



# PANAMDES Constitution

---

## PREAMBLE

This is the Constitution of the Pan American Deaf Sports Organization. The Pan American Sports Committee for the Deaf (COPANDES) was founded in Buenos Aires, Argentina on December 8, 1971. The organization was inactive from 1975 to 1994. The Pan American Deaf Sports Organization (PANAMDES) was re-established in 1995. The organization is recognized by the International Committee of Sports for the Deaf (ICSD) and is registered as a non-profit civil association.

## DEFINITIONS and INTERPRETATIONS

**Auditor** - a certified public Accountant.

**CISS** - Committee International des Sports des Sourds.

**Assembly** - the bi-annual meeting of the Members. Continent of Americas - Pan-American countries.

**Deaf Athlete** - an athlete with a hearing loss of 55 dB or greater in better ear.

**Executive Committee** - the Board of Directors of the organization; an individual elected or appointed to serve as a board member of the organization pursuant to this constitution.

**ICSD** - International Committee of Sports for the Deaf.

**Members** - those countries meeting the criteria as defined in Article 4 in the constitution are considered voting members and associate members.

**National Deaf Sports Federation** - A Federation member which is responsible for the sports program in their country.

**PANAMDES** - Pan American Deaf Sports Organization, ICSD regional member for Americas

## ARTICLE 1 - NAME AND COMPOSITION

1.1 The name of the organization is the Pan American Deaf Sports Organization, referred to as PANAMDES.

1.2 PANAMDES is a non-profit organization.



- 1.3 PANAMDES is registered with the Register of Associations in Mexico City, Mexico.
- 1.4 The registered office of PANAMDES shall be located where the elected President resides.

## **ARTICLE 2 – OBJECTIVES**

The objectives of the organization are to:

- 2.1 Promote the development, training, and competition for Deaf athletes in the Americas.
- 2.2 Oversee the Pan American Deaf Regional Championships and Pan American Deaf Sports Games.
- 2.3 Represent the organization at ICSD events.
- 2.4 Promote the objectives of the ICSD in the Americas region under the supervision of ICSD.
- 2.5 Encourage ethical behavior and good governance in sport in compliance with the Basic Universal Principles of Good Governance.
- 2.6 Ensure that the spirit of fair play is integrated as part of Deaf sports in the Americas.
- 2.7 Ensure the protection of clean athletes and the integrity of Deaf sports by enforcing anti-doping measures.
- 2.8 Maintain close relations with ICSD and the National Deaf Sports Federations of the Americas.
- 2.9 Establish commissions to support PANAMDES activities such as the Finance Commission, Legal Commission, Youth Commission, and Women's Commission.
- 2.10 Coordinate the calendar of international and regional sporting events, respecting the Deaflympics 4-year cycle.
- 2.11 Strengthen the bonds of friendship and solidarity among Deaf sportspeople through national Deaf sports federations and ICSD.
- 2.12 Ensure the quadrennial celebration of the Pan American Deaf Games and Regional Championships and supervise their organization.
- 2.13 Cooperate with National Deaf Sports Federations of the Americas to promote and organize workshops and seminars.



- 2.14 Assist and encourage the development of sports programs for Deaf individuals where needed.
- 2.15 Support and promote the education of youth through Deaf sports.
- 2.16 Support and promote women in Deaf sports at all levels and structures.
- 2.17 Act against any form of discrimination affecting Deaf athletes, coaches, team leaders, and officials.

### **ARTICLE 3 - LANGUAGE**

- 3.1 The official languages of PANAMDES shall be English and Spanish. In case of conflict, the English version shall prevail.
- 3.2 The Assembly shall be conducted in International Sign Language.

### **ARTICLE 4 - MEMBERSHIP**

- 4.1 Membership in PANAMDES is limited to Voting Members and Associate Members.
- 4.2 The voting members of PANAMDES are the National Deaf Sports Federation recognized by the ICSD and approved by PANAMDES for admission to membership by the PANAMDES Assembly.
  - 4.2.1. Each National Deaf Sports Federation should submit to the PANAMDES with their application for membership a copy of their constitution and regulations in the English and/or Spanish language with recognition from its own federal government or its government sports agency. Any modifications of the application must be communicated to PANAMDES.
  - 4.2.2 National Deaf Sports Federation having their own sports structure, a board with a majority of deaf members and complete independence and autonomy to manage deaf sports in its own country, shall be a voting member of the PANAMDES.
- 4.3 Associate Members of PANAMDES, without their own sports structure that carry out similar functions and roles, are sport organizations that are not National Deaf Sports Federations recognized by the ICSD, its federal government, or its government sports agency. To be admitted to Associate Membership by PANAMDES, sport organization must apply for membership for admission by PANAMDES.



