



FEDERATION OF AFRICA

## INTERNATIONAL LIFE SAVING FEDERATION - AFRICA

### CONSTITUTION

#### Article 1. Name and Formation

- 1.1. In accordance with article 6.1. of the Constitution of the International Life Saving Federation (ILS), the African Full Member Federations of the ILS have founded a Regional Branch of the ILS with the purpose of achieving closer relationship and collaboration in aquatic life saving activities in the Region of Africa.
- 1.2. The Regional Branch bears the name "International Life Saving Federation - Africa", or "African Lifesaving Confederation", abbreviated "ILS-Africa".
- 1.3. ILS-Africa is an incorporated non-profit organisation and is established for an indefinite duration.

#### Article 2. Registered Office – Seat - Incorporation

The registered office is located in the country decided by the General Assembly. The location of the registered office may be changed from time to time by the General Assembly. The seat is located in the Complexe Sportif Prince Moulay Abdellah in the City of Rabat in the Kingdom of Morocco. The Confederation is Incorporated by the Ministry of Interior, through the Wilaya of Rabat on 28 August 2017 with Reference Number: 30/23AA.

#### Article 3. Nature of ILS-Africa

- 3.1. ILS-Africa, as a separate juridical person has its own obligations, rights and duties, privileges and responsibilities as well as properties, assets and liabilities.
- 3.2. ILS-Africa is a non-governmental, non-profit, public benefit organisation so that:
  - (a) All income, property and assets of ILS-Africa shall be used solely for the pursuit of the objectives set out in article 4.
  - (b) Subject to article 14, no part of the income, property or assets of ILS-Africa may be paid or transferred to any member of ILS-Africa, either directly or indirectly; provided that nothing contained herein shall prevent that reasonable compensation be paid in good faith to any member of ILS-Africa in respect of any lawful and authorised service or expense which such member has performed or incurred for or on behalf of ILS-Africa.
  - (c) Any member of ILS-Africa who holds any property or asset of or for ILS-Africa, shall fully account to ILS-Africa in respect thereof.
- 3.3. Subject to article 14, no Individual Member or Member Federation will be or is entitled to any of the income, property or assets of ILS-Africa, or to any portion thereof.
- 3.4. No Individual Member or Member Federation will be or is liable for any of the debts or liabilities of ILS-Africa, or for any portion thereof.

#### Article 4. Objectives

ILS-Africa leads, collaborates and partners with national and international organisations to prevent drowning, to promote the provision of lifesaving and lifeguarding services and oversee lifesaving sport throughout Africa with the following specific objectives:

- 4.1. Lead the effort to develop and recommend best practice in drowning prevention, aquatic lifesaving, resuscitation and emergency care in Africa.

- 4.2. Teach lifesaving and lifeguarding and establish educational exchanges of aquatic lifesaving techniques and operations.
- 4.3. Exchange medical and scientific experiences in the field of aquatic lifesaving and drowning prevention.
- 4.4. Encourage the conduct of training and development of standards available to the whole of the aquatic lifesaving in Africa for drowning prevention, lifesaving, lifeguarding and lifesaving sport.
- 4.5. Extend the teachings and activities of ILS-Africa to all places throughout Africa and communicate and act in co-operation with other African humanitarian bodies.
- 4.6. Promote uniformity concerning equipment, information, symbols and laws for control and regulation within the aquatic environment.
- 4.7. Promote and organise lifesaving sports and regularly organise African lifesaving competitions in order to stimulate the interest of competitors to improve their ability and willingness to save people who are in danger in the aquatic environment.
- 4.8. Encourage and oversee the convening of African congresses for the purpose of creating links of friendship, solidarity and collaboration between African Members and other African bodies which pursue the same humanitarian goals.
- 4.9. Encourage measures to prevent the pollution of waters and beaches and other elements, which are dangerous to the public and users of the aquatic environment.
- 4.10. Take such other actions as ILS-Africa considers will advance these Objectives.

