



# FIBA GENERAL STATUTES

EDITION 5 MAY 2017

## TABLE OF CONTENTS

<b>CHAPTER 1: COMPOSITION, PURPOSE, DEFINITION .....</b>	<b>4</b>
ARTICLE 1: NAME AND AUTHORITY.....	4
ARTICLE 2: HEADQUARTERS AND PLACE OF JURISDICTION.....	4
ARTICLE 3: NON-PROFIT ORGANISATION .....	4
ARTICLE 4: MISSION AND ROLE .....	4
ARTICLE 5: RULES AND REGULATIONS.....	5
 <b>CHAPTER 2: MEMBERSHIP OF FIBA .....</b>	 <b>6</b>
ARTICLE 6: MEMBERS OF FIBA .....	6
ARTICLE 7: ADMISSION TO MEMBERSHIP OF FIBA.....	6
ARTICLE 8: RIGHTS OF MEMBERS.....	6
ARTICLE 9: OBLIGATIONS OF MEMBERS .....	7
ARTICLE 10: SUSPENSION AND EXPULSION OF MEMBERS.....	8
ARTICLE 11: DISBANDMENT OF A NATIONAL MEMBER FEDERATION .....	9
ARTICLE 12: CLUBS, OTHER BODIES AND LEAGUES.....	9
 <b>CHAPTER 3: DIVISIONS OF FIBA .....</b>	 <b>10</b>
ARTICLE 13: DIVISIONS OF FIBA.....	10
ARTICLE 14: THE CONGRESS AND THE PRESIDENT.....	11
ARTICLE 15: THE CENTRAL BOARD, THE EXECUTIVE COMMITTEE AND THE TREASURER.....	14
ARTICLE 16: THE SECRETARIAT OF FIBA.....	20
ARTICLE 17: THE ZONES.....	22
ARTICLE 18: ORGANISATION OF THE ZONES.....	23
ARTICLE 19: THE REGIONAL OFFICES.....	24
ARTICLE 20: THE COMMISSIONS.....	25
ARTICLE 21: THE TECHNICAL COMMISSION.....	26
ARTICLE 22: THE COMPETITIONS COMMISSION.....	26
ARTICLE 23: THE LEGAL COMMISSION .....	27
ARTICLE 24: THE GOVERNANCE COMMISSION .....	27
ARTICLE 25: THE PLAYERS' COMMISSION .....	27
ARTICLE 26: THE FINANCE COMMISSION .....	28
ARTICLE 27: THE MEDICAL COMMISSION.....	28
 <b>CHAPTER 4: ORGANISATIONS OFFICIALLY RECOGNISED BY FIBA.....</b>	 <b>29</b>
ARTICLE 28: GENERAL PROVISIONS .....	29

ARTICLE 29: THE WORLD ASSOCIATION OF BASKETBALL COACHES .....	29
ARTICLE 30: THE INTERNATIONAL WHEELCHAIR BASKETBALL FEDERATION .....	30
ARTICLE 31: THE DEAF INTERNATIONAL BASKETBALL FEDERATION .....	31
ARTICLE 32: THE INTERNATIONAL BASKETBALL FOUNDATION .....	31
ARTICLE 33: THE BASKETBALL ARBITRAL TRIBUNAL.....	31
<b>CHAPTER 5: FIBA AWARDS .....</b>	<b>31</b>
ARTICLE 34: FIBA AWARDS.....	31
<b>CHAPTER 6: FINANCIAL PROVISIONS .....</b>	<b>32</b>
ARTICLE 35: GENERAL PROVISIONS .....	32
<b>CHAPTER 7: JUDICIAL AND OTHER BODIES .....</b>	<b>33</b>
ARTICLE 36: THE ETHICS PANEL.....	33
ARTICLE 37: THE NOMINATIONS PANEL.....	33
ARTICLE 38: THE DISCIPLINARY PANEL.....	34
ARTICLE 39: THE APPEALS' PANEL .....	34
ARTICLE 40: THE COURT OF ARBITRATION FOR SPORT .....	35
<b>CHAPTER 8: FINAL PROVISIONS .....</b>	<b>35</b>
ARTICLE 41: OTHER ELIGIBILITY STANDARDS AND PROCEDURES .....	35
ARTICLE 42: VOTING PROCESS .....	35
ARTICLE 43: MAJORITY RULES.....	35
ARTICLE 44: CONFLICT OF INTEREST.....	36
ARTICLE 45: REPLACEMENT OF MEMBERS.....	36
ARTICLE 46: MEANS OF COMMUNICATION.....	36
ARTICLE 47: LANGUAGE.....	36
ARTICLE 48: PREVAILING LANGUAGE.....	36
ARTICLE 49: SUPREMACY OF THE GENERAL STATUTES.....	37
ARTICLE 50: COLOURS, FLAG AND INSIGNIA.....	37
ARTICLE 51: DISBANDMENT OF FIBA .....	37
ARTICLE 52: ENTRY INTO FORCE.....	37
ARTICLE 53: TRANSITORY PROVISIONS .....	37
<b>ANNEX: LIST OF NATIONAL MEMBER FEDERATIONS.....</b>	<b>39</b>

## CHAPTER 1: COMPOSITION, PURPOSE, DEFINITION

### ARTICLE 1: NAME AND AUTHORITY

- 1.1 Fédération Internationale de Basketball (FIBA) is an independent association composed of national member federations worldwide, as provided for under Chapter 2 of these General Statutes.
- 1.2 FIBA is the sole competent authority for basketball throughout the world and is recognised as such by the International Olympic Committee (IOC).
- 1.3 FIBA maintains absolute political and religious neutrality and does not tolerate any form of discrimination.
- 1.4 All bodies and officials of FIBA must observe the General Statutes, Internal Regulations, other rules and regulations, and decisions of FIBA.

### ARTICLE 2: HEADQUARTERS AND PLACE OF JURISDICTION

- 2.1 The headquarters of FIBA shall be established in Switzerland.
- 2.2 FIBA is subject to the laws of Switzerland and shall be organised in such a manner as to acquire legal status, listed in the Registre du Commerce.

### ARTICLE 3: NON-PROFIT ORGANISATION

- 3.1 FIBA is a non-profit-making organisation and does not pursue any objective for its own gains. It shall pursue solely and directly objectives of general interest in accordance with the laws of Switzerland. The financial resources of FIBA may be used only in pursuit of the objectives laid down in these General Statutes.  
To the extent that compensation or reimbursement of expenses is paid to individuals, it must be appropriate, justified and related to FIBA's objectives.
- 3.2 FIBA has established reserve funds and uses such funds in accordance with the laws of Switzerland. The Central Board decides the policy on the usage of the reserves.

### ARTICLE 4: MISSION AND ROLE

- 4.1 The mission of FIBA is to promote the sport of basketball throughout the world and to lead the basketball movement as recognised by the International Olympic Committee. FIBA's role is to:

- a. Control, regulate, supervise and direct, and to foster, encourage and advance the sport of basketball and the practice of men's and women's basketball in all its forms and in all age groups in every country worldwide;
- b. Manage basketball throughout the world through participation, development, competition, and commercial means;
- c. Ensure that basketball throughout the world is carried on in a manner which allows the sport to be competitive and fair;
- d. Formulate or adopt and implement appropriate policies in relation to discrimination, sexual harassment, equal opportunity, equity, drugs and doping, health, safety, infectious diseases, and such other matters as arise from time to time as issues to be addressed in basketball;
- e. Adopt, formulate, issue, interpret, implement and amend from time to time such rules (including the official rules of the game) and regulations as are necessary for the control and conduct of basketball throughout the world;
- f. Allocate and control the conduct and administration of all official international competitions at national team and club level;
- g. License and/or endorse the conduct and management of international basketball competitions or games where this is in the interests of furthering its mission and role;
- h. Establish and maintain a FIBA basketball judicial system, providing processes for the appeal of decisions and the settlement of disputes;
- i. Pursue itself or through another entity commercial arrangements, including sponsorship and marketing opportunities and commercial arrangements in relation to FIBA's intellectual property, as are appropriate to further its mission and role;
- j. Provide for the representation of FIBA at international events which will extend and enhance its control and management of basketball throughout the world;
- k. Promote the recognition of basketball as one of the world's leading sports;
- l. Do all that is reasonably necessary to enable its mission and role to be achieved and to enable the national member federations to receive the benefits which FIBA's mission and role are intended to achieve;
- m. Co-operate with, join with, and/or support any association, organisation, foundation, society or individual where the activities or purposes are similar to those of FIBA or which advance basketball throughout or in specific parts of the world;
- n. Have regard to the public interest in its operations; and
- o. Undertake and/or do all such things or activities as are necessary, incidental or conducive to the advancement of its mission and role.

