

# Statutes

## Swiss Naginata Federation

### I. General Provisions

1. The non-profit public organisation Swiss Naginata Federation (hereinafter referred to as SNF) is a membership-based public association created according to Art. 60 ff. of the Swiss Civil Code. The SNF is politically and denominationally independent.
2. The principal establishment is located where the current president of the SNF resides.
3. The languages of the SNF are German and French. In case of differences in statutory interpretations is the German version of the original document decisive.

### II. Purpose and Goal

1. The SNF aims to develop and support physical exercise with the naginata in Switzerland.
2. The SNF represents Swiss naginata practising clubs on an international level and acts as an umbrella organisation.

### III. Means and Liability

1. In order to pursue the goals of the association, the SNF has the following means at its disposal:

The annual subscription of the members which are liable to pay contributions

- Fees
- Earnings based on its own events
- Income based on sponsoring and donations
- Own savings

2. The activities of the SNF need to be dependent on its financial resources.
3. Only the SNF is liable for its financial obligations. Every personal liability of the members or of the executive committee is therefore impossible.
4. The membership fee and the payment interval have to be annually voted on by the assembly of delegates.

## **IV. Membership**

### **IV.1. Acquisition of a Membership**

1. Members of the SNF can become organisations, in which one or several of the internationally recognized styles are being practised (such as Atarashii Naginata or Koryu styles like Tendo-Ryu).
2. Following groups can be admitted:
  - Clubs and schools
  - Scholar physical education groups (incl. University sports)
  - Single persons as honorary members for special contributions
  - Single persons as non-active members
3. Acknowledged groups have:
  - At least three active members practising naginata on a regular basis
  - Their principal establishment/their seat in Switzerland
4. Members of the SNF are obliged to comply with the statutes, the regulations and mandates based on them and the decisions that have been issued. Furthermore, the members settle their own matters, as long as they are in their own sector of organisation.
5. Membership applications have to be handed in in writing, accompanied by their statutes resp. their school regulations. The executive committee decides over the membership applications and over the objections. If a membership application has been rejected or an objection couldn't be resolved, then the next regular assembly of delegates will decide over the admission of the rejected potential member.
6. A change of name has to be published through official channels of the SNF. In case of an obvious likelihood of confusion, it is possible to raise a justified objection within 30 days. If an objection couldn't be resolved, then the next regular assembly of delegates will decide over the request.

### **IV.2. Expiration of a Membership**

1. The membership expires if:
  - A natural person resigns, is being excluded or dies.
  - A legal entity resigns, is being excluded or is being disbanded.
2. If a member is being disbanded, all the dues of the running business year need to be settled, if needed by the remaining assets after liquidation.
3. A resignation is only possible until the 31th of December and needs to be announced to the executive committee at least 90 days beforehand by registered post or by e-mail with a confirmation receipt. All duties to the SNF need to be accomplished.

4. An exclusion from the SNF can happen, if a member contravenes the interests of the federation or doesn't keep up with the statutory duties. The executive committee decides over the exclusion. The member can move the executive committee's decision over the exclusion on to the assembly of delegates.
5. With the resignation, resp. the exclusion of a member, expire all rights and duties that came with the membership, except for fees of the current business year and further demands. A right to claim the federation's assets does not exist.

### **IV.3. Single Persons**

1. On special occasions, single persons can become a member of the SNF. The executive committee decides over the admission.
2. Single persons are non-active members.
3. Non-active members don't have any voting rights at the assembly of delegates, but still can attend.

## **V. Bodies of the Federation**

1. The bodies of the federation are:
  - The assembly of delegates
  - The executive committee
  - The auditors

## **VI. Assembly of Delegates (AD)**

### **VI.1. Assembly of Delegates**

1. The highest body of the federation is the AD. A regular AD takes place in the first quarter of every year.
2. The assembly can take place either physically or digitally.
3. The presence of active members at the AD is obligatory. If a member can't partake in a physical assembly, a participation via video call can be requested.
4. The delegates have to be invited to the AD at least 30 days beforehand. The invitation shall be sent out in written form and has to include the agenda items. Invitations via email are allowed. The executive committee can invite guests without any voting rights.
5. If  $\frac{1}{5}$  of the delegates can't participate on the suggested date the AD needs to be postponed.

6. The AD has to take place before the end of April.
7. Agenda item requests need to be handed to the executive committee at least 10 days before the AD. Indicating a reason, the executive committee or  $\frac{1}{5}$  of the members can call in an AD at any time. Such an AD has to take place within a period of 8 weeks after the demand has been proclaimed.

## **VI.2. The Delegates**

1. Every member with a right to vote chooses one delegate. This person speaks for the voting member.
2. Every member with a right to vote gets one vote.
3. Changes in the delegation have to be announced to the executive committee until the next AD.
4. Voting rights can't be transmitted during the AD.

