



CONSTITUTION

EUROPEAN DODGEBALL FEDERATION

Revised from EDF Constitution 2016, and Statuten 2024

Ratified and adopted by EDF Congress in Limerick, Ireland 27-06-2025

Preamble

References to “they” herein are understood to encompass all genders.

This document, the “**Constitution**”, operates as the governing principles under which the organisation operates.

Statutes

1. Name, headquarters and regional jurisdiction
 - 1.1. The organisation operates under the name European Dodgeball Federation (hereafter referred to as the “**EDF**”) and is headquartered in Vienna, Austria.
 - 1.2. The EDF has jurisdiction over all countries within the geographical region of Europe. The EDF’s accounting year runs from 1 January to 31 December.
2. Purpose and aims
 - 2.1. The EDF’s overriding purpose is the advancement of the sport of dodgeball in all forms within Europe.
 - 2.2. The EDF aims to promote inclusive enjoyment and sportsmanship within dodgeball as both a leisure activity and competitive sport and, therefore, expand the sport of dodgeball throughout Europe, by establishing a group of advocates in the form of an international dodgeball federation, to support all national dodgeball associations.
 - 2.3. The pursuit of the aims and purposes of the EDF is not for profit.
 - 2.4. In accordance with the Constitution, the EDF pursues exclusively and directly non-profit (and/or charitable or ecclesiastical) purposes and as such is a non-profit (and/or charitable or ecclesiastical) association within the meaning of the applicable tax law provisions (§§ 34 to 47 of the Federal Tax Code, “**BAO**”)
3. Activities and means of achieving the purpose and aims of the EDF
 - 3.1. The purpose and aims of the EDF are ideally achieved through activities and means, including but not limited to:
 - 3.1.1. the cultivation and progression of all forms of dodgeball for all ages;
 - 3.1.2. the facilitation and holding of sporting events, competitions, tournaments, and championships, as well as courses, enhanced training including the training of referees;

- 3.1.3. the planning and execution of media appearances and publications relating to the sport of dodgeball;
 - 3.1.4. the organization of informative events with the possibility of sporting activities for interested parties;
 - 3.1.5. the management and stewardship of European rankings;
 - 3.1.6. the creation and continuing maintenance of an online presence (including website, cloud service, social media profiles, databases and video platforms);
 - 3.1.7. the provisions of applicable services to members;
 - 3.1.8. the marketing of events and the EDF at large; and
 - 3.1.9. the management of applicable media and broadcasting rights.
- 3.2. In so far as would serve the purpose and aims of the organisation, the EDF shall also be entitled to:
- 3.2.1. participate as a (non-profit, charitable or ecclesiastical) corporation, use vicarious agents or act as a vicarious agent in accordance with § 40 BAO;
 - 3.2.2. to pass on funds or other assets to aligning organizations receiving donations, provided there is at least a consistent organizational purpose, in accordance with § 40a Z 1 BAO;
 - 3.2.3. provide deliveries or other services at cost to other non-profit or charitable organizations, provided there is at least a consistent organizational purposes, in accordance with § 40a Z 2 BAO; and
 - 3.2.4. to make available funds to support prizes and scholarships, in accordance with § 40b BAO.
- 3.3. The purpose and aims of the association shall be achieved through the following tangible means:
- 3.3.1. joining and membership fees;
 - 3.3.2. participation fees for sporting and other events;
 - 3.3.3. income from sports and other events;
 - 3.3.4. subsidies, grants and funding from applicable public funds;
 - 3.3.5. income from advertising, sponsors and licences;
 - 3.3.6. fees for training and courses provided;
 - 3.3.7. income from sale of merchandise;

- 3.3.8. taxes in relation to the activities of the EDF and implementation of third-party dodgeball tournaments;
 - 3.3.9. voluntary donations, endowments and other donations; and
 - 3.3.10. income from asset management.
- 3.4. The EDF may make use of employees and third parties to fulfil the purpose of the EDF, insofar as the purpose and resources of the EDF allow. Such persons may be remunerated, including EDF officials, provided that the activities to which the remuneration relates are within the scope of the EDF activities as far as possible. Such remuneration must be comparable to a third-party equivalent.
- 4. Membership Classification
 - 4.1. EDF members are divided into full members and provisional members.
 - 4.2. Full members are national organisations that support the EDF's activities primarily through their active participation in achieving the association's purpose, and through payment of the membership fee.
 - 4.3. Provisional members are national organisations that are committed to the association's purpose and do not pay the membership fee.
- 5. Membership Admission
 - 5.1. Application for admission as a membership must be submitted to the Council in writing using the prescribed form.
 - 5.2. Council may decide on an application as a provisional member. An application to become a full member will be decided upon by Congress.
 - 5.3. Admission may be refused without providing a reason.
 - 5.4. The applicant will be notified of the outcome of the application for membership.
- 6. Termination of Membership
 - 6.1. Membership may expire through withdrawal, deletion or loss of legal entity status (if the member is a legal personality).
 - 6.2. Resignation will become effective at the end of each month and must be communicated to Congress in writing at least two weeks in advance.
 - 6.3. Congress may remove membership if a member is more than four (4) months in arrears with respect to membership fees or other payment obligations, after two written reminders. Such written reminders serve as an opportunity for the