## ARTICLE 5: RULES AND REGULATIONS

In addition to these General Statutes, FIBA may regulate basketball activities worldwide through the enactment of Internal Regulations, other rules and regulations, and decisions.

## CHAPTER 2: MEMBERSHIP OF FIBA

### ARTICLE 6: MEMBERS OF FIBA

Only national basketball federations may become members of FIBA. Those national federations listed in the Annex to these General Statutes are members of FIBA.

### ARTICLE 7: ADMISSION TO MEMBERSHIP OF FIBA

- 7.1 An applicant national federation seeking membership in FIBA must be the controlling body of basketball in a country which is an independent state, recognised by the international community. This provision shall not affect the status of existing members.
- 7.2 Subject to Article 7.3, only one (1) national basketball federation per country shall be admitted to membership in FIBA.
- 7.3 FIBA may accept an application for membership from a federation in a region which is recognised by the international community as an emerging independent state, provided that such an application is supported by the national member federation of the country on which the region is dependent.
- 7.4 Before admitting an applicant federation to membership of FIBA, the Central Board shall satisfy itself that the applicant federation fully controls and governs both men's and women's basketball in its country, and is in good standing in that country.
- 7.5 Strict observance of the Official Basketball Rules and of the provisions contained in the General Statutes, the Internal Regulations of FIBA, other rules and regulations, and decisions of FIBA, both in spirit and letter, is the primary condition for obtaining and maintaining membership in FIBA.
- 7.6 Admission procedures are set out in the Internal Regulations of FIBA.

### ARTICLE 8: RIGHTS OF MEMBERS

- 8.1 National member federations have the following rights:
- a. To take part and to vote in the Congress;
  - b. To make proposals for inclusion in the agenda of the Congress;
  - c. To nominate candidates for the President, the Treasurer and other members of the Central Board as per Article 15.1.4.b;
  - d. To nominate candidates for the FIBA Commissions;
  - e. To take part in the main official competitions of FIBA;

- f. To take part in and benefit from FIBA's assistance, development and educational programmes organised directly or through the Regional Offices;
- g. To exercise all other rights arising from these General Statutes, the Internal Regulations, other rules and regulations, and decisions of FIBA; and
- h. To exercise all other rights arising from the Zone Regulations.

8.2 The exercise of these rights is subject to the provisions in these General Statutes, the Internal Regulations, and other rules and regulations, and decisions of FIBA.

## ARTICLE 9: OBLIGATIONS OF MEMBERS

9.1 National member federations must

- a. maintain full control and governance of basketball in their country, including without limitation, control over their national competitions;
- b. remain in good standing (including in good financial standing);
- c. participate in official international activities and competitions; and
- d. ensure at all times that their leagues, clubs, players and officials participate only in international activities and competitions officially recognized by the respective national member federation and by FIBA; and
- e. enact rules whereby they can disqualify a club from the national championship, or cause the respective league to disqualify such club, should that club participate in a non-recognized league.

9.2 National member federations must observe all regulations and decisions of FIBA and ensure that their members and their various bodies (including leagues and clubs) also comply with them. They shall promote amicable and courteous relations with other national member federations and their members, officials and players.

9.3 The statutes and regulations of national member federations must comply fully with the General Statutes and Internal Regulations of FIBA. The General Statutes and Internal Regulations of FIBA shall form part of the national member federations' statutes and regulations. In the event of doubt or conflict, the General Statutes and Internal Regulations of FIBA shall prevail.

9.4 National member federations must ensure that basketball in their country is played in accordance with the Official Basketball Rules, and that the FIBA Calendar and the obligation to release players for national teams in accordance with the Internal Regulations are respected. This obligation of national member federations applies to both national and international competitions played in their country.

9.5 National member federations shall establish a system for the resolution of disputes by independent arbitration, excluding – to the extent legally possible – recourse to the state courts. They shall promote recourse to and recognise decisions of the Court of Arbitration for

Sport (CAS) and the awards of the Basketball Arbitral Tribunal (BAT) and shall ensure that said decisions and awards are legally binding for and enforced by national member federations, clubs, leagues, players, managers, officials and agents.

- 9.6 National member federations must ensure that their policies and programmes are in compliance with those of FIBA. In particular, they shall embrace the principles set out in the FIBA National Federations Manual and ensure that their governance and management processes produce the following:
- a. Up-to-date statutes and regulations in English, approved by FIBA;
  - b. A long-term strategic plan;
  - c. An annual report on activities and financial results (to be sent to FIBA);
  - d. A database of participants (including foreign players), coaches, technical officials, and of competition results (compatible with the FIBA Organizer platform);
  - e. A national Anti-Doping programme in partnership with the relevant authorities.
- 9.7 National member federations shall manage their affairs independently and with no influence from third parties. In particular they must ensure that their officials are either elected or appointed under a democratic process for a term of office of four (4) years. Their statutes must provide a transparent procedure that guarantees the complete independence of the election or appointment.
- 9.8 The accounts of national member federations must be audited in accordance with international accounting standards each year by an independent external auditor.
- 9.9 National member federations are liable for all financial obligations of their own members or bodies (including leagues and clubs) towards FIBA.
- 9.10 Non-compliance with these provisions may lead to the intervention of FIBA as appropriate, including sanctioning provided for in these General Statutes and the Internal Regulations of FIBA.

#### ARTICLE 10: SUSPENSION AND EXPULSION OF MEMBERS

- 10.1 The Secretary General may suspend a national member federation which has not paid its fees or is in arrears for a period of two (2) consecutive years. The Central Board and the Zones must be informed. Such a suspension may be lifted by the Secretary General when the national member federation is once again in good financial standing with FIBA.
- 10.2 On the initiative of the Secretary General, the Central Board may suspend a national member federation for other important reasons and, in particular, when:
- a. the General Statutes, Internal Regulations, other rules and regulations, or decisions of FIBA are violated;



- b. the requirements of Article 7 are no longer fulfilled; and/or
- c. one or more of the obligations of Articles 9 or 12 is not being met.

- 10.3 Unless otherwise decided by the Central Board, a suspended member federation forfeits its rights under Article 8.1 so long as it remains suspended and its teams and officials may not organise and/or participate in official competitions or activities.
- 10.4 If not lifted by the Central Board in the meantime, a suspension made under Article 10.2 may remain in force only until the next Congress. The Congress shall decide whether the suspension is lifted or prolonged.
- 10.5 Procedures dealing with suspended members are set out in the Internal Regulations of FIBA.
- 10.6 Based on a proposal put forward by the Central Board, the Congress may decide to expel a national member federation without indication of grounds.

#### ARTICLE 11: DISBANDMENT OF A NATIONAL MEMBER FEDERATION

- 11.1 If a national member federation is disbanded according to the procedure set out in its own statutes and regulations, a new national member federation may be admitted in accordance with Article 7.
- 11.2 If a disbanded national member federation was not in good financial standing with FIBA or the relevant Zone at the time of its disbandment, the new national member federation shall take over all the financial obligations of the former national member federation towards FIBA or the relevant Zone, unless the Central Board decides otherwise.

#### ARTICLE 12: CLUBS, OTHER BODIES AND LEAGUES

- 12.1 The various bodies of national member federations (including leagues and clubs) may pursue their activities within the geographical and regulatory limits of their own national member federation only, and with the latter's recognition and permission. The Internal Regulations of FIBA set out the criteria for the recognition of national leagues by national member federations.
- 12.2 No international activity of such bodies shall be permitted without the authorisation of the competent national member federations and FIBA.
- 12.3 If a recognized international league does no longer meet the criteria set out in the Internal Regulations of FIBA, FIBA may withdraw the league's recognition. If a recognized national league does no longer meet the criteria set out in the Internal Regulations of FIBA, FIBA may direct the respective national member federation to withdraw the league's recognition.

- 12.4 National member federations and their clubs or leagues may not play or organise competitions on the territory of another national member federation without the latter's authorisation and that of FIBA.
- 12.5 Further requirements relating to leagues at national and international level are set out in the Internal Regulations of FIBA.
- 12.6 In order to avoid conflicts of interest, national member federations or organisations affiliated or otherwise connected with national member federations are not authorised to take over or participate directly or indirectly in the management or exploitation of broadcast, marketing, merchandising, or similar rights of another national member federation.
- 12.7 Clubs, leagues, players, coaches, agents, referees, and other officials affiliated with or licensed by national member federations must at all times respect the General Statutes and the Zone Regulations as well as the FIBA Calendar, the Official Basketball Rules, and the Internal Regulations of FIBA, in particular, without limitation, those on Anti-Doping, Eligibility and National Status of Players, International Transfer of Players and the Basketball Arbitral Tribunal.
- 12.8 In addition to FIBA's authority under Article 10.2 c, FIBA and national member federations may impose sanctions on their own bodies for breaches of this Article 12. Notwithstanding the foregoing, each national member federation remains obliged to ensure that its various bodies (including leagues and clubs) comply with this Article 12.