## **VI.3. Responsibilities of the Assembly of Delegates**

1. The AD has following responsibilities and authorities:
  - Approval of the past AD
  - Approval of the report of the past year by the executive committee
  - Approval of last year's finances
  - Discharge of the executive committee
  - Election of the president and the other members of the executive committee
  - Determination of the member fee
  - Approval of the budget for the current year
  - Taking notice of this year's program of activities
  - Taking decisions over further businesses, donations or earnings done by members, delegates or the executive committee
  - Changes of the statutes
  - Taking decision over the disbanding of the federation and the purposes of the liquidation returns.

## **VI.4. Conducting the Assembly of Delegates**

1. The AD is being conducted by the president, the vice president or a temporary representative.
2. The AD is being held in the language of the president of the federation.
3. Every officially held AD is competent to pass a resolution regardless of the number of attendees.

4. The members pass a resolution with a simple majority. In case of an equality of votes, the chairperson shall have the casting vote.
5. Changes to the statutes need the approval of  $\frac{2}{3}$  of all members entitled to vote present.
6. The members may also pass resolutions on motions of the executive committee by way of a written ballot. Votes must be cast within a period of 30 days from the date of dispatch of the proposals. This can be done by post or by email. Within a period of 30 days from the expiry of the voting deadline, the members must be informed of the result in writing.
7. Changes to the statutes and other resolutions for which the AD would be responsible can also be passed by circular letter (e-mail). These require the approval of a  $\frac{2}{3}$  majority of the members.
8. The resolutions adopted shall be recorded in the protocol of the meeting.

## **VII. The Executive Committee**

### **VII.1. Duties and Competences**

1. The executive committee is the governing body of the federation and is responsible for its strategic management. It determines the strategic objectives, the general means to achieve them and the persons entrusted with the management of the federation. The executive committee shall ensure an adequate internal control system. In planning, it ensures that strategy and finances are consistent.
2. The executive committee has following rights and duties:
  - Management of the sports federation and issuance of the necessary directives and regulations, unless these are expressly assigned to another body
  - Development of a strategic direction and goals as well as the associated general resources
  - Determination of the organisation
  - Creating and disbanding task forces
  - Regulation of representation in front of third parties
  - Hiring third parties to achieve the federation's goals
  - Preparation of the annual report and the annual accounts, preparation of the assembly of delegates and execution of its resolutions
  - Organisation of the accounting system, financial planning and control, and risk management
  - Admission of new members
  - Exclusion of existing members

### **VII.2. Composition**

1. The executive committee consists of the president and at least two or at most four more members.
2. The period of office is one year. Re-elections are possible.

3. Re-elections are possible without restrictions.
4. The following departments are represented in the committee:
  - President
  - Vice-President
  - Treasurer
  - Secretary
5. A combination of departments is possible.

### **VII.3. Organisation**

1. The executive committee convenes as often as business requires. Under the provision of a reason is every member of the executive committee entitled to call in a meeting.
2. Decisions may be taken by postal ballot (or via email), save if a member of the executive committee demands a public meeting.
3. The executive committee is working on a voluntary basis. It is entitled to reimbursement of actual expenses.

### **VIII. The Auditors**

1. The AD elects an auditor or a legal entity to check the accounts and to carry out a spot check at least once a year.
2. The auditors report and propose through the executive committee to the AD.
3. The period of office is two years and re-election is possible.

### **IX. Signing Authority**

1. The federation shall be bound by the collective signature of the president together with one other member of the executive committee.

### **X. Disbanding the Federation**

1. The disbanding of the federation may be decided by an ordinary or extraordinary AD with a majority of  $\frac{3}{4}$  of the votes.
2. In the event of disbanding of the federation, the assets of the federation shall be transferred to a tax-exempt organisation pursuing the same or a similar purpose. The distribution of the federation's assets among the members is excluded.

## **XI. Examinations and Quality Control**

1. Every club or group is responsible for their own planning and execution of their examinations.
2. If a club or group cannot carry out the examination itself, the SNF will support the club/group in organising the examination. For this purpose, a recognised examiner will be informed by the executive committee. Any costs incurred (e.g. travel expenses, examination fees) must be borne by the club/group or its members.
3. In all cases, the examiner must be recognised by the European Naginata Federation (ENF), a superior or equivalent body.
4. The SNF, as well as the external examiners, follow the quality standards for kyu and dan gradings set by the ENF.
5. The SNF may commission persons to carry out a quality check of the training in order to improve the quality of the training. These may be unannounced.

## **XII. Competitions**

1. At international competitions, the members of the SNF compete under the name of the umbrella organisation.
2. The SNF compiles the national team for Atarashii Naginata. Every club/group can provide a list of nominees for the selection process.
3. The SNF does not require Swiss citizenship in order to compete in national or international competitions.

## **XIII. Taking Effect**

These statutes were adopted at the founding meeting on 11.05.2022 and came into force on that date.

Schaffhausen, 11.05.2022

The Preseident:

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The Secretary:

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