ILS-Africa is allowed to undertake all actions, engage in all activities and execute all legal instruments, which are useful, necessary or which directly or indirectly contribute to the achievement of the above-mentioned objectives.

#### **Article 5. Members**

- 5.1. A Member of the ILS whose country falls within the geographical and political region of Africa (as defined by the United Nations) shall also be a Member of ILS-Africa.
- 5.2. Categories of membership, together with rights and obligations connected with the respective category of membership, shall be the same as for the ILS.
- 5.3. A lifesaving organisation cannot be a member of a Regional Branch without being a Member of the ILS.

#### **Article 6. Legislation**

- 6.1. The legislation of ILS-Africa consists of the ILS-Africa Constitution, describing all principles and fundamental aspects, and the ILS-Africa Bye-Laws, giving explanations and procedures with regard to articles of the ILS-Africa Constitution.
- 6.2. The ILS-Africa legislation shall at all times remain subject to the Constitution and Bye-Laws of the ILS.
- 6.3. Requirements and procedures for organising lifesaving sports events and competitions are regulated in the ILS Rules of Lifesaving Sport.

#### **Article 7. General Assembly**

- 7.1. The ILS-Africa General Assembly is the supreme governing body of ILS-Africa. It is composed of representatives from ILS-Africa Member Federations. Full Member Federations may attend the ILS-Africa General Assembly and have voting rights. The other Members (Associate, Corresponding, Contact, ...) may attend the ILS-Africa General Assembly but have no voting rights.
- 7.2. The General Assembly is empowered to:
  - a) Approve and modify the Constitution and Bye-Laws of ILS-Africa.
  - b) Elect and dismiss the ILS-Africa President, the ILS-Africa Secretary General, the ILS-Africa Vice-Presidents, the ILS-Africa Board Members and the ILS-Africa Financial Auditors/Officers.
  - c) Elect and dismiss the ILS-Africa representatives in the ILS Board of Directors.
  - d) Approve the accounts and accept budgets.
  - e) Exonerate or discharge from responsibility the ILS-Africa Board of Directors and the ILS-Africa Financial Auditors/Officers.
  - f) Adopt programmes of activities.

- g) Decide upon proposals submitted by the ILS-Africa Board of Directors and the Full Member Federations.
  - h) Decide on all other cases foreseen in the ILS-Africa Constitution and ILS-Africa Bye-Laws.
  - i) Voluntarily dissolve ILS-Africa.
- 7.3. Meeting frequency
- a) The General Assembly of ILS-Africa meets at least once every four calendar years, at the maximum 6 months before the General Assembly of the ILS.
  - b) If requested by the ILS-Africa Board of Directors or if a written request is submitted to the ILS-Africa Board of Directors by at least 20% of the Full Member Federations an Extraordinary General Assembly must be convened within three months.
  - c) General Assemblies can be held through electronic meeting systems through procedures described in the ILS-Africa Bye-Laws.
- 7.4. Convening Notice
- a) The place and date of the General Assembly or Extraordinary General Assembly shall be promulgated by procedures and timetables set out in the ILS-Africa Bye-Laws. Procedures governing the calling of a General Assembly or Extraordinary General Assembly shall be set out in the ILS-Africa Bye-Laws.
  - b) The convening notice of an Elective General Assembly shall be promulgated by the ILS-Africa Secretary General not less than four months and the agenda two months before such meeting by means described in the ILS-Africa Bye-Laws.
- 7.5. Agenda Items
- a) The agenda for a General Assembly and an Extraordinary General Assembly shall be composed by the ILS-Africa Board of Directors.
  - b) An agenda item shall be added if requested in writing by at least 1/20 of the Full Member Federations and received at least 14 days before the Extraordinary General Assembly and 30 days before the General Assembly.
- 7.6. Representation to Vote
- a) In a General Assembly and an Extraordinary General Assembly, the delegates of the Full Member Federations are empowered to vote on behalf of their respective Full Member Federations.
  - b) Each Full Member Federation has one vote. Each Full Member Federation can have one proxy from one other Full Member Federation as per procedures specified in the ILS-Africa Bye Laws.
- 7.7. Quorum
- a) A General Assembly is only validly constituted if the convening thereof has occurred in accordance with this Constitution. A General Assembly can only decide on items on the agenda.
  - b) The quorum of Full Member Federations required to be present at a General Assembly for resolutions on dissolution of ILS-Africa, on distribution of its assets and on amendments to the ILS-Africa Constitution, shall be more than 50%. For other matters the minimum quorum shall be 30% of Full Member Federations with voting rights.
  - c) The respective quorum shall be reached at the opening session of the General Assembly and is then valid for the whole General Assembly meeting.
- 7.8. Majority
- The following majorities are required:
- a) Any vote on the dissolution, and the distribution of the assets shall be passed by the agreement of 3/4 of the Full Member Federations present and voting.
  - b) Any vote on the move of the seat shall be passed by the agreement of 3/4 of the Full Member Federations.
  - c) Any vote on an amendment to the ILS-Africa Constitution or ILS-Africa Bye-Laws shall be passed by the agreement of 2/3 of the Full Member Federations present and voting.
  - d) Any vote on other matters shall be passed by a simple majority of the Full Member Federations present and voting
  - e) For the purpose of ballots at a General Assembly, abstentions shall not be included in these calculations
- 7.9. Decisions of any General Assembly take immediate effect unless otherwise stated. The minutes of the meeting are promulgated to all Member Federations within two months after the closing of the General Assembly by means described in the Bye-Laws.
- 7.10. A General Assembly or a Board of Directors may decide that postal (or facsimile or e-mail) ballots shall take place. The following majorities are required:

