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**Legal Entities Registration and Licensing Department**

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of \_\_\_\_\_ 20\_\_\_\_

**Registry** \_\_\_\_\_

**Adopted in new wording by the General Meeting of  
the „Independent Water Sports Federation of the Republic of Moldova” Public Association  
on June 16, 2023**

**ARTICLES OF ASSOCIATION  
OF THE INDEPENDENT WATER SPORTS FEDERATION OF THE  
REPUBLIC OF MOLDOVA PUBLIC ASSOCIATION**

**NEW WORDING**

**CHISINAU 2023**

**Interpretation of some notions**

## **Within the Articles of association of the „Independent Water Sports Federation of the Republic of Moldova” Public Association**

The „Independent Water Sports Federation of the Republic of Moldova” Public Association shall herein be mentioned as „Federation” or I.W.S.F.

### **Related members**

"A related member" ("related members") refers to individuals and/or legal entities (Public Associations) who have related to the "Independent Water Sports Federation" Public Association such as: sports clubs and associations with water sports divisions; municipal, district, regional water sports associations, other organizations with a water sports profile (children's sports clubs and autonomous schools), as well as others, whose statutory purpose is to practice, develop, promote, popularize water sports and participation in water sports competitions, organized under the auspices of I.W.S.F.

### **The Individual**

The individual is the person individually considered as the holder of civil rights and obligations, male or female, with full exercise capacity, who meets the requirements provided for in this Articles of association, practices or has practiced swimming sports, other water sports or has merits and substantial contributions to the development of swimming sports events or other national or international water sports events.

### **Legal Entity (Public Association)**

Legal Entity - non-commercial institution organized as a Public Association: it is a non-commercial organization, independent of the public authorities, constituted voluntarily by individuals and/or legal entities (public associations), associated through a community of interests in order to achieve, under the law, some legitimate rights and whose statutory purpose is the practice, development, promotion and popularization of swimming sports or other water sports events.

### **District, municipal association**

"Municipal, district, regional water sports association" shall refer to the association of water clubs, sports clubs with swimming divisions and other nautical events, children's sports clubs and autonomous schools, water associations, located in the localities of the respective territory according to the Law on the administrative and territorial organization of the Republic of Moldova.

### **Officials**

"Officials" shall mean leaders (persons on responsible positions), coaches, referees,

observers and technical, medical, administrative managers of I.W.S.F., clubs, schools or municipal, district or regional water sports associations.

### **Regulations**

Normative acts (regulations) adopted by the Administrative Council or the Federation (I.W.S.F.) General Meeting.

### **Board of Directors**

The term "Board of Directors" shall mean the Board of Directors of I.W.S.F., which was established and operates under the provisions of these Articles of associations, being the collegial and permanent governing body of the Federation, eligible, subordinated to the general meeting, which after the registration of I.W.S.F. public authorities exercise the rights of the legal entity on behalf of the I.W.S.F. communicates and fulfills its obligations in accordance with this Articles of association.

### **Operation principles**

The I.W.S.F. shall be established voluntarily. No one can be compelled to found the I.W.S.F., become its member or be sanctioned for having founded, for being or not being a member of a non-commercial organization.

The I.W.S.F. shall be free to establish its own internal structure, goals and operations, in accordance with the law.

The I.W.S.F. shall be free to request, receive and use financial and material means, from the country or abroad, in order to achieve its statutory goals.

The state shall respect, protect and ensure the freedom of association. The state may intervene in the I.W.S.F. operation only if this constitutes a necessary measure in a democratic society to ensure national security, public safety, the defense of order or crime prevention, the protection of health, morals, rights and freedoms of others.

Public authorities shall treat public associations equally, with no discrimination.

Within its operation, the I.W.S.F. shall promote national, civic values and interests of democracy and the rule of law, partnership, open competition and shall respect ethical norms of the non-commercial sector.

The I.W.S.F. may express its opinion on programs of political parties and social and political organizations and on electoral competitors and their programs.

The I.W.S.F. may not financially support, nor provide free services to political parties and social and political organizations.

The I.W.S.F. may not provide services and/or support, financially or free of charge, the electoral contestants during elections and may not do electoral agitation. The I.W.S.F. will avoid conflicts of interest during its operation.

The I.W.S.F. activity has a transparent character. The I.W.S.F. shall publish annual activity reports, containing information on conducted operations, the value of financial means and materials obtained and used, as well as other relevant information.

The I.W.S.F. may be obliged to accept new members, except under the conditions and exceptions provided by the Law on non-commercial organizations and these Articles of association.

### **Article 1 – Name and structure**

**1.1** The Independent Water Sports Federation Public Association (I.W.S.F.) is a republican, specialized, non-governmental, apolitical, autonomous and independent public organization, made up of individuals and water sports clubs, sports clubs with water sports divisions, district municipal associations, regional water sports, other specialized organizations (children's sports clubs and autonomous schools and others, whose statutory purpose consists of practice, development, promotion, popularization of water sports, especially swimming, under the aegis of I.W.S.F., which is the only capable and entitled to direct and control the water sports operation, especially swimming in the Republic of Moldova.

**1.2** The I.W.S.F. operation term shall be unlimited.

**1.3** The I.W.S.F. shall have a non-profit purpose.

**1.4** The I.W.S.F. shall act for the benefit of either public, its members or other people.

**1.5** The membership within the I.W.S.F. shall be recorded.

### **Article 2 – Legal status**

**2.1** The I.W.S.F. shall be a legal entity, operating for an unlimited period and throughout the territory of the Republic of Moldova.

**2.2** The I.W.S.F. shall be a public, non-profit, non-governmental, apolitical association, established through the free expression of the associated persons' will in order to jointly achieve the goals determined by these Articles of association.

**2.3** The I.W.S.F. shall be legally organized as a public association and shall carry out its activities under the Constitution of the Republic of Moldova, the Law of the Republic of Moldova on non-commercial organizations, the legislation in force of the Republic of Moldova and these Articles of association.

**2.4** The I.W.S.F. shall be a republican association and shall carry out its activities throughout the territory of the Republic of Moldova, being entitled to open branches in the republic and abroad.

**2.5** The I.W.S.F. shall carry out its activities in close collaboration with state organizations, commercial (in accordance with the legislation) and non-commercial organizations (public associations), from the country and abroad, whose goals do not contradict the goals of the I.W.S.F. and the legislation in force, as well as the international acts to which the Republic of Moldova is a party. The I.W.S.F. will avoid the appearance of conflict of interests during its operation.

**2.6** The I.W.S.F. shall be neutral in matters related to politics and religion and shall forbid any form of political, religious, sexual, ethnic or racial discrimination as well as any other form of discrimination within its sector.

### **Article 3 – Association**

**3.1** The General Meeting or the Board of Directors shall make decisions regarding the participation of the I.W.S.F. within other national or international organizations or associations, provided that the rights of the I.W.S.F. and of its related members will not be affected by these commitments.

**3.2** The I.W.S.F. shall be an associate member of the National Olympic and Sports Committee of the Republic of Moldova.

**3.3** The I.W.S.F. shall be an associate member of WORLD AQUATICS and Ligue Europeenne de Natation –LEN European Aquatics.

### **Article 4 – Distinctive Signs**

**4.1** The I.W.S.F. shall have its own hymn, emblem, flag, signs, header and stamp.

### **Article 5 – Liability**

**5.1** The I.W.S.F. shall be liable for its obligations with its entire property.

**5.2** The I.W.S.F. shall not be liable for its members' obligations and its members shall not be liable for the I.W.S.F. obligations.

**5.3** The I.W.S.F. shall not be liable for the obligations of the organizations created or founded by it and these organizations shall not be responsible for the obligations of I.W.S.F.

### **Article 6 – Official language and divergences between texts**

**6.1** The official language of I.W.S.F. shall be the state language of the Republic of Moldova. Official documents and texts will be completed in this language.

**6.2** Working languages of the I.W.S.F. shall be the state language of the Republic of Moldova, English and Russian.

**6.3** In the event of any discrepancies in the interpretation of the texts in different languages, the text written in the state language of the Republic of Moldova will prevail.

## **Article 7 – Headquarters**

7.1 The I.W.S.F. shall be based in the city of Chisinau, 26, A. Doga street.

## **Article 8 – Purpose, Objectives and Functions of the I.W.S.F.**

### **8.1. The purpose of the I.W.S.F.**

The I.W.S.F. shall have as its main purpose the organization, management and control of swimming activity (swimming, open water swimming, synchronized swimming, diving, high jump and modern pentathlon), as well as the application of an organized system of selection, training and participation in competitions in order to develop the performance activity and obtain competitive results at the national and international level.