### **CHAPTER 3: DIVISIONS OF FIBA**

#### **ARTICLE 13: DIVISIONS OF FIBA**

- 13.1 FIBA is organised in the following divisions:
- a. The Congress
  - b. The Central Board
  - c. The Executive Committee
  - d. The Secretariat of FIBA, acting through the Secretary General
  - e. The Zones, acting through the Regional Offices
  - f. The Commissions

## ARTICLE 14: THE CONGRESS AND THE PRESIDENT

### 14.1 The Congress

14.1.1 The Congress shall be the supreme authority of FIBA. It consists of:

- a. A maximum of two (2) delegates per national member federation with the right to one (1) vote, which is granted to the first delegate if both are present;
- b. The President;
- c. Members of the Central Board, who have consultative powers only, unless they officially represent a national member federation; and
- d. The Chairpersons of the FIBA Commissions who have consultative powers only, unless they officially represent a national member federation.

14.1.2 National member federations may be represented by their delegate(s) only, who must hold an office within the national member federation and present a document signed by the President of that national member federation attesting that they are delegates of that federation. Delegates may represent one (1) national member federation only.

14.1.3 Representation by letter or proxy is not permitted.

14.1.4 The Congress has the powers assigned to it in the General Statutes, in particular to:

- a. Approve the agenda;
- b. Adopt and modify these General Statutes;
- c. Elect the President of FIBA for a single term of four (4) years;
- d. Elect members of the Central Board as per Article 15.1.4 b;
- e. Elect the Treasurer of FIBA, upon proposal by the Secretary General;
- f. Appoint the members of the Ethics Panel and the Nominations Panel;
- g. Grant the title of Honorary President, Honorary Member or Secretary General Emeritus;
- h. Examine and approve all reports, including the report of the Central Board, and other items on the agenda;
- i. Ratify the decisions of the Central Board under Articles 10.2 and 15.1.1 g. (suspension of members);
- j. Decide on the expulsion of members as per Article 10.6; and
- k. Declare the disbandment of FIBA.

14.1.5 The Congress meets once every two (2) years, the first being the elective Congress at which the President is elected in accordance with Article 14.2, and the other being the mid-term Congress held at approximately mid-term of the four-year cycle. No quorum is required for a session of the Congress.

14.1.6 Only matters proposed by the President, the Secretary General, the Central Board, the Executive Committee or the national member federations may be put on the agenda

for the session of the Congress, provided that these matters fall within the latter's powers. Proposals must be submitted to the Secretary General at least ninety (90) days prior to the opening of the Congress.

14.1.7 Subject to 14.1.8 below, the date and place of the Congress is determined by the Secretary General and notice given to the national member federations at least one-hundred-and-twenty (120) days in advance. The agenda is prepared by the Secretary General and must be sent to the national member federations at least forty-five (45) days prior to the date of the Congress.

14.1.8 Upon the request of one-fifth (1/5) of the national member federations with full rights or upon the request of the Central Board, an extraordinary session of the Congress shall be held within three (3) months of receipt of such a request by the Secretary General. Extraordinary sessions of the Congress shall always be held in Switzerland unless decided otherwise by the Central Board.

14.1.9 The items to be included on the agenda for an extraordinary session of the Congress shall be specified in the request for such a session.

14.1.10 Participation forms for delegates must reach the Secretary General at least twenty-four (24) hours prior to the opening of the Congress.

14.1.11 The Secretary General is responsible for ensuring that details of the decisions taken by the Congress are documented and archived correctly.

14.1.12 The Congress may grant the title of Honorary President, Honorary Member, or Secretary General Emeritus of FIBA to appropriate persons who have rendered outstanding service to FIBA. Nominations for such positions shall be made by the Central Board. Persons granted such titles are permitted to attend the sessions of the Congress with the right to join in discussions, but not to vote.

14.1.13 The decisions of the Congress are final and not subject to appeal.

14.1.14 Unless otherwise specified by the General Statutes or by the Congress, decisions of the Congress enter into force on the first day following conclusion of the Congress.

## 14.2 The President

14.2.1 The President of FIBA is elected by the Congress for one (1) single four (4) year term of office. He shall come from a national member federation within the respective Zone in the following order:

- a. Europe (2010 – 2014)
- b. The Americas (2014 – 2019) – refer to Article 53
- c. Africa (2019 – 2023)

- d. Asia (2023 – 2027)
- e. Oceania (2027 – 2031)

14.2.2 The President may not hold an office within a Zone or a national member federation.

14.2.3 The process for the election of a President is as follows:

- a. At least one-hundred-and-twenty (120) days prior to the first day of an elective Congress, the Secretary General shall invite nominations for the position of President from the national member federations in the respective Zone (cf. Article 14.2.1).
- b. Nominations shall close with the Secretary General ninety (90) days prior to the first day of the elective Congress at which the election will take place.
- c. The nominations shall be submitted to the Nominations Panel which shall rule on the eligibility of the nominations no later than forty-five (45) days prior to the first day of the Congress (cf. Articles 14.1.7 and 37).
- d. The Congress shall elect the President as provided for in Article 14.1.4 c.

14.2.4 The President of FIBA presides over the Congress, the Central Board and the Executive Committee. He has the right to vote:

- a. In the Congress – only a casting vote in the event of a tied vote; and
- b. In the Central Board and the Executive Committee – a vote as a member of the Central Board and the Executive Committee plus a casting vote in the event of a tied vote.

14.2.5 Should the President be temporarily unable to fulfil his duties, the first Vice-President of FIBA deputises for him during sessions of the Congress and/or meetings of the Central Board or the Executive Committee. In the event that the President is permanently unable to fulfil his duties, the first Vice-President shall act as President until the next Congress (including the mid-term Congress).

14.2.6 If a replacement President is to be elected at a mid-term Congress:

- a. He must come from a national member federation within the respective Zone as determined in Article 14.2.1 and he shall serve out the balance of the term stipulated.
- b. The Central Board is authorised to set appropriate shorter time frames for the calling and closure of nominations than those provided for in Article 14.2.3 a. and b.

14.2.7 The President is not an employee of FIBA.

## ARTICLE 15: THE CENTRAL BOARD, THE EXECUTIVE COMMITTEE AND THE TREASURER

### 15.1 The Central Board

15.1.1 The Central Board has the powers assigned to it under these General Statutes and the Internal Regulations of FIBA, in particular the following:

- a. To supervise the practice of basketball worldwide;
- b. To develop and update on an annual basis an eight (8)-year strategic plan for FIBA and to determine FIBA's general policy;
- c. To review and approve the annual business plans and financial statements prepared by the Secretariat of FIBA;
- d. To appoint and dismiss the Secretary General and the Deputy Secretary General and to enter into contracts with them relating to their services and their duties on behalf of FIBA;
- e. To supervise and monitor the Secretary General's performance and that of the Secretariat of FIBA;
- f. To accept or reject applications for membership from national federations and to assign them to a Zone;
- g. To decide on the suspension of national member federations;
- h. To establish the Official Basketball Rules, the specifications for equipment and facilities, and all internal and general regulations that must be applied worldwide and on all occasions, particularly at international or Olympic competitions for which FIBA establishes the system of competition;
- i. To control the appointment of and set worldwide standards for FIBA agents, coaches, referees, instructors and commissioners;
- j. To regulate the transfer of players, coaches and referees from one national member federation to another;
- k. To promote amicable and courteous relations between national member federations, Zones, and their officials and players;
- l. To take every measure appropriate in order to prevent violations of the General Statutes, Internal Regulations, other rules and regulations, decisions and Official Basketball Rules of FIBA;
- m. To prevent all methods or practices which might jeopardise the integrity of the competitions or give rise to abuse of the sport of basketball;
- n. To provide for the principles valid for deciding and settling all disputes between national member federations, Zones, clubs, leagues, officials, and players and guaranteeing the right of defence and an impartial judgement, in accordance with these General Statutes and the Internal Regulations of FIBA;
- o. To hear and resolve disputes related to international leagues as per the relevant Internal Regulations of FIBA;
- p. To present reports (including financial reports) to Congress;
- q. To determine the financial policy and to approve the budget and the yearly audited financial statements;
- r. To exercise overall control over the financial management of FIBA;

- s. To review the final text of proposed amendments to these General Statutes to be submitted to the Congress for approval. The final text of the proposed amendments, as reviewed by the Central Board, shall be sent to the national member federations together with the agenda for the Congress;
- t. To adopt and modify the Internal Regulations, and other rules and regulations of FIBA, including any implementing measure designed to comply with ordre public;
- u. To organise, govern, control and/or assign the organisation of the FIBA Basketball World Cups for senior Men and Women and other world competitions;
- v. To appoint Chairpersons and members of the FIBA Commissions in accordance with the relevant articles of these General Statutes;
- w. To approve the Bye-Laws of the Regional Offices; and
- x. To approve the statutes and regulations of any other organisations officially recognised by FIBA.