- a) Dissolution, liquidation and move of the seat of ILS-Africa: Majority of 3/4.
- b) All other motions: Majority of 2/3.

## Article 8. Board of Directors

- 8.1. The Board of Directors of ILS-Africa is composed as follows:
  - a) One ILS-Africa President.
  - b) One ILS-Africa Secretary General.
  - c) Up to four ILS-Africa Vice-Presidents who shall come from (four) different African Zones (North, East, South, West and Central), but not from the same zone as the ILS-Africa President.
  - d) Other Directors up to a number decided by the General Assembly of ILS-Africa.
  - e) The Board of Directors should preferably include a minimum of one person of each gender.
- 8.2. The ILS-Africa President shall be, by virtue of his/her office, one of the four Vice Presidents of the ILS.
- 8.3. All members of the ILS-Africa Board of Directors shall be elected normally for a term of four years, commencing at the conclusion of the Elective General Assembly or Extraordinary General Assembly of ILS-Africa.
- 8.4. Each Member of the Board of Directors of ILS-Africa shall be nominated by a Full Member Federation and hold membership in that Full Member Federation. Each Member of the Board of Directors shall be elected for a period of four years and is eligible for re-election. If a person elected to be a Member of the Board of Directors has ceased to hold credentials in the nominating Member Federation, this person automatically resigns from the Board. For this purpose, a formal letter signed by the President or Secretary General of the nominating Member Federation, that a person is no longer supported by that Member Federation, in the role of Director shall be conclusive evidence of that resignation when received by the ILS-Africa Secretary General.
- 8.5. The Board of Directors shall meet at least once a year and the place and date shall be promulgated by procedures set out in the Bye-Laws. Board of Directors meetings can be held through electronic meeting systems through procedures described in the ILS-Africa Bye-Laws.
- 8.6. The Board of Directors shall be empowered to:
  - a) Implement the decisions of the General Assembly of ILS-Africa.
  - b) Create and dissolve commissions and approve their composition, membership, their tasks and working procedures.
  - c) Approve the organisation for all regional competitions conducted under the authority of ILS-Africa.
  - d) Establish, maintain, publish and distribute the calendar of ILS-Africa activities.
  - e) Adopt the activity report and the future projects.
  - f) Submit to the General Assembly all proposals which it has agreed upon.
  - g) Appoint and dismiss such officers and employees of ILS-Africa as the Board considers necessary to carry on out the day to day business of ILS-Africa.
  - h) Adopt regulations (policies and procedures) to guide the management of ILS-Africa.
  - i) Enter into strategic alliances and other collaborative arrangements with African organisations.
- 8.7. The quorum of the meeting of the Board of Directors is reached when more than 50 % of the Directors are present. The resolutions of the Board shall be approved by a majority of 50%+1 of Directors present. If less than 50 % is present at any time of the meeting, then the meeting can continue as an informative meeting, but no valid decisions can be taken.
- 8.8. A decision can be made by way of a written-decision making procedure that is detailed in the Bye-Laws.
- 8.9. The ILS-Africa President and the ILS-Africa Secretary General are empowered to jointly represent ILS-Africa vis-à-vis third parties and as such to enter into legally binding transactions and sign any agreement or other document on behalf of ILS-Africa provided that such transactions and agreements do not conflict with the Constitution and the Bye-Laws and that they were approved by the Board of Directors or the General Assembly. The ILS-Africa Board of Directors may appoint the ILS-Africa President, the ILS-Africa Secretary General, or an ILS-Africa Member or Members of the ILS-Africa Board of Directors to represent ILS-Africa in any legal matter.
- 8.10. Without prejudice to his rights or duties at law each Member of the Board of Directors shall treat all confidential information as strictly confidential and shall not communicate such information or any part thereof to any other person, authority, or organisation whatsoever. In the event of violation of this Rule, such Board Member shall be subject of a sanction imposed by the ILS-Africa Board of Directors.

