

Appendix 4

CONSTITUTION

TOKELAU SPORT FEDERATION

VISION OF THE FEDERATION

“Develop healthy and active communities with opportunities for all”

MISSION

Our mission is to strengthen, nurture and develop the pursuit of sporting excellence through education and health with equal opportunities, thus achieving and sustaining the wellbeing for all.

GUIDING CULTURAL PRINCIPLES

“Hinaleave e to palega”

- Drawing the fishes nearer
- Attracting fishes
- Relying on Hina’s knowledge and skills and her soothing voice
- It can mean ‘the elders(e to palega???)’ we will gain knowledge and blessing from our elders if we draw close to them and acknowledge them.

“Tui e, te ata kua kakau e laga kita ko te fanau.”

- Te au o matua ko fanau
- Lagona fatofatoga fakamatua mo te lumanaki agai ki fanau ke manuia
- (Tui e),- E kalaga kite Atua e ve he tatalo tenei e fanake i matou loto
- Lagona e fano i he loto alofa
- Fakanau taua, haloa na fanau ina fakaalofa, ina tukuatama foki
- Lagona fakamatua
- Na taupulega, Fatupaepae ma taulelea ni matua foki, ni lagona e fatu ite faka-Tokelau mooni

Te ata kua kakau, e laga kita ko te fanau:

- He ata kua tafa mai ihe aho foou

- Kavatu he kupu, mainaga mote fanau e mai te tamaiti, kite kautafafao ke pa kite matua.
- Ko te fofou kite kautafafao ke maua pe ni fakamanuiaga ma te fakamaopoopoga o fanau kina fakaaloaloga tau mafutaga.
- Tau fakataaga agai kite fakavae, na vaivaiga taua, atiakega, fakateagaga, ma na lagonaga
- ko toeaina e mafai ke fakauiga ve ko 'Tui', e kikilagia te lumanaki o fanau

“Tu moa o te tauhigano” ma te fakauigaga

- kamata hakiliga manuia a te kautafafao
- kafai kua tu moa, kua kamata tu mai te higano
- kafai kua tu moa o te tauhigano, kua kamata fofotu te fuata
- e mafai foki ke fakauiga ki toeaina
- ‘tu moa’ ko toeaina e fofotu ma auala mai ai na manuia mo fanau

1. Name, Registered Office

1.1. The name of the organization is “Tokelau Sports Federation” also referred to as the “FEDERATION”.

1.2. The office of the Federation is *Tokelau Apia Liaison Office, PO Box 3278, SAMOA*.

2. Definitions

The words and phrases used in tis Constitution shall mean as follows:

Association/Club means a body governing a sport or sport in that region recognized by the Federation

Athlete or Representative means a person that represents athletes

Member Associations means affiliated members of the Federation as set out in Rule 4.

Federation means the Governing body of Sports for Tokelau

General Assembly means a meeting of affiliated members of the Federation.

Executive Committee means the group appointed by the General Assembly.

3. Objects and Purpose

3.1. The objects of the Federation shall include;

3.1.1 To co-ordinate, encourage, assist and support the sporting activities of its member associations to achieve their objectives.

3.1.2 To promote and develop opportunities for members to participate, learn and develop skills in recreational and competitive sporting and athletic activity.

3.1.3 To encourage and assist where possible, individuals and/or members in all areas of sports education.

3.1.4 To maintain Tokelauan cultural and spiritual values.

3.1.5 To seek, accept and receive donations, subsidies, grants, endorsements, gifts and bequests both in money and in kind for all or any of the objectives of the Federation.

3.1.6 To print and publish any newspapers, books, leaflets, periodicals, radio scripts or films and such other descriptive or educational materials that the Federation may think desirable for the promotion of its objectives.

3.1.7 To encourage and provide access for people of all ages to engage in stimulating creative, social, leisure, educational and health-promoting activities.

3.1.8 To encourage development of talent, to learn new skills and provide training for members.

3.1.9 To help people who might become isolated to enjoy creative activity and to encourage people to develop activities that they can sustain collectively and individually.

3.2 For the purposes, the Federation will:

3.2.1 Promote and develop sustainable interagency cooperation to develop sustainable programs and to improve the health and wellbeing of all people of Tokelau, through active participation and sport founded on fair play and fealofani.

3.2.2 Promote, host, organise and conduct local, national and international tournaments, competitions, and other events pertaining to various sports including Traditional Tokelauan sports.

Section Two: Members

4. Membership

4.1 The FEDERATION shall consist of the associations or clubs recognised from time to time by the FEDERATION in General Assembly as the bodies' legitimately controlling sport in their constituency.

4.2 Application for membership shall be in writing addressed to the Secretary and signed by either the president or the secretary of the applicant association or club, and shall be accompanied by a copy of the constitution of the applicant association or club together with the registration fee and the annual subscription fee as may be prescribed from time to time by the FEDERATION in General Assembly and such other information as shall be required by the FEDERATION.

4.3 All applications shall be considered by the Executive Committee which shall ensure that the applications comply with the aforementioned requirements, that the constitution of the applicant Association or Club or any part thereof, do not contravene this constitution and that the aspects of the applicant Association or Club are compatible with the objects of the FEDERATION.