#### 15.1.2 Decisions of the FIBA Central Board

- a. The Central Board is competent to take decisions on any matter not provided for in these General Statutes, or in the event of force majeure.
- b. Decisions of the Central Board are final and binding. They must reflect equity, fairness and transparency.
- c. Decisions of the Central Board can be appealed only before the Court of Arbitration for Sport.

15.1.3 The term of office of the Central Board is the four (4) years beginning on the first day after closure of the elective Congress through to, and including, the last day of the session of the next elective Congress (cf. Article 14.2.1).

15.1.4 The Central Board consists of the following members with the right to vote:

- a. Ex officio members
  - aa. The President of FIBA (1)
  - bb. The Secretary General of FIBA (1)
  - cc. The Treasurer of FIBA (1)
  - dd. The President of each Zone (5)
- b. Thirteen (13) members elected by the Congress, namely: Africa (2), Americas (3), Asia (2), Europe (4) and Oceania (2). In the event that the national member federations from a Zone nominate eligible candidates of only one gender, the respective continental quota will be reduced by one position and Article 15.1.6 c shall apply.
- c. Other members

- aa. A representative of the National Basketball Association (NBA) of the USA, appointed by the members of the Central Board under Article 15.1.4 a. and b. upon proposal by the President and the Secretary General;
  - bb. A representative of the Players, appointed by the members of the Central Board under Article 15.1.4 a. and b. upon proposal by the President and Secretary General; he shall chair the Players' Commission.
  - cc. Upon proposal by the President and the Secretary General, the Central Board may co-opt up to six (6) additional members to the Central Board (with full voting rights) for the vision, skill and special expertise that they will bring to the Central Board.
- 15.1.5 Both genders must be represented by at least five (5) persons on the Central Board among the members under Article 15.1.4 a.dd. and b.
- 15.1.6 The process for the election of the thirteen (13) members under Article 15.1.4 b shall be as follows:
  - a. The national member federations shall submit nominations to the Secretariat of FIBA no later than ninety (90) days prior to the first day of the Congress. The national member federations must ensure that their candidates fulfil the eligibility criteria established in the Internal Regulations of FIBA;
  - b. The Nominations Panel shall rule on the eligibility of the nominations and make its recommendation as per Article 37 no later than forty-five (45) days prior to the first day of the Congress.
  - c. In the event that positions of either gender remain open after the election, these positions will be filled by the members under Article 15.1.4 a. upon proposal by the President and the Secretary General.
- 15.1.7 Members listed under Article 15.1.4 b. and c. will be elected / appointed for a renewable term of four (4) years.
- 15.1.8 The number of Central Board members listed under Article 15.1.4.a.dd. and 15.1.4.b. with the same nationality is limited to one (1). The maximum number of members with the same nationality among all members of the Central Board is two (2).
- 15.1.9 Membership of the Central Board is personal and proxies are not permitted. Central Board members must act in a responsible and independent manner, in the interests of FIBA globally. The membership of ex officio members (Article 15.1.4 a) in the Central Board is conditional upon their holding the respective position. Article 45 shall apply to all the members of the Central Board.
- 15.1.10 If an elected or co-opted member of the Central Board is absent from two (2) consecutive meetings without special leave of absence from the Central Board, then



the Central Board shall declare his seat to be vacant. The consequent vacancy shall be filled for the balance of the term in accordance with Article 45 of these General Statutes.

15.1.11 Those members elected by the Congress under Article 15.1.4 b. are automatically members of the Board of the respective Zone.

15.1.12 The first Vice-President of FIBA is the person so appointed by the Central Board upon proposal by the President and Secretary General. The President and first Vice-President must come from different Zones. The President and the Secretary General may propose to the Central Board to appoint up to two (2) further Vice-Presidents from among its members.

15.1.13 In addition to the members of the Central Board, the following persons attend the meetings of the Central Board, without voting rights:

- a. The Deputy Secretary General (if appointed)
- b. The Secretary General Emeritus (if the title is granted)
- c. The Executive Directors of the Regional Offices
- d. The President of the International Basketball Foundation

15.1.14 The Secretary General may invite other persons to attend meetings of the Central Board, in particular when matters within their competence are to be discussed. They shall have consultative powers only.

15.1.15 The Central Board will hold ordinary meetings twice yearly in the years of the elective Congress (cf. Article 14.1.5) and once in all other years. If necessary, the President and the Secretary General may call additional meetings of the Central Board. In this event, members must be informed at least thirty (30) days prior to the additional meeting.

Upon the request by at least fifteen (15) members of the Central Board, the Secretary General shall call an Extraordinary meeting of the Central Board to be held within fourteen (14) days of the request.

15.1.16 A copy of the agenda and the working documents will be transmitted in such a manner so as to be in the hands of the Central Board members at least seven (7) days before a meeting commences.

15.1.17 No quorum is required for a meeting of the Central Board.

15.1.18 At the request of the President and the Secretary General, the Central Board may vote by correspondence, including email.

## 15.2 The Executive Committee

15.2.1 Between the meetings of the Central Board the latter's powers as per these General Statutes are exercised by the Executive Committee. In doing so, the Executive Committee shall inter alia:

- a. Develop tactics for extending the reach of basketball;
- b. Use its influence in developing new commercial relationships;
- c. Monitor outcomes and performances against the annual business plan and the longer-term strategic plan approved by the Central Board;
- d. Approve the yearly budgets and receive financial updates;
- e. Assist management in dealing with critical issues which have the potential to derail the outcomes in the business plan / strategic plan;
- f. Assign hosts for events (except the FIBA Basketball World Cups for Senior Men and Women);
- g. Review and supervise the performances of the Zones and the Regional Offices; and
- h. Inform immediately all members of the Central Board of any decision taken by the Executive Committee.

15.2.2 The foregoing notwithstanding the Executive Committee does not have the power to:

- a. Adopt and modify the Internal Regulations;
- b. Establish the Official Basketball Rules;
- c. Approve the audited financial statements;
- d. Approve the development and updates of FIBA's long-term strategic plan;
- e. Review the final text of proposed amendments to these General Statutes;
- f. Assign the organisation of the FIBA Basketball World Cups for Senior Men and Women;
- g. Appoint and dismiss the Secretary General and the Deputy Secretary General and to enter into contracts with them relating to their services and their duties on behalf of FIBA;
- h. Supervise and monitor the Secretary General's performance and that of the Secretariat of FIBA.

15.2.3 In addition, the Executive Committee has the power:

- a. To approve the Zone Competitions Regulations;
- b. To authorize the appointment and/or dismissal as well as the entering into and/or termination of contracts with the Executive Directors of the Regional Offices upon proposal by the Secretary General in consultation with the respective Zone Board;
- c. To approve the budgets prepared by the Zones and to evaluate the performance of, and to allocate FIBA resources to, the Regional Offices as required;

d. Exercise all other powers assigned to it under these General Statutes.

15.2.4 The Executive Committee consists of the following members with the right to vote:

- a. The President who chairs the Executive Committee;
- b. The Secretary General;
- c. The Treasurer;
- d. Six (6) members appointed by the Central Board upon proposal by the President and the Secretary General from among the members of the Central Board listed in Article 15.1.4 a. dd. and b.;
- e. Up to two (2) additional persons appointed by the Central Board upon proposal by the President and the Secretary General for the vision, skill and special expertise that they will bring to the Executive Committee.

15.2.5 The Executive Directors of the Regional Offices shall attend the meetings of the Executive Committee without a right to vote.

15.2.6 The number of Executive Committee members listed in Article 15.2.4 d. with the same nationality is limited to one (1).

15.2.7 The Executive Committee will hold meetings at least three (3) times per year. If necessary, the President and the Secretary General may call additional meetings of the Executive Committee.

15.2.8 A quorum of five (5) members is required for a meeting of the Executive Committee. At the request of the President and the Secretary General, the Executive Committee may meet by video/audio conference and may vote by correspondence, including email.

15.2.9 At least three (3) Zones must be represented in the six (6) members listed in Article 15.2.4 d. above.

15.2.10 Membership of the Executive Committee is personal and proxies are not permitted. Executive Committee members must act in a responsible and independent manner, in the interests of FIBA globally. The membership of ex officio members (Article 15.2.4 a, b, c) in the Executive Committee is conditional upon their holding of the respective position. Article 45 shall apply to all the members of the Executive Committee.

