

CONSTITUTION OF THE PAN AMERICAN CONFEDERATION OF THE INTERNATIONAL WATER SKI AND WAKEBOARD FEDERATION

Revised, September 13, 2012

Article I - Name

Section 1 - The name of this organization shall be International Water Ski and Wakeboard Federation, Pan American Confederation, herein after referred to as the Pan American Confederation, or the Confederation.

Article II - Purposes

Section 1 - The purposes of this organization shall be as follows:

- a) To establish friendly cooperation among its members for the development of the sport of water skiing;
- b) To prepare and supervise the regulations governing tournaments sanctioned by the Confederation, records and standards of performances;
- c) To carry out within the Confederation the purposes, policies and directives of the IWWF as now or herein after expressed in its Constitution, Rules and Bylaws.
- d) To govern all IWWF recognized sport divisions. Recognized sport divisions are: Barefoot, Cableski, Disabled, Racing, Tournament, Wakeboard Boat, and Wakeboard Cable.

Section 2 - Definitions

- a) *Water skiing*: Means the sport of water skiing as defined from time to time by the IWWF Executive Board.
- b) *Words* denoting the singular shall include plural and vice versa. Words denoting the masculine gender shall include the feminine and vice versa.

Article III - Membership

Section 1 - There shall be three categories of members.

- a) **Active Members**: Only the national water ski authority of any country may be admitted to membership as a Federation of the Confederation and the IWWF. Application for admission should be addressed in writing to the Confederation President.

The aforementioned application should contain the names and addresses of the officers of the Federation applying for membership, a copy of the Federation's Constitution and Bylaws and a list of the Federation's activities for the past two years and the planned future activities. The right of examination does not, however, entitle the Confederation to interfere in the internal affairs of the national authority.

The Confederation President shall consider whether the applicant's national authority is recognized as such in its own country by its National Olympic Committee and (or) the National Sports Governing Body, and whether its activities justify admission.

If, in the opinion of the Confederation President, the application has merit, it will be put to a vote at the next Congress. A simple majority shall be decisive.

- b) **Temporary Members**: Prior to a meeting of the Confederation Congress upon application, approval of the Steering Committee (defined under Article VIII, *Section 2*) and immediate payment of the determined subscription fee, the national authority may, without delay, be accorded "temporary membership" as a Federation, for a limited period (maximum two years). Such membership does not carry a vote in Congress.

- c) **Special Members**: To allow for the inclusion of geographic areas where normal criteria might not be met.

Section 2 - The admission of a Federation to the Confederation must be announced immediately to the President of the IWWF.

Section 3 - Each Federation accepted as an active member must pay a membership fee. Congress assesses annually the membership fees for the coming year. To be able to sit in Congress or participate in tournaments sanctioned by the Confederation or the IWWF, the National Federation must have paid its membership fee due on July 31 of the current year, or by the date of the Congress.

Section 4 - Resignation or exclusion terminates membership in the Confederation.

- a) Resignation. Every resignation should be addressed in writing to the Confederation President before July 31.
- b) Suspension or exclusion: The Congress, by simple majority vote, taken by secret ballot, may suspend or exclude a Federation from the Confederation for the following reasons:
 - i) Any act that may prejudice in any way a Confederation's interest whether pecuniary, ethical or otherwise;
 - ii) Failure to pay entrance or subscription fees;
 - iii) Any attack on the IWWF or the Confederation through the press or the courts;
 - iv) Failure to maintain a level of activities deemed necessary for membership in the Confederation. A motion to suspend or exclude under this sub paragraph may be made at any time by a written motion signed by three delegates, each one being from a different Federation, and shall, after discussion, be immediately voted upon.

Section 5 - Representation and voting:

- a) **Representation of members:** Each member Federation shall be represented by a maximum of two delegates in the Congress. Observers and counselors officially recognized by a member Federation or the Confederation may sit in at the Congress, but do not have the right of speech unless recognized specifically by the President or Congress Chairman, (as nominated by the Executive Committee and approved by Congress) in the case of a special report.
- b) **Voting rights of member Federations:** The Federations shall vote according to the plural system, with 1 to 4 votes, in accordance with the following:

Every Federation, in good standing, shall have at least one vote.