### **8.2 The main I.W.S.F. objectives shall be:**

- a) organization and support of water sports in the Republic of Moldova in all its forms;
- b) development, promotion, regulation, control and organization of water sports competitions, especially swimming, of the Federation, in all forms throughout the territory of the Republic of Moldova;
- c) encouraging "fair play" sports at the national level;
- d) development and management of international sports relations in water sports in all its forms;
- e) protection of its members' common interests;
- f) developing and maintaining links between clubs, athletes, officials, district and municipal water sports associations, other related members;
- g) preventing the violation of the I.W.S.F. Articles of association and Regulations.
- h) non-admission of the introduction of irregular methods and practices in water sports, the use by athletes of chemical and other forbidden substances;
- i) promotion and defense of the water sports interests of the Republic of Moldova, both domestically and internationally;
- j) ensuring the Republic of Moldova water sports representation in international bodies;
- k) prohibition of any form of political, religious, sexual, ethnic or racial

- discrimination in water sports;
- l) increasing the organizational level of water sports clubs and associations, including through their attestation (licensing);
  - m) organizing the training and promotion of coaches, referees and other technicians and specialists in water sports;
  - n) organizational development and assurance among children and juniors practicing water sports;
  - o) supporting members related to the Federation, as the case may be, on methodological, organizational issues, etc.;
  - p) development of the material base for sports activity in the field of water sports, especially swimming, at the national level;
  - q) contributing, through sports activity in the field, to the formation of the positive image of the Republic of Moldova on the international arena;
  - r) the effective support of district, municipal water sports associations, other specialized associations;
  - s) granting material and methodical aid in various forms, based on the possibilities of the Federation, to all junior teams participating in the competitions held under the auspices of the I.W.S.F. and other members related to the decision of the Board of Directors of the I.W.S.F.;
  - t) other objectives that do not contravene the legislation in force and these Articles of association.

### **8.3 The main I.W.S.F. duties shall be:**

- a) developing the national strategy on enhancing specific sports such as: swimming, diving and modern pentathlon, on participation in official international competitions and the objectives to be achieved, especially at the Olympic Games, World Championships, European Championships and World Cups, as well as on measures required to achieve them;
- b) organizing official sports activities and competitions at national level, based on the adopted rules and regulations, according to these Articles of Association;
- c) organizing and coordinating the entire activity of referees regarding their training, improvement and promotion at the national and international levels;
- d) drawing up the national calendar and regulations of national championships and competitions in all categories, as well as the international calendar in which performance athletes participate;
- e) forming national teams of seniors, juniors and cadets representing the federation within international competitions and organizing their training in order to fulfill the assumed objectives;
- f) guiding, controlling and supporting from a methodical, technical, organizational and material point of view the swimming, diving and pentathlon sports divisions and the rational and territorial specialized associations;
- g) developing the information and documentation system, organizing meetings, courses and strategies to improve coaches' and referees' qualification;

- h) liaising with departments of the competent Ministry, with other ministries and departments, in order to support swimming, diving and pentathlon activities in their subordinated departments;
- i) pursuing the promotion of Moldovan technicians in international bodies;
- j) participating in the congresses and international conferences of the forums to which it is related;
- k) administration and management of its own property in accordance with legal provisions, ensuring its development and modernization, together with the necessary funds in this regard;
- l) establishing the amount of contributions, taxes and penalties;
- m) organizing the database, making statistics and developing the information and documentation system;
- n) developing and adopting regulations, technical, financial and material insurance rules, other specific rules within its bodies of a general nature or for the fulfillment of the intended objectives;
- o) organizing or supervising official international competitions that take place on the territory of the Republic of Moldova, with the approval of the relevant Ministry.
- p) promoting measures to prevent and control the use of prohibited substances and irregular methods intended to artificially increase the physical capacity of athletes or to modify the results of competitions organized directly at the national level, in accordance with the regulations of international federations, of the International Olympic Committee, of the World Anti-Doping Agency and the National Anti-Doping Agency. Any other measures that contravene the regulations mentioned above shall be null and void;
- q) acting to prevent and combat violence, to promote appropriate educational measures, the spirit of "fair play" and tolerance in all sporting events, which means that the Federation, as well as related sports associations and clubs organizing competitions, take measures to ensure spectators, athletes and officials protection and safety, as well as to prevent and deal with any incidents that may occur at the entry / exit routes and inside the venues of the relevant competitions before, during and after their completion, in accordance with the provisions of the National Violence Prevention Act and fight against it during competitions and sports games;

## **Article 9 – The I.W.S.F. functions**

### **9.1 The main functions of the I.W.S.F. shall be:**

- a) establishing the development directions of water sports in the Republic of Moldova;
- b) permanent collaboration with state bodies and local public administration authorities;
- c) organization of championships, competitions, contests and other internal sports events;
- d) participating in national and international contests in order to obtain social



- orders and government endowments, as well as grants and scholarships from other countries, from other national, foreign and international foundations;
- e) establishing the annual sports calendar of water sports competitions, especially swimming;
  - f) assigning the champion or the champion team, the winners of the competitions organized by the I.W.S.F. and the hierarchical order of the participants;
  - g) organizing and coordinating the territorial bodies of water sports management;
  - h) developing and adopting rules, regulations, norms and standards necessary for water sports organization and development;
  - i) organizing and carrying out the attestation (licensing) of water sports clubs and sports bases;
  - j) organizing and conducting courses, training and instructing sessions, as well as qualification or classification exams for coaches, referees, other technicians and specialists in water sports, especially swimming;
  - k) administration and management of fixed assets, material values and monetary assets owned by the I.W.S.F. under the legislation in force and of these Articles of association;
  - l) founding and owning own mass media, appropriate use of state and private ones;
  - m) financial and material insurance at the expense of own funds, from non-property activities related to water sports activities, or from commercial activities organized by own subdivisions, with or without legal personality.
  - n) exercising other functions known by world practice in the activity of the National Water Sports Associations from other countries, which do not contravene the legislation in force of the Republic of Moldova and these Articles of association.

**9.2 In order to perform its functions and achieve its objectives, the Association shall be entitled to:**

- a) freely disseminate information about its operation;
- b) establish own mass information means;
- c) conduct editorial activity;
- d) represent and defend the legitimate interests of its members in state bodies and organizations;
- e) pronounce disciplinary measures;
- f) obtain the necessary information from public authorities to perform its statutory operations, with the omissions provided by law;
- g) create local structural subdivisions depending on the needs and at own expense;
- h) conduct economic operation directly resulting from the goals provided for in the Articles of association, including with the help of commercial and cooperative companies created for this purpose;
- i) participate in national and international competitions in order to obtain social orders and government endowments, as well as grants and scholarships from other countries, from national, foreign and international foundations and

- organizations and from private individuals;
- j) conclude bilateral and multilateral agreements with individuals and legal entities for technical and scientific, economic, financial and production collaboration, for the execution of works and the provision of services in order to achieve the statutory goals and tasks;
  - k) conclude contracts with individuals and legal entities for the use of intellectual property objects exclusively owned by them;
  - l) carry out scientific research and design works, carry out public expertise of socially important projects and programs, participate in the works of mixed commissions when these projects are examined, provided that these activities are stipulated in the Articles of association;
  - m) have its own name and symbol;
  - n) fully exercise the powers that do not contravene the legislation on non-commercial organizations;
  - o) organize, under the law, meetings and other public actions;
  - p) other rights provided by these Articles of association and the legislation in force of the Republic of Moldova.

### **9.3 In order to achieve its goals, the Association shall conduct the following activities:**

- Developing methods, concepts, ideas regarding the knowledge and study of new regulations in the field of water sports, especially swimming;
- Organizing and participating in seminars, conferences, meetings, lessons, etc., with representatives of relevant bodies, athletes with a long career, with young athletes, with qualified specialists in the Federation's priority areas of activity in order to achieve the statutory goals;
- Analyzing social, economic and legal issues athletes face, with direct impact on their fundamental rights and freedoms;
- Preparing, educating and training young athletes, specialists in training the next generations;
- Increasing the qualification of specialists working in water sports, especially swimming;
- Granting help to the I.W.S.F. members. in promoting, boosting projects or actions in the field of water sports;
- Publishing and multiplying periodical publications for lovers of water sports;
- Ensuring the participation of athletes and other employees in trainings for water sports experts;
- Preparing projects for external financing;
- Participation in various contests, water sports tournaments;
- Carrying out PR - complex actions for the Federation's interest.

## **Article 10 –Related Members Categories**

### **10.1 The Federation's related members shall be:**

1. Legal entities (Public Associations):
  - a) water sports clubs;
  - b) sports clubs with water sports divisions;
  - c) municipal, district, regional water sports associations founded and registered according to the legislation in force of the Republic of Moldova;
  - d) other water sports profile organizations (children's sports clubs and autonomous schools and others alike, whose statutory purpose is the practice, development, promotion and popularization of water sports and the organization of water sports competitions under the aegis of the I.W.S.F.), sports or arbitration organizations, whose admission to the I.W.S.F. was approved by the I.W.S.F. Council or General meeting.
  - e) water sports leagues.
  
