations. He can appeal the decision before the Congress.
- 8.3. Resigning or excluded members are required to pay dues and annual fee for the current year. They may not claim any refund of amounts paid.

## **9. Article 9: Liability of members**

The Association is responsible for the assets used in its name and in no way can the members be personally liable for the Association's commitments.

## **PART III: ADMINISTRATION – COUNCIL**

### **10. Article 10: Council**

- 10.1. The WMRA Council elected by Congress is responsible for implementing the role and the duties that are defined in this current Constitution.
- 10.2. The WMRA shall consist of 8 elected members (see 10.4) and ex officio members (see 10.6)
- 10.3. By derogation to the Monegasque law, WMRA Council members are not obliged to live in Monaco.
- 10.4. The WMRA Council shall consist of elected 8 members:
  - ⇒ a President
  - ⇒ a Secretary
  - ⇒ a Treasurer
  - ⇒ 5 Members.
- 10.5. The 8 elected members of the WMRA Council will comprise at least one representative of each gender.
- 10.6. IAAF and each of the six IAAF Continental Associations can appoint one WMRA Council member ex officio, without vote's right. IAAF and each Continental Association will be responsible for the payment of total expenses (accommodation and travel) of this ex officio WMRA Council for attending to WMRA meetings. Each of these bodies must inform in advance WMRA about the name of the person who is the WMRA Council member ex officio, without vote's right.
- 10.7. A WMRA Member cannot have more than one Council member out of the 8 elected positions.
- 10.8. During its first meeting, the newly elected Council will decide on the task that each of its 5 members will be in charge of.

### **11. Article 11: Elections**

- 11.1. Individuals must send their candidatures to the Secretary 50 days before the date of the Congress; this candidature must be supported by the Member of the candidates (or by the WMRA President, after having consulted the members of the WMRA Council). Nomination shall be accompanied by curriculum vitae.
- 11.2. To be eligible, a candidate must be 21 year old at the date of the Congress with full civil rights. All candidates must be in a position to understand English and to express their views in English.
- 11.3. A candidate can be nominated for several positions but elected to only one. During the Congress, the candidates for the position of President will be given ten minutes to introduce themselves and their programme.
- 11.4. The WMRA President, Secretary, Treasurer and 5 WMRA Council members will be elected for a period of 4 years (in the year following the Summer Olympic Games). All

may stand for re-election. WMRA Council members will lose their position by resignation, death or deprivation of his civil rights.

- 11.5. When electing the Council, the Congress is chaired by the IAAF representative (or by a person non candidate designated by the President).
- 11.6. Voting for Council candidates will be by secret ballot.
- 11.7. By exception to the article 11.6 above, when there is exactly the number of candidates for the number of positions to be elected, this candidate (these candidates) is (are) considered as elected.
- 11.8. When the election is made by secret ballot, to be elected at the first round, the candidate(s) must gain the absolute majority. If all positions are not fulfilled after the first round, a second round will be organised and the candidate(s) with the highest number of votes will be elected.
- 11.9. The elections shall be held separately and in the following order
  - a. the President
  - b. the Secretary
  - c. the Treasurer
  - d. the person mentioned in article 10.5 and only if a gender is not represented after the three first positions
  - e. the remaining individual Members.
- 11.10. For the election of the person mentioned in articles 10.5 & 11.9.d
  - a. If there is no candidate, the position will remain vacant under the conditions set in article 11.11
  - b. If there is only one candidate, this person will be elected (see article 11.7)
  - c. If there are two or more candidates, the procedure defined in article 11.8 will be implemented. The non-elected candidates can still be candidates for the 4 remaining individual positions
- 11.11. In the event of a Council position falling vacant, for whatever reason, the Council may co-opt a replacement until such time as the next election is due.
- 11.12. In the event of a tie between two persons persisting after second ballot, there will be a draw of lots.

