



WBSC



EUROPE

ELECTIONS BY LAWS

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CHAPTER 1 – GENERAL CONDITIONS

ARTICLE 1. GENERAL CONDITIONS

1.1 - The election and ratification procedures for positions on the WBSC Europe Executive Board ("Executive Board") shall be conducted in the WBSC Europe Congress ("Congress") held in the year immediately after the Summer Olympic Games (first year of the Olympic Cycle). An election or ratification procedure can take place at another Congress should a vacancy arise on the Executive Board.

1.2 - The election and ratification procedures outlined under these By-Laws shall be under the supervision of the WBSC Europe Legal Commission ("Legal Commission"), who shall apply these procedures in strict accordance with these By-Laws.

1.3 - To the extent the WBSC Europe Statutes ("Statutes") do not provide for the procedure of elections at the Congress, these By-Laws shall apply.

1.4 - These By-Laws shall also apply to an Extraordinary Congress unless specified otherwise in the Statutes or these By-Laws.

1.5 - Any dispute in regard to the interpretation of the election and ratification By-Laws, as it affects the "specific moment of the elections" (that is, from the moment of the actual distribution of ballot papers to immediately after the announcement of the vote count), shall be determined by the Legal Commission. A Member Federation may appeal a decision of the Legal Commission in regard to the interpretation of matters during the "specific moment of the elections" to the Congress at the particular time. No other appeal shall be permitted at this particular moment concerning the election process.

1.6 - Subject to Article 1.3 of these By-Laws above, a Member Federation may appeal the decision of the Legal Commission in regard to the interpretation of the election or ratification By-Laws by appealing to the Court of Arbitration for Sport in Lausanne, Switzerland. By the mere fact of participating in the election process, the Member Federations accept the competence of the Court of Arbitration for Sport, in regard to the previous paragraph, excluding all recourse to ordinary courts.

ARTICLE 2. POSITIONS CONCERNED BY ELECTIONS AND RATIFICATIONS

2.1 - In the Executive Board, the following are the positions that are subject to the elections by the Congress in accordance with these By-Laws:

- a) President;
- b) Vice President Softball;
- c) Vice President Baseball;
- d) Secretary General;
- e) Treasurer;
- f) Three Members at Large Baseball;
- g) Three Members at Large Softball;
- h) One Athlete Representative Baseball;
- i) One Athlete Representative Softball;

2.2 - In each of the Baseball and Softball Commissions the following are the positions that are subject to appointment by the respective Vice President of Baseball and Softball and ratification by the Executive Board:

- At least five members and any others appointed by the respective Vice Presidents of Baseball and Softball.

CHAPTER 2 – NOMINATIONS

ARTICLE 3. NOMINATIONS

3.1 - At least forty-five (45) days prior to the date of the Congress, the WBSC Europe Secretary General ("Secretary General") shall inform all Member Federations of the positions that are due for election and shall invite nominations for those positions, to close with the Secretary General, no later than at least thirty (30) days prior to the day of the Congress. The closing time and date shall be clearly specified.

3.2 - Nominations of candidates to the elections may be proposed:

3.2.1. by Eligible Member Federations, that may nominate one candidate for each position in the Executive Board, however, the number of Board members per Member Federation are limited under Article 14.4 of the WBSC Europe Statutes ("Statutes"). Each candidate shall be a member of, or otherwise affiliated with, the Member Federation that nominates them.

3.2.2. by a Member of the Executive Board, that may nominate only herself/himself and for the same position that she/he has been elected to under the Statutes Article 14.1.

3.3 - All nominations shall be in writing and must clearly state the position, or positions, for which a person or persons is being nominated.

3.4 - The nomination must include the name of the nominating Member Federation and must be signed by the President or the Secretary General of that National Federation.

3.5 - Pertaining to the election of the Athlete Representatives based on Article 14.2.4 of the Statutes each Athlete shall be elected at a major adult event in the year of the elections.

3.6 - Only Member Federations in good financial standing with WBSC Europe may nominate a person for election. To be in good financial standing, a Member Federation must be a current member with no fees or dues outstanding prior to the year of the elections, or have a prior written agreement with WBSC Europe concerning the payment of outstanding fees or dues. Furthermore, such a Member Federation must not be under suspension or disqualification.

3.7 - In the case where no nominations have been received in accordance with these By- Laws, or where a nominee withdraws his or her nomination, thereby resulting in no nomination existing for a particular position, the Chairman of the Legal Commission at the appropriate order as outlined in these By-Laws, shall call for nominations from the Congress. In this instance, an individual may be nominated for a position only by his or her National Federation and only an Accredited Delegate shall make such a nomination; there may be more than one such nomination for a position. Once nominations for that position have been received from the Congress, the election procedures outlined above shall continue.