1. Individuals practicing or having practiced water sports, especially swimming, or having substantial merits and contributions to the development of these sports at national or international level.

### **Article 11 – The terms for obtaining the related member status**

**11.1** Becoming an I.W.S.F. related member shall be done based on a request from the respective subject, submitted in writing to the I.W.S.F. general secretariat and shall mandatory contain the applicant's commitment to comply with the I.W.S.F. Articles of association, regulations, decisions and of its organs and to pay the established annual dues.

**11.2** In order to obtain the I.W.S.F. related member status, the applicant must be an individual or legal entity under the terms of these Articles of association and participate in national competitions (individuals, clubs and sports associations), organized by the I.W.S.F.

**11.3** A legal entity's request for obtaining the I.W.S.F. related member status shall be mandatory supported by:

- a) a copy of the Articles of association of the applicant registered according to the legislation in force of the Republic of Moldova;
- b) list of its officials authorized to sign official documents and conclude legal agreements with third parties;
- c) the statement regarding the official insignia of the respective club, as well as a sample of its coat of arms.
- d) the applicant's commitment to comply with the I.W.S.F. Articles of association, regulations, decisions and to ensure their compliance by the applicant's members;
- e) the applicant's commitment to comply with the International Rules established by the international water sports organizations and to ensure their compliance by its own members;

- f) the applicant's commitment to recognize and report to the jurisdiction of the Court of Sports Arbitration and Mediation of the R.M. and the Sports Arbitration Court of Lausanne (Switzerland);
- g) copy of the General Meeting minutes establishing the applicant and of its last Congress, General Meeting or meeting;
- h) the applicant's commitment to organize or participate in international tournaments and competitions only with the prior consent of the I.W.S.F.

**11.4** In order to obtain the I.W.S.F. related member status, an individual shall attach to its request documents confirming he is or have been involved in water sports or have substantial merits and contributions to the development of these sports events at the national or international level, as well as a copy of the identity card.

**11.5** Changing the I.W.S.F. related member's legal form of organization shall not require re-affiliation. However, the reorganization documents, approved or issued by the competent authorities of the Republic of Moldova, must be submitted to the I.W.S.F. no later than 7 days after the reorganization procedure has been completed in order to make changes in the Federation's documents, under the penalty of suspension of the I.W.S.F. membership. until the situation is clarified.

## **Article 12 – Joining decision**

**12.1** The decision to join the I.W.S.F. shall be adopted by the General Meeting or by the Board of Directors of the I.W.S.F. according to the provisions of these Articles of association.

**12.2** In between two General Meetings of the I.W.S.F., if necessary, the decision to join the I.W.S.F. can be adopted by the Board of Directors with the mandatory subsequent notification of the very first next General Meeting of the I.W.S.F.

**12.3** The General Meeting may cancel the joining decision approved by the Board of Directors of the I.W.S.F. with the vote of 2/3 of the members. If one member's joining decision is not canceled at the very first next General Meeting of the Board of Directors, the affiliation shall be considered valid.

## **Article 13 – The rights of the related members**

**13.1** Members related to the I.W.S.F. shall be entitled to:

- a) know in advance the agenda of any General Meeting of the I.W.S.F., participate in the works of the General Meeting according to the rules of representation established in these Articles of association and exercise the voting right;
- b) be appointed to the I.W.S.F. bodies, under terms and procedure provided for in these Articles of association;
- c) propose for examination to the I.W.S.F. governing bodies issues related to

- the agenda and competence of the I.W.S.F. and initiate draft decisions;
- d) nominate people for the positions of chair-man, deputy chairman or other management and control bodies of the I.W.S.F.;
  - e) request and receive the support of the I.W.S.F. in matters under its competence;
  - f) participate in competitions organized under the patronage of the I.W.S.F.;
  - g) participate in trainings, conferences and other campaigns organized by the I.W.S.F. in order to train and retrain staff in water sports;
  - h) independently solve (without the interference of the I.W.S.F.) the sports, legal, economic, administrative and other issues assigned to them;
  - i) submit various projects and initiatives aimed at improving sports activity in the field of water sports in the I.W.S.F.;
  - j) have access to any regulations adopted by the I.W.S.F. bodies referring to water activity;
  - k) other rights, resulting from these Articles of association or from the regulations, directives and decisions of the I.W.S.F. bodies.

#### **Article 14 – The related members’ obligations**

14.1 The I.W.S.F. related members undertake to:

- a) respect and execute the provisions of the Articles of association, regulations, norms and decisions of the bodies, committees and representatives of the I.W.S.F. and to ensure compliance by own members and by any other person (player, coach, official, etc.) in their subordination;
- b) be loyal to the I.W.S.F. meaning, in particular, that the related member must refrain from any actions contrary to the I.W.S.F. goals;
- c) submit to the I.W.S.F. a copy of its Articles of association, the nominal composition of its management body, the list of persons authorized to represent its interests with signature models and the official correspondence address;
- d) submit to the I.W.S.F. all changes made to the documents mentioned in clause (c) of this article within one month after they have been made.
- e) pay all amounts owed to the I.W.S.F., including dues;
- f) allow the control ordered by the I.W.S.F. within the limits of the competence assigned by these Articles of association;
- g) respect the principles of loyalty and sporting behavior as an expression of "fair play";
- h) ensure undertaking of these obligations by their individual members (fighters, leaders, coaches, etc.);
- i) perform other obligations resulting from this Articles of association and from the regulations, directives and decisions of the I.W.S.F. and its bodies.

#### **Article 15 – Sanctions**

**15.1** The related members and their own members, for deviations, violations of the

Articles of association, regulations, decisions of the I.W.S.F. bodies, will be subject to various sanctions, such as:

- a) warning;
- a) to fine;
- b) suspension;
- c) exclusion.

**15.2** The application of warning and fine sanctions shall be the competence of the I.W.S.F.'s judicial bodies.

**15.3** The application of suspension and exclusion sanctions shall be the competence of the General Meeting and the Board of Directors of the I.W.S.F. according to articles 16 and 17 of these Articles of association.

### **Article 16 – Suspension**

**16.1** Serious and repeated violation of the Articles of association, regulations, directives and decisions of the I.W.S.F. and of its bodies may result in the suspension of the related membership in the I.W.S.F. for a period of up to two years at the decision of the General Meeting or the Board of Directors of the I.W.S.F.

**16.2** The I.W.S.F. General Meeting shall decide on the suspension of membership in the I.W.S.F. at the presentation to the Board of Directors. However, in between two General Meetings, the Board of Directors may independently take the decision on the I.W.S.F. membership suspension with immediate effect. In this case, the suspension will be valid until the next General Meeting and shall be confirmed by it. This shall not apply if the suspension has expired or been canceled by the Board of Directors before the date of the next General Meeting.

**16.3** Suspension shall result in cancelation of the right to participate in the competitive systems organized by the I.W.S.F. and in depriving the related member of the right to vote in the I.W.S.F. bodies for the term the sanction is imposed.

**16.4** If the violation is committed by an official (manager, player, coach, referee, etc.) the suspension sanction shall be applied by the I.W.S.F. respective bodies and its effects shall refer to all the rights conferred by the Articles of association and the I.W.S.F. regulations, i.e. the member forfeits these rights.

### **Article 17 – Exclusion**

**17.1** The General Meeting, upon presentation to the Board of Directors or the Board of Directors in between two General meetings, may exclude an I.W.S.F. related member due to:

- a) serious and repeated violations of the Articles of association, regulations, directives and decisions of the I.W.S.F. and its bodies;

- b) failure to pay the contribution or other amounts due to the I.W.S.F. pursuant to legal acts, the Articles of association, regulations or norms of the Federation.
- c) The General Meeting can delegate to the Board of Directors of the I.W.S.F. the right to relate and/or exclude related members on its behalf, if this is required by the legislation in force of the R.M. or this Articles of association.

### **Article 18 – Loss of membership**

**18.1** Membership in the I.W.S.F. shall terminate by the voluntary withdrawal of the related member from the I.W.S.F., exclusion from related members of the I.W.S.F. or termination of its operation.

**18.2** Losing related membership in the I.W.S.F. shall not release the related member from his financial obligations towards the I.W.S.F. or towards other related members thereof, as well as the I.W.S.F. or other related members from their obligations towards the subject having lost his related membership.

**18.3** The loss of membership shall lead to the deprivation of the entire set of rights held by any I.W.S.F. related member.

### **Article 19 – Voluntary withdrawal**

**19.1** An I.W.S.F. related member may withdraw from the I.W.S.F. only at the end of the ongoing competitive season, notifying the I.W.S.F. general secretariat on his withdrawal by registered letter, sent or submitted at least 3 months prior to the end of the season.