member to comment on the non-payment. Congress is not required to hold a separate hearing, or to pass a separate resolution, for the purposes of removing membership. Any outstanding payments due by the EDF may not be set off against any outstanding payment due by the member.

- 6.4. The member will be informed, in writing, of the removal of membership status. Payments due by the member to the EDF are not extinguished by the removal of membership. The removal of membership on the basis of non-payment may be reversed within one week of the decision by paying the outstanding amount.
- 6.5. The removal of a member from the EDF can be decided by Congress at any time for any significant reason. These include, but are not limited to, gross violations of member obligations and/or conduct that is damaging to the EDF and which significantly undermines the relationship of trust between the EDF and the member.
- 6.6. A request for the removal of membership can only be made by Council or a member of Council. The affected member must be given the opportunity to comment orally or in writing on the allegations made before Congress. The decision of Congress must be communicated to the member in writing and set out the reasoning for such removal.
- 6.7. The affected member may appeal to [to the EDF's internal arbitration tribunal (point16)] against the removal of membership.
- 6.8. From the time membership is removed in the first instance, until a final decision is made on appeal, the member's rights, but not its obligations, will be suspended. All rights of the member will expire on the date of departure.

7. Rights and Obligations of Members

- 7.1. Members are entitled to participate in all EDF events (provided there are no restrictions of qualification requirements) and to use the EDF's facilities, where appropriate, in accordance with the guidelines established by Council.
- 7.2. Every member has the right to participate in Congress. Only full members have the right to vote at Congress and each full member will have one vote. The right to stand as a candidate for Council is only available to full members.
- 7.3. EDF members are obliged to promote the interests of the EDF to the best of their ability and to refrain from doing anything that may harm the reputation

and/or purpose of the EDF. Members must comply with all EDF statutes and resolutions of EDF bodies.

- 7.4. Full members must pay the membership fee, and comply with other payment obligations as applicable, on time and in the amount proposed by Council and approved by Congress on an annual basis.
- 7.5. Provisional members shall be exempt from paying joining and/or membership fees.
- 7.6. Members participating in an EDF event may be required to pay a participation fee.

8. EDF Bodies

- 8.1. The EDF bodies include Congress (meeting of members), Council (management body), the auditors and [the arbitration court].

9. Congress (Members' Meeting)

- 9.1. Ordinary Congress shall take place annually.
- 9.2. Extraordinary Congress shall take place at the resolution of Council or at the written request of at least one tenth of the members, or at the request of the auditors, within six (6) weeks of such request.
- 9.3. All members must be invited in writing (by post, fax or email) to both ordinary and extraordinary congress at least four (4) weeks before the date. Congress must be scheduled with a provisional agenda. Council must convene a meeting of Congress.
- 9.4. If Council is not able to act, or does not convene Congress, the auditors are entitled and obliged to convene Congress in compliance with the statutes.
- 9.5. Additional agenda items for Congress may only be submitted to Council by full members in writing no less than three (3) weeks before Congress. Applications for changes to the statutes and dissolution of the EDF can only be submitted by Council members, or one tenth of the EDF members. If additional agenda items have been requested in a timely manner, Council must send a final (proposed) agenda to all members no less than two (2) weeks before Congress.
- 9.6. Valid resolutions may only be made if they appear on the agenda for the relevant Congress.