4.4 If a voting member of PANAMDES has its recognition by the ICSD withdrawn, it shall therefore immediately cease to be a Voting Member of PANAMDES.

4.5 If a voting member of PANAMDES has its rights and privileges suspended by the ICSD, it shall therefore immediately have its rights and privileges suspended in PANAMDES.

## **Article 5: RIGHTS and OBLIGATIONS of MEMBERS**

5.1 The Voting members of PANAMDES have the following rights:

5.1.1 To vote at PANAMDES assembly.

5.1.2 To be represented up to 3 delegates, one of which shall be female.

5.1.3 To apply together with a city within its jurisdiction for the right to host the Pan American Games or Regional Championships.

5.1.4 To request the summoning of an Extraordinary General Assembly as provided in this Constitution.

5.2 The Associate Members have the following rights:

5.2.1 To be represented by a delegate without voting rights.

5.3 All Members have the following rights:

5.3.1 To participate in all competitions, events and activities of the PANAMDES.

5.4 All members shall only be permitted to exercise its right pursuant if the annual membership fee and any outstanding levies have been paid in full and received by the Secretary - General, Treasurer or designated prior to the Assembly and/or Pan American Deaf Games and Pan American Deaf Regional Championships.

## **Article 6: GOVERNING BODIES**

6.1 The Assembly shall be the legislative body.

6.2 The Executive Committee shall be the executive body.

6.3 The Secretary-General shall be the administrative body.



## Article 7: ASSEMBLY

7.1 The Assembly, supreme governing body of the PANAMDES, shall be held every 2 years in connection with Pan American Deaf Games or other major events of Deaf sport in Americas.

7.2 The executive committee shall decide on the date and place of the Assembly.

7.3 A notice summoning Assembly stating the date, time and venue shall be sent to the members at least 180 days prior to the date of the Assembly.

7.4 Voting members may submit to the Executive Committee written proposals for items of business to be considered at the Assembly at least 4 months prior to the date of the Assembly.

7.5 The agenda containing the items of business with supporting papers, if applicable, all be sent out to all Members and the Executive committee at least 60 days prior to the date of the Assembly.

7.6 The agenda for the Assembly shall include the following items:

7.6.1 Appointment of the three scrutineers

7.6.2 Approval of the minutes of the previous Assembly

7.6.3 Approval of the minutes of any Extraordinary Assembly that may have taken place since the previous Assembly.

7.6.4 President's Report

7.6.5 Secretary General's Report

7.6.6 Presentation of the audited annual statements covering the last completed financial year.

7.6.7 Appointment of an auditor recommendation by the Executive Committee

7.6.8 Report on Pan American Deaf Games and/or Regional Championships of the preceding years

7.6.9 Report on forthcoming Pan American Deaf Games and/or Regional Championships

7.6.10 Any amendments to this Constitution properly brought before the Assembly.



7.6.11 Any other matters brought before the Assembly.

7.6.12 Any elections as set out in this Constitution.

7.7 A written requisition of the Voting members and a resolution of the Executive Committee shall specify the matters to be considered the Extraordinary Assembly.

7.7.1 In the case of an Extraordinary Assembly called by written requisition of the onethird Voting members, be held within 90 days of receipt of the requisition and summoned by the Secretary-General by giving notice of the Extraordinary Assembly including place, date and agenda at least 45 days prior to the date of the Extraordinary Assembly.

7.7.2 In the case of an Extraordinary Assembly called by at least 4 members of Executive Committee, the President must convene an extraordinary meeting of the Executive Committee, be held upon notice being given at least 60 days prior to the date of the Extraordinary Assembly.

7.7.3 The names of the delegates of all members must be sent to the SecretaryGeneral 30 days prior to the opening of Extraordinary Assembly in order to establish if there will be a quorum.

7.8 Bi-annual Assembly or Extraordinary Assembly of the PANAMDES meetings can be cancelled by decision of the executive committee if it is expected that a quorum will not be met.