### **Article 20 – Activity Termination**

**20. 1** A legal entity's activity termination, which is a related member of the I.W.S.F. may be voluntary or legal. If activity termination occurs, the I.W.S.F. related member shall lose its related member status from the moment of registration by the respective state bodies of the liquidation decision of the respective legal entity.

### **Article 21 – Governing bodies**

**21.1** The governing bodies of the I.W.S.F. shall be: The General Meeting, the Board of Directors, the I.W.S.F. Chairman.

**21.2** The bodies listed in this chapter shall be eligible bodies.

### **Article 22 – List of I.W.S.F. bodies**

**22.1** The following authorities shall have the I.W.S.F. body status:

- a) The General Meeting;

- b) The Board of Directors, which is elected by and subordinated to the General Meeting;
- c) The Attestation (Licensing) Committee for swimming sports clubs and bases, which shall be appointed and subordinated to the Board of Directors;
- d) Judicial bodies: The Competitions and Discipline Committee and the Appeal Committee, which shall be independent from each other. The members of the judicial bodies shall be appointed by the Administrative Council of the I.W.S.F. The judicial bodies' members cannot be part of the Administrative Council; The Court of Sports Arbitration and Mediation specialized in sports disputes, as the last court of appeal.

**22.2** The following permanent Committees shall not have the I.W.S.F. bodies status and shall have consultative functions, shall be independent of each other, shall be appointed by and subordinated to the Board of Directors:

1. The Coaches Committee;
2. The Arbitrators Committee;
3. Children and Juniors Committee;
4. Mass Media and Water Sports Popularization Committee;
5. The Athletes Committee.

**22.3** Depending on the needs, the Board of Directors can create other permanent Committees.

**22.4** The numerical and nominal composition of the permanent Committees shall be established by the I.W.S.F. Board of Directors.

**22.5** Any judicial or permanent Committee must carry out its activity under its regulations approved by the Board of Directors. The Court of Sports Arbitration and Mediation, specialized in sports disputes, shall operate under its own Articles of associations and regulations.

**22.6** All bodies, committees, as well as the I.W.S.F. officials shall be obliged to comply with the Articles of association, regulations and decisions of the I.W.S.F.

### **Article 23 – The General Meeting**

**23.1** The General Meeting shall be the supreme governing body of the I.W.S.F. The General Meeting can be ordinary or extraordinary.

**23.2** The General Meeting shall be composed of individual members or delegates officially appointed by the I.W.S.F. related members and legal entities, authorized to represent them, according to the rules of representation established by these Articles of association.

**23.3** The I.W.S.F. related members – legal entities undertake to submit to the I.W.S.F.



general secretariat powers of attorney and official letters specifying the name, first name and identity card data of the appointed delegates at least 7 (seven) working days prior to the General Meeting date;

#### **Article 24 – Representation**

**24.1** The General Meeting shall be composed of individuals – I.W.S.F. members personally participating in the General Meeting and officially appointed delegates from among the I.W.S.F. related members – legal entities, each of which shall have a single voting right. Individuals who are I.W.S.F. members and delegates of the I.W.S.F. members – legal entities undertake to personally participate in the General Meetings and cannot transfer these rights to third parties based on powers of representation.

#### **Article 25 –The General Meeting’s Attributions**

**25.1** The General Meeting powers shall be established by these Articles of association in accordance with the legislation of the Republic of Moldova.

**25.2** The exclusive competence of the General Meeting shall include:

- a) adoption of the I.W.S.F. Articles of association, its modification and completion;
- b) electing and recalling the I.W.S.F. chairman, deputy chairman, members of the Board of Directors of the I.W.S.F.; supervisory, review and control bodies.
- c) approving the activity reports of the Board of Directors and the audit body of the financial reports of the I.W.S.F., the censor and the supervisory commission;
- d) approval of the I.W.S.F. activity plan for the next four years;
- e) taking and approving any other decisions required for the I.W.S.F. goals fulfillment which are not under the competence of other bodies;
- f) taking the decision on the I.W.S.F. reorganization or dissolution;
- g) delegating the attributions provided for in clause d); e); f); of this article to the Board of Directors.

#### **Article 26 – The Ordinary General Meeting**

**26.1** The ordinary General Meeting shall be convened by the Board of Directors of the I.W.S.F. every year compulsorily, and the General Meeting for accountability and election of management bodies - every five years.

**26.2** The invitation to the General Meeting session must be sent to related members by means of registered letters, fax, telegram at least one month prior to the meeting or made public on the official website of the I.W.S.F. on the Internet in the same period of time.

**26.3** The invitation shall mandatory contain: the place, date, time and agenda of the General Meeting.

**26.4** When the issue of amending the I.W.S.F. Articles of association appears on the agenda, the invitation must be accompanied by the full text of the amendment proposals.

**26.5** The agenda of the General Meeting shall be approved by the I.W.S.F. Board of Directors.

**26.6** Any I.W.S.F. related member shall be entitled to request the inclusion of a topic on the agenda, provided that the general secretariat of the I.W.S.F. will receive this request at least 20 days prior to the meeting. These requests shall be registered compulsorily. Late applications shall not be considered.

**26.7** The agenda can be changed during the General Meeting session, provided that a majority, more than half of the valid votes of the present members/delegates are in favor.

### **Article 27 – The Extraordinary General Meeting**

**27.1** The Chairman of the I.W.S.F. or the Board of Directors can convene the extraordinary General Meeting if it considers necessary.

**27.2** If at least 2/3 of the total number of the I.W.S.F. related members submit properly justified, written requests, the Board of Directors shall be obliged to convene the extraordinary General Meeting not later than two months from the date of the last submitted request.

**27.3** The extraordinary General Meeting can also be convened upon submission of a no confidence motion which must be signed by at least 2/3 of the total number of the I.W.S.F. related members. A no confidence motion can be submitted against irregular measures, adopted by the Board of Directors or on the activity of some bodies of the I.W.S.F. In the case of a no-confidence motion subject to voting, the members of the concerned body shall not be entitled to vote.

**27.4** The notification on the extraordinary General Meeting and its agenda, date and place to be held shall be mandatory sent to the I.W.S.F. related members registered letters at least 15 days prior to the meeting or published on the I.W.S.F. official website on the Internet in the same period of time.

**27.5** If the extraordinary General Meeting is convened at the initiative of the Chairman or the Board of Directors, these bodies shall establish the agenda. If it is convened at the request of 2/3 of the related members, the agenda will contain the issues submitted by these members.

**27.6** The extraordinary General Meeting agenda cannot be changed under any circumstances.

**27.7** Regardless of who initiated the convening of the extraordinary General Meeting, the I.W.S.F., within the limits of its competence, shall be liable for its organization and conduct. The extraordinary General Meeting sessions shall be led by the chairman elected from among the I.W.S.F. members.

### **Article 28 – The Quorum**

**28.1** The General Meeting will be deliberative only if more than half of its members are present and participate in the session.

**28.2** The General Meeting session at which the reorganization or voluntary liquidation of the I.W.S.F. is decided shall be deliberative provided the participation of at least 2/3 of the members.

**28.3** The decision on the reorganization or voluntary liquidation of the I.W.S.F. shall be taken with at least 2/3 of the votes.

**28.4** If at the time of the opening of the General Meeting the quorum does not exist and it is not reached even within the following two hours, a second General Meeting session will take place within 24 hours of the first, if possible in the same place and with the same agenda. If even in this case the necessary quorum is not obtained, the General Meeting will be convened within one week to a maximum of 30 days.

In this last case, there shall be no requirements regarding the quorum for this meeting, unless the agenda includes matters related to the amendment of the I.W.S.F. Articles of association, the election or recalling of the I.W.S.F. chairman, the dismissal of a member or a number of members of the I.W.S.F. Board of Directors, the exclusion of a related member of the I.W.S.F. or the I.W.S.F. dissolution.

### **Article 29 – The General Meeting Management**

**29.1** The General Meeting will be chaired by a chairman elected from among the I.W.S.F. members.

**29.2** The General Meeting shall appoint from among the present members/delegates the members of the commission for validating the powers of the officially appointed delegates, the counting commission, shall appoint the secretariat responsible for preparing the minutes of the General Meeting.

**29.3** The numerical and personal composition of these working bodies shall be established by the General Meeting. Besides the General Meeting secretariat activity, the transcript of the session shall be performed if required.

**29.4** The Chairman of the General Meeting shall be responsible for ensuring that the General Meeting is conducted in accordance with the working regulations of the meetings approved by the General Meeting. Thus, the chairman shall be empowered to reduce the speeches of members/delegates.

**29.5** The General Meeting minutes must be signed by the Chairman of the General Meeting and the members of the secretariat, and the transcripts by the respective person. As the case may be, the minutes shall be approved at the next General Meeting session, and the transcripts shall be approved by the general secretary of the I.W.S.F.

