



Constitution

***of the Botswana National Olympic Committee as
adopted at the Special General Assembly of 24
February 2011.***



Botswana National Olympic Committee

(Incorporating the Botswana Commonwealth Games Association)

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TABLE OF CONTENTS

	Article	Page(s)
1. The Preamble		4
2. Name and Registered Office	<i>One</i>	5
3. Legal Status	<i>Two</i>	5
4. Definitions	<i>Three</i>	5-7
5. Objectives	<i>Four</i>	8-9
6. Rights	<i>Five</i>	10-11
7. Tasks	<i>Six</i>	11
8. Membership of the BNOC	<i>Seven</i>	11-12
9. Termination of Membership	<i>Eight</i>	12-13
10. Integrity and Status of BNOC Officials	<i>Nine</i>	13-14
11. Structures of the BNOC	<i>Ten</i>	14
12. BNOC General Assemblies	<i>Eleven</i>	14-18
13. Election of the BNOC Board	<i>Twelve</i>	18-20
14. The Executive Board	<i>Thirteen</i>	20-24
15. Meetings of the Executive Board	<i>Fourteen</i>	24-25
16. Financial Matters	<i>Fifteen</i>	25-27
17. Recognition of NFs	<i>Sixteen</i>	27-28
18. Commissions and Committees	<i>Seventeen</i>	28-29
19. Athletes' Commission	<i>Eighteen</i>	29-30
20. Secretariat	<i>Nineteen</i>	30-32
21. Protection of Board Members and Secretariat	<i>Twenty</i>	32-33

23.	Outstanding Performance and Contribution to Sport	<i>Twenty-One</i>	33-34
24.	Performance Enhancing Drugs and Substances	<i>Twenty-Two</i>	34
25.	Organisation and Participation in Major Games	<i>Twenty-Three</i>	34-35
26.	Disposition of Assets upon Dissolution of the BNOC	<i>Twenty-Four</i>	35
27.	Repeal and Amendment of Bye-Laws	<i>Twenty-Five</i>	36
28.	Dispute Resolution and Discipline	<i>Twenty-Six</i>	36-37
29.	Languages	<i>Twenty-Seven</i>	37
30.	Repeal And Transitional Clause	<i>Twenty Eight</i>	38

THE PREAMBLE

WHEREAS the Botswana National Olympic Committee is the National Olympic Committee (“NOC”) of Botswana, recognized as such by the International Olympic Committee (“the IOC”) under Bye-Law to Rules 28 and 29 of the Olympic Charter and by the Commonwealth Games Federation (“CGF”) under Article 10 of its Constitution and, thus, the BNOC belongs to the Olympic Movement and Commonwealth Family,

AND WHEREAS the Botswana National Olympic Committee is obliged by the Olympic Charter to send and enter athletes in the Games of the Olympiad,

AND WHEREAS the Botswana National Olympic Committee is obliged to send eligible competitors to the Commonwealth Games under the Constitution of the CGF,

AND WHEREAS the Botswana National Olympic Committee undertakes to respect the provisions of the Olympic Charter, the CGF Constitution and the World Anti-Doping Code,

AND WHEREAS the Botswana National Olympic Committee shall actively participate in the fight against doping and the degradation of the environment,

AND WHEREAS the Botswana National Olympic Committee, in accordance with its mission and role at national level, undertakes to participate in actions geared towards peace and the promotion of women in sports,

NOW, THEREFORE, it is recorded that the BNOC shall have exclusive authority for the representation of Botswana at the major games under the auspices of the IOC and CGF.

ARTICLE ONE

Name And Registered Office

1. The organisation established in this Constitution shall be the Botswana National Olympic Committee.
2. The registered office of the BNOC shall be determined by the BNOC from time to time.

ARTICLE TWO

Legal Status

1. Under the terms of the Olympic Charter and the Commonwealth Games Federation Constitution, and in accordance with the provisions of the Societies Act of Botswana governing associations, a non-profit and non-governmental association called the Botswana National Olympic Committee (“BNOC”), is hereby set up by those individuals or legal entities abiding by these statutes.
2. The BNOC shall have jurisdiction over all Olympic and Commonwealth sports matters in Botswana.
3. Its headquarters shall be situated within the limits of Botswana in Gaborone.
4. The duration of the association shall be unlimited.
5. The BNOC shall be a body corporate with power to acquire moveable and immoveable assets in its own name.
6. The association shall have legal personality.

ARTICLE THREE

Definitions

1. Unless the context indicates otherwise, the following abbreviations, terms and cognate expressions shall have the following meanings ascribed to them:

- (a) **“Associate Member”**: a Member of the BNOC referred to Article 7 of this Constitution;
- (b) **“Athletes’ Commission”**: the Athletes’ Commission of the BNOC referred to in Article 18 of this Constitution;
- (c) **“BNOC”**: Botswana National Olympic Committee;
- (d) **“Board”**: means the Executive Board of the BNOC;
- (e) **“Bye-Laws”**: rules and regulations which shall be made from time to time in accordance with this Constitution and for purposes thereof;
- (f) **“Commonwealth Games”**: games organised under the jurisdiction of the CGF;
- (g) **“CGF”**: the Commonwealth Games Federation;
- (h) **“Commonwealth Games Member”**: a BNOC Member whose sport is on the programme of the Commonwealth Games;
- (i) **“Constitution”**: the statutes establishing the BNOC as shall from time to time be amended and supplemented by relevant Bye-Laws;
- (j) **“Day”**: any day except a weekend and a public holiday;
- (k) **“Extraordinary General Assembly”**: a special meeting of voting members which may be convened by the Board or shall be convened upon the written request of Members as referred to in Article 11 of this Constitution;
- (l) **“Full Member”**: a Member of the BNOC who is not an associate member;
- (m) **“Local Organising Committee”**: a Local Organising Committee shall be a Committee appointed by the BNOC, as and when the need may arise, to ensure that: there is fairness in the selection of athletes for major games; such selected athletes and/or teams meet the set minimum standards; the agreed training programmes are followed; funding proposals are made and submitted to the NOC; the technical and management staff that is recommended to the BNOC Board for consideration to accompany each of the NF teams that meets certain minimum standards; and general preparations for teams bound for major games are made;
- (n) **“General Assembly”**: is a general meeting of the voting Members of the BNOC;