3.8 - If no individual receives the required majority of votes cast after exhaustion of the process set out in Article 6 and there are no additional nominations from the floor as provided for in Article 3.7, then the Chair of the Legal Commission shall declare that position vacant and that position shall be filled as provided for in Article 14 of the Statutes.

CHAPTER 3 – ELECTIONS

ARTICLE 4. PRELIMINARY PROCESS PRIOR TO THE ELECTIONS

4.1 - The Congress shall elect the positions for the Executive Board.

4.2 - The Election process shall be as follows:

4.2.1 - The President shall control the conduct of the Congress (Statutes Art. 13.3) until the Congress business of elections begins. At this point all Executive Board members shall vacate the official table/dais.

4.2.2 - Following sub-Article 4.2.1, the Legal Commission shall take control of the Congress for the period of the election process and the Chairman of the Legal Commission shall be the Chairman of the Congress for that period. In the case where a member of the Legal Commission is nominated for any position on the Executive Board, that person shall be replaced on the Legal Commission by another person, appointed by the Executive Board, from outside of the Executive Board.

4.2.3 - The Chairman of the Legal Commission shall confirm the number of Member Federations that are eligible to vote, in accordance with these By-Laws, and shall explain the election procedure to the delegates of the Congress.

4.2.4 - All positions to be elected shall be elected by secret ballot in order of precedence as outlined above, under Article 2.

4.2.5 - The Legal Commission shall conduct the elections for each position one at a time, and complete each election process for each position, prior to proceeding to the election of the next position.

ARTICLE 5. ELIGIBILITY TO VOTE

5.1 - In order to be eligible to vote a Member Federation must be in good financial standing in accordance with Article 3.6 of these By-Laws.

ARTICLE 6. THE VOTING PROCEDURE

6.1 - The following is the procedure to apply in each and every position, by the Congress.

6.2 - The Chairman of the Legal Commission shall announce the election of each position. At this stage, the Chairman of the Legal Commission shall ensure that the meeting room of the Congress is secure, with no person being allowed entry or exit during the voting procedure process.

6.3 - The Chairman of the Legal Commission shall read aloud the list of candidates nominated for that particular position and shall display the list in writing on a large display screen in alphabetical order of surname.

6.4 - In the case where more than one nomination has been made for a position, the voting procedure shall be as follows:

6.4.1 - The Legal Commission shall ensure that the candidate list shall be distributed and the surname of each candidate listed in alphabetical order as it appears on the display board.

6.4.2 – The Chairman of the Legal Commission shall read out, in alphabetical order, the Member Federations that are present and eligible to cast a vote.

6.4.3 - Each official Delegate of a Member Federation who is eligible to vote will receive an Electronic Voting device or paper ballots.

6.4.4 - The Chairman of the Legal Commission shall commence the secret ballot electronic voting by announcing the position which is up for election in the order based on Article 2 of the Statutes.

6.4.5 – The Chairman of the Legal Commission shall announce when electronic voting is open and when it is closed (which should not be longer than three minutes), including giving a warning when there is one (1) minute left to cast the vote.

6.4.6 – After each vote, the votes of the Member Federation official delegates shall not be disclosed and only the following will be displayed after each vote (including any rounds of a vote) during the elections:

- a. The total number of votes for each candidate in the Election and the order of votes from the highest to the lowest for all candidates in each vote (including any rounds of vote)
- b. The number of any votes that were not valid votes.

6.4.7 - A Member Federation official delegate who abstains from voting in an Election is an invalid vote.

6.4.8 - Each Member Federation shall be entitled to the votes allocated to them in Article 13.2 of the Statutes.

6.4.9 - At the conclusion of this process for a particular position, the Legal Commission shall declare closed the voting procedure for that particular position and shall declare the winner of the final vote for that position.

6.4.10 - Under no circumstances shall the meeting room of the Congress be opened to allow entry or exit of persons or delegates until the total process, including the announcement of the elected candidate has been completed.

6.5 - In the case where there has been no nomination for the position or whereby a person nominated has withdrawn his or her nomination, thereby resulting in no nomination existing for a particular position, Article 3.7 shall apply.

6.6 – In the case that Electronic Voting Technology is not available the following shall be implemented:

6.6.1 - The Legal Commission shall ensure that there is one location in the meeting room where there are at least two (2) private voting positions where delegates may complete their ballot paper in total privacy, prior to lodging their ballot paper in the appropriate ballot box under the control of the Legal Commission.

6.6.2 - The Chairman of the Legal Commission shall announce the election of each position. At this stage, the Chairman of the Legal Commission shall ensure that the meeting room of the Congress is secure, with no person being allowed entry or exit during the voting procedure process.