### **Article 30 – Decision voting**

**30.1** The General Meeting will not adopt any decision regarding any matter that is not included on the agenda.

**30.2** Related members – individuals shall exercise their voting rights in person, legal entities through the officially appointed delegates, authorized by power of attorney according to the provisions of these Articles of association and the legislation in force of the R.M. Each member/delegate shall be entitled to one equal vote.

**30.3** Decisions will be adopted by the absolute majority (50%+1) of the valid votes of the officially appointed members/delegates entitled with the voting right.

**30.4** Decisions related to any change in the legal address of the I.W.S.F., any change to the Articles of association, any changes to the agenda of the ordinary General Meeting, the I.W.S.F. chairman recall, the dismissal of a member of the I.W.S.F. Board of Directors, the exclusion of a I.W.S.F. related member or the I.W.S.F. dissolution shall require a majority of 2/3 of the valid votes of the officially appointed delegates entitled with the voting right.

**30.5** Decisions will be taken by hand voting, unless another way is provided for in these Articles of association or the officially appointed delegates request a secret vote.

**30.6** Ballots shall be prepared by the Counting Committee; their text shall be approved by the General Meeting. Ballots shall be distributed by the Counting Committee under the signature of each officially appointed member/delegate. Damaged ballots, blank ballots or any other form of abstention or ambiguity will not be included in the calculation of valid votes.

**30.7** For individuals – members or delegates, voting by mandate, power of attorney or personal letter by proxy of a third person shall not be allowed.

**30.8** The decisions adopted at the General Meeting will enter into force from the

date of their adoption, only if the General Meeting does not set another date or does not delegate this attribution to the I.W.S.F. Board of Directors.

### **Article 31– Elections**

**31.1** For the positions of chairman and deputy chairman, the I.W.S.F. related members will submit candidacies and provide respective minutes to the general secretariat of the Federation at least 10 days prior to the General Meeting date, supported by written programs and the request for the candidate's consent to stand for election. In compliance with the same terms, the candidates will provide the I.W.S.F. general secretariat with the respective requests, programs and a list of supporters with the signatures of at least two I.W.S.F. related members for each candidate. A related member may submit or support only one candidacy for that position. The programs of the candidates shall be published on the I.W.S.F. official website on the internet.

**31.2** The chairman, deputy chairman and members of the Board of Directors shall be elected for 5 years.

**31.3** The elections will be held in the form of open voting, unless the General Meeting decides that the voting should be secret. The voting procedure shall be determined pursuant to article 30 of these Articles of association.

**31.4** In order to elect the I.W.S.F. chairman, half plus one of the votes cast shall be required. If there are only two candidacies, the candidate having received more votes than the other candidate shall be elected chairman. If more than two candidates participate in the elections, and after the first round of voting none of them obtained half plus one of the votes cast, a second round of voting between two candidates who have received the highest number of votes shall be conducted. If several candidates have obtained an equal number of votes, but more than the others, the run-off takes place between them.

If they have an equal number of votes, but less than another candidate, they will also enter the run-off together with the one ranked first. In the second round runoff the simple majority shall decide. In case of equality of the number of votes, the voting procedure shall repeat.

**31.5** For the other positions, the elections shall take place if the number of votes is reached by the simple majority.

#### **31.6 Minimum conditions to run for the I.W.S.F. chairman position**

**31.6.1** To run for the I.W.S.F. chairman position, the candidates must meet at least the following conditions:

- a. Be a citizen of the Republic of Moldova;
- b. Hold a diploma with a higher education license;

- c. Be a personality in the world of sports;
- d. Possess an undisputed moral profile;
- e. Have no criminal record;
- f. Have managerial experience in sports for at least 2 years;
- g. Know at least one foreign language;
- h. Be a member (for individuals) or representative of the member (legal entity) of the I.W.S.F.;
- i. Be proposed for this position through appropriate minutes or decisions according to the provisions of these Articles of association.
- j. Be no older than 70 years old.

**31.7** The I.W.S.F. Chairman cannot be:

- a) a person prohibited, by law or court decision, from holding the position of administrator or another position enabling to manage material assets;
- b) an adult individual protected by guardianship, to the extent that, by court decision, his right of disposal was limited or he was not allowed to conclude on his own or with the assistance of the guardian legal documents on property administration, except for the legal documents provided for by the Civil Code;
- c) a person with an unextinguished criminal record for crimes against property, economic crimes, crimes committed by persons in managerial positions or by the person managing organizations, committed intentionally.

**31.8** The I.W.S.F. Chairman may constitute, if required, expert groups to study certain important issues related to the Federation's activity, to discuss certain government programs in the I.W.S.F.'s field of activity, to alert public opinion on some major social issues.

## **Article 32 – Public access**

**32.1** The General Meeting shall be public and by invitation. Media representatives may be present, unless accredited by the I.W.S.F. Chairman with corresponding IDs. Guests and journalists may not be admitted to the General Meeting sessions by decision of the simple majority of the voting members/delegates.

## **Article 33 – Expenses**

**33.1** Expenses related to the organization, conducting and participation in the General Meeting shall be borne by:

- a) the I.W.S.F. – for renting the hall, organizational expenses;
- b) the I.W.S.F. related members - for accommodation, transport, per diems for delegates.

## **Article 34 – The I.W.S.F. Board of Directors**

**34.1** The I.W.S.F. Board of Directors shall be elected at the I.W.S.F. General Meeting, consisting of 3 persons. The I.W.S.F. Chairman cannot be a member of the Board. The Board of Directors shall be led by the Chairman of the Board of Directors, who will be elected with the majority of votes from among its members.

**34.2** The members of the Board of Directors shall be elected for a five-year mandate, their powers ending at the expiration of the term of office, nonetheless, from the moment of the election of the new I.W.S.F. Board of Directors' composition.

**34.3** A vacant position of a Board of Directors' member shall be filled by the decision of the ordinary or extraordinary General Meeting;

**34.4** The Board of Directors shall gather, as a rule, on a monthly basis, and shall be convened by the Chairman or deputy Chairman officially replacing when absent.

**34.5** The meetings of the Board of Directors shall be deliberative if half plus one of its members are present.

**34.6** All members of the Board of Directors shall be entitled with one voting right, provided that they are members or delegates of the I.W.S.F. members. Absent members cannot vote. A member of the Board of Directors cannot participate in debates and shall not be entitled to vote in any matter or issue in which he and/or the club he relates to is involved, as well as in any other case where there is any conflict of interest.

**34.7** The decisions of the Board of Directors shall be taken by a simple majority of the votes cast. In case of a tie, the vote of the Board of Directors' Chairman shall be decisive.

**34.8** The resolutions and decisions adopted by the Board of Directors shall be included in the minutes of its meetings.

**34.9** The resolutions and decisions of the Board of Directors shall be final and will enter into force from the date of their adoption, unless the Board of Directors has established another date. These decisions can only be appealed according to Article 60 of these Articles of association.

**34.10** One shall cease to be a member of the I.W.S.F. Board of Directors in one of the following situations:

- a) in case of death,
- b) in case of resignation;
- c) in case of dismissal from office by decision of the General Meeting.

## **Article 35 –The I.W.S.F. Board of Directors Attributions**

**35.1** The Board of Directors shall direct the entire operation of the I.W.S.F. between the General Meeting sessions.

**35.2** The competence of the Board of Directors shall include:

- a) managing the activities of the I.W.S.F. in between the General Meetings, ensuring the implementation of the decisions taken by the General meetings;
- b) representing and undertaking the obligations of the I.W.S.F. towards other parties;
- c) preparing and convening the ordinary and extraordinary General Meeting;
- d) adopting and modifying regulations and rules, related to the I.W.S.F. operation, unless they are under the competence of the General Meeting; issuing or modifying directives for the I.W.S.F. committees;
- e) appointing and, if required, dismissing the I.W.S.F. committees' members and their chairmen;
- f) supervising the activity of the I.W.S.F. and its bodies;
- g) directing and exercising control over the activity of the I.W.S.F. committees, being entitled to cancel their decisions and take new decisions;
- h) establishing, organizing or abandoning official competitions at national level;
- i) approving the sports calendar of the I.W.S.F., the lists of I.W.S.F. referees;
- j) approving the assimilation of the final results of internal competitions;
- k) establishing the size of the annual membership fee, taxes, visas and penalties from the sports activity in sports management;
- l) approving the accounting balance sheet and the annual revenue-expenditure budget of the I.W.S.F.;
- m) approval of the I.W.S.F.'s own financial rules;
- n) allocation of funds for expenses not foreseen in the budget;
- o) developing and maintaining relations with international and national sports bodies, as well as exercising the right to propose candidacies from the I.W.S.F. for election in their various bodies, the designation of representatives of the I.W.S.F. at congresses, conferences and international meetings and others;
- p) approving the organizational structure of the I.W.S.F., the job descriptions, the salary rules of the management and other employees of the Federation;
- q) elaboration and implementation of programs for the development of the material base of the I.W.S.F.;
- r) exercising, within the limits of the competence assigned by these Articles of association, the control of the activity of the I.W.S.F. members;
- s) adopting decisions on property procurement, distribution and alienation when necessary or requested;
- t) affiliation, suspension or exclusion of I.W.S.F. members;
- u) approving, as necessary or at the request of contracts, to which I.W.S.F. is a party, apart from those that belong to the competence of the authorized I.W.S.F. according to the internal regulation;
- v) exercising other measures that are not expressly assigned to the General



Meeting.