Additional votes, up to a maximum of three, will be assigned to each Federation which, since the last Congress has:

- Entered 4 skiers in a World Championship (Traditional)
- Entered 2 skiers in a Barefoot World Championship
- Entered 2 Skiers in a Disabled World Championships
- Entered 2 Skiers in a Wakeboard World Championships
- Entered 2 Skiers in a Cable World or Cable Wakeboard Championships
- Entered a Team in a Racing World Championship

Or has organized:

- A World Championship during the last 6 years
- A Confederation Championship during the last 5 years
- A Pan American Games event during the last 5 years
- A World Cup during the last 4 years
- A Caribbean, South American or Central American Games event during the past 4 years
- A Latin American Championship during the last 3 years
- A Bolivarianos Games during the past 2 years

Each delegate shall vote one-half of the votes allotted to the Federation. In the event only one delegate is appointed or present at the Congress, he shall vote all the votes allotted to his Federation. Voting by proxy is allowed. All voting shall be conducted by secret ballot, unless unanimously decided otherwise by the Congress on a particular point, and a simple majority shall be decisive. The President of the Confederation, the Secretary and the President of the Tournament Council do not have the right to vote. However, should the votes be equal, the President of the Confederation shall cast the deciding vote.

Proxy Voting: Any individual desiring to cast a proxy vote must be appointed by letter from a President of a member Federation on Federation letterhead and signed by the President. This letter must be presented to the Secretary of the Confederation no later than 24 hours prior to the published starting time of the Congress. No more than two proxies can be held by any one individual.

Article IV - Congress Meetings

Section 1 – Biennial Meeting: The Pan American Confederation Congress shall meet in even numbered years, and held at the time of one of the Pan-Am Divisional Championships and may meet every four years at the Pan American Games, at the discretion of the President. The Constitution and Bylaws may be amended only during the annual meeting of the Pan American Congress

The Executive Committee may nominate a Congress Chairman or the President may conduct the meeting. If the Executive Committee nominates a Congress Chairman, such nomination must be ratified by the Congress.

Section 2 - Special Meetings: Special meeting may be called by the Confederation President at the request of Federations having a total of six (6) or more votes. Teleconferencing may be used, if appropriate.

Section 3 - Quorum: A quorum of the Confederation Congress is regularly constituted when a majority of the Federations who have paid their current dues are represented by the personal presence of at least one delegate. Decisions are made by a simple majority vote of the delegates present. However, before any decision can be taken regarding a modification of the Constitution and Bylaws or the dissolution or amalgamation of the Confederation, at least two-thirds of the member Federations must be represented by the personal presence of at least one delegate.

Amendments to the Constitution must be approved by a 2/3 majority of the voting power at Congress.

Should the first assembly not obtain this quorum, the decisions taken at the following assembly shall be valid, irrespective of the number of members present. If it should prove impossible to convene this second assembly, voting can be carried out by correspondence. If it is not possible for Congress to settle questions not related to the Constitution, it can delegate its powers to the Executive Committee.

Section 4 - Correspondence Voting: All correspondence ballots must be sent to the Presidents of the member Federations. Completed ballots should be returned to the Secretary General or President. Ballots shall remain open for voting for 10 days only. However, in cases of extreme circumstance the President and Secretary General may require that ballots be open for only three days. Email or fax are acceptable forms of voting.

Section 5 - Notice of Meetings: Notices of all meetings of the Congress must be sent at least seventy (70) days before the date of the meeting. These notices shall indicate the last date by which the Federations proposals for inclusion in the agenda must be sent to the Secretary General or President.

The final agenda for all meetings must be sent to the Federations Presidents four (4) weeks before the Congress. No decision can be taken on items not on the agenda, except by unanimous approval of the Congress.

Article V - Headquarters

Section 1 - The headquarters of the Pan American Confederation shall be at the place of residence of its Confederation President.

Article VI - Duration

Section 1 - The Pan American Confederation shall be of unlimited duration. It may be dissolved at any time.

Article VII - Languages

Section 1 - The official languages of the Pan American Confederation shall be English and Spanish. The Constitution and Bylaws, regulations and reports shall be drawn up in these two languages. In the event of a dispute as to interpretation of a text, the English text shall be considered authentic.