- (o) **“IF”**: an International Sport Federation recognized by the IOC and/or the CGF;
 - (p) **“IOC”**: the International Olympic Committee;
 - (q) **“Member”**: a Member of the BNOG holding any category of Membership;
 - (r) **“NF”**: a National Sports Federation in Botswana which is recognized by, and is affiliated to, the BNOG in accordance with this Constitution;
 - (s) **“Olympic Games Member”**: a Member of the BNOG whose sport is on the programme of the Olympic Games;
 - (t) **“Olympic Games”**: the Games of the Olympiad;
 - (u) **“Quadrennial”**: a four year period between Games of the Olympiad;
 - (v) **“Valid Ballot”**: a ballot on which a person voting has voted for the same number of candidates as positions available. A candidate’s name shall appear only once on such a ballot;
2. **BNOG Constitution and Olympic Charter / CGF Constitution.** The Constitution of the BNOG shall, at all times, not be construed to be in conflict with the Olympic Charter and the CGF Constitution.
 3. **IOC Approval of BNOG Constitution.** The BNOG Constitution and any subsequent material change to the Bye-laws shall be communicated to the IOC with a request for approval.
 4. **Precedence of Olympic Charter.** If there is any question regarding the interpretation of the BNOG Bye-laws in relation to the Olympic Charter, or if there is a conflict between the BNOG Bye-Laws and the Olympic Charter, the latter shall take precedence.
 5. **BNOG Flag, Emblem and Anthem.** Any flag, emblem and anthem adopted by the BNOG for use in relation to its activities, including the Olympic Games and the Commonwealth Games, shall be submitted for approval by the IOC and/or the CGF Executive Boards, as the case may be.
 6. **Olympic Symbol, Flag, Motto, Anthem, Flame and Torch.** The BNOG shall respect, without limitation, all provisions of the Olympic Charter relating to the Olympic symbol, flag, motto, anthem, flame and torch, and shall take such reasonable action in relation thereto as is provided for in the Olympic Charter.

ARTICLE FOUR

Objectives

1. The BNOG shall have the following objectives:
 - 1.1. to develop and protect the Olympic Movement and Commonwealth Games Family in Botswana, in accordance with the Olympic Charter and CGF Constitution;
 - 1.2. to respect the provisions of the Olympic Charter, the Constitution of the CGF and the World Anti-Doping Code, and to abide by the decisions made in terms of the said documents;
 - 1.3. in accordance with the IOC mission and role as set forth in the Olympic Charter, to participate in actions to promote peace and to promote gender equity in sport;
 - 1.4. to develop sport for the benefit of the people;
 - 1.5. to support and encourage the promotion of sports ethics, to fight doping and to demonstrate a responsible concern for environmental issues;
 - 1.6. to facilitate the representation of Botswana in Olympic, Commonwealth Games and any games held under the auspices of the IOC, the CGF and their subsidiary organisations.
 - 1.7. to develop and protect the Olympic Movement and sport in Botswana and to establish and operate programmes in furtherance thereof;
 - 1.8. to propagate the fundamental principles of Olympism and Commonwealth ideals in Botswana;
 - 1.9. to facilitate the creation of institutions which devote themselves to Olympic education, and to encourage and promote the establishment and activities of National Olympic Academies and Olympic Museums and cultural programmes related to the Olympic Movement;

- 1.10. to exercise exclusive jurisdiction, either directly or through its constituent members or committees, over all matters pertaining to the participation of Botswana in the games held under the auspices of the IOC, the CGF and their subsidiary organisations and, in furtherance of such participation and organizing activities, to comply with and enforce the governing rules, regulations and Bye-Laws of the IOC relating thereto;
- 1.11. to constitute, organize and lead the Botswana teams to major multi-sport games organized at a regional and continental level under the auspices of the IOC, CGF and their subsidiary organisations;
- 1.12. to provide financial assistance, as the BNOC may in its sole discretion determine, to such entities or persons, as the BNOC deems appropriate, in the development and selection of competitors for major games;
- 1.13. to ensure the observance of the Olympic Charter and the CGF Constitution in Botswana;
- 1.14. to take action against any form of discrimination (defined by the Olympic Charter and the CGF Constitution as discrimination on grounds of race, religion, politics, sex or otherwise) and violence in sport;
- 1.15. to adopt and implement the World Anti-Doping Code, thereby ensuring that the BNOC's anti-doping policies and rules, membership and funding requirements and results management procedures conform with the World Anti-Doping Code and respect all the roles and responsibilities for NOCs that are listed within the World Anti-Doping Code;
- 1.16. to work to maintain harmonious and cooperative relations with appropriate governmental bodies, always ensuring however that the BNOC preserves its autonomy and resists pressures of any kind, including those of a political, religious or economic nature, that may prevent it from complying with the Olympic Charter;
- 1.17. to designate which city, if any, that may apply to organize major games under the auspices of the IOC and CGF in Botswana; and
- 1.18. to seek and accept donations, gifts, legacies and devises in furtherance of its corporate purposes.

ARTICLE FIVE

Rights

1. The BNOC:
 - 1.1 has the exclusive powers for the representation of Botswana at the Olympic and Commonwealth Games and at the regional, continental or world multi-sports competitions patronised by the IOC and the Commonwealth Games Federation;
 - 1.2 constitutes, organises and leads its delegation at the Olympic Games and Commonwealth Games as well as any other games that are patronised by the IOC and the Commonwealth Games Federation. It decides upon the entry of athletes proposed by its respective NFs. These rights are set forth in further detail in the Olympic Charter and the Commonwealth Games Federation Constitution;
 - 1.3 has the authority to designate the city which may apply to organise Olympic or Commonwealth Games and meetings in Botswana;
 - 1.4 may formulate proposals to the IOC concerning the Olympic Charter and may give its opinion concerning the candidatures for the organisation of the Olympic Games;
 - 1.5 may collaborate in the preparation of Olympic Congresses;
 - 1.6 participates, at the request of the IOC, in the activities of the IOC Commissions;
 - 1.7 may raise money by public appeal or otherwise and apply the same in conjunction with other funds and property towards the promotion of its objectives;
 - 1.8 may undertake and execute any agency business which may seem directly or indirectly conducive to its objectives and may be lawfully undertaken by it;
 - 1.9 may invest such funds not immediately required after due diligence has been taken by the appropriate authority within the Secretariat and/or Board;

1.10 may establish and administer any trusts geared towards the promotion of any of its objectives and to hold and administer any property or funds arising from such trusts;

1.11 may cooperate with governmental and non-governmental bodies, provided that it shall never associate itself with any activity which would be inconsistent with the Olympic Charter and/or the CGF Constitution.

ARTICLE SIX

Tasks

1. The BNOC shall endeavour to:
 - 1.1. regularly organise (if possible each year) an Olympic Day or Week intended for the celebration of the founding of the Olympic Movement;
 - 1.2. include in its activities the promotion of culture and the arts in the fields of sport and Olympism;
 - 1.3. participate in the programmes of Olympic Solidarity and CGF; and
 - 1.4. accomplish all the objectives set out at Article 4 of this constitution.