15.2.11 If a member of the Executive Committee is absent from two (2) consecutive meetings without special leave of absence from the Executive Committee, then the Executive Committee shall declare his seat to be vacant. The consequent vacancy shall be filled for the balance of the term in accordance with these General Statutes.

15.2.12 Decisions of the Executive Committee can be appealed only before the Court of Arbitration for Sport.

### 15.3 The Treasurer

15.3.1 The Treasurer is elected by the Congress for one (1) renewable four (4) year term of office.

15.3.2 The process for the election of the Treasurer is as follows:

- a. At least one-hundred-and-twenty (120) days prior to the first day of an elective Congress, the Secretary General shall invite nominations for the position of Treasurer from the national member federations.
- b. Nominations shall close with the Secretary General ninety (90) days prior to the first day of the elective Congress at which the election will take place.
- c. The nominations shall be submitted to the Nominations Panel which shall rule on the eligibility of the nominations no later than forty-five (45) days prior to the first day of the Congress (cf. Articles 14.1.7 and 37).
- d. Upon proposal by the Secretary General, the Congress shall elect the Treasurer as provided for in Article 14.1.4 e.

15.3.3 The Treasurer has the following duties:

- a. To oversee the financial administration of FIBA and to liaise with the external auditors as required;
- b. To supervise the current account of income and expenditure;
- c. To examine the periodic financial reports prepared by the Secretariat of FIBA;
- d. To prepare the four (4)-year budget in conjunction with the Finance Commission and the Secretariat of FIBA;
- e. To oversee the implementation of the budget;
- f. To present the financial statements to the Central Board and to the Congress.

## ARTICLE 16: THE SECRETARIAT OF FIBA

16.1 The Secretariat of FIBA shall consist of:

- a. The Secretary General;
- b. The Deputy Secretary General (if appointed);
- c. The staff of the Secretariat.

16.2 Members of the Secretariat of FIBA are employed under contract. Their contracts will be in accordance with the laws of Switzerland.

16.3 The Secretary General is appointed by the Central Board and is eligible for re-appointment upon expiry of his contract. The President and the Treasurer are authorised to sign such contract on behalf of the Central Board.

- 16.4 The Secretary General manages the Secretariat of FIBA and assumes all responsibility for it. He may not hold an official position within a national member federation or a Zone.
- 16.5 The Secretary General is the sole legal representative of FIBA.
- 16.6 The Secretary General, personally or through his advisors, is responsible for the study and implementation of measures concerning the promotion, supervision and direction of basketball worldwide, including such projects of technical and medical assistance that FIBA may be able to provide for national member federations or groups of national member federations. In particular, the Secretary General has the following duties:
- a. To lead and manage the Secretariat of FIBA;
  - b. To ensure the implementation of all decisions taken by the Congress, the Central Board and the Executive Committee, and to report on the activities of the Secretariat of FIBA;
  - c. To enter into contracts with the Executive Directors of the Regional Offices relating to their services and their duties on behalf of the Regional Offices, after approval by the Executive Committee;
  - d. To evaluate, on behalf of the Executive Committee, the performance of the Regional Offices;
  - e. To be responsible for all international and Olympic competitions;
  - f. To be responsible for the implementation of the missions set out in Article 4 of the General Statutes;
  - g. To ensure, as necessary, compliance with the regulations established by the IOC and the World Anti-Doping Agency (WADA);
  - h. To convene and prepare the sessions of the Congress and meetings of the Central Board and of the Executive Committee;
  - i. To maintain the archives;
  - j. To publish and send the General Statutes, Internal Regulations, other rules and regulations, decisions, and Official Basketball Rules of FIBA to the members of the Central Board and the Executive Committee, the Regional Offices, the members of the Commissions, the National Member Federations and officially recognised bodies;
  - k. To draft and circulate official communications of FIBA;
  - l. To ensure the receipt of annual fees from members and also contributions, royalties and dues, emoluments, and fines imposed by the competent divisions of FIBA;
  - m. To administer FIBA's finances;
  - n. To monitor and review on a continuing basis the income streams and financial resources of FIBA and to strive to create additional income streams and activities;
  - o. To ensure compliance by the national member federations, their members and all FIBA officials and divisions with these General Statutes and all FIBA regulations and decisions and to inform the Central Board of any violations of the spirit and letter of them;
  - p. To impose sanctions, in accordance with the Basic Principles governing the Application of Sanctions, provided for in these General Statutes or the Internal Regulations of FIBA unless provided otherwise; and

q. To take decisions in cases where his jurisdiction is specifically provided for.

16.7 A Deputy Secretary General may be appointed by the Central Board upon proposal of the Secretary General. If appointed, the Deputy Secretary General shall exercise all duties delegated to him by the Secretary General. Should the Secretary General be temporarily unable to fulfil his duties, the Deputy Secretary General shall replace him for the duration of his absence and assume all of his powers. Should the Secretary General be permanently indisposed, the Deputy Secretary General shall act automatically as his substitute in all matters until the next meeting of the Central Board. The Deputy Secretary General may not hold an official position within a national member federation or a Zone.

16.8 The Secretary General Emeritus performs duties delegated to him by the Secretary General.

#### ARTICLE 17: THE ZONES

17.1 To promote the co-ordination of basketball worldwide, the Congress may establish Zones in geographic regions. The Zones are divisions of FIBA with delegated authority to take decisions in their geographic regions as per the General Statutes and Internal Regulations of FIBA. They shall not be organised as legal entities and shall act only through the Regional Offices.

17.2 The FIBA Zones in Africa, Americas, Asia, Europe and Oceania have been established in order to ensure proximity to the national member federations in the Zone and to run the regional affairs.

17.3 The establishment of a Zone in no respect affects the direct affiliation of each national member federation to FIBA.

17.4 Upon becoming a member of FIBA, a national member federation is assigned to a Zone by the Central Board.

17.5 The national member federations of FIBA are grouped by Zones as per the Annex to these General Statutes.

17.6 The mission of the Zones shall be:

- a. To establish their own development plans as an extension and reflection of the FIBA strategic objectives, adjusted to the conditions in their geographic regions. These plans shall be submitted to the Central Board and form the basis of the allocation of financial resources to the Regional Offices;
- b. To promote the practice of basketball in their geographic regions;
- c. To improve the technical standards and administrative level of national member federations;

- d. To support the development of additional competitions or programmes, which will assist in the growth and development of the game of basketball;
- e. To develop strategies allowing the Regional Offices to be financially self-sustainable; and
- f. To assign specific tasks for the Regional Offices to fulfil the foregoing missions taking into account the circumstances prevailing in their respective Zone.

## ARTICLE 18: ORGANISATION OF THE ZONES

18.1 Zones are authorised to organise their affairs in the manner most appropriate in their geographic region, subject to the General Statutes and Internal Regulations of FIBA, and to decisions by the Congress, the Central Board and the Executive Committee. To that end, Zones shall have Zone Regulations setting forth the role, authority and responsibilities of the various bodies of the Zone. Subject to Article 15.2.3, such Zone Regulations shall enter into force only after their approval by the Central Board. They shall inter alia provide for the following rights and obligations:

- a. To assign and regulate the organisation of Zone competitions in a permanent and regular manner;
- b. To ensure that international leagues or any such groups of clubs shall not be formed without complying with the General Statutes, Internal Regulations other regulations and decisions of FIBA;
- c. To elect for one (1) four (4)-year term of office, renewable only once, prior to the elective Congress, the President of the Zone. He may not hold an official position within a national member federation. In the event that sub-zones have been established (cf. Article 18.1 i.) the position of President shall rotate between the sub-zones and is not renewable, unless approved otherwise by the Central Board. In view of the Zone President's membership in the Central Board (cf. Article 15.1.4 a. dd.) the name and available information of the candidate(s) shall be submitted to the Nominations Panel no later than two (2) months before the Zone election;
- d. To hold assemblies of all national member federations assigned to the Zone at least every two years;
- e. To establish and elect the members of a Zone Board, which will deal with matters of the Zone between the Zone Assemblies;
- f. To establish Zone Committees to advise and assist the Zone Assemblies and the Zone Boards in their duties. The establishment of Zone Committees must be co-ordinated with the Central Board so as to avoid duplication of work;
- g. To establish a Finance Committee, which shall have the following duties:
  - aa. To propose to the Zone Board the amount of levies, fees, charges, fines and other financial obligations which may be imposed on the national member federations assigned to the Zone;
  - bb. To assist the Executive Director in the preparation of a four (4)-year budget for the Regional Office and monitor the implementation of the budget's

- sections related to the development of the sport in the Zone and to its competitions, once it has been approved by the Executive Committee; and
- cc. To present the financial statements of the Regional Office to the Zone Board and Zone Assembly.
  - h To establish a process referring disputes to the FIBA Appeals' Panel;
  - i To form, with the approval of the Central Board, regional sub-divisions. The Central Board may order the restructuring or disbandment of such sub-divisions if it believes that they are not in the interest of basketball.
- 18.2 Decisions of the Zone bodies shall always comply with the General Statutes, Internal Regulations other rules and regulations and decisions of FIBA. They can be implemented only by the Regional Offices.
- 18.3 The FIBA President and the FIBA Secretary General have the right to participate in the meetings of all Zone bodies.