- 9.7. All members are entitled to take part in Congress. Only full members are entitled to vote. The transfer of a voting right to another full member is permitted, by means of written authorization to Council. However, any one member may only represent a maximum of one additional member at any one Congress.
- 9.8. The quorum for Congress is “one third ($\frac{1}{3}$) plus one (1) member”. If no quorum is present at the beginning of the meeting, the meeting will be quorate after fifteen (15) minutes. Resolutions in Congress are passed with a simple majority of valid votes cast.
- 9.9. Congress shall be chaired by the EDF president or, if unable to do so, the deputy of the president. If the deputy president is also unable to attend, the longest serving Council member will chair the meeting. The chair of the meeting may admit guests to Congress. Otherwise, Congress shall not be open to the public.
- 9.10. If holding Congress with all participants attending in person is not possible due to special circumstances or it is unreasonable for the members to attend in person, Congress may also held remotely (eg. via telephone or video conference). In this case, provisions required to hold Congress will apply accordingly, although a technical solution must be chosen which ensures all eligible members are able to take part in the meeting virtually.

10. Duties of Congress

10.1. The following duties are reserved for Congress:

- 10.1.1. Receipt of annual reports and discharge of Council;
- 10.1.2. Election and removal of members of Council and approval of replacement of Council members by Council;
- 10.1.3. Election and removal of auditors;
- 10.1.4. Approval of legal transactions between the EDF and Council members;
- 10.1.5. Resolution of changes to the EDF’s statutes and on the dissolution of the EDF;
- 10.1.6. Advice and decision-making on other matters on the agenda;
- 10.1.7. Admission and exclusion of full members of the EDF;

11. Council

- 11.1. Council is the management body of the ED within the meaning of Section 5, Paragraph 3 of the Association Act, and consists of seven (7) individuals: President; Secretary General; Head of Finance; Head of Legal; Head of Competition; Head of Media; and Head of Development.
- 11.2. The distribution of functions within Council is the responsibility of Council.
- 11.3. If a member leaves during their term of office, Council has the right to replace such a member, although the subsequent approval of the next Congress must be obtained for this purpose. The actions of such Council members are valid until Congress refuses to confirm the replacement. If Council fails to replace a Council member, or is unable to replace a Council member for an unreasonable amount of time, the auditors are obliged to immediately convene extraordinary Congress for the purpose of re-electing the Council.
- 11.4. If the auditors are also incapable of acting, or are not present, a group of three members who acknowledge the urgency of the situation have the right to immediately call extraordinary Congress, or to apply to the court for the appointment of a curator, who will immediately call extraordinary Congress.
- 11.5. Council is appointed by Congress for four (4) years. Council members can be re-elected for additional terms without restrictions.
- 11.6. Council meetings are called by the President or, if they are unable to attend, by the Secretary General. This must be done in writing or verbally, at least two weeks before the meeting date. If the Secretary General is also unable to attend for an unreasonable length of time, any other Council member may convene a Council meeting. Guests may be invited to non-public Council meetings, although they do not have the right to vote.
- 11.7. Council meetings are quorate when all members have been duly invited and at least four of them are present. Decisions are made with a simple majority. In the event of a tie, the chair's vote is decisive. A Council member cannot be represented at a meeting by another Council member.
- 11.8. Council meetings are chaired by the President or, if they are unable to attend, the Secretary General.
- 11.9. Except in the event of death, a Council member's position is terminated either by resignation or removal by Congress.
- 11.10. Council members can resign from their positions at any time in writing. Written resignation must be addressed to Council and, in the event of the resignation of

the entire Council, to Congress. Resignation is not permitted at a time that would cause damage to the EDF.

- 11.11. Council meetings can be held without members being physically present (eg. via telephone or video conference). In this case, the provisions for holding Council meetings in person apply accordingly. Council may also pass written resolutions by circulating such resolutions to members for approval. The holding of virtual Council meetings may be regulated by Council in rules of procedure issued by Council from time to time.

12. Duties of Council

- 12.1. Council is responsible for managing the EDF. It is responsible for all tasks not assigned by the statutes to another EDF body. The following matters in particular fall within the remit of Council's responsibilities and duties:

- 12.1.1. Preparation of the annual budget as well as the annual report and financial statements;
- 12.1.2. Determination of the membership fee amount and other relevant fees as applicable;
- 12.1.3. Preparation for, and convening of, ordinary Congress and extraordinary Congress;
- 12.1.4. Management of EDF assets;
- 12.1.5. Admission and removal of provisional EDF members;
- 12.1.6. Maintaining the list of members;
- 12.1.7. Employment and dismissal of any EDF employees; and
- 12.1.8. Notification to the responsible tax office, of a change to the statutes affecting tax benefits provisions, within one month of the change.