ARTICLE SEVEN

Membership Of The BNOC

1. The BNOC shall be composed of the following ordinary members with voting rights:
 - 1.1. member(s) of the IOC in Botswana, if any. They are ex-officio members of the General Assembly and Executive Board with voting rights, provided that they shall also be citizens of Botswana;
 - 1.2. the NFs affiliated to the IFs governing sports included in the programme of the Olympic Games or the representatives chosen by them. They must constitute the voting majority of the General Assembly;

- 1.3. the NFs affiliated to the IFs governing sports included in the programme of the Commonwealth Games and which are not already covered under subparagraph 1.2 above;
 - 1.4. two athletes' representatives elected by the Athletes Commission established in accordance with IOC Charter. They shall be active athletes or retired athletes having taken part in the Olympic Games. However, the latter must retire from their posts at the latest by the end of third Olympiad after the last Olympic Games in which they took part.
2. In addition, the BNOC may include as associate members without voting rights:
 - 2.1. other NFs affiliated to IFs recognised by the IOC and/or the CGF, the sports of which are not included in the programmes of the Olympic Games and/or Commonwealth Games;
 - 2.2. multi-sports groups and other sports-oriented organisations or their representatives, as well as nationals of the country liable to reinforce the effectiveness of the BNOC or who have rendered distinguished services to the cause of sport and Olympism.
3. The BNOC shall not recognise more than one NF (mentioned under subparagraphs 1.2, 1.3 and 2.1 above) for each sport governed by an IF. In addition, these NFs shall exercise a specific and real sports activity in their country and internationally, in particular, by organising and participating in competitions and implementing training programmes for athletes. Moreover, these NFs must be registered with the Registrar of Societies of Botswana.
 4. Government or other public authorities shall not designate any member(s) to the BNOC.

ARTICLE EIGHT

Termination Of Membership

1. Membership of the BNOC shall cease:
 - 1.1. with respect to the NFs, upon disbandment;
 - 1.2. with respect to the member(s) of the IOC in Botswana, upon loss of such position;

- 1.3. with respect to the member of the Athletes Commission, upon loss of such position;
- 1.4. upon death;
- 1.5. if a Member resigns by delivering to the Chief Executive Officer of the BNOC his or her written resignation. The resignation shall take effect at the time of such delivery, unless a later date is specified in the resignation letter;
- 1.6. Automatically upon a Member becoming of unsound mind as determined by a competent court of law in Botswana or other lawful authority entitled to do so at law;
- 1.7. Upon a resolution by the General Assembly that a Member who has been sanctioned under the World Anti-Doping Code or for a breach of the IOC Charter be expelled, provided that the Board may suspend the membership of such a member pending the a decision by the General Assembly;
- 1.8. Automatically upon there being passed, at a General Assembly, by at least two-thirds (2/3) of the votes cast on the question, a resolution that such Member be expelled as a Member. Prior to such expulsion, a Member shall have the right to be heard by the General Assembly. Without limitation, a Member may be expelled if in breach of the BNOC Constitution and/or its Bye-Laws;
- 1.9. Automatically upon dissolution of the body which appointed the Member.

ARTICLE NINE

Integrity And Status Of BNOC Officials

1. A member of the BNOC Executive Board shall be:
 - 1.1. a citizen of Botswana;
 - 1.2. an adult of 21 years of age or above, provided that this requirement shall not apply to a representative of the Athletes Commission.

2. Members of the BNOc, except for professional sports administrators, shall not accept any compensation or bonus of any kind in consideration for their services or the performance of their duties, provided that they may be reimbursed for their travelling, accommodation and other justified expenses incurred in the carrying out of their functions.

ARTICLE TEN

Structures Of The BNOc

1. The bodies of the BNOc shall be:
 - 1.1. the General Assembly;
 - 1.2. the Executive Board.

ARTICLE ELEVEN

BNOc General Assemblies

1. **Annual General Assembly (AGA).** An AGA, which shall be the supreme decision-making body of the BNOc, shall be held annually, at such time and on such day, between October 1 and December 10 in each year as the Board may from time to time determine, for the purpose of:
 - 1.1. receiving and considering reports and statements required by the Constitution;
 - 1.2. appointing auditors;
 - 1.3. approving the activity plan for the BNOc for the following calendar year;
 - 1.4. transaction of such other matters and/or motions as may properly be brought before the meeting.
2. **Quadrennial General Meeting (QGM).** The AGA held in the year immediately following the close of an Olympic Games shall be known as the Quadrennial General Meeting and, at such meeting, in addition to the transaction of the aforesaid matters which are attended to at an ordinary AGA, the following matters shall also be dealt with:

- 2.1. the election of the Board Members;
- 2.2. transaction of such other matters and/or motions as may properly be brought before the meeting.
3. **Ordinary General Assembly (OGA).** The Ordinary General Assembly shall be held annually at such time and on such day as the BNOC shall determine between March 1 and May 31. The meeting shall deal with:
 - 3.1. budget proposals;
 - 3.2. consideration of audited financial statements
 - 3.3. strategic planning and policy issues of elite sport development;
 - 3.4. transaction of such other matters and/or motions as may properly be brought before the meeting.
4. **Notice of an AGA and/or OGA:** shall be delivered to each member by the Chief Executive Officer not less than 28 days immediately preceding the date of an AGA.
5. **Extraordinary General Assembly (EGA).** An Extraordinary General Assembly may be convened by the President or shall be convened upon the written request of at least two-thirds of affiliated BNOC Members. The written request shall be delivered to the Chief Executive Officer. Such a meeting may deal only with specific matters and/or motions in accordance with BNOC Constitution.
6. **Notice of Meetings.**
 - 6.1. Notice of the time, place and date of each EGA shall be given, in the manner hereinafter provided, not less than twenty-one (21) days before the day on which the EGA is to be held, to each BNOC Member of record at the close of business on the day on which the notice is given. Such notice shall state the general nature of the matters to be considered at the meeting of voting Members. Notice of an EGA shall specify clearly the purpose for which the meeting is being called.
 - 6.2. The only business which may be transacted at an EGA is that referred to in such notice. All BNOC Members shall be entitled to receive notice of an EGA Session by email or fax and hard copy at the address on the books of the BNOC for such Members. BNOC Members shall provide a functional email address to the BNOC and update it as necessary.
7. **Minutes:** minutes of any General Assembly shall be co-signed by the President and the Chief Executive Officer.