### **Article 36 – The I.W.S.F. Chairman**

**36.1** The I.W.S.F. Chairman (the I.W.S.F. Administrator) shall be elected by the General Meeting for a 5 (five)-year term.

**36.2** The elected Chairman shall nominate the general secretary, who will be appointed to this position by the General Meeting or the Board of Directors of the I.W.S.F.

**36.3** The I.W.S.F. Chairman competence and obligations shall include:

- a) ensuring the I.W.S.F. current operation management;
- b) acting on behalf of the I.W.S.F. without a mandate and representing its interests in all circumstances with the right to conclude transactions and other types of legal acts on behalf of the I.W.S.F.;
- c) requesting the convening of the Board of Directors meetings in urgent matters;
- d) operatively managing the I.W.S.F. funds, concluding transactions and signing contracts, issuing powers of attorney, opening bank accounts, signing other financial documents;
- e) signing the Articles of association, in new wording, or the additional act on the amendment made in the Articles of association, adopted by the General Meeting, unless no other person is appointed by the General Meeting;
- f) preparing the annual report on the I.W.S.F. activity and submitting it to the governing bodies for approval;
- g) ensuring the publication of the annual report on the I.W.S.F. activity;
- h) employment and dismissal of personnel;
- i) ensuring the implementation of the decisions issued by the General Meeting and the Board of Directors;
- j) ensuring the regular and efficient functioning of the I.W.S.F. bodies to achieve the objectives specified in these Articles of association;
- k) appointing the administrative officers of the I.W.S.F. according to the organizational structure established by the Board of Directors;
- l) signing as the orderer of the I.W.S.F. financial means the accounting documents, contracts and other documents, which do not contravene the legislation in force;

- m) the right to delegate his signature to one of the I.W.S.F. deputy Chairman or to another person, according to the provisions of the legislation in force of the Republic of Moldova;
- n) other duties provided for by law, these Articles of association or the internal regulations of the I.W.S.F.

### **Article 37 The I.W.S.F. activity in the absence of the I.W.S.F. Chairman**

**37.1** In the absence of the I.W.S.F. Chairman, his duties shall be exercised by the I.W.S.F. deputy Chairman.

**37.2** If the I.W.S.F. Chairman position becomes vacant prior to the established terms, the extraordinary General Meeting will be convened within two months to elect a new I.W.S.F. Chairman. If the I.W.S.F. Chairman position becomes vacant in less than 6 (six) months until the ordinary General Meeting, the elections of the new Chairman will be carried out within this term, according to the provisions of these Articles of association.

### **Article 38 The Supervisory Board – Independent auditors**

**38.1** The Supervisory Board of the I.W.S.F. shall be a control body operating on a public basis or for remuneration and, when required, supervises the I.W.S.F. activity at least once a year, provided its compliance with the interests, objectives, functions and statutory obligations and the public utility status.

Members of the I.W.S.F. Supervisory Board shall be elected for a period from one to five years by the General Meeting of the I.W.S.F. The body electing them shall be authorized to dismiss them in accordance with the statutory or legal norms of the Republic of Moldova.

The Supervisory Board shall be constituted of 3 persons. They will avoid the conflict of interests and cannot simultaneously be members of the I.W.S.F. Board of Directors.

The members of the Supervisory Board will not be affiliated with each other (relatives or affine up to the third degree inclusive).

The Supervisory Board will operate under its own Regulations approved by the I.W.S.F. General Meeting.

**38.2** Control over the I.W.S.F. financial activity shall be exercised by a qualified and independent external auditor of the I.W.S.F. or by a censor. He shall verify the financial reports and shall submit his report to the General Meeting on the formal approval of the I.W.S.F. Board of Directors actions. The auditor or censor of the financial reports shall be appointed by the General Meeting or the Board of Directors of the I.W.S.F., which shall establish its operation term. The auditor's or censor's mandate can be renewed.

**38.3** The following cannot be auditors or censors:

- a) The I.W.S.F. Chairman and members of the I.W.S.F. Board of Directors;
- b) the spouse and relatives of the I.W.S.F. Chairman and of the Board of Directors' members up to the fourth degree inclusively;
- c) the person with an unextinguished criminal record for property crimes, economic crimes, crimes committed by persons in managing position or by persons managing commercial organizations, committed intentionally.

**38.4** The I.W.S.F. Chairman undertakes to provide the auditor/censor with all the documents required to conduct the control.

**38.5** The Auditor/Censor shall prepare an annual report on the organization's financial activity and shall submit it to the General Meeting.

**38.6** The Auditor/Censor shall notify the General Meeting or another body provided by the Articles of association should he find facts contravening the law or the Articles of association of the I.W.S.F. and which have caused or may cause considerable damage to it.

### **Article 39 The I.W.S.F. Secretariat**

**39.1** The Secretariat shall be the permanent administrative body of the I.W.S.F.

The specific secretariat' functions shall be:

- a) organizing preparations, developing acts, documents, projects necessary for holding the General Meeting, as well as for Meetings of other bodies and committees;
- b) preparing the minutes, transcripts of the General Meeting and the Board of Directors meetings;
- c) organizing the drafting of regulations and other documents necessary for carrying out the I.W.S.F. activity;
- d) maintenance of the I.W.S.F. correspondence, using the phrase "I.W.S.F." in the respective documents;
- e) organizing and keeping the register of the I.W.S.F. related members;
- f) maintaining the I.W.S.F. public relations;
- g) managing the I.W.S.F. archive;
- h) managing the I.W.S.F. database;
- i) analyzing and performing statistics on the I.W.S.F. activity;
- j) managing the protocol activities of the I.W.S.F.;
- k) preparing the I.W.S.F. chairman working agenda;
- l) exercising other functions necessary to ensure the smooth running of the I.W.S.F. current activity according to the Chairman's request.

### **Article 40 The General Secretary**

**40.1** The General Secretary shall organize and direct the entire General Secretariat's activity. It shall represent the I.W.S.F. as the Chairman's delegate and shall assist him in the administration of the I.W.S.F. according to the delegated attributions or the powers granted.

**40.2** The General Secretary shall be appointed by the General Meeting or the Board of Directors of the I.W.S.F. at the proposal of the I.W.S.F. Chairman;

**40.3** The General Secretary shall be responsible for performing all the functions of the general secretariat, shall implement the decisions adopted by the General Meeting and by the Board of Directors under the Chairman's instructions, shall assist the Chairman in managing and maintaining accounting, as well as relations, correspondence with related members, committees, other organizations;

**40.4** The General Secretary shall submit proposals to the Chairman regarding the employment or dismissal of the staff working in the General Secretariat.

**40.5** The General Secretary shall participate in all sessions of the General Meeting, the Board of Directors, permanent and ad hoc committees, except for judicial committees.

**40.6** The additional duties of the General Secretary will be established in detail by the I.W.S.F. Board of Directors in a separate set of regulations.

**40.7** The General Secretary may delegate its duties to other persons. These duties will be defined in regulations to be approved by the I.W.S.F. Board of Directors.

#### **Article 41 – The organizational structure of the I.W.S.F.**

**41.1** The organizational structure of the I.W.S.F. and the number of its workers shall be established by the Board of Directors at the I.W.S.F. Chairman's proposal within the limits of the labor remuneration fund, provided for in the annual budget of the Federation.

**41.2** For the good performance of the tasks the I.W.S.F. is facing, the General Secretariat shall hire highly qualified specialists, professionals in the field, with a dignified moral attitude, capable of properly fulfilling their functional obligations.

**41.3** The labor remuneration limit and the material incentive system for I.W.S.F. workers shall be established by the Board of Directors, additions and compensations shall be determined by the I.W.S.F. Chairman, according to the corresponding regulation, adopted by the Board of Directors.

**41.4** By the Board of Directors decision, territorial representatives of the I.W.S.F. shall be created as required. The Board of Directors shall determine their scope of

activity.

**41.5** I.W.S.F. shall be entitled, by the decision of the Board of Directors, to found specialized enterprises and organizations to carry out the statutory tasks of the I.W.S.F.