7.9 Only delegates, who are deaf and fluent in International Sign Language, may represent Voting and Associate members.

7.10 Only the Constitution of the PANAMDES may be amended only at the Assembly.

## **ARTICLE 8 - VOTING RIGHTS AND RIGHTS OF ATTENDANCE AT ASSEMBLY OF PANAMDES**

8.1 Each Voting member of PANAMDES shall have the right to attend and speak at the Assembly.

8.2 Each Voting member of PANAMDES shall be entitled to cast one (1) vote at the Assembly.

8.3 Only the delegates must be present in order to be entitled to vote.

8.4 Vote by letter or proxy is not allowed.



8.5 ICSD members and Honorary members of the ICSD for any country in the Americas may attend upon invitation of the President.

8.6 Associate members of PANAMDES have the right to attend and speak at Assembly but do not have the right to vote at Assembly.

8.7 Members of PANAMDES Commissions may attend upon the invitation of the President but they have the right to speak if permitted by the President to matters within the terms of reference of their Commissions.

8.8 Special guests may attend upon the invitation of the President, but they have the right to speak only if granted permission to do so by the President.

## **ARTICLE 9 - QUORUM AND PASSING RESOLUTIONS/CONSTITUTION AT PANAMDES ASSEMBLY**

9.1 The quorum for Assembly shall be a majority of the total number of Voting members of PANAMDES.

9.2 All decisions shall be made by simple majority (50+1 percent) with the exception of the following matters which require the approval of 75 percent of the votes:

9.2.1 - Alterations or additions to the Constitution

9.2.2 - Additions to the Agenda of Assembly

9.2.3 - Dissolution of the PANAMDES

## **Article 10 - POWERS**

The Powers of PANAMDES are, but limited, to:

10.1a Regulate and, if necessary, monitor and control the operations of PANAMDES.

10.1b Provide facilities for settlement of disputes and/or discipline of misconduct and for breach of any By-law of this Constitution.

10.1c Control and invest the funds of the PANAMDES in such matter as shall be decided from time to time.

10.1d Borrow, raise or secure the payment of monies and lend money or credit to any person or body or persons in such manner as the PANAMDES may decide.



10.1e Purchase, transfer, sell, assign, mortgage, lease, hire or exchange land, equipment, plant, furnishing or any other property whatever, and in any matter authorized by law, to improve, levy and collect annual membership fees and other charges upon or from its member.

10.1f Acquire and hold any estate or interest in any property whatsoever.

10.1g Raise money and acquire such assets necessary to carry out the above and to obtain such permits as may be necessary for that purpose.

10.1h To do all things necessary for or incidental to the pursuit of the Objectives.

10.2 All matters not provided for under these Statues or cases of extreme emergency shall be settled by the PANAMDES, whose decision shall be final.

10.3 Decisions in matters of legislation, however, shall not become operative until these decisions are approved at the Assembly.

10.4 Any activity of the Bodies and Committees shall be subordinated to the strict observation of the Statues and Regulations of PANAMDES

## **ARTICLE 11 - EXECUTIVE COMMITTEE OF PANAMDES**

11.1 The Executive Committee of PANAMDES shall consist of:

11.1.1 President

11.1.2 Vice-President

11.1.3 Secretary-General

11.1.4 Treasurer

11.1.5 Member at Large

11.2 The Voting members shall have regard to the following matters when electing the executive committee, namely their expertise, skill level and equality representation.

11.3 All members of the Executive Committee must be deaf, be able to use International Sign Language and be a member of their National Deaf Sports Federation.

11.4 Elected members of the Executive Committee may not serve as executive members of any international deaf sport bodies such as International Deaf Association Members except



can be represent for ICSD Regional Confederation or any positions for CONSUDES executive committee.

11.5 Members of the Executive Committee are representatives of the PANAMDES. They must not follow instructions from governments or form any organization or individual, which in any way would bind them or interfere with the independence of their vote.

11.6 Only up to 2 (two) members from a National Deaf Sport Federation shall be eligible to be elected to the Executive Board.

11.7 The members of the Executive Committee shall be elected for four years.

11.8 The current members of the Executive Committee shall be eligible for re-election only if nominated by their National Deaf Sports Federation

11.9 The elected members of the Executive Committee begin and expires at the end of the Assembly at which the election has taken place.

11.10 Nominations onto Executive Committee of PANAMDES:

11.10.1 Each National Deaf Sports Federation is allowed to nominate a maximum of two people to be considered for election onto the Executive Committee.

11.10.2 Nominations must be sent in writing to the Secretary General 90 days prior to the forthcoming Assembly, using an appropriate nominations form.

11.10.3 A list of nominees will be sent out to all National Deaf Sports Federations by the Secretary General 60 days prior to the date of the Assembly.