8. **Delegates:** each NF may designate, in writing, a maximum of two representatives to attend any General Assembly or an Extraordinary General Assembly, as the case may be, provided that such representatives shall be members of such an NSF and provided, further, that there shall be only one vote for each NF.
9. **Quorum:** a quorum for the transaction of business at any General Assembly shall be at least two-thirds of Full BNOG Members present, provided that, should a quorum not be reached, the meeting shall stand adjourned for a period not exceeding 21 days and any number present on the new date shall suffice.
10. **Questions relating to the Olympic Games.** with respect to any question relating to the Olympic Games that is placed before a General Assembly, only the Olympic Games Members may vote.
11. **Questions relating to the Commonwealth Games.** with respect to any question relating to the Commonwealth Games that is placed before a General Assembly, only the Commonwealth Games Members may vote.
12. **Proxies.** There shall not be any voting by proxy at any BNOG General Assembly.
13. Any letter appointing a delegate other than the President/Chairman and Secretary shall be in such form as is prescribed by the BNOG Board from time to time and shall be valid only if it is deposited with BNOG Chief Executive officer at least seven (7) calendar days before the General Assembly.
14. **Order of Business.** The order of business at any AGM, except an Extraordinary General Assembly, shall be as follows:
 - 14.1. Roll Call;
 - 14.2. reading of notice calling the meeting;
 - 14.3. confirming of minutes;
 - 14.4. business arising from the minutes;
 - 14.5. report of officers;
 - 14.6. financial report;
 - 14.7. Consideration of applications for Membership of the BNOG;

- 14.8.** report on Nominations by the Nominations and Elections Committee (only at Quadrennial General Assembly);
- 14.9.** in the case of a Quadrennial General Assembly, elections.
- 15. Votes to Govern.** At any General Assembly, every question shall, unless otherwise required by the Constitution, be determined by a simple majority of votes cast on the question.
- 16. Show of Hands.** Any question at a General Assembly shall be decided by a show of hands unless a poll or ballot thereon is required or demanded as hereinafter provided, provided that:
- 16.1.** upon a show of hands, every person who is present and entitled to vote shall have one vote;
- 16.2.** whenever a vote by show of hands has been taken upon a question, unless a poll or ballot thereon is so required or demanded, a declaration by the Chairperson of the meeting that the vote upon the question has been carried, or carried by a particular majority, or not carried, and an entry to that effect made in the minutes of the meeting, shall be *prima facie* evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against any resolution or other proceeding in respect of the said question, and the result of the vote so taken shall be the decision of the BNOC Members upon the said question. Provided that in the case of election of persons, elections shall be conducted by secret ballot.
- 17. Polls.** The Chairperson may require, or any person entitled to vote on the question may request, a poll. Any poll requested by a voting Member shall be required if at least 25% of the voting Members present at such meeting vote in favour of such poll. A poll so required shall be taken in such manner as the Chair shall direct. A demand for a poll may be withdrawn at any time prior to the taking of the poll. Upon a poll, each person present and entitled to vote shall have one vote, and the result of the poll shall be the decision of the BNOC Members upon the said question.
- 18. Casting Vote.** In the case of an equality of votes at any General Assembly either upon a show of hands or upon a poll or upon a ballot, the Chairperson of the General Assembly shall be entitled to an additional or casting vote.

19. **Adjournment.** The Chairperson at a General Assembly may, with the consent of the General Assembly and subject to such conditions as the GA may decide, adjourn the meeting from time to time and from place to place.
20. **Copy of Minutes to be Sent to the IOC.** A copy of the minutes of the Quadrennial General Assembly and of the General Assemblies called to fill an elected position on the Board that has become vacant, once approved, shall be sent to the IOC. A copy of the minutes sent shall be certified as a true copy by the President and the Chief Executive Officer of the BNOC.

ARTICLE TWELVE

Election Of The BNOC Board

1. **Elections:** the Executive Board shall be elected every four years at a Quadrennial General Assembly held for that purpose, provided that:
 - 1.1. where a vacancy occurs, an election to fill the same shall be held at the next AGM following the vacancy;
 - 1.2. the President of the BNOC may appoint a member of the BNOC to act pending the filling of the vacancy by an election as aforesaid.
2. **BNOC Nomination and Elections Committee.** A Nomination and Elections Committee, comprising people who are independent and neutral of the election process, shall be appointed by the General Assembly at the AGA immediately preceding the QGA.
3. Such committee shall consist of a minimum of five (5) Members and shall include three (3) Olympic Games Members and two (2) Commonwealth Games Members who shall appoint a Chairperson from their number. The BNOC Chief Executive officer shall be the Secretary of the Committee without voting rights on any matter.
4. Members of the Nomination and Elections Committee may not accept nomination for any elected office on the BNOC Board.
5. Each Full Member is entitled to propose persons to the Nomination and Elections Committee by filing nominations with the Chief Executive Officer in accordance with the BNOC Constitution.

6. All completed nomination forms, including a written acceptance of nomination, shall be received by the Chief Executive Officer, on behalf of the Nominations and Elections Committee, no later than 21 days before the election date;
7. The Nomination and Elections Committee Chairperson and the BNOB Chief Executive Officer shall write to each member of the BNOB to confirm valid nominations in accordance with the BNOB constitution to all Full BNOB Members at least fifteen (15) days prior to the date of the Quadrennial AGM.
8. Nominations received after the 21 days as stipulated at 6 above shall be invalid and will not be considered for elections.
9. In the event of a nominee's withdrawal, death or inability to stand for election that results in the number of candidates being less than the number of positions to be elected, nominations for such office may be accepted by Nomination and Elections Committee from the floor at the Quadrennial AGM, provided that, in the latter instance, such nominations are endorsed by at least three (3) Members, deriving their Memberships from two (2) Olympic Games Member and one (1) Commonwealth Games Member.
10. **Conduct of Elections.** The Nomination and Elections Committee Chairperson shall conduct elections for each BNOB Board position by ballot on the day of the election. Each Full BNOB Member and Board Member shall be entitled to one vote per position. In addition, the Athletes Commissions and each IOC Member who sits on the Board shall be entitled to one vote each.
11. **Elections Procedure.** The procedures mentioned below shall apply in respect of the elections:
 - 11.1. if, in a ballot a candidate achieves in excess of 50% of the formal votes cast, he shall be declared elected;
 - 11.2. if, in a ballot no candidate has in excess of 50% of the formal votes cast, the candidate(s) receiving the least number of votes shall be eliminated and a second round of voting shall be conducted for the remaining candidates;
 - 11.3. if, after the second ballot a candidate achieves in excess of 50% of the formal votes cast, he shall be declared elected;

- 11.4. if, still no candidate has in excess of 50% of the formal votes cast, the procedures in (clauses 11.2 and 11.3) above shall be repeated until one of the candidates has in excess of 50% of the formal votes cast, in which case he shall be declared elected.

ARTICLE THIRTEEN

The Executive Board

- 1. Composition of Board.** The Board shall consist of the following Members who shall be elected for a 4 year term of office, provided that:

- 1.1. no member who has attained the age of 70 and above shall be eligible for election or re-election, as the case may be;
- 1.2. if a member of the Executive Board attains the age of seventy whilst still holding his position in the Board, he/she shall be entitled to serve therein until the end of his/her term notwithstanding that he shall have attained the age of seventy whilst in office;
- 1.3. subject to the foregoing, a member of the Executive Board shall be entitled to be re-elected for subsequent terms of four (4) years each, provided they will not have already attained the age of seventy (70) years at any such election.