### **Article 9. Commissions/Committees/Working Groups**

The appointment/dismissal of the members of commissions, committees and working groups, their duties, obligations, responsibilities and voting rights shall be set out in the Bye-Laws.

### **Article 10. Budgets and Accounts**

- 10.1. The financial year begins on 1 January and ends on 31 December of the same year.
- 10.2. The Board of Directors shall present the audited financial statements and proposed budgets to the General Assembly by the procedures as set out in the Bye-Laws. The account auditing procedures are also set out in the Bye-Laws.

### **Article 11. Arbitration – Rules of Conduct**

Disciplinary measures will be as described in the ILS Constitution and Bye-laws. The current Constitution are in full compliance with the Olympic Charter. ILS-Africa shall conduct its affairs in full compliance with the World Anti-Doping Agency requirements for lifesaving sports.

### **Article 12. Language**

The official language of ILS-Africa is English, but every delegate unable to speak English shall have the right to speak in his/her own language provided that he/she arranges to be assisted by an interpreter for whose expenses he/she shall be responsible.

### **Article 13. Political, religious and racial**

Given the nature and the aims of ILS-Africa, Members are to be discouraged from raising political, religious and racial matters.

### **Article 14. Amendment of the Constitution**

The ILS-Africa Constitution and Bye-Laws can only be amended by the General Assembly by procedures, quorums and majority defined in the ILS Bye Laws.

### **Article 15. Dissolution**

In the case of ILS-Africa being dissolved, its assets shall be distributed to the International Life Saving Federation (ILS).

### **Article 16. Interpretation of Laws**

The interpretation of this Constitution and any laws or other question not provided for herein shall be referred to the Confederation for decision by a 2/3 majority votes of those authorised delegates present and voting at a General Assembly, whose decision shall be binding, except on matters related to ILS requirements and/or regulations, when such decisions shall be subject to appeal to ILS for purposes of clarification.

END OF DOCUMENT

Constitution initially approved at the Inaugural General Assembly in September 1994. The 2013 amendments were approved by the African Full Member Federations through an electronic ballot in 2013. The 2016 amendments were approved by the Elective General Assembly held on 04/09/2016 in The Netherlands. The 2017 amendments were approved through an electronic ballot in 2017. The 2020 amendments were approved through an electronic ballot closed on 05/10/2020 and came into force from 06/10/2020 onward.