Article VIII - Administration of the Pan American Confederation

Section 1 - Confederation Congress: The administration of the Pan American Confederation shall be invested in the Confederation Congress which shall consist of two delegates from each member Federation whose duty it shall be to formulate matters of general policy and position, to adopt and amend the Bylaws, and to ratify actions taken by the officers and committees. Except for questions related to the modifications of the Constitution, the Congress can delegate its powers to the Executive Committee.

The Executive Committee and Tournament Council of the Pan Am Confederation must comply with decisions of Congress as approved by Congress.

Section 2 - Executive Committee: The Executive Committee which is composed of the President, the Vice President, the Secretary General of the Confederation and the President of the Tournament Council (also known as Technical Council), is vested with the power necessary to conduct the current affairs and daily administration of the Confederation and to represent it in all legal matters, without any limitations other than those set out in the present Bylaws

Section 3 - Confederation Tournament Council: The Confederation Tournament Council shall be composed of one member from each Federation having three votes, and a President, elected by the Congress. In special circumstances, the President may appoint additional members.

When it is not possible to hold meetings of the Tournament Council, all questions may be settled by correspondence vote between the members of the committee.

The duties of the Tournament Council shall be as follows:

- a) To draw up technical regulations for tournaments sanctioned by the Confederation. Each committee member will be requested to submit proposed rules changes to the Tournament Council Chairman by January. The President shall then organize and compile these proposals and then submit two copies to the Tournament Council members for approval or disapproval, (a two-thirds majority vote shall be required for approval). All proposed rules changes must be ratified by the Federations.
- b) To draw up, from proposals by the Federations, the list of judges qualified to adjudicate at Confederation-sanctioned tournaments or World Championships. The Council and the President shall make the appropriate appointments as identified in the IWWF Rulebook;
- c) To examine the installations and facilities available for use at Confederation Championships;
- d) To check all safety devices;
- e) To draw up the conditions for the organization of Confederation-sanctioned tournaments.
- f) To establish the conditions and methods to be followed for Confederation records. Review records established within the Confederation according to IWWF rules, and advise the IWWF President and Federation Presidents of any discrepancy.
- g) To inform all Presidents of member Federations of the Pan American Confederation of rule changes contemplated or approved by the IWWF Tournament Council so far as is permitted under IWWF rules by means of a written report by the Pan American Confederation members of the IWWF Tournament Council.
- h) Divisional Councils may be established in a similar manner to the Tournament Council. Each Council shall have representatives appointed by each active Federation. Each Council shall elect representatives for their respective IWWF Council.
- i) The Pan American Confederation shall recognize and adopt the Anti-Doping Policy of the IWWF and the World Anti-Doping Agency Rules.

Article IX - Officers

Section 1 - The officers of the Pan American Confederation shall consist of the following: Confederation President, the Vice President, the Secretary General, and President of the Tournament Technical Council, also known as Chairman of the Tournament Council.

Section 2 - The office of Confederation President is not compatible with that of President of Federation.

Section 3 - When a vacancy occurs in an office as a result of the resignation or death of the officer, his replacement will be elected at the next meeting of the Congress or by correspondence /email vote conducted at the discretion of the remaining officers.

Article X - Duties of the officers

Section 1 - The officers are vested with the power necessary to conduct the current affairs of the Confederation and to represent it in all legal matters, without any limitations other than those set out in the present Bylaws.

Section 2 - At the end of each fiscal year being December 31st, the officers shall present to the Federations:

- a) A report on the activities of the Confederation;
- b) A financial report;
- c) A draft budget for the following financial year;
- d) A request for the ratification by the Congress of all decisions by them.

Section 3 - The joint signature of the Confederation President and the Secretary General shall constitute a valid representation of the Confederation to third parties.

Section 4 - The Executive Committee shall meet as often as is necessary, at the request of one of its members. Its decisions must be unanimous. They shall be recorded in the minutes drawn up in one of the official languages. The minutes must be signed by the Confederation President and the Secretary General and made available to the member Federations. Correspondence voting, which must be unanimous, is permissible.