2. The President:

- 2.1. shall be the head of the organization and chief spokesperson for the BNOC;
- 2.2. shall provide oversight over strategic and policy matters;
- 2.3. shall be responsible for supervising the work of the Chief Executive Officer and administering the performance agreement with the said employee.

3. The Senior Vice President:

- 3.1. shall be the second in the order of seniority in the organization and shall act as President during the absence of the substantive President;
- 3.2. shall be responsible for provision of oversight on issues of branding, communications, and marketing;

3.3. shall be the key driver for policy formulation and implementation in the areas stated above.

4. The First Vice President:

4.1. shall be responsible for provision of oversight on technical matters as well as sport development related issues;

4.2. shall work with the CEO to ensure implementation of sports development and high performance programmes and policies of the BNOC.

5. The Second Vice President:

5.1. shall provide oversight with respect to governance within the BNOC;

5.2. shall work with the CEO to ensure proper adherence to policies and procedures for financial and general administration of the organization.

6. Additional Board Members

6.1. There shall be three Board Members who shall be allocated responsibilities for various critical areas of the BNOC activities including, but not limited to, liaising with Local Organising Committee, Commissions and other Working Committees of the organization, as the case may be, taking into account their professions, aptitudes, experiences and skills.

7. The Chief Executive Officer:

7.1. shall be a non-voting member of the Board and the BNOC;

7.2. shall take the minutes of the Board meetings and those of General Assemblies;

7.3. shall be responsible for the financial matters of the BNOC;

7.4. shall be a citizen of Botswana.

8. One (1) representative of the Athletes' Commission.

9. **IOC Member(s).** Any Botswana citizen who is a member of the IOC shall be an ex-officio members of the Executive Board.
10. **Voting Majority.** The voting majority of the Executive Board shall consist of the votes cast by the representatives of the National Federations affiliated to the International Federations governing sports included in the programme of the Olympic Games.
11. **Quorum.** The presence of five of the elected Board Members at any Board meeting shall constitute a quorum.
12. **Vacation of Office.** The office of a Board Member shall be vacated upon the occurrence of any of the following events:
 - 12.1. if a Board Member resigns by delivering to the Chief Executive Officer, his or her written resignation. The resignation shall take effect at the time of such delivery, unless a later date is specified in the resignation;
 - 12.2. automatically upon being convicted of a crime punishable by a custodial or suspended prison sentence;
 - 12.3. automatically upon being convicted anywhere of an offence in connection with the promotion, formation or management of a corporation, or involving fraud, or whose registration to trade in the stock of corporations has been revoked within five (5) years of the date of the General Assembly at which he or she is nominated for election;
 - 12.4. automatically upon a Board Member being declared by a Court or other authority of competent jurisdiction to be incapable of managing his or her own affairs;
 - 12.5. automatically upon there being passed, at a General Assembly, by at least three-quarters (3/4) of the votes cast on the question, a resolution that such Board Member be removed from the BNOC Board. Prior to any such vote, the Board Member shall have the right to be heard by the General Assembly. Without limitation, a Board Member may be expelled if in breach of the Constitution and Bye-Laws; and
 - 12.6. automatically upon the death of a Board Member.
13. **Powers and Duties.** Without limitation on the powers of the Board to manage the affairs of the BNOC, the Board:

- 13.1. may recommend for admission by the General Assembly as BNOCC Members interested sports organization and /or entities;
- 13.2. generally do and perform all the acts and duties of a National Olympic Committee as set out in the rules and regulations of the Olympic Charter;
- 13.3. shall meet, from time to time, to receive the reports and review the actions and decisions of any committees reporting to the Board. The Board may disapprove or reject any action or decision of such committees provided that such disapproval or rejection shall not invalidate anything done or payment made in good faith pursuant to the action or decision disapproved or rejected;
- 13.4. may, between General Assemblies and at the direction of Members, fill vacancies which may occur in the Board;
- 13.5. may appoint such Commissions and /or Committees, as it may from time to time deem necessary or desirable for the furtherance of the objects of the BNOCC;
- 13.6. shall have power, from time to time, to alter the composition of Commissions / Committees appointed by it, and to terminate appointments of chairs or members of such Commissions / Committees appointed by it or dissolve such Commissions/ Committees;
- 13.7. determine the size and composition of teams representing Botswana in major multi-sport games under the auspices of the IOC and CGF;
- 13.8. exercise such other duties, powers and rights as are assigned to it by the Constitution and Bye-Laws;
- 13.9. may institute or defend legal proceedings on behalf of the BNOCC;
- 13.10. may acquire by purchase, lease, sell, let, mortgage or otherwise deal with or dispose of any movable or immovable property on behalf of the BNOCC;
- 13.11. may operate a banking account(s);
- 13.12. may, from time to time, appoint signatories to the books of accounts of the BNOCC, provided that the CEO shall be amongst the signatories; and

13.13. may make rules and regulations for purposes of this Constitution.

ARTICLE FOURTEEN

Meetings Of The Executive Board

1. **Calling of Regular Meetings.** Meetings of the Board shall be held as prescribed in the constitution and at the call of the President and/or Chief Executive Officer. Notice of the time and place of every meeting so called shall be given to each Board Member not less than seven (7) days before the time when, the meeting is to be held, save that no notice of a meeting shall be necessary if all the Board Members are present or if those absent waive notice of or otherwise signify their consent to such meeting being held.
2. **Calling of Special Meetings.** A special meeting of the Board may be held from time to time at the call of the President. The only business which may be transacted at a Special Board meeting is that referred to in the notice.
3. **Regular Meetings.** The Board may appoint any day or days in any month or months for regular meetings at a place and hour to be named. A copy of any resolution of the Board fixing the place and time of regular meetings of the Board shall be sent to each Board Member forthwith after being passed, but no other notice shall be required for any such regular meeting.
4. **Place of Meeting.** Meetings of the Board shall be held at the head office of the BNOC or elsewhere as the President, in consultation with the Chief Executive Officer, determines.
5. **Chair.** The President or, in his or her absence, the Senior Vice President, or, in the absence of the Senior Vice President, the First Vice President, shall be Chair of any meeting of the Board, provided that any official entitled, any meeting to chair a Board meeting, shall also be entitled to assign another member to act for him or her.
6. **Votes to Govern.** At all meetings of the Board, every question shall be decided by a majority of the votes cast on the question; and, in case of an equality of votes, the Chair of the meeting shall be entitled to an additional or casting vote.