#### ARTICLE 19: THE REGIONAL OFFICES

- 19.1 Each FIBA regional office is organised as a non-profit-making legal entity owned by FIBA (herein referred to as "Regional Office"), in the manner most appropriate to the conditions prevailing in the country in which the Regional Office has its seat.
- 19.2 Each Regional Office is managed by a chief executive officer (preferred title and herein referred to as "Executive Director") appointed by the Executive Committee after consultation with the Zone Board. He shall be an ex officio member of the Zone Board with a right to vote.
- 19.3 The Executive Director shall report to FIBA and also provide full information about the activities and financial status of the Regional Office to the Zone Board and Zone Assembly. In the event of conflict between decisions of the Central Board, the Executive Committee or the Secretary General and those taken by the Zone bodies, the former shall prevail.
- 19.4 Regional Offices shall have the required staff to implement the decisions of FIBA and Zone bodies in their geographic regions and shall provide administrative support to Zone bodies and officials.
- 19.5 The FIBA Executive Committee has the power to give, through the Secretary General, binding instructions to the Regional Offices and to take any appropriate measure to implement these instructions. The Regional Offices are not authorised to represent FIBA before third parties.
- 19.6 The Regional Offices shall implement the strategies developed by their respective bodies, also with the view to being financially self-sustainable.
- 19.7 Decisions of the Regional Offices must be enforced by the national member federations assigned to the respective Zone.



## ARTICLE 20: THE COMMISSIONS

20.1 The commissions are:

- a. Technical Commission
- b. Competitions Commission
- c. Legal Commission
- d. Governance Commission
- e. Players' Commission
- f. Finance Commission
- g. Medical Commission

20.2 The Commissions have a four (4) year term of office identical with that of the Central Board.

20.3 Unless otherwise specified herein or determined by the Central Board, each Commission consists of a Chairperson, a Deputy Chairperson, and at least five (5) other members. Both genders must be represented in each Commission. The Secretary General puts forward a list of candidates to the Central Board for appointment. In presenting the list, he must take into consideration the candidatures presented by the national member federations as well as other persons who can offer their expertise in the area of competence of the respective Commission.

20.4 Member(s) of the Central Board may be appointed to each Commission.

20.5 Should the Chairperson of a Commission be temporarily unable to fulfil his duties, the Deputy Chairperson of the Commission deputises for him during meetings of the Commission. In the event that the Chairperson is permanently unable to fulfil his duties, the Deputy Chairperson of the Commission replaces him for the remainder of his term.

20.6 The Secretary General is an ex officio member of all the Commissions, with voting rights.

20.7 Membership of the Commissions is personal and representation by proxy is not permitted. While Commission members bring the knowledge, skill, and expertise from the national member federation and from the Zone from which they are drawn, they must act in a responsible and independent manner, in the interests of FIBA.

20.8 The Commissions meet whenever necessary at the invitation of their Chairperson, in consultation with the Secretary General.

20.9 No quorum is required for meetings of the Commissions.

20.10 With the agreement of the Secretary General, Commissions may make use of experts and appoint sub-commissions for specific tasks.

- 20.11 A copy of the agenda and the working documents will be transmitted in such a manner so as to be in the hands of the Commission members at least seven (7) days before a meeting commences.
- 20.12 The Commissions act in a consultative capacity only and do not exercise executive authority. However, Chairpersons and members of the Commissions may be called upon by the Secretary General to exercise executive duties. In such cases, they shall not act as representatives of their Commissions but as delegates of the Secretary General.
- 20.13 The Secretary General may appoint on an ad hoc basis committees, constituted by persons with specialist skills in their field of expertise, to advise him. The Secretary General will inform the Central Board of the appointment of such committees.

#### ARTICLE 21: THE TECHNICAL COMMISSION

The Technical Commission is the body competent for all matters concerning the interpretation and application of the Official Basketball Rules and the state of the game around the world. In particular, it has the following duties:

- a. To monitor the state of the game around the world and across the various national member federations and propose to the Central Board any measures deemed useful to improve the technical level of its participants and the development of the sport; and
- b. To draw up the text of the Official Basketball Rules, draft amendments to these rules for adoption by the Central Board, give the official interpretation of the rules, and solve doubtful cases or cases not clearly covered by the rules themselves; and
- c. To be responsible for the training, examination and qualification of all FIBA international referees, supervisors, instructors and commissioners as well as for preparing them for international competitions for men's and women's basketball.

#### ARTICLE 22: THE COMPETITIONS COMMISSION

The Competitions Commission has the following duties:

- a. To review and recommend the FIBA Calendar for approval by the Central Board;
- b. To review all official competitions of FIBA;
- c. To develop recommendations for change(s) to the manner and method of conduct of the official competitions;
- d. To develop recommendations for the introduction of new official competitions;
- e. To give advice on the allocation of official competitions;
- f. To study the regulations governing all international competitions, as well as the regulations established by other divisions of FIBA for international competitions and to recommend changes to such regulations; and

- g. to ensure that the specific interests and development of women's and youth basketball are taken into account when making recommendations;
- h. to make recommendations relating to the transition of players from youth to senior competitions.

#### ARTICLE 23: THE LEGAL COMMISSION

The Legal Commission has the following duties:

- a. To provide independent and impartial advice on all legal matters concerning the practice of basketball worldwide;
- b. To study the legal implications of all proposed amendments to the General Statutes and Internal Regulations of FIBA;
- c. To draft the official text of the Internal Regulations of FIBA, taking into account any input of the other bodies concerned, and to finalise this text before submitting it to the Central Board for approval; and
- d. To advise the Secretary General, the Central Board and the Executive Committee on matters pertaining to the interpretation of the current General Statutes, Internal Regulations and all other matters, in particular eligibility.

#### ARTICLE 24: THE GOVERNANCE COMMISSION

The Governance Commission has the following duties:

- a. To make recommendations on possible improvements to FIBA's governance and organisation;
- b. To review and monitor the relationship between FIBA, the Regional Offices and its Zones;
- c. To monitor the relationship between FIBA and its national member federations and provide advice to the Secretary General for appropriate action when requested and required;
- d. To monitor the evolution of the statutes and internal regulations of the national member federations and to draw up proposals for their improvement and alignment with the General Statutes and Internal Regulations of FIBA; and
- e. To review applications for membership.

#### ARTICLE 25: THE PLAYERS' COMMISSION

25.1 The Players' Commission has the following duties:

- a. To study issues relating to players, men and women, of all age groups;

- b. To propose to the Central Board any measures deemed necessary to improve the conditions of players and protect their ability to grow as players and as role models for others;
- c. To make recommendations on practices or activities likely to be affecting the interests of players; and
- d. To provide feedback on and advise on possible improvements to the various competitions of FIBA.

25.2 The person appointed to the Central Board as the representative of the players (Article 15.1.4 c.bb) shall be the Chairman of the Players' Commission.

#### ARTICLE 26: THE FINANCE COMMISSION

26.1 The Finance Commission has the following duties:

- a. To review and recommend the FIBA draft budget for submission to the Central Board for approval;
- b. To prepare financial statements for the Central Board for approval;
- c. To study and recommend acceptance of the auditor's report to the Central Board; and
- d. To recommend financial investment policies.

26.2 The Finance Commission consists of:

- a. The Treasurer of FIBA as its Chairperson; and
- b. Three (3) members at least, appointed as per Article 20.3.

#### ARTICLE 27: THE MEDICAL COMMISSION

27.1 The role of the Medical Commission is to advise the Secretary General on:

- a. The research and practice required to raise the quality of health care generally for players;
- b. The health care system available at the main official competitions of FIBA in order to ensure that it is capable of delivering care uniformly, effectively, and consistently during those competitions;
- c. How to ensure that the highest quality of sports medicine knowledge is disseminated through the entire sports medicine team associated with the sport of basketball (professionals, coaches, scientists, and administrators) through the provision of training, continuing education, and other resources; and
- d. Purely medical matters relating to the IOC Medical Code and/or the World Anti-Doping Code.

- 27.2 The Medical Commission may study and propose via the Legal Commission regulations on medical matters related to basketball.