11.10.4 Votes, each member shall vote by placing a suitable mark on the ballot paper alongside the name of the candidate they wish to elect, will be taken at Assembly to elect a

11.10.4.1 President

11.10.4.2 Vice President

11.10.4.3 Secretary General

11.10.4.4 Treasurer

11.10.4.5 Member at Large

11.10.5 All elections shall be decided by majority vote of the Voting members, according to the following procedures:



- a) One valid nomination - Winner is declared by acclamation
- b) Two valid nominations - Winner is the nominee receiving the greatest number of votes.
- c) Three or more valid nominations - Winner is the nominee receiving the greatest number of votes. In the case of a tie, the nominee receiving the fewest votes will be deleted from the list of nominees and a second vote will be conducted. If there continues to be a tie and more than two nominees, the nominee receiving the fewest votes will be deleted from the list of nominees until only two nominees remain or a winner is declared. If only two nominees remain and there continue to be a tie, they should hold a debate in which nominees must give presentations for their vision and sport program on their position. Questions will be provided by members and answered at the end, then vote then a winner is declared.

11.11 If the President ceases to fulfil their duties, the Vice-President shall undertake them until the next Assembly. If Vice-President does not accept this position, PANAMDES executive committee can appoint someone to be President until next Assembly to approve.

11.12 Vacancies on the Executive Committee of PANAMDES occurring for any reason may be filled by appointment of the Executive Committee of PANAMDES until the next Assembly.

11.13 The Executive Committee may impose penalties predominately be determined.

11.14 The Executive Committee of PANAMDES shall meet at least twice (2) a calendar year.

11.15 The position on the Executive Committee shall automatically be vacated: a) Is found to act in irresponsible or inappropriate conduct. b) Becomes bankrupt, suspends payment, or compounds with his or her creditors, or makes unauthorized assignment or is declared insolvent c) legally incompetent and/or is found by a court to be of unsound mind d) dies

11.16 Members of the Executive Committee must leave a meeting when a dispute concerning their person is discussed and a decision is taken.

11.17 The Executive Committee shall appoint Chairpersons and members of sub-committees. The Secretary-General or their representative may officially attend each Committee meeting.

11.18 In the case of a representative from the PANAMDES attending a Pan Am Deaf Games or Regional Championship, the travel and accommodation costs shall be paid by the host country (for the PANAMDES-President and the Secretary-General of the PANAMDES or a representative - a maximum two members of the Executive Committee of the PANAMDES).



11.19 The Executive Committee may establish any of the following Commissions that are necessary:

- 11.19.1 Athletes Commission
- 11.19.2 Appeals Commission
- 11.19.3 Legal Commission
- 11.19.4 Anti-Doping Commission
- 11.19.5 Technical Commission
- 11.19.6 Women in Sport Commission
- 11.19.7 Youth Commission
- 11.19.8 Such additional commissions as the Executive Committee may deem necessary.

## **Article 12 - THE POWERS and DUTIES OF THE EXECUTIVE COMMITTEE**

### **12.1 The PRESIDENT**

- 12.1.1 The President shall preside at Assembly and meetings of the Executive Committee and Committee of which s/he is elected the Chairperson.
- 12.1.2 In the event of PANAMDES being involved in a court case, the executive committee will appoint a legal representative to liaise with the President.
- 12.1.3 The President is allowed to take certain initiatives or decisions, but these must be submitted for ratification by the Executive Committee at its next meeting.
- 12.1.4 If the President is unable to perform these duties, their place shall be taken by the Vice- President

### **12.2 The VICE-PRESIDENT**

- 12.2.1 Support and report to the PANAMDES President, and in their absence or upon designation, preside over meetings and represent the organization.
- 12.2.2 Provide impartial advice to the PANAMDES Executive committee



### 12.3 The SECRETARY-GENERAL

12.3.1 The Secretary-General shall be the head of the Secretariat of the PANAMDES

12.3.2 The Secretary-General shall be responsible for the drawing up of the minutes of the Assembly and the meetings of the Executive Committee and s/he shall conduct the correspondence of the PANAMDES.

12.3.3 The Secretary-General shall act as intermediary between the PANAMDES, the National Deaf Sports Federation and the Organizing Committee of the Pan Am Games for the Deaf and Regional Championship.

### 12.4 The TREASURER

12.4.1 Treasurer shall be responsible for keeping the accounts and liaising with the accountants.

12.4.2 Treasurer shall be responsible to the Executive committee for finances.

12.4.3 Signatories to the ICSD bank account shall only be drawn from PANAMDES Executive committee members and the PANAMDES Treasurer.