4.4 An application that does not comply with the aforementioned requirements shall be sent back to the applicant Association or Club

concerned, which shall then be advised of any defects or irregularities in the application.

4.5 All applications that satisfy the aforesaid requirements shall be tabled and considered by the General Assembly of the FEDERATION at its meeting immediately following the receipt of such applications.

4.6 Acceptance of applications or otherwise by the General Assembly shall be by simple majority of votes cast.

4.7 Acceptance of applications shall entitle an applicant Association or Club to full membership of the FEDERATION, subject to the constitution, by-laws and rules of the FEDERATION from time to time and members are hereinafter referred to as Constituents Clubs.

4.8 The FEDERATION may at its absolute discretion refuse membership to any applicant Association/club without providing any reason or explanation to that Association/club.

4.9 The existing members of the FEDERATION shall remain so subject to their meeting the general requirements of membership prior to the first General Assembly of the newly constituted FEDERATION.

5. Rights of Member Associations

Subject to the Constitution, rules and by-laws of the Federation, Member Association/clubs shall be entitled:

5.1 To be represented, to participate, and to vote at meetings of the General Assembly of the FEDERATION;

5.2 To nominate its members to offices and committees of the FEDERATION;

5.3 To request for, and subject to the approval of the FEDERATION, to receive assistance wherever possible from the FEDERATION;

5.4 To participate in activities, competitions, and other events that may be organised by the FEDERATION;

5.5 To have their members to be considered for selection to represent Tokelau at international competitions, championships, meetings, conferences and workshops;

5.6 To all the rights and privileges that the FEDERATION may from time to time prescribe.

6. Duties of the Member Associations

6.1 The Member Associations shall abide by the Constitution By-laws and Rules of the FEDERATION and shall accept and enforce all decisions, resolutions, and directions or orders of the FEDERATION made in conformity therewith.

6.2 The Member Associations shall notify the Executive Committee of any amendments which they propose to make to their constitution and shall not make any such amendments without the approval of the Executive Committee and shall comply with all directions that the Executive Committee may make.

6.3 The Members Associations shall pay the annual subscription fee before the end of June every year.

6.4 The Member Associations shall submit an Annual Report to the Executive Committee in the format as shall be prescribed by the Executive Committee before the end of every year, and other reports as may be from time to time be required by the Executive Committee.

7. Cessation of Membership

7.1 A Member Association shall cease to be a member of the FEDERATION if:

7.1.1 It is in breach of the constitution, by-laws or rules of the FEDERATION and the FEDERATION in General Assembly by a simple

majority resolution decides that such a member shall cease to be a member;

7.1.2 It gives one month's written notice of withdrawal of its membership to the FEDERATION in General Assembly approves it;

7.1.3 It is in arrears with its annual subscription fee or other sums due to the FEDERATION for more than three months.

7.2 In the event of a Member Association breaching any of the provisions of Article 8, the Executive Committee shall be empowered to suspend it and it shall not participate in the General Assembly next following the suspension except to present its case to show cause why it shall not be expelled.

Section Three: Meetings

8. General Assembly

The General Assembly of the Association shall be empowered to exercise all the powers vested in the FEDERATION by its Constitution, including the power to delegate the said powers.

8.1 The General Assembly of the FEDERATION shall be convened, organised and conducted in the manner hereinafter approved:

8.2 The Annual General Meeting (AGM) shall be held once a year at least two months after the after the end of the financial year of the Association and at such other times as shall be determined by the Executive Committee or provided for in the constitution rules or by-laws of the FEDERATION.

8.3 The date, time, venue, and agenda of the AGM shall be decided by the Executive Committee, and each Member Association shall be entitled to receive written notice of the same at least one month before the General Assembly commences.

8.4 Each Member Association shall be entitled to send two (2) representatives, who should be duly approved in accordance with the rules of that Member Association.

8.5 A quorum shall consist of delegates representing not less than one third of the Member Associations.

8.6 The General Assembly shall deal with all matters tabled before it, and shall accordingly pass resolutions or make decisions thereto provided a simple majority of all delegates present vote for the said resolution or decision.

8.7 A member association is entitled to one (1) vote only for each delegate recognised by the General Assembly.

8.8 The General Assembly shall be empowered to pass resolutions concerning the conduct of its proceedings and the regulation of its business and that of the Association.

8.9 The Executive Committee shall within one month of the receipt of a written requisition or petition from two Member Associations call a General Assembly of the Association to deal with all matters put forward by any Member Association and any other relevant business of the Association.

8.10 In the event of a member association being unable to attend a General Assembly of the FEDERATION it shall be empowered to cede its votes by proxy to another Member Association of the FEDERATION, with approval of the General Assembly of the FEDERATION.

Section Four: Executive Committee

9. Executive Committee

9.1 The Executive Committee of the FEDERATION shall comprise:

1. The President;
2. First Vice President;
3. Secretary General;
4. Treasurer;
5. Athletes' representative
6. National Sport Development Office (No Voting Rights)

9.2 Members of the Executive Committee shall be elected at the General Assembly and shall hold office for a term of three years from the date of appointment.