## **CHAPTER 4: ORGANISATIONS OFFICIALLY RECOGNISED BY FIBA**

### **ARTICLE 28: GENERAL PROVISIONS**

- 28.1 With the objective of promoting basketball, FIBA may officially recognise certain organisations. The Central Board is responsible for granting official recognition to such organisations.
- 28.2 The organisations thus recognised have the freedom of action necessary to fulfil their mandate, subject to the approval of their national member federation, Zone, or the Central Board.
- 28.3 Where applicable, the General Assembly of each organisation determines the place of its headquarters, subject to approval by the Central Board.
- 28.4 Such organisations cannot represent FIBA before third parties.
- 28.5 To ensure the functioning of these organisations, they may receive a subsidy from FIBA, to be decided by the Central Board. This decision is based on the approval of a four (4)-year strategic programme, for which individual plans of action must also be presented on an annual basis to the Central Board for approval, and any other conditions the Central Board deems necessary.
- 28.6 These organisations must send detailed reports on each of their activities at least once per year to the Secretary General. FIBA reserves the right to withdraw its annual subsidy or its recognition if the activities of the organisation concerned are not satisfactory. Such a decision is a matter for the Central Board.

### **ARTICLE 29: THE WORLD ASSOCIATION OF BASKETBALL COACHES**

- 29.1 The World Association of Basketball Coaches consists of national associations of basketball coaches as recognised by their respective national member federations. It may have individual membership as well.
- 29.2 The World Association of Basketball Coaches has the following duties:
- a. To develop coaching methods;

- b. To take any appropriate measures to improve coaches' skills, particularly coaches for young players;
- c. To adopt the appropriate measures to promote generalisation and experience in the teaching of basketball;
- d. To organise courses and lectures for instructors, trainers, coaches and administrators, in co-operation with the national member federations and Zones;
- e. To prepare documents for use in teaching and development training techniques for players and coaches;
- f. To provide appropriate assistance for the production of coaching videos; and
- g. To provide an active and permanent forum for coaches worldwide.

29.3 The national associations of basketball coaches recognised by their respective national member federations may, if they wish, establish associations of coaches within the Zone to which they belong.

29.4 The World Association of Basketball Coaches, the Zone associations of basketball coaches, if any, and the national associations of basketball coaches must comply with the spirit and letter of the statutes and regulations of their own national member federations, of their Zone, and of FIBA.

29.5 The statutes and regulations of the coaches' associations must be approved by the appropriate competent authority, i.e. the national member federation, the Zone and/or FIBA.

29.6 The General Assembly of the World Association of Basketball Coaches elects the President of the Association and the members of its Board, one (1) of them being the Secretary General of FIBA or his delegate.

29.7 The headquarters and the administration of the World Association of Basketball Coaches are located at the FIBA offices and the Secretary General is responsible for the management of its affairs.

#### ARTICLE 30: THE INTERNATIONAL WHEELCHAIR BASKETBALL FEDERATION

30.1 The International Wheelchair Basketball Federation (IWBF) is composed of the national organisations governing wheelchair basketball in their respective countries.

30.2 The International Wheelchair Basketball Federation and its national organisations must comply with the spirit and letter of the General Statutes and Internal Regulations of FIBA.

30.3 The bye-laws and regulations of the International Wheelchair Basketball Federation are subject to approval by the Central Board.

#### ARTICLE 31: THE DEAF INTERNATIONAL BASKETBALL FEDERATION

- 31.1 The Deaf International Basketball Federation (DIBF) is the world governing body for deaf basketball. It is an independent association composed of the national organisations governing deaf basketball.
- 31.2 The Deaf International Basketball Federation as well as its national organisations, officials and players must comply with the spirit and letter of the General Statutes and Internal Regulations of FIBA.
- 31.3 The constitution and regulations of the Deaf International Basketball Federation are subject to approval by the Central Board.

#### ARTICLE 32: THE INTERNATIONAL BASKETBALL FOUNDATION

FIBA has founded the International Basketball Foundation (IBF), headquartered in Switzerland, whose principal objectives are to promote, organise, support, and develop all sporting, cultural, and educational activities for the benefit of basketball, and to provide assistance, particularly financial assistance, for these activities.

#### ARTICLE 33: THE BASKETBALL ARBITRAL TRIBUNAL

- 33.1 The Basketball Arbitral Tribunal (BAT) has been established for the resolution of disputes within the world of basketball provided that FIBA, its respective divisions or disciplinary bodies are not directly involved in such a dispute.
- 33.2 The awards of the Basketball Arbitral Tribunal are final and binding upon communication to the parties.
- 33.3 The operational arrangements for the Basketball Arbitral Tribunal are set out in the Internal Regulations of FIBA.

### CHAPTER 5: FIBA AWARDS

#### ARTICLE 34: FIBA AWARDS

FIBA has established a number of awards (set out in the Internal Regulations of FIBA) to honour those persons who have contributed in an exceptional way to the development and promotion of basketball worldwide.

- 34.1 FIBA has established the FIBA Hall of Fame to reflect the history of the sport and to honour those persons and organisations who have contributed in an exceptional way to the development and promotion of basketball worldwide.
- 34.2 FIBA has established a number of other awards to honour distinguished contributions to basketball.
- 34.3 Details of all awards and of the induction processes and procedures are set out in the Internal Regulations of FIBA.

## **CHAPTER 6: FINANCIAL PROVISIONS**

### **ARTICLE 35: GENERAL PROVISIONS**

- 35.1 FIBA is the sole holder of broadcasting, licensing and marketing rights, and other rights associated with the game yet to be developed for official competitions as defined in the Internal Regulations of FIBA, with the exception of the Olympic Games. When entering into contracts relating to such television, licensing and marketing rights which affect the financial interests of the Zones, the interests of the Zones shall be taken into account. At the decision of the Central Board, FIBA may assign these rights to a third party.
- 35.2 The income of FIBA shall consist of:
- a. Fees from the national member federations;
  - b. Income from the granting of licences for the use of FIBA rights, e.g. marketing and broadcasting rights;
  - c. Income generated from other activities;
  - d. Donations, subsidies and miscellaneous returns; and
  - e. Fines in accordance with the respective regulations.
- 35.3 The budget period of FIBA covers four (4) years, beginning on the first (1) day of January, following the final round of the FIBA Basketball World Cup.
- 35.4 The financial year of FIBA begins on the first (1<sup>st</sup>) day of January and ends on the thirty-first (31<sup>st</sup>) day of December of the same year.
- 35.5 Financial statements in accordance with the laws of Switzerland are drawn up each year as of the thirty-first (31<sup>st</sup>) day of December.
- 35.6 FIBA's accounts must be audited annually by an independent external auditor, registered in Switzerland. The appointment of the auditor is made by the Central Board.



- 35.7 The Swiss Franc is the currency of reference for FIBA. The Central Board has the right to choose a new currency of reference should FIBA's financial interests, the financial policies of Switzerland, and/or the international situation require so.
- 35.8 Only available resources shall be a security against any liabilities of FIBA.
- 35.9 FIBA will indemnify any person who is or has been an official of FIBA as a member of the Central Board, the Executive Committee, the Secretariat of FIBA, the Commissions, Panels, Tribunals, and other persons appointed to act in an official capacity on behalf of FIBA against the following:
- a. Any liability to another person (other than FIBA or a related corporate body) which arises from being an official of FIBA unless the liability arises out of grossly negligent or wilful conduct; or
  - b. Any liability for costs and expenses incurred by that person in their capacity as an official of FIBA; or
  - c. In defending proceedings which arise from being an official of FIBA, whether civil or criminal, where judgement is given in favour of the person or in which the person is acquitted.

## **CHAPTER 7: JUDICIAL AND OTHER BODIES**

### **ARTICLE 36: THE ETHICS PANEL**

- 36.1 The Ethics Panel considers any alleged breach of the Code of Ethics, as set out in the Internal Regulations of FIBA.
- 36.2 The Ethics Panel shall prepare a report for the Congress.
- 36.3 The Ethics Panel consists of minimum three (3) and maximum six (6) persons appointed by the Congress upon proposal by the President and the Secretary General, and shall elect one (1) of its members to be the Chairperson of the Ethics Panel.
- 36.4 Procedures for the Ethics Panel are set out in the Code of Ethics.

### **ARTICLE 37: THE NOMINATIONS PANEL**

- 37.1 The Nominations Panel is composed of the following persons:
- a. The outgoing President;
  - b. The Secretary General;

- c. Three (3) persons appointed by the Congress upon proposal by the persons mentioned under a. and b. above.

**37.2** The Nominations Panel shall:

- a. rule on the eligibility of the persons nominated for election as President, Treasurer, Zone Presidents and other Central Board members as per Article 15.1.4. b, in accordance with criteria set out in the Internal Regulations of FIBA;
- b. make recommendations with respect to nominations for election as Central Board member as per Article 15.1.4 b, taking into account the vision, skill and expertise that the nominated persons can bring to FIBA.