## **12. Article 12: Power and duties of Council**

The power and duties of the Council are

- 12.1. to be vested with extensive powers to act on behalf of the Association and therefore to conduct all administrative, technical and financial matters of the WMRA and make or authorise all acts and transactions authorised by the Association;
- 12.2. to decide on new Members applications (see Article 7.2 & 7.3);
- 12.3. to suspend, eventually a Member (see Article 8);
- 12.4. to update the list of Members and “Associate Members”;
- 12.5. to prepare the WMRA Congress, examine and make recommendations on all proposals to be brought before the WMRA Congress;
- 12.6. to report to the Congress on its management;
- 12.7. to implement Congress decisions;
- 12.8. to liaise with IAAF and its Continental Associations;



- 12.9. to decide eventually the creation of Working Group(s) for which the Council appoints the members, determine their competence, duration, rights and duties; the President (or the person appointed by him) is ex officio member of all Working Groups;
- 12.10. to control all aspects of approved WMRA mountain running events;
- 12.11. to appoint any WMRA official necessary to achieve the above;
- 12.12. to examine and control the financial affairs of WMRA;
- 12.13. to submit a proposal regarding the allocation of World Championships for approval by WMRA Congress;
- 12.14. to decide date of the World Championships
- 12.15. to decide dates and venues of all the other WMRA competitions;
- 12.16. to notify, as soon as possible, all Member Federations by circular letter of any important decisions taken by Council;
- 12.17. to publicise the activities of WMRA and its associated events;
- 12.18. to deal with anti-doping related matters under IAAF regulations;
- 12.19. to elaborate definition of Mountain Running and update all kind of Regulations pertaining to the organisation of Mountain Running competitions (see Article 1.3.)
- 12.20. to appoint and dismiss all employees, fix their remuneration, lease premises for the needs of the Association, buy and sell all furniture and furnishings, make use of the funds of the Association;
- 12.21. to decide on the set up of an Arbitration Panel.

### **13. Article 13: Duties of the Council Members**

13.1. Council members will work as a team and not be confined to their primary responsibilities described below.

#### **13.2. The President**

- a. represents the WMRA in all aspects of WMRA's life;
- b. chairs the Congress and Council meetings as well as other meetings as Council may decide;
- c. ensures that the decisions taken by Congress and Council are implemented;
- d. develops contacts and promote the sport;
- e. liaise between WMRA and IAAF and its Continental Associations;
- f. act as signatory to any contracts entered into by WMRA;
- g. takes all necessary decisions with regard to unforeseen or urgent matters (after taking advice from relevant members of Council) arising between Council meetings and such decisions will be reported during the next Council meeting;
- h. supervises the publication and the distribution of a WMRA Newsletter at least once per year, as well as the content of the WMRA website.

#### **13.3. The Secretary**

- a. records and distributes the meeting minutes;
- b. corresponds with Council and Members as necessary;
- c. assists the President in developing contacts and promoting the sport;
- d. responds to general enquiries;
- e. develops and maintains an International Mountain Running Calendar of Elite Events for the approval of Council.

#### **13.4. The Treasurer**

- a. ensures that the WMRA finances are conducted in a prudent manner which will assure the continuation of WMRA activities and programmers.
- b. administers the financial affairs of WMRA in accordance with the decisions of the Council to whom he will report at all meetings;
- c. prepares the budget for the next year, for Council's approval;
- d. liaises with and helps the Auditor in order to prepare the Audited Accounts of the previous year, to be submitted to Congress;
- e. operates the bank account opened in the name of WMRA and signs cheques or bank transfers.

#### **14. Article 14: Council's Meetings**

- 14.1. WMRA Council will meet, either at headquarters or at any other place, in principle, at least twice each year, or more frequently if considered necessary by the President or if one third of its members requests it.
- 14.2. The President, or one of the WMRA Council member appointed by him in his absence, will preside at all meetings of the Council.
- 14.3. Meetings of the WMRA Council shall be attended only by members of the Council. The President may however invite to the meetings working party members in a consulting capacity without the right to vote.
- 14.4. For the validity of the proceedings, the presence of 5 members is required.
- 14.5. Decisions of Council will be by the simple majority of the members present. The Presiding member will have a casting vote in the event of a tie.
- 14.6. No proxy will be allowed.
- 14.7. Minutes of Council meetings must be taken and circulated to the Council Members in the 60 days following the staging of the meeting.
- 14.8. WMRA will be responsible for not more than 50% of agreed travel expenses of Council members unless otherwise authorised by Council. Travel arrangements must be made to ensure the most direct and economical route and mode of transport is used.