6.6.3 - The Chairman of the Legal Commission shall read aloud the list of candidates nominated for that particular position and shall display the list in writing on a large display screen in alphabetical order of surname.

6.6.4 - The Legal Commission shall ensure that the ballot paper to be distributed shall have the surname of each candidate listed in alphabetical order as it appears on the display board.

6.6.5 - The Chairman of the Commission shall read out, in alphabetical order, the Member Federations that are present and eligible to cast a vote and one (1) of the official delegates for that Member Federation shall collect from the Legal Commission the ballot paper or papers depending on the votes allocated to that Member Federation in Article 13.2 of the Statutes.

6.6.6 - The delegate or delegates shall then proceed to the voting position and complete the ballot paper.

6.6.7 - The delegate or delegates shall then return the ballot paper to the ballot box, which at all times shall be under the complete control and supervision of the Legal Commission.

ARTICLE 7. COUNTING OF THE VOTES - ELECTRONIC OR PAPER BALLOTS

7.1 - After the voting procedures of Articles 6.4 or 6.6 have been completed, the Legal Commission shall count the votes and proceed as follows:

7.1.1 - The candidate who receives an absolute majority (more than 50% of valid votes cast) of valid votes cast on the first round shall be declared elected.

7.1.2 - If no candidate receives an absolute majority in the first round, then a second round of voting for all the candidates for the position proposed shall be undertaken, and the candidate who receives a simple majority, shall be declared elected.

7.1.3 - If no candidate receives a simple majority in the second round, then a third round of voting shall be undertaken and the highest polling candidate shall be declared elected.

7.1.4 - If in any round, there is a tie in votes between two or more candidates, then a further round of voting shall be undertaken between the tied candidates only, and the highest polling candidate shall either;

- (a) Be declared elected (if the tied candidates were the only candidates on the list of candidates) or,
- (b) If there are three or more candidates on the list, remain on the list for a further round of rounds of voting between the remaining candidates until there is a highest polling candidate who shall be declared elected.

7.2 - If one of the single sport Member Federation nominees is elected then all other nominees shall be eliminated from the nominations list.

7.3 - If one of the joint sports Member Federations nominees is elected, they will have only one more possibility of an elected Board member, whereas, if elected, all other nominees shall be eliminated from the nominations list.

7.4 - For a position where there is only one (1) candidate, that candidate is elected. The Chairman of the Legal Commission shall request an open vote of the Congress for the record and shall declare the candidate elected.

7.5 - It is only after the announcement of the person properly elected that the meeting room can be opened for the entry and exit of delegates and accredited persons.

ARTICLE 8. ATHLETE REPRESENTATIVE ELECTIONS

8.1 - The Athlete Representatives shall be elected during an election year by eligible players, which eligibility shall be determined by the Baseball and Softball Commissions respectively pursuant to standards which shall have been established by the Executive Board.

8.2 - The election process and procedure shall be determined by the Executive Board. The voting for Athlete Representatives is to be conducted by and within each of the Baseball and Softball Commissions.

8.3 - The term of an Athlete Representative on the Executive Board shall be four (4) years.

8.4 - Should a vacancy occur in an Athlete Representative position, the Executive Board shall establish a mechanism, if necessary, for the eligible athletes to elect a replacement. The person elected shall serve until the expiration of the term of office for which the person has been elected.

ARTICLE 9. INTERIM REPLACEMENTS AND PROCEDURES FOR ELECTIONS

9.1 - Based on Art. 14.13 of the Statutes on the grounds for the removal of an Executive Board Member and their interim replacements, the following procedures shall rule:

9.1.1 - In case of vacancy of a Member at Large [Statutes Art. 14.13(3)] the President and the relevant VP of Baseball or Softball shall bring forth the name of the individual who will replace the said vacant position until the Next Annual General Congress.

9.1.2 - In the case of the position of President becomes vacant [Statutes Art. 14.13(5)] the Executive Board shall decide who will replace the President amongst themselves and will be called Interim President until the next General Congress.

9.1.3 - Any other position that becomes vacant, Statutes Art. 14.13(4) shall be the authority under which the vacant position shall be filled.

9.1.4 - Nominations of candidates in case of interim elections shall be made in accordance with these By-Laws Article 4 at the following Congress.

9.1.5 - The entitled Congress then proceeds to interim elections for the vacant position until the end of the four-year term;

CHAPTER 4 – BASEBALL AND SOFTBALL COMMISSION

ARTICLE 10. BASEBALL AND SOFTBALL COMMISSION APPOINTMENTS

10.1 - Immediately after the Congress Elections the Vice-Presidents of Baseball and Softball shall create their respective Commissions based on Article 16.4 (a) and (b) of the Statutes, no later than one calendar month after the elections.