## **Article 42 - Territorial Organization**

**42.1** The sports activity of water clubs, sports clubs with water sports divisions, children's sports clubs and autonomous schools of local territorial interest shall be organized by municipal, district, regional water sports associations.

**42.2** District, municipal, regional water sports associations, as related members of the I.W.S.F. undertake to comply with these Articles of association, the regulations and decisions of the I.W.S.F. and of her bodies. The associations shall organize their activity based on their own Articles of associations and regulations approved by I.W.S.F.

## **Article 43 – The Structure**

**43.1** Municipal, district, regional water sports associations shall be composed of individuals and water sports clubs, sports clubs with water sports divisions, children's sports clubs and autonomous schools with water sports divisions, from the respective territory other sports associations in water sports.

## **Article 44 – Objectives and duties**

**44.1** Municipal, district, regional water sports associations shall have the following main objectives and duties:

- a) representing the interests of I.W.S.F. in the corresponding territory and the interests of its members within the I.W.S.F.;
- b) organization, management and verification of the competitive system of water sports at the local level;
- c) training and promotion of referees and other water sports specialists;
- d) tracking and improving the coaches of the locally operating clubs.

## **Article 45 – Legal status**

**45.1** Municipal, district, regional water sports associations shall have the status of legal entities, non-commercial organizations - public associations, under the law.

## **Article 46 – Organizing competitions**

**46.1** The I.W.S.F. shall be the only one entitled to organize and coordinate official competitions in national water sports, especially swimming, held on its territory,

namely:

- a) National Championship for seniors;
- b) Cup of the Republic of Moldova;
- c) National Championship reserved for children and juniors;
- d) other water competitions of national and international rank.

**46.2** The participation of clubs in national sports competitions and in international sports competitions shall be conditioned by the certificate (license) granted by the respective body of the I.W.S.F. according to the provisions of these Articles of association.

**46.3** The creation of any other water sports competitions at the national level shall be allowed only with the direct consent of the I.W.S.F., to which they will be subordinated. The powers, rights and obligations within these competitions will be established by the I.W.S.F., which will approve the Articles of associations and regulations for their conduct.

#### **Article 47 – Rights**

**47.1** If an individual or legal entity (including companies and subsidiaries) owns property rights on more than one club, the latter cannot compete within the same national competition organized by the I.W.S.F.

#### **Article 48 – Authorization**

**48.1** The I.W.S.F. shall hold exclusive broadcasting and transmission rights, as well as their commercialization and distribution rights for all water competitions, which belong to its respective jurisdiction, in any audiovisual or sound broadcasting media, whether live or not, or in fragments.

#### **Article 49 – International competitions**

**49.1** The I.W.S.F. will organize international competitions in which athletes representing the members of the I.W.S.F. will participate subject to the international competition calendar.

#### **Article 50 – Approval**

**50.1** The member clubs of the I.W.S.F. cannot at the same time belong to another national water sports Association and participate in competitions on the territory of other Associations without the consent of the I.W.S.F., this other Association and, in exceptional cases, international sports bodies.

#### **Article 51 – A person's dismissal**

**51.1** The I.W.S.F. Board of Directors may introduce the matter on a person's dismissal on the General Meeting's agenda. Any related member can submit the proposal to the Board of Directors to introduce such an initiative on the agenda.

**51.2** The dismissal initiative must be justified. It shall be sent to the related members together with the General Meeting agenda.

**51.3** The person under dismissal shall be entitled to speak in his defense at the General Meeting.

**51.4** If the dismissal initiative is supported, the General Meeting will take the appropriate decision by secret voting. In order to be adopted, the motion must be supported by a majority of 2/3 of the votes validly cast by the official delegates with the voting right.

**51.5** The dismissed person or body must be released from its position immediately.

### **Article 52 Competition rules**

**52.1** Each I.W.S.F. related member will respect as the only competitive rules those promulgated by the decisions of the appropriate and empowered bodies of the I.W.S.F. which are the only ones fully competent to modify them.

### **Article 53 The status of the athlete**

**53.1** Athletes of the I.W.S.F. related clubs shall be either amateurs or non-amateurs (professionals) and must be registered with the I.W.S.F.

**53.2** The definition and other provisions regarding the athletes' status shall be subject to special regulations adopted by the Board of Directors of the I.W.S.F.

### **Article 54 Certification/licensing of clubs**

**54.1** Participation of the I.W.S.F. related member clubs in national water sports competitions, as well as in international water sports competitions, will be possible based on the certification provided by the I.W.S.F.

**54.2** The attestation (licensing) procedure, as well as the nomenclature of criteria, which the I.W.S.F. member clubs must comply with shall be conducted under the Regulations for attestation (licensing) of clubs approved by the I.W.S.F. Board of Directors for national competitions and by the corresponding Regulations approved by the respective international sports bodies for international sports competitions.

### **Article 55 Property of the I.W.S.F.**

**55.1** The fixed assets, material values and monetary means of the I.W.S.F. shall include:

- a) fixed assets: buildings, sports halls/training pools, installations and special machines, production tools, instruments, furniture and other fixed assets;
- b) material values: articles and products, machinery and construction materials, food materials and products, objects of low value and short duration and other material values;
- c) monetary means: in MDL and foreign currency;
- d) other means and values provided by the legislation in force of R.M.

**55.2** Ownership or use of fixed assets, material values and monetary assets shall be obtained according to the law.

## **Article 56 – Resources**

**56.1** I.W.S.F. may own any goods, except those prohibited by law.

**56.2** The I.W.S.F. property shall be used exclusively for achieving the statutory purposes.

**56.3** The I.W.S.F. property shall be formed from any sources not prohibited by law, including from:

- a) specific sports activities, not having a patrimonial character (dues, taxes, licenses, etc.);
- b) membership fees - 250 MDL annually, sponsorships and donations, grants and inheritance;
- c) economic activities organized in economic units founded by the I.W.S.F. with or without legal personality;
- d) amounts obtained from advertising;
- e) subsidies received from the central body of the state executive power responsible for sports issues, for the internal and international sports activity of the Republic of Moldova at all levels; percentage designation.
- f) other sources that shall not contravene the legislation in force of the Republic of Moldova, as well as international sports activity.

**56.4.** The I.W.S.F. profit shall not be distributed among members or other persons.

**56.5** The I.W.S.F. may own buildings, constructions, equipment, transport means, as well as other assets required for achieving the goals established by these Articles of association.



**56.6** Donations to the I.W.S.F. can be in the form of movable and immovable goods, copyrights, shares, etc.

**56.7** Property transferred to the I.W.S.F. by its members as contributions and donations cannot be revoked and shall be the property of the I.W.S.F.

### **Article 57 – The Budget**

**57.1** The entire financial and accounting activity of the I.W.S.F. shall be carried out under its own budget in its capacity as a legal entity.

**57.2** The financial and accounting period shall be formed according to the legal provisions in force of the Republic of Moldova, these Articles of association, the Regulations and the decisions developed by the Federation's bodies.

**57.3** The financial exercise of the I.W.S.F. – shall be the year from January 1<sup>st</sup> to December 31<sup>st</sup> and the balance sheet shall be prepared accordingly. The annual financial report shall be provided to the Board of Directors members, to the auditor at its regular meeting and to the knowledge of all related members accordingly, during the General meeting session.

### **Article 58 – Annual contributions**

**58.1** Each I.W.S.F. related member shall pay a fixed annual fee established by the Board of Directors of S.I.F.M. which will not be less than 250 MDL. This will be paid by each March 30<sup>th</sup> for the current year.

**58.2** The annual contribution amount shall be set by the Board of Directors no more frequent than once a year.

**58.3** A member having failed to pay the dues by March 30 of the current year may be suspended under the terms of Article 16 of these Articles of association. Upon paying the fee, the related member will regain his rights.

**58.4** The I.W.S.F. is entitled to collect dues, taxes and fines specific to the water sports activity from clubs (I.W.S.F. members), athletes, coaches, referees and officials, based on the rules established in this regard by the Board of Directors.

### **Article 59 - Transparency of operation**

**59.1** Reporting of the main parameters shall be carried out according to the legislation in force. At the end of the financial year, the Chairman shall provide the Board of Directors with a report on the financial standing of the I.W.S.F., which is to be confirmed by the Independent Auditor or censor.

**59.2** The I.W.S.F. reporting shall be drawn up according to the results of the year and shall contain:

- brief presentation of the I.W.S.F. results during the reporting period;
- the initial balance of funds at the beginning of the reporting period;
- the total inflow of funds for each source of funds of the I.W.S.F., specified in clause 6.1. of these Articles of association;
- expenses for the areas of activity carried out, indicating the expenses for labor remuneration, breakdowns, taxes and other administrative expenses; the final balance of funds at the end of the reporting period.

**59.3** The financial report shall be presented to all members of the I.W.S.F. at the General Meeting and shall be made public.