### **PART IV: ADMINISTRATION – CONGRESSES**

#### **15. Article 15: Congresses Procedures**

- 15.1. A WMRA Congress shall be convened every year. Its date and venue shall be confirmed at the preceding meeting of the Congress, if known. In principle, it will be at the venue and time of the World Championships competition.
- 15.2. A Congress can also be convened by the Council when deemed appropriate.
- 15.3. A Congress shall be convened also if not less than two thirds of the WMRA Members are requesting it in writing to the WMRA stating that they desire such a meeting and the reasons therefore. The Council shall summon such a Congress to be held within three months from receipt of the aforementioned notice.
- 15.4. The Congress of the WMRA shall consist of the Delegates of WMRA Members (see Article 6.1. & 6.2) which are WMRA Members since more than 120 days before the date of the Congress.
- 15.5. Each Member shall have the right to be represented by one Delegate, a citizen of the country represented. This Delegate shall be duly authorised in writing, by the President

or General Secretary of the Member, to act on behalf of the Member (unless this Delegate is the President or the General Secretary himself).

- 15.6. Each Delegate has a single vote.
- 15.7. Each Member will pay for the expenses incurred by its Delegate.
- 15.8. Voting by proxy is not allowed.
- 15.9. There are also members of the Congress, without voting power
  - a. the WMRA Council members,
  - b. the Chairpersons of the WMRA Working Groups
  - c. the WMRA Honorary members
  - d. the Auditor, elected by the Congress.
- 15.10. The agenda of the Congress shall include the following items:
  - 1) Opening of the Congress by the President.
  - 2) Appointment of 3 scrutineers among the Delegates to determine the result of any ballot.
  - 3) Approval of the Minutes of the Previous Congress
  - 4) Report on the Council activities.
  - 5) Financial report by the WMRA Treasurer
  - 6) Report by the Auditor.
  - 7) Approval of the Audited Accounts of the previous year.
  - 8) Decision regarding any eventual change in the amount of the annual fee (see Article 6.4)
  - 9) Nomination of the Auditor.
  - 10) Decision on the venue to stage WMRA World Championships (in principle two years ahead).
  - 11) World Championships Rules changes (eventually).
  - 12) Proposals by the Council.
  - 13) Proposals by the Members (see Article 15.12).
  - 14) Election of Council members (when relevant).
  - 15) Appointment of WMRA Honorary Life President and members of Honour, on the proposal of Council, or at least 2 members. Honorary Life President and members of Honour of the WMRA are persons who have given distinguished service in the cause of mountain running. Only past WMRA Presidents can be appointed Honorary Life Presidents.
  - 16) Amendments to the Constitution (if relevant)
  - 17) Dissolution of the WMRA (if relevant)
- 15.11. Invitations (and preliminary agenda) to attend the Congress shall be sent to the Members at least 80 days before the date of the Congress.
- 15.12. WMRA Members can ask to add item on the Agenda, but these proposals must be given in writing to the WMRA Secretary 50 days before the date of the Congress.
- 15.13. All documentation for the Congress shall be sent to each Member, at least 30 days before the date of the Congress.
- 15.14. Council can add any item to the Congress agenda at any time.
- 15.15. For resolutions other than Constitution changes and Dissolution to be valid, the Congress must be composed of at least half of the Members eligible to vote.
- 15.16. For resolutions regarding Constitution changes or Dissolution to be valid, the Congress must be composed of at least two thirds of the Members eligible to vote.
- 15.17. If the condition of minimum attendance is not fulfilled, the Congress may be convened immediately and, during this second meeting, resolutions shall be valid whatever the number of Members present, but only on issues on the agenda of the first meeting.