9.3 Nomination for the officers of the Executive Committee shall be carried by the Chairman at the first session of the General Assembly and elections shall take place in accordance with procedures agreed to by the General Assembly.

9.4 The Executive Committee shall be responsible for the overall running and Executive of the FEDERATION and the execution and implementation of its decisions, in accordance with this Constitution, by-laws, rules and the policies of the Association as approved and/or amended from time to time by the General Assembly.

9.5 The Executive Committee shall meet at least once per month and minutes shall be taken of all proceedings of the Executive Committee, which shall be open to the inspection of any Member Association applying to the Secretary therefore.

9.6 Notice of each Executive Committee meeting shall be given to each Member Association within one month of each such meeting the Member Association of the happenings of the meeting and their right to inspect the minutes of the meeting.

10. Ad hoc Committees

The General Assembly, on the recommendation of the Executive Committee, may appoint ad hoc committees to look into, run or consider matters, activities, affairs or other matters specified by the General Assembly.

Section Five: Other Provisions

11. Financial Year

The financial year of the FEDERATION shall end on the last day of June in each year, to which day the accounts of the FEDERATION shall be balanced.

12. Audit of Accounts

The Association shall appoint an Auditor whose duty shall be to audit the books and accounts of the Association at the end of each financial year and to prepare and present a report thereof to the General Assembly of the FEDERATION.

13. Appeals

In the case of grievances over decisions made by the Executive of the FEDERATION or the General Assembly of the Association, Member Association may lodge a written appeal to the President of the General Assembly and decisions on those appeals to be made by the General Assembly.

13.1 The Executive Committee may decide to hear an appeal or may appoint an ad hoc Committee as required to hear the appeal and this committee will have at least one member of the Executive Committee appointed to it.

13.2 Appeals should be forwarded before the monthly meetings of the Executive Committee and would be heard within one month of receiving the appeal.

13.3 If the Executive Committee itself or through an ad hoc committee decides to hear an appeal, its decision may be appealed against to the General Assembly which decision shall be final.

13.4 Any member of the Executive Committee or any delegate of the General Assembly shall be debarred from taking part in the proceedings when engaged in the settlement of any appeal in which such members are, or the Member Associations which they represent is, a party.

14. By-Laws and Rules

The FEDERATION/General Assembly/Executive Committee may make such By-laws and Rules as are necessary and convenient to give effect to this Constitution and in particular with respect to;

14.1 The conduct;

14.2 The duties of officers;

14.3 The promotion of championships, competition, Games, meetings and workshops;

14.4 The amount of registration fee and annual subscription fee;

14.5 The design and mode of the Seal of the FEDERATION.

15. Amendments to the Constitution

15.1 This Constitution may be added to, resealed or amended by resolution at any annual or special General Assembly, provided that no such resolution shall be deemed to have passed unless it will be carried by a majority of at least two-thirds of the General Assembly.

15.2 Notice in writing of any proposed amendments to this Constitution must be submitted in writing to the Secretary of the Association two months prior to the General Assembly and a copy of each proposed amendment so received by the Secretary shall be mailed to each Member Association.

15.3 Proposed amendments shall be specific and shall refer to the article and paragraph concerned, specifying the words to be deleted

and the words (if any) to be added and the section must be quoted in full as it would appear if amended.

16. Indemnity

16.1 Every office bearer of the FEDERATION, shall be indemnified out of the funds of the Association against any liability lawfully incurred by him/her in the bone fide performance of the duties of his/her office or employment.

17. Dissolution

17.1 The FEDERATION shall be dissolved after a resolution to that effect is carried by a vote of two-thirds of the delegates representing the Member Associations present at the General Assembly of the FEDERATION convened to consider the question.

17.2 The property and other assets of the FEDERATION remaining after the payment of its debts, expenses and liabilities shall be handed over to some other organisation having similar or part similar objects of the FEDERATION, such organisation(s) to be determined by members of the General Assembly.

18. Interpretation

18.1 The General Assembly shall be the sole authority for the interpretation of this Constitution and of the by-laws and rules made thereunder; and the decision of the General Assembly upon any question of interpretation or upon matters affecting the FEDERATION and not provided for by this Constitution or the by-laws or rules made thereunder shall be final and binding on the Member Association.

19. Commencement

19.1 This Constitution shall come into effect on the date on which it is adopted and assented to by the First Member Association of the FEDERATION.

20. Schedule of Member Associations

1. Matamatagi Sports also referred to as Fakaofu Sports
2. Tuloto Sports also referred to as Nukunonu Sports
3. Matautoa Sports also referred to as Atafu Sports
4. Tokelau Table Tennis Association
5. Tokelau Volleyball Federation
6. Tokelau-New Zealand Association
7. Tokelau-Australia Association
8. Tokelau Wrestling Association
9. Tokelau Squash Association

ADOPTED AND ASSENTED TO THIS _____ DAY OF _____

[insert name and signature]

President

[insert name and signature]

Secretary General KI