**59.4** The financial report shall be kept within the Association and shall be accessible to all members.

**59.5** All the I.W.S.F. members – individuals and legal entities shall be guaranteed free access to the financial parameters of the I.W.S.F.

**59.6** The I.W.S.F. activity shall have a transparent character. The I.W.S.F. shall publish the annual activity report no later than 6 months after the end of the year for which it is drawn up. If the I.W.S.F. fails to publish the annual activity report, it will send, within a maximum of one month, a copy of the report to any applicant. At the request of the competent public authority, the I.W.S.F. shall provide them, at latest within one month, with the annual activity report. The annual activity report shall contain information on the activities carried out, the value of financial means and materials obtained and used, as well as other relevant information.

## **Article 60 - The public utility status of the I.W.S.F.**

**60.1** The I.W.S.F. shall have exclusive purposes of conducting activities of public utility;

**60.2** Beneficiaries of the I.W.S.F. public utility result cannot be the founder, member or employee of this association, neither relatives up to the third degree inclusively or affine up to the second degree inclusively for one of the nominated persons.

**60.3** During its operation, the I.W.S.F. undertakes to comply with the following provisions:

- a) It will not distribute its property and income among its members and founders, including in case of reorganization or liquidation and will use the property and income exclusively for statutory purposes;
- b) It will not support any electoral competitor or candidate for public authority positions in public authority elections and will not use its income or assets

- to finance them.
- c) It will carry out its activity in a transparent manner, which will be manifested in particular by publishing in the mass media (including on the I.W.S.F. website) its annual reports and by providing them to the registration body in no more than 3 months from the end of the year.

## **Article 61 – Settlement of disputes**

**61.1** The I.W.S.F. related members and their own members undertake to resolve all differences between them amicably. In the event of disputes arising between them related to water sports activity, they will address the judicial bodies of the I.W.S.F. and not to the state courts.

**61.2** Disciplinary disputes (Violations of the Articles of association, regulations, decisions of the I.W.S.F., sports rules) in relation to the national competitions organized by the I.W.S.F., financial, labor and other disputes shall be regulated by the Competitions and Discipline Committee.

**61.3** In case of a conflict related to the sports activity in the field of water sports, between two or more related members and if one or both parties do not agree with the decisions adopted on this case by the judicial bodies of the I.W.S.F., they can address to the I.W.S.F. Appeals Committee, which will make the final decision in the last instance. These decisions of the Appeal Committee can be appealed only under the terms of these Articles of association.

**61.4** Related members, other subjects of the I.W.S.F. will not direct to the state court the disputes related to the water sports activity with the I.W.S.F. or with another related member and will not appeal against a decision or sanction imposed by international sports bodies in the field of water sports.

**61.5** These disputes or appeals can only be heard in the respective bodies of the I.W.S.F., national or international sports arbitration bodies in the field of sports.

**61.6** Water sports clubs, territorial water sports associations, other I.W.S.F. related members as well as their members, athletes, coaches, etc. will strictly execute the decisions taken by the I.W.S.F. bodies, or, as last instance, the decisions of the I.W.S.F. Appeals Committee, as well as the decisions of the respective bodies of the national or international sports arbitration bodies.

**61.7** In applying the previous paragraphs of this article, the related members will insert special clauses in their Articles of association, stipulating the observance and execution of the provisions of this article.

**61.8** The resolutions and decisions of the I.W.S.F. Board of Directors and General Meeting can be contested within 21 days of their adoption and acknowledgment,

only at the Sports Arbitration Court in Lausanne, Switzerland, according to the rules and procedures of this organization.

### **Article 62 - Reorganization**

**62.1** The reorganization shall take place at the decision of the General Meeting.

**62.2** The assets remaining after the reorganization of the I.W.S.F. shall be used to achieve the purposes of the I.W.S.F. according to the legislation in force of the Republic of Moldova.

### **Article 63 – Dissolution**

**63.1** The I.W.S.F. dissolution can be decided only by the General Meeting convened by statute. The dissolution decision shall be adopted with 2/3 of the votes cast by all related members.

**63.2** Upon the I.W.S.F. dissolution, its property must be transferred to another organization with a public purpose, which must use it for conducting water sports activity.

### **Article 64 – Liquidation**

**64.1** The I.W.S.F. may be forcibly liquidated based on the decisions of the competent bodies in case of violation of the legislation on non-commercial organizations.

**64.2** The I.W.S.F. shall terminate its activity by:

- a) voluntary liquidation;
- b) forced liquidation;
- c) reorganization through merger, dismemberment or transformation.

**64.3** The I.W.S.F. shall terminate its activity based on the decision of the General Meeting adopted under the conditions established by these Articles of association.

**64.4** The I.W.S.F. reorganization shall be carried out according to the law by merger (merger, absorption), dismemberment (division, separation) or transformation with prior notification of creditors. Reorganization shall be effective only after state registration.

**64.5** Voluntary liquidation can take place if the statutory goals cannot be achieved due to lack of funds or if the proposed statutory objectives have been reached.

**64.6.** The I.W.S.F. may be forcibly liquidated, by court order, at the request of the Ministry of Justice, if its activity is contrary to the interests of national security, public safety, the defense of order or the prevention of crimes, the protection of health, morals and the rights and freedoms of others and this measure is necessary in a democratic society, and in case of violating provisions of article 11 paragraph (6) of Law no. 86/2020.

**64.7.** Failure to submit the annual activity report after the repeated request of the Ministry of Justice shall be sufficient reason for the initiation of the forced liquidation procedure if it fails to submit the activity report within 6 months of the second request. The examination of the forced liquidation application shall be under the jurisdiction of the Chisinau Court.

**64.8.** Voluntary I.W.S.F. liquidation results in opening the liquidation procedure. When registering the I.W.S.F. dissolution, the state registration body enters the mark "in liquidation" in the State Register. The I.W.S.F. dissolution shall be carried out by the Liquidation Commission, appointed by the body, which adopted this decision in accordance with the provisions of these Articles of association, Law no. 86/2020 and the Civil Code.

**64.9.** The person authorized by the minutes of the General Meeting will submit to the state registration body the request for the registration of the I.W.S.F. dissolution and for entering the corresponding information in the State Register and will communicate the respective data to the members of the liquidation commission.

**64.10.** The liquidation commission shall have the rights and obligations that do not contradict the purpose of the liquidation. The liquidation commission shall suspend the activity of the I.W.S.F., shall collect the receivables, shall sell the assets, shall satisfy the creditors' claims and shall distribute the remaining assets according to the legal and statutory provisions.

**64.11.** The liquidation commission shall draw up the liquidation balance sheet, specifying the value and composition of the remaining assets, and shall submit it for approval to the body that decided the liquidation.

**64.12.** The assets remaining after satisfying the creditors' claims cannot be distributed among the members of the I.W.S.F. and the members of its bodies.

**64.13.** The assets remaining after the I.W.S.F. voluntary liquidation, the settlement of claims, shall be transferred to another non-commercial organization with similar purposes to the liquidated one, mentioned in the Articles of association or established by the supreme governing body. The goods of the I.W.S.F. forcibly liquidated shall be transferred to the non-commercial organization mentioned in the Articles of association or, if the Articles of association do not mention the beneficiary non-

commercial organization, to the non-commercial organization appointed by the court upon a public announcement.

**64.14.** The liquidation committee shall be responsible for the damages caused to the creditors if it did not fulfill its obligations, distributed the assets of the I.W.S.F. before satisfying the creditors' claims or broke the law or the I.W.S.F. Articles of association.

**64.15.** The Liquidation Commission shall be liable for damages caused to the I.W.S.F. due to its fault.

#### **Article 65 – Issues not provided for in the Articles of association and interpretation**

**65.1** Any issues not foreseen in this Articles of association or any force majeure must be solved by the I.W.S.F. Board of Directors according to the law.

**65.2** The I.W.S.F. Board of Directors shall have the competence to interpret the clauses of these Articles of association.

#### **Article 66 – The I.W.S.F. branches**

**66.1** The decision on branch creation shall be taken by the General Meeting. The branches shall carry out the same directions of activity as the I.W.S.F.

**66.2** The branch shall operate under the regulations approved by the decision of the General Meeting. The branch manager shall be appointed by the General Meeting.

**66.3** The branch manager will permanently report on the activity of the branch to the General Meeting of the I.W.S.F.

#### **Article 67 – Validation**

**67.1** These new Articles of association shall enter into force on the date of its adoption by the General Meeting of the I.W.S.F. of June 16, 2023.

**67.2** Changes and/or additions made to the Articles of association shall enter into force for third parties from the moment of their registration.

**67.3.** The governing, supervisory and control bodies of the I.W.S.F. and their members shall carry out their mandate to the end, according to the term for which they were elected and which was stipulated in the abrogated Articles of association.

**The I.W.S.F. Chairman – Goreacev Alexandru**