- 15.18. All decisions other than Constitution changes and Dissolution shall be made according to the absolute majority of the valid votes (see Definitions)
- 15.19. Decisions regarding Constitution changes and Dissolution shall be made according to the special majority of the valid votes (see Definitions)
- 15.20. The President of WMRA, or in his absence a Council member nominated by him, shall preside at the Congress.
- 15.21. The post of Secretary of the Congress is filled by a person designated by the President
- 15.22. The resolutions of the Congress are recorded in the Minutes drawn up on a special register which may be the same as the one containing the Minutes of the Council and signed by the Secretary.
- 15.23. Copies or extracts of such minutes to be produced in court or elsewhere, shall be signed by the President or by two members of the Council.
- 15.24. They will be distributed, to those receiving invitation to attend, within 60 days after the end of the Congress. Any request for correction must be received within 30 days of the distribution of the minutes. Any query arising from the minutes will be decided by the Council at its next meeting.
- 15.25. Voting for the staging of WMRA events will be by secret ballot, except when candidate is only one: in this case the vote by Congress will be by a show of voting card or by acclamation. Where there are two (or more than two) bidders and none gains the absolute majority, the bidder with the lowest number of votes shall be excluded and a further vote taken. In the event of a tie between two persons persisting after second ballot, there will be a draw of lots.

## **16. Article 16: Dissolution**

- 16.1. In case of voluntary, statutory or forcible dissolution of the Association, the Congress shall appoint one or more liquidators, who shall have full powers to realise the assets and pay the liabilities after the eventual collection of monies from existing contributors or their heirs or eligible known parties.
- 16.2. The eventual net proceeds of liquidation shall be forwarded to the IAAF with the mandate to use these funds in order to promote mountain running activities worldwide.

## **PART V: GENERAL ADMINISTRATION**

### **17. Article 17: Amendments – Advertising**

- 17.1. Pursuant to Article 10 of Law No. 1.355 of December 23, 2008, the President or, failing that, a WMRA member shall, within one month, notify the Department of State who shall acknowledge receipt:
  - a. any change in name, purpose or address of the registered office;
  - b. any change in the composition of the governing body or the functions of its members;
  - c. any acquisition or disposition of property, a description and price in case of acquisition or sale must be attached to the declaration;
  - d. any changes in Constitution other than those referred to in section 1;
  - e. any decision of a voluntary dissolution of the Association.
- 17.2. Pursuant to Article 11 of Law N° 1.355 of December 23, 2008, the President or, failing that a WMRA member is required to publish in the Journal de Monaco, besides the receipt of declaration, a notice stating:

- a. any change in name, purpose or address of the registered office;
- b. the decision to dissolve the association.

The publication must be made within one month following the declaration.

- 17.3. The amendments referred to in Article 17.1.b, 17.1.c and 17.1.d are effective against third parties from the date they were declared. The amendments referred to in Article 17.1.a and 17.1.e shall have effect against third parties until the date of their publication in the Journal de Monaco

## **18. Article 18: Registry**

Pursuant to Article 12 of Law N° 1.355 of December 23, 2008, amendments to the Constitution and changes in the administration of the Association are entered in a register kept at the headquarters. The dates of receipt on the amendments and changes are listed in the register. This register must be submitted on request of the Minister of State or judicial authorities.

## **19. Article 19: Arbitration**

- 19.1. In the event of a dispute arising between Members, or between a Member and the WMRA (Council or Congress) and such dispute not being resolved to the satisfaction of both parties, then the matter may be referred to the Arbitration Panel by the Council. The Council must certify that special circumstances exist to justify an arbitration.
- 19.2. Any decision made by the Arbitration Panel shall be considered final by all parties
- 19.3. Congress approves that the creation of an Arbitration Panel is a way to enforce a mechanism whereby all disputes arising in the sport are resolved by this body.
- 19.4. Congress is granting the Council the express power to create an Arbitration Panel and to adopt regulations governing its establishment, function and procedure.

## **20. Article 20: By Laws**

Any cases not provided for herein shall be dealt by the WMRA Council who can decide to establish By Laws.