Section 5 - The Confederation President and the Secretary General shall have custody of all monies and valuable papers belonging to the Confederation.

Article XI - Elections and Appointments

Section 1 - Confederation delegates: The delegates representing each member Federation at the Confederation Congress shall be appointed by the respective president or head of the national water ski authority admitted to membership as a Federation.

Notice of this appointment shall be mailed to the Confederation President by the President or head of Federation at least two (2) weeks prior to the Confederation Congress. This notice shall state the delegate's name, address and the beginning and ending dates of his office, thereby determining the delegate's eligibility to cast his Federation's vote at the current meeting.

If, for some unforeseen reason, an appointed delegate is unable to attend the Congress, his replacement must have in his possession a letter of authorization signed by his Federation's President.

A member Federation may change its delegates at any time after the Confederation Congress meeting by sending a written notice of this change to the Confederation President. Said change to take place immediately upon reception of the written notice.

Section 2 – Officers

Section 2a - The Confederation President, Secretary General, President of the Tournament/Technical Council shall be elected by the delegates to the Congress at the meeting held during the Pan American Championships, in the year following the Pan American Games. If this is not possible, they shall be nominated and elected by correspondence vote. The terms shall be for four years. These three officers may be re-elected for one additional term.

Section 2b –A maximum of two candidates for Vice President shall be selected by the delegates to the Congress at the meeting held during the Pan American Championships, in the year following the Pan American Games. If this is not possible, they shall be nominated and selected by correspondence vote. The Vice President shall then be elected at the IWWF Congress according to the IWWF Articles of the Association. The term duration and the number of consecutive terms shall also be according to these Articles.

Section 3 - Divisional Council Members: The Divisional Council members shall be appointed by the respective President or head of the national water ski authority admitted to membership as a Federation and having three votes. These members shall then elect, from among their ranks, one member as Secretary and one member as Vice President who, along with the President of the Divisional Council, shall be a member of the IWWF Divisional Council, subject to the provisions of the IWWF Bylaws.

Section 4 - Delegates to the IWWF Executive Board: In the event that any of the Confederation delegates (the Confederation President, Confederation Secretary General, and President of the Tournament Council) are unwilling or unable to serve on the IWWF Executive Board, the Confederation President shall appoint one (or more) of the Federation's delegates to such positions on the IWWF Executive Board.

The Congress recognizes that the President, Secretary General and President of the Tournament Council are all qualified to be the representatives of the Pan Am Confederation to the Executive Board of the International Water Ski and Wakeboard Federation. The Pan Am Executive shall make the appointments to the IWWF Executive Board for the term.

Section 5 - Each member of the Executive Committee must be a resident of the country whose Federation he represents.

Article XII - Judges

Section 1 - Officials for Confederation Championships will be appointed according to the IWWF rulebook (referring to the World Championships). The President of the Confederation shall appoint the Chief Judge, the Chief Calculator, the assistant to the Chief Judge and the homologator. The President of the Tournament Council shall appoint the Chief Boat Driver and 2 to 3 additional boat drivers from among those proposed to the Pan Am Tournament Council. The Tournament Council will appoint the remaining officials.

Article XIII- Resources

Section 1 - The resources of the Pan American Confederation consist of:

- a) Payments made by the Federations as set by the Confederation Congress.
- b) Various payments, depending on the circumstances and need of the Confederation.
- c) Sanction fees and entry fees.
- d) Gifts, bequests, donations and legacies.
- e) Television, radio and press rights as negotiated.
- f) Confederation Event and Championship naming rights remain the property of the Pan American Confederation.

Section 2 - The fiscal year begins on August 1.

Section 3 - In the event of the dissolution of the Pan American Confederation, the liquidation of the assets shall be carried out by the person(s) designated by the delegates. Disposition of the net assets after payment of all liability shall be at the discretion of the designated person(s) with unanimous approval of the members of the Steering Committee.

Article XIV - Transitory Measures

Section 1 - This Constitution and set of Bylaws will go into effect on the date it is approved by the Pan American Confederation Congress.

Section 2 - Officers: The officers elected in accordance with this Constitution shall serve until the second meeting of the Pan American Confederation Congress, following their election, to be held in an even numbered year.