7. **Participation by Telephone or Other Electronic Means.** If all members of the Board consent thereto generally or in respect of a particular meeting, a meeting of the Board may be held by means of such telephone, electronic or other communication facilities as permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously, and a member of the Board participating in such a meeting by such means is deemed to be present in person at that meeting for the purposes of the BNOC Constitution and its Bye-Laws.
8. **No Proxies.** No Board Member may appoint a proxy to represent him or her for any reason whatsoever.
9. **Declaration of Interest.** It shall be the duty of every member of the BNOC who is in anyway, whether directly or indirectly, interested in a contract or arrangement or proposed contract or proposed arrangement with the BNOC, to declare such interest to the extent, in the manner and at the time required by the governing law and to recuse himself in respect of the contract or arrangement or proposed contract or proposed arrangement.

ARTICLE FIFTEEN

Financial Matters

1. The BNOC shall seek sources of financing that will enable it to maintain its autonomy in all respects. The collection of funds must, however, be accomplished in accordance with the Olympic Charter and in such a manner that the dignity and independence of the BNOC are not harmed.
2. The income of the BNOC shall be derived from:
 - 2.1. membership subscriptions;
 - 2.2. subsidies from the State, public entities and other bodies;
 - 2.3. subsidies from the IOC Olympic Solidarity and other subsidies from the IOC which shall appear distinctly in the accounts of the financial year;
 - 2.4. subsidies from the Commonwealth Games Federation which shall appear distinctly in the accounts of the financial year;

- 2.5. gifts and bequests that the Board and/or the General Assembly may accept;
 - 2.6. marketing revenues;
 - 2.7. proceeds from stamp issues and the publication and sales of printed material;
 - 2.8. fees for services rendered; and/or other sources.
3. The Financial Year of the BNOC shall be the 1st January to 31st December of each year.
 4. The Annual Financial Accounts of the BNOC for each financial year should be audited by 31st March of the ensuing year. The BNOC's auditors for the ensuing financial year shall be approved by the General Assembly.
 5. Associate Members of the BNOC shall attend meetings and events of the BNOC at their own expense.
 6. The Executive Board shall be accountable for the Books of Accounts of the BNOC and the safeguard of its assets in accordance with International Accounting Practice.
 7. **Banking Arrangements.** The banking business of the BNOC shall be transacted with such banks, trust companies or other firms or corporations as may from time to time be designated by the Board. Such banking business or any part thereof shall be transacted under such agreements, instructions and delegations of power as the Board may from time to time prescribe or authorize.
 8. **General Borrowing Authority.** Subject to any limitations set out in the Constitution and /or Bye-Laws, the Board may:
 - 8.1. borrow money upon the credit of the BNOC;
 - 8.2. limit or increase the amount to be borrowed;
 - 8.3. issue, sell or pledge securities of the BNOC;
 - 8.4. secure any such securities, or any other present or future borrowing or liability of the BNOC, by mortgage, hypothec, charge or pledge of all or any currently owned or subsequently acquired real and personal, movable and immovable, property of the BNOC, and the undertaking and rights of the BNOC.

- 9. Specific Borrowing Authority.** From time to time, the Board may authorize any Board Member, officer or employee of the BNOC or any other person to make arrangements with reference to the money so borrowed or to be borrowed and as to the terms and conditions of the loan thereof, and as to the security to be given therefore, with power to vary or modify such arrangements, terms and conditions and to give such additional security as the Board may authorize, and generally to manage, transact and settle the borrowing of money by the BNOC.

ARTICLE SIXTEEN

Recognition Of NFs

- 1. Recognition of NFs by BNOC.** To be recognized by the BNOC, an NF must submit an application to the BNOC, in such form as may be prescribed by the BNOC, which application shall include, without limitation, the following:
- 1.1.evidence, in form satisfactory to the BNOC, of:**
 - 1.1.1.** the NF being properly qualified in accordance with the relevant provisions of this Constitution;
 - 1.1.2.** the NF being incorporated;
 - 1.1.3.** the NF being the official body regulating in Botswana the sport which it purports to represent; and
 - 1.1.4.** the NF exercising a specific, real and on-going sports activity and being affiliated to an IF recognised by the IOC and/or CGF and being governed by and complying in all aspects with both the Olympic Charter / CGF Constitution and the rules of its IF.
 - 1.2. the NSF's undertaking to:**
 - 1.2.1.** comply with the provisions of this Constitution and its Bye Laws; and
 - 1.2.2.** cause its Members to comply with the provisions of the this Constitution and its Bye laws as may be promulgated from time to time.
- 2. An application, when in complete form, shall be processed as follows:**

- 2.1. same shall be submitted to the Chief Executive Officer of the BNOC;
 - 2.2. the Chief Executive Officer shall refer the application to the Board which shall refer same to the next AGM;
 - 2.3. the AGM, in its absolute discretion, shall decide on whether or not it will recognize the NF.
3. If the General Assembly decides to recognize an NF, such recognition shall take effect immediately following the meeting at which the recognition was granted.

ARTICLE SEVENTEEN

Commissions And Committees

1. **Rules of Procedure.** Any Commission or Committee appointed by the Board may formulate its own rules of procedure, subject to the provisions of the Constitution and/or Bye-Laws and such regulations or directions as the Board may from time to time make.
2. Notwithstanding the aforesaid:
 - 2.1. the BNOC Board shall appoint the Chair of the Commission/ Committee;
 - 2.2. a special meeting of a Commission/ Committee may be called by the President at any time. The only business which may be transacted at a special meeting is that referred to in the notice calling same;
 - 2.3. no meeting of a Commission / Committee may be held without written notice being given thereof, save that same is not necessary if all members of the Commission / Committee are present or if those absent waive notice or otherwise signify their consent to such meeting being held;
 - 2.4. the greater of three (3) persons and a majority of the number of members of any Commission / Committee shall constitute a quorum;

- 2.5. at all meetings of any Commission / Committee, every question shall be decided by a majority of the votes cast on the question; and, in case of an equality of votes, the Chair of the meeting shall be entitled to a second or casting vote;
 - 2.6. unless specifically excluded by the terms of appointment of the committee, the President and Chief Executive Officer of the BNOc shall be *ex officio* members of each Commission and Committee to which they are not specifically appointed;
 - 2.7. the order of business at any meeting shall be at the discretion of the Chair;
 - 2.8. proxies shall not be honoured at any meeting; and
3. **Participation by Telephone or Other Electronic Means.** If all members of the Commission / Committee consent thereto generally or in respect of a particular meeting, a meeting of a Commission / Committee may be held by means of such telephone, electronic or other communication facilities as permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously, and a member of the committee participating in such a meeting by such means is deemed to be present in person at that meeting for the purposes of this Constitution and/or its By-laws.