12.4.4 The PANAMDES financial reports shall be submitted to PANAMDES Executive committee on a quarterly monthly basis.

12.4.5 The PANAMDES budget shall be submitted to the PANAMDES Executive committee on an annual basis 12.4.6 The PANAMDES accounts and the auditor's report shall be submitted to the PANAMDES members and executive committee on a bi-annual basis and at the request of the PANAMDES executive committee at any time.

### 12.5 MEMBER at Large

12.6.1 The Member at Large of the Executive Committee, without specific roles, will undertake duties as seen fit by the Executive Committee, to support PANAMDES in achieving their objectives.

## **ARTICLE 13 - FINANCIAL OBLIGATIONS OF THE PANAMDES**

13.1 The financial period of PANAMDES shall be from 1 January to 31 December of each calendar year.

13.2 Power of Attorney: President, Secretary General and Treasurer can have two of three together give power of attorney for Bank Finance.



13.3 The annual contribution fee of each National Deaf Sports Federation shall predominantly be determined by the executive committee and approved at the Assembly by PANAMDES members.

13.4 The participation fees for Pan Am Games for the Deaf and Regional Championships (including qualifying rounds) shall predominantly be determined by the executive committee by PANAMDES and approved at the Assembly by PANAMDES members.

13.5 Each country participating in a Pan Am Games for the Deaf and Regional Championships (including qualifying rounds) has to pay fees to PANAMDES.

13.6 National Deaf Sports Federation which has entered their athletes in Pan Am Games for the Deaf and Regional Championship (including qualifying rounds) but then fail to participate must pay penalty.

#### **ARTICLE 14 - TECHNICAL DIRECTORS' EXPENSES**

14.1 PANAMDES shall cover the expenses of the travel tickets for the Technical Directors, and the organizing committee (of the host country) shall cover the expenses of food and accommodation for the Technical Directors of the Pan-American Games of the Deaf.

#### **ARTICLE 15 - REGISTRATION FEES**

15.1 It is approved that the registration fee for the Pan-American Games for the Deaf be set at US\$40 and that the fee for the Pan-American Championship in any discipline be US\$30.

#### **ARTICLE 16 - HONORARY MEMBERS**

16.1 The Assembly may grant the title of honorary member to a person for meritorious service rendered to the PANAMDES.

16.2 They shall be nominated by the Executive Committee.

16.3 An Honorary member shall be invited to attend General Assembly with the right to join in discussions but not right to vote.

16.4 An Honorary member can be invited to attend the Pan Am Games for the Deaf and/or Regional Championships as guest of PANAMDES and the Organizing committee shall cover the accommodation expenses, but travel expenses may be cover by the National Deaf Sports Federation and/or PANMADES.



## **ARTICLE 17 - SUSPENSION and TERMINATION of MEMBERSHIP**

17.1 The membership of voting or associate members may be suspended or terminated by the executive committee of the PANAMDES for any of the following reasons:

- 17.1.1 Breach of the terms of this Constitution
- 17.1.2 Non-compliance with the payments of these constituents' objectives; or
- 17.1.3 Dishonorable conduct or bringing Deaf Sports into disruption.

17.2 A member under suspension loses all rights and privileges of membership. In particular a suspended member shall not be entitled to attend or vote at the Assembly and may not be allowed to enter athletes in any events or activities organized or sanctioned by the PANAMDES

17.3 A suspended member may be re-admitted when the reason(s) for the suspension has been resolved satisfactorily, by applying for re-admission to the Executive Committee through Appeals Commission.

## **ARTICLE 18 - RESIGNATION of MEMBERSHIP**

18.1 A member may resign (upon payment of all monies owing to PANAMDES) for reason of:

- 18.1.1 The member is no longer recognized by their national government or the PANAMDES as a national body with responsibility for Deaf sports.
- 18.1.2 The member is no longer accepted by its members as a national body with responsibility for the sport it represents.
- 18.1.3 Any other reason a member deems appropriate.

## **ARTICLE 19 - DISSOLUTION of PANAMDES**

19.1 The PANAMDES seal is not to be dissolved except at Assembly or Extraordinary Assembly and by a proposal carried by a majority of three-fourths of the votes cast.

19.2 In case of dissolution of the PANAMDES its fund shall be transferred to the CISS/ICSD which will invest it until the re-establishment of the PANAMDES.