**37.3** The procedures for the Nominations Panel are set out in the Internal Regulations of FIBA.

**37.4** Decisions of the Nominations Panel can be appealed only before the Court of Arbitration for Sport within a time limit of seven (7) days from notification of the decision and be resolved in an expedited manner.

#### ARTICLE 38: THE DISCIPLINARY PANEL

The Disciplinary Panel has been established to deal with disciplinary matters as provided for in the Internal Regulations of FIBA.

#### ARTICLE 39: THE APPEALS' PANEL

**39.1** The Appeals' Panel has a four (4)-year term of office identical with that of the Central Board. It consists of a Chairperson and at least six (6) other members unless the Central Board decides otherwise. The Secretary General shall put forward a list of candidates to the Central Board for appointment to the Appeals' Panel. Members appointed to the Appeals' Panel must have legal training.

**39.2** The Appeals' Panel has a Deputy Chairperson, appointed by the Central Board from among the members of the Appeals' Panel. Should the Chairperson of the Appeals' Panel be temporarily indisposed, the Deputy Chairperson of the Appeals' Panel deputises for him. In the event of permanent indisposition, the Deputy Chairperson of the Appeals' Panel replaces him for the remainder of his term.

**39.3** Members of the Appeals' Panel may be replaced as necessary by decision of the Central Board.

**39.4** The Appeals' Panel has the following duties:

- a. To hear and decide on appeals filed by an affected party against decisions of FIBA, including its divisions, organs and disciplinary bodies, unless such an appeal is expressly excluded in these General Statutes or the Internal Regulations of FIBA.
- b. To prepare in consultation with the Legal Commission the regulations governing appeals for approval by the Central Board.
- c. To consult with and to suggest to the Legal Commission any amendments to these General Statutes and the Internal Regulations of FIBA.

39.5 The procedures and regulations for the Appeals' Panel are set out in the Internal Regulations of FIBA.

#### ARTICLE 40: THE COURT OF ARBITRATION FOR SPORT

Subject to 14.1.13 and 33, any dispute arising from these General Statutes, the Internal Regulations, other rules and regulations, and decisions of FIBA which cannot be settled by the FIBA-internal appeals process shall be definitively settled by a tribunal constituted in accordance with the Statutes and Procedural Rules of the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland. The parties concerned shall undertake to comply with the Statutes and Procedural Rules of the Court of Arbitration for Sport and to accept and enforce its decision in good faith.

### CHAPTER 8: FINAL PROVISIONS

#### ARTICLE 41: OTHER ELIGIBILITY STANDARDS AND PROCEDURES

The Central Board may set eligibility standards and procedures for election and nominations to office.

#### ARTICLE 42: VOTING PROCESS

Votes are taken by show of hands or electronically. Elections shall be carried out by secret ballot or electronically, provided that the secrecy of the vote is guaranteed, unless there is only one (1) candidate.

#### ARTICLE 43: MAJORITY RULES

Unless otherwise specified herein, decisions are taken by a simple majority of the votes cast. To amend the General Statutes, a majority of two-thirds (2/3) of the votes cast is necessary. Abstentions do not count.

#### ARTICLE 44: CONFLICT OF INTEREST

Members of the Central Board, the Executive Committee, FIBA Commissions or any other body of FIBA must not participate in any deliberation or decision which would expose them to a conflict of interest. In particular they must abstain from voting on a bid for the right to conduct an official competition of FIBA while ever their own national member federation remains in the vote.

#### ARTICLE 45: REPLACEMENT OF MEMBERS

Subject to 14.2.5 and 14.2.6, members of FIBA divisions and their bodies who a) die; b) resign; or c) do not or are unable to take an active or satisfactory part in the activities of FIBA may be replaced by the Central Board for the balance of their term.

#### ARTICLE 46: MEANS OF COMMUNICATION

Communications under these General Statutes and the Internal Regulations of FIBA may be given by any means reasonably calculated to give notice of their contents.

#### ARTICLE 47: LANGUAGE

- 47.1 The official languages of FIBA are English and French.
- 47.2 Interpreting of languages in English, French, Spanish, German, Russian, Arabic and Mandarin is provided at the Congress.
- 47.3 Working languages during all meetings of the Central Board, the Executive Committee, the FIBA Commissions, and the FIBA Panels are according to the requirements of the participants. Working papers are provided in English language.
- 47.4 The General Statutes and the Internal Regulations of FIBA are published in the official languages.

#### ARTICLE 48: PREVAILING LANGUAGE

In the event of dispute regarding the interpretation of the General Statutes, the Internal Regulations, other rules and regulations, and/or decisions of FIBA, the English text prevails.

#### ARTICLE 49: SUPREMACY OF THE GENERAL STATUTES

In the event of conflict between the General Statutes, the Internal Regulations, other rules and regulations, and/or decisions of FIBA, the provisions of the General Statutes prevail.

#### ARTICLE 50: COLOURS, FLAG AND INSIGNIA

The colours, flag and insignia of FIBA, and the use thereof, are approved by the Central Board.

The use of the flag and insignia of FIBA are restricted to official competitions and meetings of FIBA unless written approval has been obtained from the Secretary General. The use of the flag and insignia of FIBA is mandatory at all official competitions.

#### ARTICLE 51: DISBANDMENT OF FIBA

The Congress shall declare the disbandment of FIBA:

- a. If requested by four-fifths (4/5) of the national member federations and if, at the session of the Congress voting on disbandment, four-fifths (4/5) of the national member federations present and with voting rights, then vote for disbandment. If however, at that session, less than three-fourths (3/4) of the national member federations are present, a second session of voting on disbandment shall be called, at which session a majority of four-fifths (4/5) of the national member federations present and with voting rights, irrespective of a quorum, shall be sufficient; or
- b. If the number of national member federations is reduced to three (3) or fewer.

In the above instances, the International Olympic Committee headquartered in Switzerland shall be assigned the resources remaining after expenses caused by the operations of disbandment have been covered. These resources shall be used for the benefit of basketball, amateur sports, a youth organisation, or other similar activities.

#### ARTICLE 52: ENTRY INTO FORCE

These General Statutes are approved by the mid-term Congress of 4-5 May 2017 and become effective from the time of their approval, unless otherwise specified herein. They may not be amended before the next ordinary or extraordinary Congress.

#### ARTICLE 53: TRANSITORY PROVISIONS

- 53.1 On the occasion of the 2014 elective Congress the President, the Treasurer and the other members of the Central Board were elected / appointed for a term of five (5) years. The same

applies to the terms of office of the Executive Committee, the Commissions, the Judicial and other bodies under Chapter VII as well as Zone bodies. A mid-term Congress shall meet in 2017 and the next following elective Congress in 2019. As of 2019, the Congress shall meet once every two (2) years (cf. Article 14.1.5).

- 53.2 The Central Board will issue mandatory procedural directions and supervise the transition process under which the Zones and the national member federations shall comply with the General Statutes and Internal Regulations of FIBA. National member federations, Zones and their officials shall provide full collaboration and shall have completed the transition process by no later than 1<sup>st</sup> January 2015.

## **ANNEX: LIST OF NATIONAL MEMBER FEDERATIONS**

### **AFRICA (54 national member federations)**

Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Democratic Republic of Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tomé and Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, United Republic of Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.

### **AMERICAS (43 national member federations)**

Antigua and Barbuda, Argentina, Aruba, Bahamas, Barbados, Belize, Bermuda, Bolivia, Brazil, British Virgin Islands, Canada, Cayman Islands, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Montserrat, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Turks and Caicos Islands, United States of America, Uruguay, Venezuela, Virgin Islands.

### **ASIA (44 national member federations)**

Afghanistan, Bahrain, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, People's Republic of China, Hong Kong (China), India, Indonesia, Iran, Iraq, Japan, Jordan, Kazakhstan, Republic of Korea, Democratic People's Republic of Korea, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Macau, Malaysia, Maldives, Mongolia, Myanmar, Nepal, Oman, Pakistan, Palestine, Philippines, Qatar, Saudi Arabia, Singapore, Sri Lanka, Syrian Arab Republic, Chinese Taipei, Tajikistan, Thailand, Turkmenistan, United Arab Emirates, Uzbekistan, Vietnam, Yemen.

### **EUROPE (50 national member federations)**

Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, FYROM, Georgia, Germany, Gibraltar, Great Britain, Greece, Hungary, Iceland, Ireland, Israel, Italy, Kosovo, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine.

### **OCEANIA (22 national member federations)**

American Samoa, Australia, Cook Islands, Fiji, Guam, Kiribati, Marshall Islands, Federated States of Micronesia, Nauru, New Caledonia, New Zealand, Norfolk Island, Northern Mariana Islands, Palau, Papua New Guinea, Samoa, Solomon Islands, Tahiti, Timor-Leste, Tonga, Tuvalu, Vanuatu.