ARTICLE EIGHTEEN

Athletes' Commission

1. **Establishment of the Athletes' Commission:** there shall be an Athletes Commission for purposes of representing the views of the athletes and making their voices heard within BNOc.
2. **Objectives:** The objectives of the Athletes' Commission are:
 - 2.1. to consider issues related to athletes and to provide advice to the BNOc;
 - 2.2. to represent the rights and interests of athletes and to make related recommendations; and
 - 2.3. to maintain contact with the IOC Athletes' Commission.

3. **Composition of the Athletes' Commission:** The Athletes' Commission shall be as follows:
 - 3.1. it shall have a minimum of five members who are nationals of Botswana. They must be at least 16 years of age, and have never been sanctioned for a doping offence;
 - 3.2. it shall be composed of a majority of athletes who, at the time of their election, are at least participating at a national level in a sport on the Olympic programme, or have done so within the previous four years;
 - 3.3. both sexes must be represented within the Athletes' Commission;
 - 3.4. the length of the term of office for Members of the Athletes' Commission shall be four years, with re-election possibilities, provided such would be within the dictates of the Olympic Charter, these statutes and/or their Bye-Laws;
 - 3.5. the following are the ex-officio members of the Athletes' Commission and have the right to vote at the meetings of the Athletes' Commission:
 - 3.5.1. the members of the IOC Athletes' Commission;
 - 3.5.2. the members of the Athletes' Commissions NOC Continental Associations.
4. **Meetings of the Athletes' Commission:** the Athletes' Commission must meet at least once a year and the BNOC is responsible for ensuring that the Commission is able to meet.

ARTICLE NINETEEN

Secretariat

1. **The Secretariat:**
 - 1.1. shall be the principal executive institution of BNOC, and shall be responsible for:
 - 1.1.1. strategic planning and management of programmes of BNOC;

- 1.1.2. implementation of decisions of the General Assemblies and Board meetings;
- 1.1.3. financial and general administration;
- 1.1.4. representation and promotion of BNOC;
- 1.1.5. formulation and submission of policies and programmes to the Board for consideration;
- 1.1.6. monitoring and evaluating the implementation of sport policies and programmes;
- 1.1.7. collation and dissemination of information on the BNOC and maintenance of a reliable database;
- 1.1.8. mobilization of resources, co-ordination and harmonization of programmes and projects with cooperating partners;
- 1.1.9. devising appropriate strategies for self financing and income generating activities and investment;
- 1.1.10. management of special programmes and projects;
- 1.1.11. undertaking research on of various aspects elite sport;
- 1.1.12. Preparation and submission to the Executive Board for approval, administrative regulations, standing orders and rules for management of the affairs of the BNOC;
- 1.1.13. the Secretariat shall be headed by a Chief Executive Officer.

2. The Chief Executive Officer:

- 2.1. shall be the head of the BNOC Secretariat and responsible to the Board for the following:
 - 2.1.1. consultation on and coordination of programmes with the IOC Commonwealth Games Federation(CGF) and other institutions;
 - 2.1.2. pursuant to the direction of Board, General Assembly or on his or her own initiative, undertaking measures aimed at promoting the objectives of BNOC and enhancing its performance;

- 2.1.3. promotion of co-operation with other organizations for organizing and servicing meetings of the Board, the General Assembly, Local Organizing Committee (LOC), Commissions and any other Working Committee or any other meetings convened on the direction of the General Assembly or the Board;
- 2.1.4. custodianship of the property of BNOC;
- 2.1.5. appointment of the staff of the Secretariat, in accordance with procedures, and under Terms and Conditions of Service determined by the Board;
- 2.1.6. administration and finances of the Secretariat;
- 2.1.7. preparation of Annual Reports on the activities of BNOC;
- 2.1.8. preparation of the Budget and facilitation of audit of BNOC books of accounts for submission to the Board and General Assembly;
- 2.1.9. representations of the BNOC in local and international conferences, meetings, seminars and workshops;
- 2.1.10. public relations and promotion of the BNOC, Olympic and Commonwealth Ideals; and such other functions as may, from time to time, be determined by the Board.
- 2.1.11. shall liaise closely with other institutions, guide, support and monitor the performance of BNOC in the various sectors to ensure conformity and harmony with agreed policies, strategies, programmes and project;
- 2.1.12. shall be appointed for period of five years, and be eligible for appointment for another period not exceeding five years.

ARTICLE TWENTY

Protection Of Board Members And Secretariat

1. **Limitation of Liability.** No Board Member or officer of the BNOC shall be liable for the acts, neglects or defaults of any other Board Member, or officer or employee, or for any loss, damage or expense happening to the

BNOC through the insufficiency or deficiency of title to any property acquired by order of the Board for or on behalf of the BNOC, or for the insufficiency or deficiency of any security in or upon which any of the moneys of the BNOC shall be invested, or for any loss or damage arising from the bankruptcy, insolvency or delictual act of any person with whom any of the moneys, securities or effects of the BNOC shall be deposited, or for any loss occasioned by any error of judgement or oversight on his or her part, or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of his or her office or in relation thereto unless the same shall happen through his or her own wilful neglect or default.

2. **Indemnity.** Every Board Member and officer of the BNOC and his or her heirs or executors or administrators or estate or effects, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the BNOC from and against:

- 2.1. all costs, charges and expenses whatsoever that such Board Member or officer sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or her in or about the execution of the duties of his or her office; and

- 2.2. all other costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs of the BNOC; except such costs, charges or expenses as are occasioned by his or her own wilful neglect or default.

3. **Insurance.** Subject to governing law, the BNOC may purchase and maintain such insurance for the benefit of any person referred to in this section as the Board may from time to time determine.

ARTICLE TWENTY-ONE

Outstanding Performance And Contribution To Sport

1. The BNOC shall as and when it deems it necessary reward outstanding performance by athletes and outstanding contribution to sport by BNOC officials, members of the public and corporate bodies.
2. The appropriate rewards and/or awards shall be co-ordinated by the BNOC Executive Board and be subject to approval by the General Assembly.

3. The awards shall include, but not restricted to, honorary membership, trophies, gifts etc.

ARTICLE TWENTY-TWO

Performance Enhancing Drugs And Substances

1. The BNOc shall adopt and enforce all the **World Anti-Doping Code** and IOC rules and regulations governing the use of performance enhancing drugs and substances in respect of sports bodies and/or individuals affiliated to it or athletes and officials competing under its banner.