10.2 - The VP of Baseball and Softball shall propose to the Executive Board no less than five members to be appointed to their respective Commissions.

10.3 - The appointments shall become valid upon the approval of the Executive Board.

10.4 - The Baseball and Softball Commissions shall be run based on the Baseball and Softball Commissions By Laws.

CHAPTER 5 – THE COMMISSIONS BY LAWS

ARTICLE 11 CREATION AND GOVERNANCE

11.1 - Pursuant to Article 16.4 (a) and (b) of the WBSC Europe Statutes, WBSC Europe has created the WBSC Europe Baseball and Softball Commissions, hereinafter referred to as the “Commissions”, for the sole purpose of and to be responsible for the technical rules and competitions, the supervision and the organisation of Baseball and Softball respectively, and to manage the same under the authority of the respective Vice Presidents of Baseball and Softball and the WBSC Europe Executive Board.

11.2 - The Commissions shall be governed by the WBSC Europe Statutes, these By Laws and any Rules and Regulations established by the Executive Board.

ARTICLE 12. ORGANISATION OF THE COMMISSIONS

12.1 - The Commissions shall be managed and administered in the following manner:

- a) the Vice President of Baseball and Softball shall appoint at least five members to the respective Commissions;
- b) the Commissions shall have at least five Committees dealing with the major aspects of the sports in an organized manner;
- c) each Committee shall have a Chair appointed by the respective Vice President and establish Advisory Groups that will work to fulfil the policies handed down by the WBSC Executive Board through the respective Vice Presidents of Baseball and Softball.
- d) the Commissions shall report to and be subject to the authority of the WBSC Europe Executive Board through the respective Vice Presidents.

12.2 - The Advisory Groups shall exercise such functions as delegated to it by the Vice Presidents who shall report to the WBSC Europe Executive Board.

12.3 - The rights and duties of each Commission shall include the following:

- a) to discuss and decide on all matters assigned to it by the WBSC Europe Executive Board through the respective Vice Presidents.
- b) to organise and control all competitions under the jurisdiction of each Commission, including to decide on and publish regulations for the competitions and also to determine the dates and sites upon final approval of the WBSC Europe Executive Board.
- c) to approve and compile and keep up-to-date Baseball and Softball records achieved in competitions under the jurisdiction of each Commission.
- d) monitor, supervise and orient the activities of the Committees and Advisory Groups.
- e) to provide a written report of the activities to every and each WBSC Europe Congress.
- f) to ensure that the decisions of the WBSC Europe Congress and WBSC Europe Executive Board are timely and properly implemented.

12.4 - The Commissions shall operate as follows:

The Commission shall meet at least twice every calendar year in particular:

12.4.1.1 once during each Annual Congress,

12.4.1.2 once at mid-year, for an intermediate review of the situation of the year

12.4.1.3 furthermore the Vice Presidents of Baseball and Softball may call a Commission meeting as they deem necessary.

ARTICLE 13. THE COMMITTEES AND ADVISORY GROUPS

13.1 - The Vice Presidents have the power to create Committees and appoint the Chairs and members of the Advisory Groups with such mandate and terms of reference as they deem necessary and appropriate for the good administration of the Commissions and, as applicable, the Objectives or the business of the Commissions. Such Committees and all members of the Advisory Groups shall carry out all duties and responsibilities in compliance with the policies set by the WBSCEurope Executive Board.

13.2 – Committees act on the authority and under the supervision of, and shall report to, the respective Vice President and the respective Annual Congress, if required. Every Committee shall have terms of reference and operating procedures, which shall be approved by the respective Vice Presidents.

13.3 - The power to appoint all members of the Commission including Advisory Groups shall include the power to dismiss and re-appoint their members and to dissolve any Committee.

13.4 - The following Committees are recommended for each Commission, shall have jurisdiction over the subject matters for which formed, and may only be dissolved by the decision of the respective Vice Presidents.:

13.4.1. The Technical Committee: establishes, defines and enforces the Rules and Standards governing the respective Commission Competitions, establishes and enforces the training programs for Scorers and Technicians, proposes to the Commission Board the appointment of the Technical Commissioners in European Competitions, and ensures the good running of the respective Commission Competitions.

13.4.2. The Development Committee: establishes, defines and enforces the policy and programs for development of the respective sports, advises the respective Vice President upon requests for development from Members, defines specific development programs for Members.

13.5 - The Committees shall meet whenever there is business to be considered and/or transacted. All Committee meetings may be held by electronic means, or in person.