13. Individual Responsibilities of Council Members

- 13.1. The EDF is represented externally by each individual Council member, being: President; Secretary General; Head of Finance; Head of Competition; Head of Development; Head of Legal; and Head of Media. Each individual Council member is authorized to sign on behalf of the EDF, in a sole capacity.
- 13.2. The President chairs Congress and Council meetings. If they are unable to do so, the Secretary General will preside.

- 13.3. The Head of Finance is responsible for the proper financial management of the EDF.

14. Auditor

- 14.1. The EDF shall have two (2) auditors, who are not required to be members of the EDF. The auditors are elected by Congress for a period of four (4) years. There are no restrictions on re-election of auditors. Legal transactions between the auditors and the EDF require the approval of Congress in order to be valid.
- 14.2. The auditors must examine the EDF's financial status with regard to the accuracy of the accounting and the use of funds in accordance with the statutes, within four (4) months of the preparation of the annual income and expenditure accounts or financial statements. The Council must provide the auditors with all necessary documentation and information. The auditors must report to Congress on the results of the review. The audit report must confirm the accuracy of the accounting and use of funds in accordance with the statutes or highlight any discrepancies, financial deficiencies or threats to the existence of the EDF. Furthermore, any self-dealing or unusual income or expenditure must be flagged.
- 14.3. If the EDF is required by law to appoint an auditor, this auditor will take over the auditor's duties. This also applies in the case of a voluntary final audit.

15. Arbitration Tribunal

- 15.1. The arbitration tribunal will decide on all disputes arising from EDF relationships.
- 15.2. The arbitration tribunal shall be comprised of three (3) people; such persons do not need to be members of the EDF. The members of the arbitration tribunal shall not be associated with any EDF body, with the exception of Congress, whose activities are the subject of the dispute. The arbitration tribunal shall be formed in such a way that each party to the dispute nominates a person as arbitrator to the Council, whereby Council, if it itself or the EDF if the other party to the dispute, must name the additional member of the arbitration tribunal within fourteen (14) days. If another member of the EDF is party to the dispute, Council will request that member names another member of the arbitration tribunal within fourteen (14) days of the request.

- 15.3. The two elected arbitrators shall agree on a third individual to serve as the Chair of the arbitration tribunal. If the two arbitrators cannot reach an agreement within seven (7) days, each shall propose one candidate, and the Executive Board of the World Dodgeball Federation shall either select one of the two proposed candidates or, alternatively, select a third candidate. If this approach is unsuccessful, the third arbitrator shall be selected by drawing lots from the candidates proposed by the arbitrators. The arbitrators are obliged to participate in the draw. If a nominated arbitrator prevents the tribunal from being formed or from functioning, the Council shall request that the individual nominate a replacement within a reasonable period of time.
- 15.4. The arbitration tribunal will first attempt mediation. If this is not possible, the tribunal is authorized to decide the dispute. The parties in dispute can be represented by a lawyer, but no costs will be awarded as part of the tribunal proceedings. However, in the course of dispute resolution, the arbitration tribunal may make a recommendation as to how costs should be dealt with.
- 15.5. A decision by the arbitration tribunal must be made by simple majority in the presence of all members. The parties to the dispute must be given the opportunity to comment on the subject matter of the dispute, orally or in writing. The arbitration tribunal may, if it deems appropriate, schedule an oral hearing with the participation of the parties to the dispute. The tribunal shall make any decision in good faith to the best of its knowledge and belief. The chair of the arbitration tribunal is responsible for issuing the decision, which must in all cases set out the relevant reasoning. The decision of the arbitration tribunal is final within the EDF.
- 15.6. If the respondent does not name an arbitrator within fourteen (14) days of the applicant naming an arbitrator, or does not name a replacement within a reasonable period of time (para. 15.3), the respondent shall be deemed to have agreed with the application.

16. Dissolution of the EDF

- 16.1. The voluntary dissolution of the EDF may only be decided by ordinary or extraordinary Congress, the invitation for which explicitly includes this as an agenda item. This motion shall be passed with a majority of two thirds.

- 16.2. Congress shall also decide on liquidation of the EDF. Unless Congress decides otherwise, the President of the EDF may appoint a liquidator.
- 16.3. If EDF assets are available, the Head of Finance shall be responsible for the settling of liabilities, return of loans and the collection of outstanding payments. Remaining EDF assets should be distributed amongst the members to the extent they do not exceed the value of the contributions they have made. Any remaining assets following this should be used for charitable purposes within the meaning of §§ 34 ff BAO, in this case assets should be distributed to the World Dodgeball Federation.