ARTICLE TWENTY-THREE

Organisation And Participation In Major Games

1. **Approval of Candidate Cities.** In the event a city in Botswana is approved by the General Assembly to be a candidate city for the organization of a major games under the IOC and/or CGF, the BNOc Board shall from the time of the General Assembly's approval of it, supervise, and exercise the BNOc's joint responsibility for the actions and conduct of the city in relation to the city's candidature to host such games.
2. **Host City Responsibilities.** In the event a city in Botswana is elected by the IOC or CGF to be the host city of an Olympic Games / Commonwealth Games, the BNOc shall ensure that the Games are organized and administered in accordance with the Olympic Charter and/or CGF Constitution.
3. **Financial Responsibility.** Nothing in the BNOc Constitution or any other subsidiary laws shall, expressly or implied, be interpreted as creating in or imposing upon the BNOc any financial responsibility for a city's candidature (bid) to host any major games, or for the organization and staging of the such.
4. **Appointment of Team Management.** For each major games, the Board shall appoint the Chef De Mission and General Team Manager. In addition, the Board shall appoint, in consultation with the NFs, technical team officials and specialised personnel.

5. **Flag Bearers.** BNOC Members with representation in the Botswana team to a Games will, in respect of each games, suggest names from amongst athletes that will have qualified for the said Games, especially based on the strengths of the athletes and/or potential benefits that could be derived from utilising the services of such athletes, for the Board to select, through a vote or consensus, the top two candidates as Botswana's flag bearers, for each of the opening and closing ceremonies.
6. **Execution of Agreements.** Each athlete who is entered in the Olympic and/or Commonwealth Games by the BNOC shall have executed an Athlete Agreement containing such terms as the BNOC may determine, and without restricting the generality of the foregoing, containing an undertaking on the part of the athlete to comply with the Olympic Charter/CGF Constitution and the World Anti-Doping Code. The BNOC shall ensure that all such entries comply with the BNOC Team Selection Policy, are duly qualified for entry by the athlete's NSF and IF, and comply with the Olympic Charter, CGF Constitution and the World Anti-Doping Code.
7. **Compliance with Olympic Charter and CGF Constitution.** The BNOC shall ensure that the provisions of the Olympic Charter and CGF Constitution are respected in relation to:
 - 7.1.the accreditation of media from Botswana at the major Games;
 - 7.2.the emblem and mascot of major Games that take place in Botswana, and in relation to any musical work commissioned specifically in connection with such Games;
 - 7.3.the invitation from the IOC and the CGF to take part in the Olympic and Commonwealth Games respectively and;
 - 7.4.all other matters set forth in the Olympic Charter and CGF Constitution.

ARTICLE TWENTY-FOUR

Disposition Of Assets Upon Dissolution Of The BNOC

1. **Asset Disposition.** Upon the BNOC resolving to be dissolved, BNOC shall settle its liabilities first and, thereafter, its remaining assets shall be distributed, or disposed of, to a club, society or association, the primary purpose and function of which is the promotion of elite sport in Botswana.

ARTICLE TWENTY-FIVE

Repeal And Amendment Of The Constitution

1. Repeal and Amendment. The provisions of this constitution may be repealed or amended by a two-thirds majority of the Full Members at an Extraordinary General Assembly (EGA) convened especially for that purpose.

ARTICLE TWENTY SIX

Dispute Resolution And Discipline

- 1.** There shall be a **Disciplinary and Dispute Resolution Tribunal (“the DDST”)** elected at the QGM.
- 2.** The DDST shall hold office for four years.
- 3.** The DDST shall comprise three (3) persons who need not be members of the BNOC, provided that at least one of them shall be a legal practitioner of at least five years standing.
- 4.** The DDST shall: be responsible for maintenance of discipline within BNOC; ensure dispensation of justice in a fair, timeous and transparent manner, without any fear or favour.
- 5.** Where a member is alleged to have committed an offence in violation of the Olympic Charter, the World Anti-Doping Code, the Commonwealth Games Federation Constitution, the BNOC Constitution, Regulations and Code of Conduct, such a member shall be tried before the DDST.
- 6.** The DDST shall also hear and determine disputes amongst Members of BNOC.
- 7.** The DDST shall hear and determine appeals by any Member of the BNOC and concerned individuals against decisions made by any structure or official of BNOC, provided that the DDST shall not have jurisdiction over the Secretariat of the BNOC.
- 8.** The DDST shall be independent of any structure of the BNOC and shall be answerable to the General Assembly.
- 9.** Any person or entity aggrieved by the decision of the DDST shall be entitled to appeal same in writing to the Appeals Panel.

10. The Appeals Panel, which shall comprise three persons, one of whom shall be a legal practitioner of at least five (5) years standing, shall also be elected at the QGM and shall hold office for four years.
11. The Executive Board shall make and promulgate the Rules and Regulations for the DDST.
12. Should any vacancy occur in the DDST and the Appeal's Panel, the Executive Board shall appoint a person to fill the vacancy until the next constitutional election.
13. **Arbitration by Court of Arbitration for Sport.** Any decision made by the Appeals Panel that is final in nature about which an athlete, any member of a Botswana Olympic or Commonwealth Games Team, or any BNOc Member or recognized NF, is aggrieved, shall be referred and submitted exclusively by way of appeal for final and binding determination of the dispute to the Court of Arbitration for Sport, the Secretariat of which is located in Lausanne, Switzerland, pursuant to the Code of Sports-Related Arbitration. The time limit for such appeal is twenty one (21) days after communication of the decision to the person or organization appealing.
14. **When not to be referred to CAS.** Required referral by way of appeal to the Court of Arbitration for Sport shall not apply to:
 - 14.1. team selection disputes where there is an agreement in place between the BNOc and the NF of the sport from which the dispute arises that provides for final and binding arbitration of team selection disputes, in which case any such dispute shall be determined under and pursuant to the provisions for arbitration in the BNOc/NF agreement; or
 - 14.2. a dispute that is subject to final and binding arbitration under an agreement between the parties to the dispute, whether entered into before or after the dispute arose.

ARTICLE TWENTY-SEVEN

Languages

Publication and Use. The BNOc Constitution and its Bye-Laws shall be published in English.

ARTICLE TWENTY-EIGHT

Repeal And Transitional Clause

1. The current BNOC Constitution is hereby repealed, provided that, for purposes of smooth transition, the current Executive Board shall be reconstituted as follows:
 - 1.1. President shall continue as President;
 - 1.2. the current Vice President shall become the Senior Vice President;
 - 1.3. the current Secretary General shall become the 1st Vice President;
 - 1.4. the current Treasurer shall be the 2nd Vice President;
 - 1.5. the Board Member without portfolio under the current Constitution shall become one of the three additional members, subject to conditions as set forth in this new Constitution.
2. Upon approval of this Constitution by the Registrar of Societies and the IOC, the newly-reconstituted Executive Board shall take effect upon the expiry of ten calendar days of the receipt of such approval by the Botswana NOC.
3. This Constitution was adopted by the GA on 24 February 2011 upon completion of the formalities laid down in the Olympic Charter.

Approved by (on behalf of BNOC):
PRESIDENT'S NAMES

Signature:..... Date:

Approved by (on behalf of BNOC):
SECRETARY GENERAL'S NAMES

Signature:..... Date: