

## **ASIAN ATHLETICS CONSTITUTION**

### **ARTICLE I – NAME**

The name of the Association shall be Asian Athletics and its abbreviation shall hereafter be referred to as “the Association” or “AA”.

The Association is a continental area association constituted in Manila, Philippines on 21 November 1973 within the framework of the then International Amateur Athletics Federation (“IAAF”) and now, World Athletics (“WA”).

### **ARTICLE II – MEMBERSHIP**

Section 1        Membership in the Association is open to governing bodies of the sport of athletics of ASIAN countries and/or territories affiliated with World Athletics.

Section 2        Application for membership shall be addressed to the Secretary-General of the Association who shall present the same to the AA Council for its consideration and recommendation to the Congress for final approval for the applicant to be accepted as an Affiliated Member Federation of AA (hereinafter shall be referred to as “Member Federation” (“MF”).

Section 3        No application for membership shall be considered unless the same contains the following requirements.

- (a) List of officials of the applicant.
- (b) The title of the national territorial association.
- (c) The postal address of its headquarters.
- (d) An application fee of US\$100 which shall constitute its annual dues if the application is approved.

Section 4        It is the obligation of Member Federations to submit to the Secretary-General a copy of their Annual Report simultaneously when the said Annual Report is submitted to World Athletics each year in the form and timeframe as required by World Athletics. If any Member Federation fails to do so, then such Member Federation will lose its right to attend the Congress.

Section 5        It is the obligation of Member Federations to carry out doping control in their major national competitions and out of competition testing, all results of which shall be communicated to the Secretary-General once a doping incident has occurred and, in any event, together with the Annual Report.

### **ARTICLE III – AIMS AND OBJECTIVES**

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| Section 1  | To establish friendly and loyal co-operation among national governing bodies of athletics for the promotion and development of athletics.  |
| Section 2  | To strive to secure that there shall be no hindrance to the participation of any country or individual in international athletics competitions in Asia on social, religious or political grounds.  |
| Section 3  | To organise and promote (1) Asian Athletics Championships and other Asian Athletics championships including (2) Asian Athletics Under 23 Championships, (3) Asian Athletics Under 20 Championships, (4) Asian Athletics Under 18 Championships, (5) Asian Athletics Half Marathon Series, (6) Asian Athletics Cross-Country Championships, (7) Asian Athletics Indoor Championships, (8) Asian Athletics Relays Championships, (9) Asian Athletics Throwing Championships and other competitions and events decided by the Council and subsequently endorsed by the Congress.  |
| Section 4  | To co-operate with the Organising Committees of the athletics programme of the Asian Games in carrying through and the control of all the technical and financial arrangements.  |
| Section 5  | To frame rules governing the Asian Athletics Championships and other Asian athletics championships including Asian Athletics Under 23 Championships, Asian Athletics Under 20 Championships, Asian Athletics Under 18 Championships, Asian Athletics Indoor Championships, Asian Athletics Half Marathon Series, Asian Athletics Cross-Country Championships, Asian Athletics Relays Championships, Asian Athletics Throwing Championships as the nature of each competition is set out above in Section 3 and other competitions and events accidental to be held from time to time for the establishment and recognition to promote competitions in Asia and of Asian records and all other Asian Athletics Championships records. |
| Section 6  | To disseminate reports, periodicals, books, films, pictures and instructional matter of any kind relating to or dealing with athletics, in particular, to educate the athletes to fight against the abuse of drugs in athletics.   |
| Section 7  | to crystallise the Asian stand and viewpoint in the resolution of disputes arising among Member Federations and in all other difficulties that it may be faced with.   |
| Section 8  | To represent Asia and work to form the Asian team to participate in international competitions.  |
| Section 9  | To supervise and assist in the holding of Continental Group Championships, regional and bilateral meetings whenever possible.  |
| Section 10 | To encourage the coaches of Asia to form their own body to be under the aegis and guidance of the Association and to assist them in their cause.   |

- Section 11 To encourage and support a responsible concern for environment issues and to promote sustainable development in athletics.
- Section 12 To protect clean athletes in athletics by recognizing doping as a bane to the sport of athletics, by assisting and co-operating with World Athletics in applying and enforcing the World Anti-Doping Code and by adopting and enforcing such rules, programmes, systems and disciplinary measures as may be implemented by World Athletics insofar as they are applicable in the context of AA.
- Section 13 To protect and promote good sportsmanship and to hereby promulgate and adopt a Code of Ethics with such rules and regulations governing persons who are engaged by or acting on behalf of AA, officials or persons who are seeking to be officials of AA such as members of the Council Committees, Commissions, working groups, panels, units and standing committees, persons participating in competitions and events under AA including athletes and athletes support personnel and such other persons that the Code of Ethics may be applicable thereto.
- Section 14 Annexed to the Constitution as a schedule is the Symbol and Logo of Asian Athletics as adopted in the 25<sup>th</sup> Asian Congress on 11 July 2023 in Bangkok, Thailand and as prescribed in the accompanying new Section 14 in Article III which reads “In the Logo, the Sun symbolizes the beginning of the rising power of Asia. While the “A” in blue represents the inspiration, trust and loyalty of all the regions of Asia. The other “A” in gold represents confidence, success and winning pride of Asia. Overall, the Logo embodies intelligence, faith, stability, integrity, unity and co-operation with other continents in order for Asia to achieve greater heights in athletics globally.

#### **ARTICLE IV – OFFICIAL LANGUAGE**

The Official Language of the Association shall be **English**.

#### **ARTICLE V – SUBSCRIPTION FEES**

The Annual subscription fee from each Member Federation shall be US\$100.00 and shall be paid on or before 7<sup>th</sup> January of each year failing which the defaulting Member Federation may be suspended and may not be invited to participate in the activities of the Association.

#### **ARTICLE VI – FIVE (5) GEOGRAPHICAL REGIONS AND RESPECTIVE FIVE (5) REGIONAL ASSOCIATIONS**

- Section I The Association’s Affiliated Member Federations are grouped into five (5) Regional Associations according to their geographical locations:

- (A) Central Asia
- (B) East Asia
- (C) South Asia
- (D) South East Asia
- (E) West Asia

Section 2      Member Federations in each Regional Association shall be as follows:

- (A) Central Asia (6 Member Federations)
  - Afghanistan
  - Kazakhstan
  - Kyrgyzstan
  - Tajikistan
  - Turkmenistan
  - Uzbekistan
- (B) East Asia (8 Member Federations)
  - China
  - DPR Korea
  - Hong Kong
  - Japan
  - Korea
  - Macau
  - Mongolia
  - Chinese Taipei
- (C) South Asia (7 Member Federations)
  - Bangladesh
  - Bhutan
  - India
  - Maldives
  - Nepal
  - Pakistan
  - Sri Lanka
- (D) South East Asia (11 Member Federations)
  - Brunei
  - Cambodia
  - Indonesia
  - Laos
  - Malaysia
  - Myanmar
  - Philippines
  - Singapore
  - Thailand

Timor Leste  
Vietnam

(E) West Asia (13 Member Federations)

Bahrain  
Iran  
Iraq  
Jordan  
Kuwait  
Lebanon  
Oman  
Palestine  
Qatar  
Saudi Arabia  
Syria  
United Arab Emirate  
Yemen

Section 3      Each Regional Association shall draw up its own constitution and rules and regulations which shall be applicable only within its own Regional Association but shall not be contrary to the Constitution and Rules and Regulations of AA. In the event of any inconsistency between the Constitution and Rules and Regulations of a Regional Association and the Constitution and Rules and Regulations of AA, then to the extent of that inconsistency, the Constitution and Rules and Regulations of AA shall prevail.

Section 4      Subject to the Constitution and Rules and Regulations of AA.

- (a) Each Regional Association shall have its Regional President and a Council democratically elected or appointed in accordance with the Constitution and Rules and Regulations of the Regional Association.
- (b) The Regional President of each Regional Association shall be appointed to the AA to become a Vice-President in the Council of AA in accordance with the provision of Article VIII Section 1(c) of this Constitution, or if he/she declines, such senior elected member of its Council as nominated by the Council of that Regional Association shall be appointed by it to replace, ipso facto, the Regional President to become the Vice-President in the Council of AA in that capacity and shall represent his/her Regional Association in the Council of AA.
- (c) Each Regional Association shall hold a general assembly of its Member Federations at least once every two (2) years at which representatives of its Member Federations are entitled to attend, speak and vote. Each Regional Association shall stipulate in their respective constitutions the mandatory Candidacy and Vetting Process respectively contained in Asian Athletics' Code of Ethics in Sections 4 and 5

respectively such that they shall apply to each candidate vying to hold office in the Regional Association.

- (d) Each Regional Association shall hold a general assembly of its Member Federations once every four (4) years coinciding with the Election Year of AA electing its Regional Association President and Council and if applicable, the person to be nominated to represent that Regional Association to be the Vice-President of AA at least 3 months earlier than the Election Congress meeting of AA.
- (e) Within fourteen (14) days of the President of the Regional Association shall have been elected or, if applicable, the Council of that Regional Association shall have nominated a replacement Vice-President in accordance with Section 4(b) of this Article, that Regional Association shall submit its nomination of the Vice-President together with the Declaration of Disclosure Form duly completed and signed personally by the nominee to the AA Office in order for that nominee to be vetted by the Vetting Panel pursuant to Article VIII Section 4 of this Constitution.
- (f) Each Regional Association shall have and maintain an office responsible for its administration and to coordinate with AA Office its activities and the timing of its meetings of significance including the above.

Section 5      The President and the Secretary-General of AA shall be notified of and have the right to participate, in all Council meetings and general assemblies of the Regional Associations without voting right.

## **ARTICLE VII – CONGRESS**

Section 1      The Congress shall be the governing body of the Association which shall consist of a Council and not more than two (2) delegates from each Member Federation and those persons mentioned in Sections 6, 10, 12 and 13 of this Article.

Section 2      The Congress shall be convened every two (2) years, normally at the time of the Asian Athletics Championships. Every meeting of such Congress which happens to take place in the same year as an Election Congress of World Athletics shall be an Election Congress meeting of the Association and shall take place in advance of such Election Congress meeting of World Athletics.

Section 3      A special meeting of the Congress known as an Extraordinary Congress may be called by the Council or by one-third of the Member Federations who shall give notice in writing to the Secretary-General stating their desire for such a meeting and the reason relating thereto. Upon receipt of any such notice, the Secretary-General in consultation with the President shall convene a meeting of the Congress within three (3) months. The Extraordinary Congress may only be called to address any of the following matters:

- (a) Resignation of two-thirds of the Council Members and the election of their replacements.
- (b) Particularly urgent matters which need immediate action for the constitutional changes of the Association.

Section 4      Invitations for an Extraordinary Congress shall be sent to Member Federations at least two (2) months prior to the specified date of that Congress, indicating the reason or reasons for such a meeting. The rules of procedure in the Ordinary Congress shall apply to the meeting of the Extraordinary Congress unless decided otherwise.

Section 5      The President shall preside at all Congress meetings. In his/her absence, the Senior Vice-President or, in his/her absence, one of the Vice-Presidents shall preside over the Congress.

Section 6      On completion of his or her term of office, the President shall assume the status of Honorary Life President of the Association and be ex-officio member of the Congress without voting right. There may be any number of Honorary Life Presidents but all shall be ex-Presidents.

Section 7      A Member Federation shall be represented at the Congress only by at most two (2) delegates, notice of whose appointments, certified in writing by the Member Federation must be lodged with the Secretary-General, at least one (1) calendar month prior to the date of the Congress. Delegates shall be citizens of the country of the Member Federation they represent.

Section 8      Only delegates of Member Federations shall have power to vote and votes shall be recorded by one delegate for each Member Federation. A delegate shall represent only one (1) Member Federation. No voting by proxy shall be allowed.

Section 9      The Congress shall in an Election Congress appoint the following six (6) Committees comprising five (5) members each. The Chairman of each such Committee shall be a member of the Council. The Congress shall delegate the task of the appointment of the composition of each such Committee to the Council which shall sit immediately after such Election Congress to select the Chairman and appoint the composition of each such Committee from the nominations of Member Federations:

- (a) Technical Committee
- (b) Women's Committee
- (c) Medical Committee
- (d) Coaching Committee
- (e) Cross Country & Road Running Committee
- (f) Race Walking Committee

- Section 10 (a) Athletes from Member Federations serving on the current World Athletics Athletes Commission shall be given special recognition and be invited to be participants at the Congress, without voting right, in order to honour the athletes of Asia.
- (b) Persons from Member Federations of the Association who are members of World Athletics Council shall be ex-officio members of the Congress and shall be entitled to attend and speak at the Congress meeting without voting right.
- Section 11 The attendance of one-third of Member Federations at the Congress shall constitute a quorum. The Congress only shall have the power to approve or alter any Constitutional Rules. But the Council shall have the capacity, authority and power to promulgate, amend, add to, alter or modify from time to time, Rules, Regulations and Bye-Laws with regard to competitions and ordinary day to day administrative matters. All additions, amendments or alterations to the Constitutional Rules must obtain two-thirds of the voting rights of those Member Federations present and entitled to vote and such two-thirds must also represent at least one-third of the voting strength of the Association in accordance with the total number of Member Federations in Article VI Section 2 of this Constitution. Proposals to be submitted to Congress must reach the Secretary-General three (3) months prior to the date of the Congress. The Secretary- General shall send out the Agenda of the Congress and proposals to the Member Federations one and a half months prior to the date of the Congress.
- Section 12 In recognition of valued services given to the Association on the recommendation of the Council, Congress shall be entitled to elect Honorary Life Vice-Presidents and Honorary Life Personal Members from individual members, officers and delegates from Member Federations to attend future Congress meetings, without voting right.
- Section 13 The President of World Athletics shall be notified of and shall have the right to participate in all Congress meetings of the AA without voting right.
- Section 14 Congress shall act on the recommendation of the Council to expel any Affiliated Member Federation upon approval of a simple majority of the voting members present at that Congress.
- Section 15 Any Member Federation or member of Council, Executive Board, Committee Commission, working group, panel, unit or standing committee may participate in any meeting of Congress, Council, Executive Board, Committee, Commission, working group, panel, unit and standing committee respectively and vote on any proposed resolution at such a meeting without being physically present. Such meeting may occur by telephone, through video conference facilities or by other means of electronic communication (other than electronic mail (email) communication) provided that prior notice of the meeting is given to all Member Federations or members of Council, Executive Board, Committee, Commission, working group, panel, unit or standing committee respectively and all persons participating in the meeting are able to hear each other effectively and simultaneously. Participation in such manner at a meeting shall constitute the presence of that Member Federation or member at the meeting.



## ARTICLE VIII – COUNCIL

- Section 1      There shall be a Council of the Association composed of nineteen (19) members. It shall consist of:
- (a) The President, democratically elected by the Congress.
  - (b) Senior Vice-President, democratically elected by the Congress.
  - (c) Five (5) Vice-Presidents, democratically elected by the general assembly, or if applicable, nominated by the Council of the respective Regional Associations in accordance with Article VI Section 4(b) of this Constitution.
  - (d) Three (3) Women Members, democratically elected as individuals by the Congress;
  - (e) Eight (8) members, democratically elected as individuals by the Congress; and
  - (f) The Chairman of the Athletes Commission constituted by the Council under Article VIII Section 12.
- Section 2      All members of the Council shall come from the different Member Federations.
- Section 3      All members of the Council shall serve for a term of four (4) years commencing at the conclusion of the 25<sup>th</sup> Election Congress meeting on 11<sup>th</sup> July 2023 held in Bangkok, Thailand for only a maximum of three (3) consecutive terms at the expiry of which they are to retire and shall only be re-eligible for re-election as a member of the Council after a break of at least one (1) term for only the maximum of one (1) more term.
- Section 4      Any person seeking to be elected or appointed as a member of AA Council, Committee or Commission or member of such other AA working group, panel, unit or standing committee as shall be decided by Council to be applicable within the definition of AA Official in accordance with Section 1.1 of the Code of Ethics must be vetted by the Vetting Panel and must meet the requirements in the Vetting Process set out in the Code of Ethics promulgated and adopted in Article III Section 13 of this Constitution. Any person who breaches or violates or does not meet the requirements in the Vetting Process shall ipso facto be ineligible for such election or appointment. All existing members of such AA Council, Committee, Commission, working group, panel, unit or standing committee elected or appointed at or after the 2023 25<sup>th</sup> Election Congress shall also be subject to the Vetting Process by the Vetting Panel during their term of office.
- Section 5      Should a vacancy arise in the Council during the tenure of the Council for whatever reason including death, extreme illness, resignation, disqualification, removal or retirement of any Council Member, the following shall apply:

- (a) In the case of the vacant position is the President, the Senior Vice-President shall become the Interim President of the Association and the replacement Asian Area President in the Council of World Athletics and his/her position as the Senior Vice-President shall be deemed to be vacated.
- (b) In the case of the vacant position is the Senior Vice-President, one (1) of the Individual Council Members to be elected by Council shall become the Interim Senior Vice-President and his/her position as an Individual Council Member shall be deemed to be vacated.
- (c) In the case of the vacant position is a Vice-President, the applicable Regional Association shall nominate one of its senior elected members of its Council to be the Interim Vice-President to serve for the remaining vacated term of office of the Vice-President in the AA Council. All such nominees shall be similarly subject to the Vetting Process pursuant to Section 4 of this Article.
- (d) In the case of the vacant position is any Individual Council Member, the Council may proceed forthwith to appoint a replacement member from the list of candidates of that category from the last Election Congress beginning with the candidate with the next highest number of votes to serve for the remaining term of office of such vacated Individual Council Member.
- (e) In the event of Article 44.3 read with Article 45.1(f) of the Constitution of World Athletics for whatever reason having to be applied on the leadership of Asian Athletics and a Casual Vacancy thereby occurring for the office of Area President, for the avoidance of doubt, the Council of Asian Athletics shall nominate/appoint one of its senior elected members to be the Area Representative to thereby sit in the Council of World Athletics for the remaining tenure of the term of office of the immediate past retiring Area President.

Section 6      Any member of the Council who absents himself/herself from three (3) consecutive Council meetings without any explanation satisfactory to the Council shall be deemed not to be a member thereof any longer.

Section 7      All nominations for candidature to any position of the Council shall be sent to the Secretary-General not later than three (3) calendar months prior to the date of the Election Congress at which elections will take place except for the nomination of the position of the five (5) Vice-Presidents which shall be sent in accordance with the prescribed timeframe in Article VI Section 4(e) of this Constitution. All such nominations shall be circulated to Member Federations one and a half months prior to the date of the Election Congress, Nominations can be made only by Member Federations except for the position of the five (5) Vice-Presidents which are to be made by the Regional Associations. At the time of the submission of a nomination for candidature, the applicable Member Federation or Regional Association shall also respectively submit a Declaration of Disclosure Form duly completed and signed personally by its nominee for the Vetting Process by the Vetting Panel pursuant to Section 4 of this Article. If, at the time of any

election, there are fewer candidates than there are vacancies, the Chairman of the Meeting may invite Member Federations present to submit additional nominations. If any such additional nominees are successful, they shall be also subject to the Vetting Process. Any unsuccessful candidates for any position, once nominated, would be included, unless declined, in a subsequent ballot for any other position.

- Section 8 In the event that any seat in the positions enumerated in Sections I(d) and (e) of this Article is not filled at the Election Congress, the Council shall at its meeting immediately after the Election Congress proceed to elect into the vacancy/vacancies from persons who are outstanding administrators/personalities from any Member Federation of the Association subject to the limitation in Section 2 of this Article. Any such elected person shall be likewise subject to the Vetting Process.
- Section 9 Persons from a Member Federation who are members of World Athletics Council shall be ex-officio members of the Council, except when they are already regular members of the AA Council by reason of their positions in the Association. Ex-officio members may attend and speak in the Council without voting right.
- Section 10 The Council shall meet at least once a year at the time and place to be decided by the President. A majority of all the members of the Council shall constitute a quorum.
- Section 11 The Council shall, inter alia, have the following duties and functions:
- (a) To carry out and implement the aims and objectives of the Association as set forth in Article III of this Constitution.
  - (b) To conduct and manage the affairs of the Association and act for and on behalf of the Congress while the same is not in session.
  - (c) To render technical, organisational and administrative assistance to Member Federations whenever and wherever possible and when as requested.
  - (d) To collate, study and consider proposals and recommendations by Member Federations for presentation to the Congress.
  - (e) To submit a biennial budget to the Congress every two (2) years for approval and to prepare an annual budget for itself.
  - (f) To act upon all decisions of the Congress and make a report to such actions to the same.
  - (g) To approve administrative and financial reports and statements submitted to it by the President and the Secretary-General, as well as other reports submitted to it by executive officials for its approval.

- (h) To draw and recommend to Congress a Development Plan on a yearly basis and a multi-year Strategic Plan for a vigorous and speedy promotion of athletics in Asia.
- (i) To act on all urgent matters on behalf of the Association, provided, however, that all such decisions must be reported to the next Congress.

Section 12      The Council may form or create such standing committees or commissions as it may deem necessary to assist it in the performance of its duties and functions and for the development of athletics in Asia defining their duties, prescribing their compositions and such rules of procedure as might guide them in their deliberations.

Section 13      The Council may institute such appropriate disciplinary actions and, as the case may be, impose one or more of the following sanctions on a Member Federation, Member of Council, Committee, Commission, working group, panel, unit or standing committee or other official of the Association, athlete, athlete support personnel, technical official and any other person involved in the sport of athletics in Asia to which this Constitution and other Rules, Regulations and Bye-Laws of the Association, including the Code of Ethics may apply for breach or violation of this Constitution, other Rules, Regulations and Bye-Laws of the Association, including the Code of Ethics, of such nature and for such duration that the Council may decide, namely,

- (a) Recommend expulsion of a Member Federation.
- (b) Suspension.
- (c) Impose a fine.
- (d) Issue a caution or censure.
- (e) Exclude participation of the culpable official, athlete, athletes support personnel, technical official or other person in any competitions or events or any position or body of the Association.
- (f) Exclude participation of the official, athlete, athletes support personnel, technical official or other person of the culpable Member Federation in any competitions or events or any position or body of the Association.
- (g) Remove the culpable person from any position in the Council, Committee, Commission, working group, panel, unit or standing committee or any other body of the Association.
- (h) Remove or deny accreditation or other benefits for any competitions and other AA events and activities.
- (i) Suspend right to attend, speak and vote at Congress meetings.

- Section 14 All disciplinary actions and consequential sanctions imposed by the Council shall be reported to Congress. If the Council recommends the expulsion of any Member Federation, it shall be referred to Congress which may expel such a Member Federation upon the approval of a simple majority of the voting members of that Congress.
- Section 15 The Council will decide the host of various competitions or events organized under the banner of AA.
- Section 16 The Council will decide any new Asian competitions and events.
- Section 17 (a) The Council will appoint as a paid staff the Secretary-General who shall attend meetings of the Congress, Council, Executive Board and if deemed necessary, of the Committees and Commissions without however voting right. The Secretary-General shall manage the Asian Athletics (AA) Office which shall carry out the daily administration of the Association in accordance with the decisions of the Congress, the Council, the Executive Board and the President. The Secretary-General shall be responsible for the engagement of the AA office staff with the approval of the President.
- (b) In consultation with the President and the Council, the Secretary-General shall ensure the effective and efficient implementation and monitoring of the AA Development Plan and the Strategic Plan. The Secretary-General shall be the focal point of the Development Plan and the Strategic Plan.
- Section 18 The Council will appoint as a paid staff a Treasurer who shall be the Chief Financial Officer of the Association and who shall attend meetings of the Congress and Council without however voting right. The Treasurer/Chief Financial Officer shall manage the finances of the Association. He/She shall submit to the Council periodic reports on the finances of the Association and to the Congress and Council the annual reports of the audited accounts for the respective financial years.
- Section 19 Only Council Members can attend Council meetings except that the President may request the presence at a session of the Council, of a consultant expert as well as one or several members of the Association's Committees, Commissions, working groups, panels, units or standing committees who shall take part in the debates and discussion in their various capacities without voting right.
- Section 20 The President and the Chief Executive Officer of World Athletics shall be notified of and have the right to participate in Council meetings of the AA without voting right.

## **ARTICLE IX – EXECUTIVE BOARD**

- Section I There shall be an Executive Board of the AA composed of eight (8) members being:
- (a) The President;
- (b) The Senior Vice-President;

- (c) The five (5) Vice-Presidents; and
- (d) The Secretary-General without voting right.

- Section 2      (a)      The Executive Board would take decisions on all matters that are within the duties, functions and powers of the Council, in particular, on urgent cases the decision of which owing to constraint of time and the urgency of a decision, could not be deferred until the next Council meeting.
- (b)      The Executive Board would also discuss any matter to enable expeditious consideration to be taken for the decision making process to function smoothly in a timely manner for and by the Council.
- Section 3      A majority of all the members of the Executive Board shall constitute a quorum.
- Section 4      All decisions taken by the Executive Board shall be ratified by the Council in the subsequent meeting of the Council.
- Section 5      The Executive Board may be convened at any time on the initiative of the President but shall meet at least twice a year between the sessions of the Council.

## **ARTICLE X – OFFICERS, DUTIES, FUNCTIONS AND POWERS**

- Section I      The President's duties, functions and powers shall include the following;
- (a) Ensure the implementation of the Association's Development Plan and the Strategic Plan in conjunction with the Secretary-General and other officers of the Association.
  - (b) Preside over all meetings of the Congress, the Council and the Executive Board.
  - (c) Represent the Association in all official functions and missions and at International and Continental Sport competitions and events.
  - (d) Represent the Association as Asian Area President in the Council of World Athletics.
  - (e) Implement the decisions of the Congress, the Council and the Executive Board that require executive action or when so directed by these bodies.
  - (f) Conclude and execute contracts for and on behalf of the Association.
  - (g) Make periodic and annual reports to the Council and Congress covering his activities in the Association as President.
  - (h) Approve disbursements of funds which have been properly provided for in the budget.
  - (i) Evaluate the performance of the Secretary-General and the Treasurer/Chief Financial Officer respectively and make an annual report to the Council in this regard.

(j) Be responsible, as the principal elected officer of the Association, for the oversight of the operations of the AA Office and where appropriate to take such measures as may be deemed necessary for the proper administration of the Association. He/She shall periodically report to the Council in this regard. Such oversight shall be conducted in close collaboration with the Secretary-General.

(k) Exercise all such powers and functions that devolve and are incumbent upon him/her as the principal elected officer of the Association.

Section 2      The Senior Vice-President shall perform the duties, functions and powers of the President during the temporary absence or incapacity of the latter except the right to represent Asia in World Athletics Council unless the Council so recommends and such recommendation is approved by World Athletics.

Section 3      The five (5) Vice-Presidents shall in addition to their duties as members of the Council:

(a) Submit an annual report of the activities and development of athletics in their elected/appointed Region of jurisdictions.

(b) Supervise, coordinate and follow up the implementation of programmes and projects delegated by the decisions of the Congress and Council, in their respective Regions.

Section 4      All Individual Council Members shall perform the tasks and duties delegated to him/her by the President and Council for the proper functioning of the Association.

## **ARTICLE XI – ASIAN AREA PRESIDENT TO WORLD ATHLETICS**

The President shall represent Asia in the Council of World Athletics as Asian Area President for a period of four (4) years commencing and expiring at the times as provided in the Constitution of World Athletics.

## **ARTICLE XII – DISPUTES RESOLUTION AMONGST VARIOUS STAKEHOLDERS**

The Association incorporates and adopts those terms, rules, regulations and clauses which are and may from time to time be required to be incorporated and adopted by the Constitution, Rules and Regulations of World Athletics relating to disputes and disciplinary proceedings to the Constitution, Rules, Regulations and Bye-Laws of the Association, in particular Rule 2.1 (relating to the rights of the defendant in the strict adherence to the principles of Natural Justice), 2.2, 5.1 and 5.2 (relating to the rights of the parties involved to refer any deadlocked dispute to the Court of Arbitration for Sport) of the Disputes and Disciplinary Proceedings Rules of World Athletics insofar as they are applicable.

## **ARTICLE XIII - INDEMNITY**

AA shall indemnify all members of AA Council, Executive Board, Committees, Commissions, working groups, panels, units and standing committees from all liabilities, claims demands, costs and expenses that they may incur or suffer in acting or carrying out their duties, functions or powers as such members unless such liabilities, claims, demands, costs and expenses arise from or are results of a) any breach or violation of this Constitution, the Code of Ethics or other Rules and Regulations of AA; b) any act or omission not in good faith or which involve intentional misconduct or breach or violation of any law; or c) any transaction from which the member derived an improper personal benefit.

#### **ARTICLE XIV – EFFECTIVITY**

Any provision of this Constitution, its additions, amendments or alterations shall be effective and operative immediately upon its approval unless a particular date is indicated.

The 26<sup>th</sup> Congress of Asian Athletics held on 25<sup>th</sup> May 2025 in Gumi, Korea approved and confirmed that the Effectivity Date of the above eleven (11) proposals for Constitutional Rules Changes in the form of additions, amendments and alterations shall be effective and operative immediately upon their approval date, that is, 25<sup>th</sup> May 2025.

**ARTICLE XV** – List of nine (9) competitions listed out and catered for as subsidiary legislation and competition regulations and competition financial obligations of any host city.

#### **ARTICLE XVI – GOVERNING LAW**

The Governing Law of Asian Athletics (AA) is the law of the Kingdom of Thailand.



# **Asian Athletics (AA)**

## **Code of Ethics**

### **Made under Article III Section 13 of the Constitution of AA**

**(in force from 25 May 2025)**

#### **1. Application of Code of Ethics**

- 1.1 This Code of Ethics applies to the following Applicable Persons:
  - 1.1.1 Persons who are engaged by or acting on behalf of AA.
  - 1.1.2 Persons who are officials or seeking to become officials of AA such as members of the Council, Committees, Commissions, working groups, panels, units and standing committees.
  - 1.1.3 Persons who are participating in any of the competitions under the auspices of AA including but not limited to Athletes and Athlete Support Personnel.
- 1.2 All Applicable Persons as defined in 1.1 herein will be deemed to have agreed that it is their personal responsibility to familiarize themselves with the requirements of this Code of Ethics.

#### **2. Definitions**

- 2.1 Unless specifically stated otherwise, the following commonly used terms shall have the following definitions
  - "AA Officials" means AA Council Members, AA Committee Members and AA Commission Members and such members of working groups, panels, units and standing committees of AA which the Council may from time to time decide to include for good reasons.
  - "Athlete" means any person who is entered into or participating in an athletics competition or event of AA or its Member Federations.
  - "Athlete Support Personnel" means any coach, trainer, manager, authorized athlete representative or agent, team staff, parent or any other person working with, treating or assisting an Athlete participating in, or preparing for, an athletics competition or event.

#### **3. Ethical Standards**

- 3.1 In order to protect the integrity, authenticity and reputation of athletics, AA expects

and requires all Applicable Persons to meet the highest ethical standards.

3.2 The Ethical Standards require Applicable Persons:

- 3.2.1 **Honesty:** to act with utmost integrity and honesty at all times including acting in good faith towards others and with mutual trust and understanding in all their dealings and in particular not to forge any document, falsify any authentic document or use a forged or falsified document.
- 3.2.2 **Fulfill Duties:** to actively fulfill their duties and responsibilities to AA with all due care and skill and in good faith and in particular not to act outside of their authority.
- 3.2.3 **Clean Athletics:** to protect clean athletes and not engage in doping, and in particular to comply with the relevant anti-doping rules promoted by World Athletics.
- 3.2.4 **Maintain Integrity of Competition:** to ensure the integrity of, and not to improperly benefit from athletics competitions or events promoted by World Athletics and its Member Federations.
- 3.2.5 **Disclose Interests:** to ensure conflicts of interest are minimized and interests properly disclosed as outlined in Section 6 herein.
- 3.2.6 **Minimal Gifts and Benefits:** to ensure that any gifts, hospitality or other benefits which are offered, promised, given or received are strictly in accordance with the Duties Relating to Gifts as outlined in Section 7 herein.
- 3.2.7 **Protect Assets:** to protect the assets of AA and only use or authorise others to use them within the authority granted.
- 3.2.8 **Proper Conduct:** to conduct themselves in a professional and courteous manner.
- 3.2.9 **Equality:** not to unlawfully discriminate on the basis of race, sex, ethnic origin, religion, political opinion or any other difference.
- 3.2.10 **Dignity:** to safeguard the dignity of individuals and not to engage in any form of harassment or abuse.
- 3.2.11 **Maintain Confidentiality:** to keep confidential all information which is entrusted to them in confidence unless permitted to disclose.
- 3.2.12 **Fair Elections:** to conduct their candidacy for any role or position within AA with honesty, fairness, and respect for others.
- 3.2.13 **Fair Bidding:** to conduct their candidacy for any bid to host AA competitions or events with honesty, fairness and respect for others.
- 3.2.14 **Neutrality:** to remain politically neutral in their dealings on behalf of AA with government institutions, national and international organizations.
- 3.2.15 **Reporting:** to promptly report to AA any act, thing or information which the person becomes aware of that may constitute a breach or violation of this Code of Ethics or the Constitution of AA.

- 3.2.16 **Comply with Rules:** to comply with the Constitution and all Rules and Regulations and Bye-Laws of AA.
- 3.2.17 **Protect Reputation:** to protect the reputation of AA and not to act, or fail to act, in any manner which may adversely affect the reputation of AA.
- 3.2.18 **Good Faith and Respect:** to show good faith and respect for teammates, opponents and coaches in all dealings and to the Affiliated Member Federations of AA and the AA.

#### **4. Candidacy Process**

##### **4.1 Submission of Candidate Nomination Form**

- 4.1.1 Save as provided in Section 4.1.7 herein, in order to stand for election to the position of Council Member of AA under Article VIII Section 1 of AA Constitution (other than as Vice President of AA) or appointed to the position of Committee Member of AA under Article VII Section 9 of AA Constitution, the Member Federation to which a nominee to be elected or appointed belongs must submit to the Secretary-General of AA a completed Candidate Nomination Form (mentioned in Article VIII Section 7 of AA Constitution) together with a Declaration of Disclosure Form (mentioned in Section 5.4.1 herein) duly completed and signed personally by the nominee confirming the accuracy, truthfulness and completeness of the matters therein by no later than 3 calendar months prior to the Election Congress at which the relevant election will occur.
- 4.1.2 In order to be appointed to the position of Vice-President of AA under Article VI Section 4(b) of AA Constitution (including a vacancy arising under Article VIII Section 5(c) of AA Constitution), the Regional Association to which a nominee to be appointed belongs must submit to the Secretary-General of AA a completed Candidate Nomination Form together with a Declaration of Disclosure Form duly completed and signed personally by the nominee confirming the accuracy, truthfulness and completeness of the matters therein within 14 days from the date of the determination of the nominee by that Regional Association.
- 4.1.3 In order to qualify for the appointment by the Council to the position of a Commission Member of AA under Article VIII Section 12 of AA Constitution, the nominee which the Council has appointed must submit a Declaration of Disclosure Form duly signed and completed personally by him/her within 14 days of him/her having received the notice of appointment from the AA Office by email, otherwise, such an appointment shall lapse.
- 4.1.4 The candidacy of a nominee of an AA Official under Article VIII Section 7 of AA Constitution (except a Vice-President of AA) must be supported by a Member

Federation to which the nominee belongs by resolution of its Management Committee. In particular, the Candidate Nomination Form must be signed on behalf of the Member Federation by its President or Secretary-General.

- 4.1.5 The candidacy of a nominee of a Vice-President of AA under Article VI Section 4(b) of AA Constitution must be supported by the Regional Association to which the nominee belongs by resolution of its Council.
- 4.1.6 Upon submission of the completed Candidate Nomination Form and the Declaration of Disclosure Form of a nominee in accordance with the preceding provisions, such a nominee shall become a Candidate for election/appointment of an AA Official.
- 4.1.7 In the event that a Council Member shall be elected pursuant to the provision in Article VIII Section 7 of AA Constitution (by reason that there are fewer candidates than vacancies) or to the provision in Article VIII Section 8 of AA Constitution (positions of Individual Council Members not filled at the Election Congress), the Member Federation to which the eventual successful Council Member belongs shall comply with the obligations in Sections 4.1.1 and 4.1.4 herein within the timeframe prescribed by Council.

#### 4.2 General Obligations of Candidates to be an AA Official

- 4.2.1 Candidates are entitled to promote their candidacy, provided it is conducted with honesty, dignity and moderation and complies with this Code of Ethics.
- 4.2.2 Candidates shall, in promoting their candidacy, respect the other candidates and AA, and shall not act in a way likely to adversely affect the reputation of AA.
- 4.2.3 Candidates shall, in promoting their candidacy, respect Member Federations, their representatives and delegates, and AA.
- 4.2.4 Candidates shall not harm or do anything likely to harm the image of another Candidate or cause any prejudice to them.
- 4.2.5 The content and presentation of all materials produced to promote candidacy must be fair, honest and respectful of other Candidates and AA, and must comply with this Code of Ethics.

- 4.3 No Candidate may offer or give any gifts of any nature or value (including gifts otherwise in compliance with this Code of Ethics), whether directly or indirectly, to any AA Official, Member Federation Official or any person who could vote in an election. Notwithstanding the above, it is permissible for gifts and exchange of tokens of courtesy to be given if they are of nominal value, meaning such items must have

little or no commercial value.

## **5. Vetting Process**

- 5.1 The Vetting process conducted by the Vetting Panel is strictly applied to all Candidates for AA Officials, existing AA Officials elected or appointed at or after the 2023 25<sup>th</sup> Election Congress of AA and any other persons deemed necessary by AA.
- 5.2 The Vetting Panel shall comprise three members with at least one of whom shall be a lawyer. For the avoidance of doubt, it is expressly understood that members of the first transitional Vetting Panel shall be appointed by the Council only and they shall serve until the conclusion of the 2023 25<sup>th</sup> Election Congress of AA. All subsequent members of the Vetting Panel (except for casual vacancy) shall be appointed by Congress at the recommendation of the Council and shall serve until the conclusion of the next Election Congress of AA. Should a vacancy arise during the tenure of the Vetting Panel for whatever reason, the Council shall appoint another member to serve for the remainder of the term.
- 5.3 The role of the Vetting Panel shall be to decide whether the person is eligible or ineligible to be elected, appointed or act on behalf of AA or continue to be eligible to be an AA Official in accordance with this Code of Ethics.
- 5.4 The Vetting Panel shall conduct the Vetting Process, consistent with the following general framework:
  - 5.4.1 Every Candidate for election or appointment to a position of AA Official shall complete and submit a Declaration of Disclosure Form through his/her Member Federation (except a Vice-President of AA whose Declaration of Disclosure Form is to be submitted through his/her Regional Association) in which the person confirms, acknowledges and declares various matters stated therein for the Vetting Panel to decide his/her eligibility.
  - 5.4.2 The Vetting Panel will decide whether a Candidate is eligible or ineligible.
  - 5.4.3 In assessing the eligibility,
    - 5.4.3.1 the Vetting Panel shall take into account the following various matters, namely
      - a) whether the person is declared by a competent authority to be an undischarged bankrupt or is subject to any bankruptcy order under insolvency laws or has been in the last 3 years declared bankrupt by a competent authority or subject to any bankruptcy order;

- b) whether the person has been in the last 10 years convicted and sentenced by a judicial authority for an offence involving fraud or dishonesty or of a heinous, serious or violent nature to 3 months imprisonment (including a suspended sentence) or more or to a fine of an equivalent amount of US\$5,000 or more;
- c) whether the person has been charged (with resolution not yet known) with an offence which carries a sentence of a term of imprisonment of 2 years or more;
- d) whether the person has been in the last 10 years prohibited by a competent authority from being a director or promoter of or being concerned or taking part in the management of a company for breach or non-compliance with any law;
- e) whether the person has been removed or suspended from office in the last 10 years (unless such removal or suspension has been lifted with no finding of violation) as an AA Official or a member of working group, panel, unit or standing committee of AA for breach or violation of the AA Constitution, Rules, Regulations and Bye-Laws or this Code of Ethics;
- f) whether the person has been removed or suspended from office in the last 10 years (unless such removal or suspension has been lifted with no finding of violation) as a Council Member of World Athletics; or
- g) whether the person has been found in the last 10 years to have committed by a competent authority in any sports for an anti-doping rule violation;

5.4.3.2 in the event that none of Sections 5.4.3.1(a) to (g) herein applies, the Vetting Panel may take into account

- a) all other matters which are disclosed by the Candidate in the Declaration of Disclosure Form or of which the Vetting Panel may become aware from its own research or publicly available information and sources; or
- b) whether that person is, or has been the subject of any public controversy, which has so undermined that person's credibility, integrity or reputation or is likely to adversely affect the reputation of AA.

5.4.4 Every existing AA Official elected or appointed at or after the 2023 25<sup>th</sup> Election Congress shall promptly submit an updated Declaration of Disclosure Form in the event that any contents therein previously submitted by the AA Official are no longer applicable.

- 5.4.5 Upon submission of an updated Declaration of Disclosure Form, the Vetting Panel will review whether the existing AA Office shall continue to be eligible to be an AA Official in accordance with Section 5.4.3 herein.
- 5.4.6 The Vetting Panel may at any time, whether or not there has been any submission of an updated Declaration of Disclosure Form, review and consider whether any existing AA Official shall continue to be eligible to be an AA Official and may request such existing AA Official to submit an updated Declaration of Disclosure Form.
- 5.4.7 Following a preliminary finding that a Candidate or an existing AA Official is ineligible, or may not be eligible, the Vetting Panel shall notify that person in writing of its preliminary finding and the reason/s, and give the person at least 10 days to make any submissions on such preliminary finding. The Vetting Panel shall then consider any such submissions and once the final decision is made, the person will be notified as soon as possible, in writing, of its decision.
- 5.4.8 The final decision of the Vetting Panel shall be final and binding.
- 5.4.9 The AA Office shall co-ordinate the Vetting Process by the Vetting Panel and provide the necessary administrative support to the Vetting Panel.
- 5.4.10 Meeting of the Vetting Panel may be conducted by electronic means without any member of the Vetting Panel being physically present. Such meeting may occur by telephone, through video conference facilities or by other means of electronic communication (other than electronic (email) communication) provided that prior notice of the meeting is given to all members of the Vetting Panel and all persons participating in the meeting are able to hear each other effectively and simultaneously.
- 5.5 The Vetting Panel shall make its decision by simple majority amongst its members with each member having one vote.

## **6. Duties Relating to Conflicts of Interest**

- 6.1 Conflict of Interest means a situation in which an individual has been or is involved with multiple interests, which may include both personal interests and interests arising from the person's duties or positions as a representative of an organization, and where benefiting of these interests may adversely affect the outcome in respect of another interest.
- 6.2 In their roles as officials, officers or staff of AA, all Applicable Persons must act for the benefit of AA when making decisions that affect or may affect AA and must do so without reference to their own personal interest, either financial or otherwise.
- 6.3 No person may use the opportunity of their relationship with AA to promote their

personal interests or those of connected organizations.

- 6.4 No person shall misuse information gained in the course of their relationship with AA for personal gain or for political purpose.
- 6.5 Each person must take on-going responsibility for identifying and complying with their duties regarding any actual or potential Conflict of Interest.
- 6.6 An Applicable Person must promptly inform and disclose to the Vetting Panel through the AA Office with full details either in the Declaration of Disclosure Form or the updated Declaration of Disclosure Form or otherwise if he/she becomes aware that a) that he/she, or b) any of his/her immediate family member, or c) any firm, business or organization in which he/she has a Personal Material Interest (defined in Section 6.8 herein), is seeking to have a contractual relationship with AA as a supplier of goods or services, as a sponsor or as the host of or bidding for, or part of a group hosting or bidding for any AA competition or event or if a Conflict of Interest or potential Conflict of Interest may arise. Failure to promptly inform or disclose shall constitute a breach of this Code of Ethics.
- 6.7 In cases where there is a Conflict of Interest or potential Conflict of Interest, the concerned individual shall exclude himself/herself from, and not seek in any way to be involved or to be able to influence, the process of evaluating or decision making of the matter in concern.
- 6.8 For the purpose of Section 6.6 herein and determining whether a person has a Personal Material Interest in any firm, business or organization, Personal Material Interest means any of the following:
- 6.8.1 any position as a partner, executive director or non-executive director, management committee member, or executive officer, including any position in a Member Federation of AA;
- 6.8.2 any financial investment as a shareholder, member or partner amounting to 5% or more of the share capital or control;
- 6.8.3 any other position or financial investment amounting to a Material Influence defined to mean an individual's capacity to influence the strategy, activities or operations or any entity or organization in a meaningful way;
- 6.8.4 any interest of whatever nature or level which may present an actual or potential Conflict of Interest with that person's duties to the AA including in any business venture (or whatever type) seeking to have a contractual relationship with AA as a supplier of goods or services, as a sponsor or as the host of or bidding for, or part of a group hosting or bidding for any AA competition or event.

## **7. Duties Relating to Gifts**

- 7.1 Applicable Persons may be offered gifts (including hospitality), or may wish to offer gifts to others. The principles of reasonableness and proportionality shall be applied.



- 7.2 Each person shall exercise their judgment in determining whether the gift is reasonable and proportionate to the act or proposed act of the individual giving rise to the gift, and shall avoid giving or accepting a gift to influence any decision in relation to a contract or other financial relationship with, or sought by, AA. In particular, no gift shall be offered, given, requested or accepted in circumstances where doing so may be seen as attempting to influence improperly the outcome of decision-making in a manner advantageous to the person (including the Member Federation, organization or entity to which he belongs) who is giving the gift, including without limitation gifts offered by persons seeking election or appointment as AA Officials or as members of working groups, panels, units or standing committees of AA or by persons seeking to be awarded contracts for the supply of goods or services to AA or involved in bidding to host AA competitions or events.
- 7.3 Specific Duties governing gifts are as follows:
- 7.3.1 Gifts and other benefits of Customary Value may be given or accepted as a mark of respect or friendship. The giving or acceptance of any other gift or benefit is prohibited. For the purpose of this Section, Customary Value shall mean that the gift is consistent with the gifts typically exchanged between representatives of organizations as a matter of custom and protocol.
  - 7.3.2 In all circumstances, the giving or acceptance of cash, other than in connection with advance payment or reimbursement of legitimate expenses, is prohibited.
  - 7.3.3 The hospitality shown to any Applicable Persons shall not be excessive and shall not go beyond Customary Value.
  - 7.3.4 Specific care must be taken when there is an election or appointment as an AA Official or as a member of working group, panel, unit or standing committee and bid process ongoing for selection of the host of AA competitions or events.

## **8. Asian Athletics Safeguarding Policy**

- 8.1 Asian Safeguarding Policy comprising seven (7) pages and Asian Athletics Safeguarding Rules comprising nine (9) pages both of which respectively are annexed herein and which are adopted from World Athletics Safeguarding Policy and Safeguarding Rules respectively are hereby formally incorporated into this Code of Ethics as part and parcel of this Code such that the latter's offenders and all personnel found in breach of both the Policy and the Rules are covered by the punishments and sanctions provided in Article VIII, Section 13 of the Constitution of Asian Athletics.

# Asian Athletics Safeguarding Policy

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## Contents

1. Introduction
  2. Scope of this Policy
  3. Policy Statement of Commitment and Principles
  4. Reporting of Concerns
  5. Codes of Conduct
  6. Review
  7. Monitoring
- Appendix - Definitions

## 1. Introduction

Asian Athletics is responsible for promoting, developing and protecting athletics within Asia in accordance with its constitution and for ensuring that it is a safe environment for persons in and related to athletics to develop their talents and achieve their goals be it as an athlete, instructor, coach, official, volunteer, manager, administrator or other sport personnel. This Safeguarding Policy ("**this Policy**") establishes the responsibilities of Asian Athletics and its affiliated Member Federations ("**Member Federations**") to ensure that everyone is able to participate in or contribute to athletics safely and to have a fun, enjoyable and positive experience within the sport in Asia.

Asian Athletics recognises that abuse may be conducted by and towards men or women, or children and that it happens in every area of the world, in every sector of society, sport and organisation. Asian Athletics does not consider itself to be immune from safeguarding incidents nor exempt from the responsibility to protect participants associated with athletics at every level and form of participation.

## 2. Scope of this Policy

This Policy applies to those persons ("**Applicable Persons**") listed in Rule 2.1 of Asian Athletics' Safeguarding Rules ("**Safeguarding Rules**") and include, without limitation Asian Athletics' athletes, officials, staff, volunteers, affiliates and any other person acting in a similar capacity at Asian Athletics. All those to whom this Policy applies must comply with this Policy, the Safeguarding Rules as well as the World Athletics' Safeguarding Policy. Any breaches of this Policy or the Safeguarding Rules by these individuals will be subject to potential sanctions under the applicable Safeguarding Rules and procedures.

# Asian Athletics Safeguarding Policy

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Asian Athletics has jurisdiction for safeguarding concerns and incidents as set out in the Safeguarding Rules and without limitation include:

- Involve an Applicable Person in such of their capacity in Asian Athletics;
- Take place at or during events or competitions staged or organized by Asian Athletics or staged or organized by a Member Federation and its local organizing committee under the auspices of Asian Athletics;
- Take place at any meeting, conference, gathering, training/education seminars or events arranged, provided or organized by Asian Athletics or under the auspices of the Asian Athletics; or
- Take place at an Asian Area Development Centre.

Asian Athletics is responsible for dealing with concerns as outlined above. If a concern is reported to Asian Athletics but does not fall within its jurisdiction, Asian Athletics will refer it to the appropriate Member Federation(s) to deal with. If a concern is reported to Asian Athletics and it appears that both Asian Athletics and Member Federation(s) have jurisdiction, then Asian Athletics and the appropriate Member Federation(s) shall discuss and determine how best should the concern be dealt with.

Member Federations are responsible for handling concerns which arise within their own territory and jurisdiction and must deal with them under the terms of their own safeguarding policy and rules and in accordance with the World Athletics' Safeguarding Policy. The World Athletics' Safeguarding Policy requires concerns to be investigated and administered using a fair and clear process imposing consistent and proportionate sanctions, measures or actions taken where appropriate.

## 3. Policy Statement of Commitment and Principles

This Policy is based on Asian Athletics' commitment to upholding and advancing the principles set out below.

- Everyone has the right to be treated with dignity and respect, and to be free from discrimination whether it is based on sex, race, age, ethnicity, ability, sexual orientation, gender identity, socio-economic status, beliefs, religious or political affiliation.
- Everyone has the right to participate, enjoy and develop personally through athletics in a safe, inclusive environment free from all forms of abuse, harassment or exploitation.
- Everyone has the right to have their voices heard particularly if raising a concern about their own or another person's welfare. Everyone should know who to ask for help when they have a concern about an individual's behaviour.

# Asian Athletics Safeguarding Policy

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- Everyone, particularly those involved in planning or delivering programmes for athletes under the age of 18, is responsible for the care and protection of those athletes, making decisions in their best interests as their welfare is paramount.

To achieve this Asian Athletics will:

- assist World Athletics by co-operating with World Athletics to train and educate Member Federations in order to help them to create fulfilling and safe environments for all those participating in athletics within their territory;
- educate all relevant members of Asian Athletics staff and volunteers about how to recognise and deal with safeguarding concerns and complaints;
- have member(s) of staff and/or volunteer(s) and/or officials who is/are responsible for dealing with safeguarding matters within its jurisdiction;
- procure that any competitions or events staged or organised by Asian Athletics adhere to this policy and the World Athletics' Safeguarding Policy and any additional guidance produced by World Athletics specifically for safeguarding at events and competitions;
- deal with any concerns, allegations and complaints which Asian Athletics has jurisdiction over (as outlined in Section 2 above) in a fair and transparent manner, confidentially and securely (to the extent permitted and required by law); and

## 4. Reporting of Concerns

Everyone is responsible for ensuring that no one suffers abuse, harassment or exploitation. Where Asian Athletics has jurisdiction, as outlined above, the matter will be referred to Asian Athletics Legal and Ethics Commission or the Safeguarding Officer(s) appointed for the particular event/competition or such other person(s) or body of person(s) as may be appointed by Asian Athletics to be responsible of Safeguarding issues for Asian Athletics. If Asian Athletics does not have jurisdiction, any concerns or suspicions that someone ("the alleged Victim") may have been subject to abuse, harassment or exploitation or about the behaviour of another person ("the alleged Abuser") either of whom is connected to a Member Federation of Asian Athletics will be reported to both the alleged Victim's and the alleged Abuser's respective Member Federations and their respective safeguarding officers for them to deal with appropriately.

# Asian Athletics Safeguarding Policy

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Asian Athletics must also provide any information relating to any safeguarding issues, concerns or suspicions to World Athletics where the nature of the issue, concern or suspicion relates to something that may be under the jurisdiction of World Athletics.

If an individual is at immediate risk of serious harm Asian Athletics will ensure that the appropriate Member Federation report the matter to local emergency services. Local laws may influence whether Asian Athletics requires the consent of an alleged Victim to report a matter to the police and other agencies, and whether a report to police is required even the alleged Victim refuses to give consent. If Asian Athletics has reason to believe that an alleged Abuser might put others at immediate risk a report will be made by Asian Athletics to the relevant Member Federation and the local authorities of the country where the alleged Abuser is resident or is affiliated/engaged with athletics. This will enable the Member Federation and/or the local authorities to take any appropriate action necessary to protect others in the territory.

## 5. Codes of Conduct

Asian Athletics may develop Codes of Conduct for use at Asian Athletics' events and competitions and for their own staff and volunteers including leaders, officials, members of Council, Committees, Commissions, Working Groups and Panels, administrators, coaches, technical officials and athletes. Codes of Conduct are designed to provide everyone within athletics with a guide to expected standards of behaviour.

If an individual is aware of any other person breaching the relevant Code of Conduct, then this should be referred to Asian Athletics as a concern for investigation and potential disciplinary action.

## 6. Review of this Policy

This Policy will be reviewed on a regular basis.

## 7. Monitoring

The monitoring of this Policy and its implementation will be conducted regularly as appropriate by Asian Athletics and the Asian Athletics Legal and Ethics Commission with the necessary expertise to perform this task.

## Appendix

### Definitions

#### **Abuse, harassment and exploitation**

Abuse, harassment and exploitation are described below. They can be perpetrated by both males and females and is often where one party is in a position of power over the other.

**Psychological abuse** is an unwelcome act and includes vilification, belittling, rejection, confinement, isolation, verbal assault, humiliation, intimidation, infantilisation or any other behaviour which may diminish an individual's sense of identity, dignity or self-worth. This is at the centre of most types of abuse as when these occur so does psychological abuse. This can often be seen as bullying or cyber-bullying.

**Physical abuse** is any intentional or unwanted act of, for example, kicking, beating, biting or burning which causes injury or physical harm. It can include the forced consumption of alcohol or systematic doping practices. It can also be any forced or inappropriate physical activity such as training which is unsuitable for the age or physique of the athlete. Forced or excessive training may escape notice in a sporting environment as the ambitions of both athletes and coaches, as well as peer pressure, may induce one or both to impose or take on excessive training loads and/or competition commitments. Dialogue among athletes and coaches aimed at setting mutually agreed and achievable performance goals can help define tolerable and acceptable training demands. It is up to coaches to temper ambitions that may run counter to an athlete's health and wellbeing.

**Sexual abuse** is any conduct of a sexual nature, either contact (penetrative or non-penetrative) or non-contact, where consent is not given, cannot be given, is coerced or manipulated. This can involve individuals looking at or making sexual images, watching sexual activities, encouraging others to behave in sexually inappropriate ways, or grooming a person in preparation for abuse.

**Grooming** is the process whereby an individual builds a relationship with a child encouraging them to trust them so that the groomer can manipulate and exploit them for their own advantage. Grooming an athlete's family, entourage and friends often leads those individuals to believe that the groomer is dependable and trustworthy enabling the groomer to have access to the athlete. By manipulating the person and exploiting the relationship they will make the person believe they have to comply with the groomer's demands. The power a groomer has over the child is frequently used to isolate them from friends and family who might otherwise warn or caution them from complying with the groomer's demands.

# Asian Athletics Safeguarding Policy

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Grooming can take place online as well as in person; online grooming is often much quicker often due to the groomer pretending to be younger and sometimes a different gender than they are in reality. Groomers may provide advice to a child as well as offering gifts or attention.

**Harassment** is unwanted or unwelcome behaviour which offends or can make the person feel humiliated or intimidated. Power harassment is where someone in a position of power over another individual, usually in a working relationship, uses that power to physically or psychologically harass another person in a lower position. Power harassment can include exclusion, inappropriate assignments (too little, too much or of a lower level that acceptable) as well as intrusive behaviour.

**Sexual harassment** is any unwanted or unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Examples of verbal sexual harassment include unwanted or intimate questions, which may be degrading, relating to body, clothes or one's private life, jokes with a sexual innuendo and proposals or demands for non-consensual sexual acts. These may be unwanted text messages, telephone calls, letters or other forms of communication with sexual content. Non-verbal examples may include staring, gesticulation, or sharing photographs or pictures with sexual allusions. Examples of physical sexual harassment are unnecessary physical contact with a sexual nature such as pinching, attempting to kiss, caress or touch.

**Exploitation** is when someone exercises control over another person and/or their assets for their own "personal gain", sometimes without the fully informed consent of the person. Personal gain may be psychological, reputational or commercial and constitutes exploitation when the rights of a person are sold or negotiated without express and fully informed consent of the other person. Examples in athletics may be fraudulent misrepresentation of an athlete's age or nationality, acting on behalf of an athlete fraudulently or taking an unreasonable share of the proceeds of sponsorship or funding arrangements. Exploitation comes in many different guises. Examples include sexual exploitation, financial exploitation and signing athletes on to long-term contracts while they are still children.

**Neglect** is the failure to provide a minimum level of care, either physical or emotional, which causes harm, allowing harm to be caused or creating an imminent danger of harm. This usually relates to the care given by parents or caregivers to children but is also relevant to other people who have a duty of care towards another person such as a coach or team leader towards an athlete. This can include the failure to provide adequate water in high temperatures, adequate clothing in cold temperatures, suitable food, accommodation or safe travel arrangements, or even to provide the services of a chaperone to minor athletes at a competition.

## Asian Athletics Safeguarding Policy

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Abuse, harassment and exploitation may be based on race, religion, colour, beliefs, ethnic origin, sex, gender identity, sexual orientation, age, disability, socio-economic status and athletic ability or a combination of any of these characteristics. It can range from a single isolated incident to a series of events, be in-person or online, or deliberate, unsolicited or coercive. Bullying, hazing and negligence are all aspects of abuse, harassment or exploitation and should be treated in the same way under the terms of this Policy.

Any of these forms of abuse, harassment or exploitation may include an aspect of financial abuse. It may be that an individual may be coerced into signing contracts or agreements which benefit others financially but are of limited financial benefit to themselves. Any element of coercion may be abuse, harassment or exploitation if the individual is a child, if the individual has not authorised someone to act on their behalf or if the individual has not been adequately advised by an independent professional such as an accountant or lawyer of the impact of the terms of the agreement.

There may be times when actions which might not be abusive to one person may be abusive or harmful due to the vulnerability of the individual who is being abused. This may be due to the persons age, ability or other form of vulnerability.

Abuse, harassment and exploitation often result from an abuse of authority by someone in a position of trust, meaning the improper use of power by someone in a position of influence, power or authority by an individual against another.

**Child** – a “child” or “children” refers to an individual or group of individuals who have not yet reached the age of 18.

**Safeguarding** – is the process of protecting, children and adults involved in athletics from abuse, harassment, and exploitation. Creating a safe and welcoming environment where everyone is respected and valued is at the heart of safeguarding. Everyone involved with athletics has a role to play in making sure they actively prevent abuse, harassment and exploitation, listen to accounts from children and adults of their experiences and respond safely and fully if there is a problem.



## Asian Athletics Safeguarding Rules

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### 1. **General**

- 1.1 Asian Athletics is committed to protecting everyone from Abuse, Harassment and Exploitation (as defined in Asian Athletics Safeguarding Policy ("**Asian Athletics Safeguarding Policy**")), ensuring everyone is treated with dignity and respect.
- 1.2 These Safeguarding Rules ("**these Rules**") are aimed at protecting the welfare of those to whom Asian Athletics Safeguarding Policy applies from Abuse, Harassment and Exploitation and to establish procedures for concerns, suspicions or allegations to be dealt with.
- 1.3 Safeguarding means the measures taken to protect individuals from Abuse, Harassment and Exploitation. A Safeguarding Concern is any Prohibited Conduct (as defined in Rule 3 below) or any concern, incident, suspicion, action, behaviour or failure to act in a way which has caused or which causes or which may cause Abuse, Harassment or Exploitation of an adult or child.
- 1.4 A Safeguarding Order, including an Interim Safeguarding Order (as defined in Rule 4.2(f) below) and a Final Safeguarding Order (as defined in Rule 4.2(k) below) is a measure to safeguard, limit and/or restrict (including but not limited to a suspension) an individual from all or any specific athletics activity for such period and on such terms and conditions as considered appropriate as determined by the Asian Athletics Legal and Ethics Commission ("**the Legal and Ethics Commission**") or the Safeguarding Officer (as defined in Rule 5.1 below) in accordance with these Rules.
- 1.5 It should be noted that from time-to-time World Athletics may request information from Asian Athletics in relation to a particular matter which falls under the scope of these Rules and Asian Athletics will provide such information accordingly.

### 2. **Scope**

- 2.1 These Rules shall apply to the following:
  - (a) members of staff of Asian Athletics;
  - (b) members of the Council of Asian Athletics ("**Asian Athletics Council**");
  - (c) members of Asian Athletics Committees, Commissions, Working-groups or Panels;
  - (d) anyone who volunteers for Asian Athletics;
  - (e) athletes participating in or accredited at an event or competition staged or organized by Asian Athletics or staged or organized by a Member Federation of Asian Athletics and its local organizing committee ("**LOC**") under the auspices of Asian Athletics, for example, Asian Athletics Championships, Asian Athletics Cross Country Championships etc. ("**Asian Athletics Competition**");
  - (f) coaches and other individuals who are part of a participating or accredited athlete's entourage or athlete support staff including managers, medical personnel, authorized representative and family members of such persons in an Asian Athletics Competition;
  - (g) officials, judges, delegates and volunteers of an Asian Athletics Competition;
  - (h) anyone who is accredited at an Asian Athletics Competition;

## Asian Athletics Safeguarding Rules

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- (i) persons attending or participating, teaching or coaching in a meeting, conference, gathering, training/education seminars or events arranged, provided or organized by Asian Athletics or under the auspices of Asian Athletics;
- (j) persons attending or participating, teaching or coaching in a training session at an Asian Area Development Centre; and
- (k) anyone who agrees in writing to be bound by these Rules

These individuals are referred to in these Rules as “**Participants**”.

2.3 All Participants are bound by these Rules and agree:

- (a) not to engage in prohibited conduct as described in Rule 3 below;
- (b) to comply with the Asian Athletics’ relevant Code(s) of Conduct;
- (c) to comply with World Athletics’ Safeguarding Policy;
- (d) to comply with Asian Athletics Safeguarding Policy;
- (e) to be bound by the terms of these Rules when they are a Participant and even after they are no longer a Participant for any matters occurred during the time whilst they were a Participant.

2.4 It is every Participant’s responsibility to understand and comply with the requirements of these Rules. Ignorance of these Rules is no defence to proceedings for violation of them.

### 3. Prohibited Conduct

3.1 The conduct set out below is prohibited:

- (a) Abuse, Harassment or Exploitation (as defined in Asian Athletics Safeguarding Policy);
- (b) any criminal offence or breach of any other applicable laws or regulations which would give rise to a Safeguarding Concern;
- (c) anything which constitutes a breach of World Athletics’ Safeguarding Policy or Asian Athletics Safeguarding Policy or Code(s) of Conduct;
- (d) knowingly making or encouraging someone else to make, a false or misleading report of possible Prohibited Conduct is a breach of these Rules and will be dealt with in the same way as any other Prohibited Conduct;
- (e) abuse of process and or breach of confidentiality in relation to a Safeguarding Concern;
- (f) failing to comply with any Safeguarding Order (including Interim Safeguarding Order and Final Safeguarding Order; and/or
- (g) assisting, aiding, abetting, conspiring, covering up or engaging in any behaviour which might involve a breach or attempted breach of these Rules whether or not such attempt in fact results in a breach.

3.2 Prohibited Conduct may be a criminal offence and/or a breach of other applicable laws. These Rules are intended to supplement such legislation with further rules of conduct for those involved in the sport of athletics. These Rules are not intended to and should not be interpreted to prejudice or undermine in any way the application of such laws and regulations which must be complied with at all times. Conduct may be criminal in one territory of Asia but not another; this will not prevent Asian Athletics from taking action under these Rules if the conduct is within its jurisdiction and is considered to be Prohibited Conduct as outlined above.

## Asian Athletics Safeguarding Rules

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Asian Athletics will consider whether any Prohibited Conduct should (or must) be referred to the local law enforcement agency.

### 4. Legal and Ethics Commission

- 4.1 The Legal and Ethics Commission will be responsible for dealing with Safeguarding matters which are under Asian Athletics' jurisdiction as described in the Asian Athletics Safeguarding Policy. The Legal and Ethics Commission can meet either in person, via email, remote platforms, electronically, by telephone or a hybrid of any of these and may have to do so quickly to consider urgent matters.
- 4.2 The Legal and Ethics Commission shall have the following powers and these powers will be included in its Terms of Reference
- (a) To investigate any allegation of a Safeguarding Concern pursuant to Rule 6 below;
  - (b) to investigate, review investigations and representations from a Participant pursuant to Rule 6 below;
  - (c) to appoint and instruct any appropriate person or agent to investigate any allegation of a Safeguarding Concern pursuant to Rule 6 below;
  - (d) to request information to be provided by a Participant pursuant to Rule 6 below;
  - (e) to hold any hearing for the purpose of investigation or obtaining details and information from a Participant pursuant to Rule 6 below;
  - (f) to impose interim Safeguarding Orders ("**Interim Safeguarding Orders**") with or without investigation pursuant to Rule 7 below;
  - (g) to review and amend, remove or lift Interim Safeguarding Orders as it considers necessary or which remain in place for six months pursuant to Rule 7 below;
  - (h) to determine all procedural matters for the conduct of any case it is considering pursuant to Rule 6 below;
  - (i) to delegate its powers to the Safeguarding Officer appointed for an Asian Athletics Competition pursuant to Rule 5 below;
  - (j) to review, keep, ratify, vary and revoke Interim Safeguarding Orders made by it or by the Safeguarding Officer pursuant to Rule 7 below; and
  - (k) to make final Safeguarding Orders or other orders and/or sanctions ("**Final Safeguarding Orders**") pursuant to Rule 8 below.

### 5. Safeguarding Officer

- 5.1 With the approval of Asian Athletics Council, the Legal and Ethics Commission may delegate some of its powers to one or two Safeguarding Officers specifically appointed for an Asian Athletics Competition ("**Safeguarding Officer**").
- 5.2 In the event that such a delegation is made, it should be considered but not mandatory that two (2) Safeguarding Officers shall be appointed for the Asian Athletics Competition, one being a member of the Legal and Ethics Commission or any other person selected by Asian Athletics Council or the Legal and Ethics Commission, and the other being the safeguarding officer of the Member Federation hosting/holding the Asian Athletics Competition or such other appropriate

## Asian Athletics Safeguarding Rules

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person nominated by that Member Federation or the LOC and accepted by Asian Athletics Council or the Legal and Ethics Commission.

- 5.3 The powers which may be delegated by the Legal and Ethics Commission mentioned above shall include all the powers of the Legal and Ethics Commission mentioned in Rule 4.2 (a) to (h) above.
- 5.4 When 2 Safeguarding Officers are appointed, they shall act and make their decision jointly and in case of any dispute between them, they can refer the matter to the Legal and Ethics Commission for guidance or resolution of the dispute.
- 5.5 The decision of the Safeguarding Officer made pursuant to these Rules shall be regarded as a decision of the Legal and Ethics Commission.

### **6. Investigations and Risk Assessment**

- 6.1 If Asian Athletics is made aware of any Participant engaging in Prohibited Conduct and there are reasonable grounds to believe that the conduct has occurred, the matter will be investigated. The Legal and Ethics Commission and the Safeguarding Officer may appoint an appropriate person or persons to investigate the incident and such person or persons must be independent of the incident.
- 6.2 As part of the investigation, the Participant must provide any information and answer any question requested by the Legal and Ethics Commission, the Safeguarding Officer and any person carrying out investigation on their behalf about the conduct which has raised concerns. On occasion and if appropriate, a Participant may be interviewed (in person or online) to obtain information directly from them.
- 6.3 Following such investigation, the Legal and Ethics Commission and the Safeguarding Officer may ask the Participant and the Participant will be given an opportunity to respond, in writing or at a hearing as decided by the Legal and Ethics Commission or the Safeguarding Officer to the concerns, allegations or questions in which case, the Participant must be provided with details and information which the Legal and Ethics Commission or the Safeguarding Officer has gathered or which will otherwise be relied on by the Legal and Ethics Commission or the Safeguarding Officer. Such details and information must be kept confidential by the Participant and may only be shared with professional advisors if necessary to do so.
- 6.4 Following receipt of the response from the Participant, all the information will be put to the Legal and Ethics Commission or the Safeguarding Officer to review and decide on the appropriate course of action.

### **7. Interim Safeguarding Orders and Immediate Provisional Safeguarding Measures**

- 7.1 The Legal and Ethics Commission and the Safeguarding Officer have the power to impose an Interim Safeguarding Order on a Participant who may have engaged in Prohibited Conduct

## Asian Athletics Safeguarding Rules

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with investigation but if the Legal and Ethics Commission or the Safeguarding Officer believes that the Participant poses an immediate risk of harm to others in athletics, such Interim Safeguarding Order may be imposed without investigation.

- 7.2 An Interim Safeguarding Order may also be imposed by the Legal and Ethics Commission or the Safeguarding Officer when Asian Athletics is notified that a Participant:
- (a) has been charged with a criminal offence which would potentially give rise to a Safeguarding Concern;
  - (b) is being or has been investigated by law enforcement or any other authority relating to social care of children or adults;
  - (c) has been convicted of an offence or been warned about behaviour which would potentially give rise to a Safeguarding Concern; and/or
  - (d) has behaved in such a way that may be considered to be a potential risk to anyone involved in athletics.
- 7.3 In determining whether an Interim Safeguarding Order should be imposed, the Legal and Ethics Commission and the Safeguarding Officer shall give consideration to, inter alia, the following factors:
- (a) whether an individual or individuals are or may be at an immediate risk of harm;
  - (b) whether the matters are of a serious nature; and/or
  - (c) whether a Safeguarding Order is or other orders are necessary or desirable to allow the conduct of any investigation to proceed unimpeded having regard to the need for such Safeguarding Order or other orders to be proportionate.
- 7.4 An Interim Safeguarding Order may be one or more of the following:
- (a) suspension or removal from some or all athletics events (including competitions, training, governance roles, attendance and participation in meetings of Council, Committees, Commissions, Working Groups and Panels, social activities, activities of Asian Athletics, Regional Association or Member Federation, team and/or media occasions) either for an interim period, a set period of time or an indeterminate period;
  - (b) training or education requirement(s); or
  - (c) any other safeguarding measure which is appropriate to the situation.
- 7.5 An Interim Safeguarding Order must be reasonable, proportionate to the conduct that has been alleged and take the following into account:
- (a) whether any Participant or any other person is, or may be, at risk of harm;
  - (b) the seriousness of the alleged conduct to have been committed and the frequency of such conduct;
  - (c) when such conduct first occurred and for how long has it continued;
  - (d) the potential risk of harm the Participant poses to others, both within the athletics' community and the wider population;
  - (d) whether a sanction is necessary or desirable to allow an investigation to be undertaken by Asian Athletics, the Legal and Ethics Commission or the Safeguarding Officer, the police or

## Asian Athletics Safeguarding Rules

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- any other relevant agency or authority to proceed unimpeded having regard for the need for any sanction to be proportionate; and
- (e) any other relevant circumstances.

- 7.6 In considering whether to impose an Interim Safeguarding Order or not the above criteria should be assessed, a note made of the decision and the basis of the criteria upon which the Interim Safeguarding Order has been imposed.
- 7.7 When the Interim Safeguarding Order has been imposed, the Participant must be informed of:
- (a) the decision;
  - (b) the reasons for its imposition;
  - (c) the terms;
  - (d) the date it takes effect;
  - (e) when it ends (if an end date has been prescribed or if it will remain in place until the end of an investigation, when that will be considered to have ended); and
  - (f) the right to appeal against the decision which must be received within 21 calendar days of the date of the Interim Safeguarding Order.
- 7.8 The details of the Interim Safeguarding Order must be sent to the Participant's Member Federation, the Regional Association of such Member Federation and any other agencies, authorities or individuals whom it is believed should be made aware of such Interim Safeguarding Order in order to ensure its enforcement.
- 7.9 If subsequent to the imposition of an Interim Safeguarding Order, further relevant information shall be obtained or otherwise released, revealed or disclosed, the Legal and Ethics Commission or the Safeguarding Officer may, after consideration, keep the Interim Safeguarding Order in place in the same terms or amend the terms of the Interim Safeguarding Order or remove or lift the Interim Safeguarding Order totally at their own instigation or at the instigation of the Participant.
- 7.10 Minutes of all meetings and decisions of the Legal and Ethics Commission and the Safeguarding Officer concerning the exercise of their powers under these Rules will be kept securely and confidentially for at least ten years whether in written or digital format.

## 8. Final Safeguarding Orders

- 8.1 Following the imposition of an Interim Safeguarding Order, the Legal and Ethics Commission may, where it considers appropriate, impose a Final Safeguarding Order in the same terms or such other terms as the Interim Safeguarding Order.
- 8.2 All rules in Rules 7.3 to 7.10 above in relation to Interim Safeguarding Orders shall also apply to Final Safeguarding Orders.

## Asian Athletics Safeguarding Rules

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- 8.3 It is not necessary that a Final Safeguarding Order must be imposed following an Interim Safeguarding Order. Until a Final Safeguarding Order is imposed, an Interim Safeguarding Order shall remain in place.

### 9. Appeals

- 9.1 A decision of the Legal and Ethics Commission and the Safeguarding Officer may be challenged by way of an appeal by Asian Athletics or the Participant who is the subject of the Legal and Ethics Commission's or the Safeguarding Officer's decision. The decision of the Legal and Ethics Commission or the Safeguarding Officer will remain in place whilst any appeal is being considered.
- 9.2 For the avoidance of doubt an appeal may be brought by either Asian Athletics or the Participant against a decision of the Legal and Ethics Commission or the Safeguarding Officer to impose an Interim Safeguarding Order or a Final Safeguarding Order or for any terms therein or a refusal to impose any Safeguarding Order.
- 9.3 If such a Participant decides to appeal the decision of the Legal and Ethics Commission or the Safeguarding Officer, notice of appeal must be sent to the Secretary General of Asian Athletics and received within twenty-one (21) calendar days of the decision by the Legal and Ethics Commission or the Safeguarding Officer. Within fourteen (14) calendar days of receipt of such notice to appeal, Asian Athletics shall appoint an appeal panel with no members of the Legal and Ethics Commission or the Safeguarding Officer of the relevant Asian Athletics Competition on it (**"the Appeal Panel"**).
- 9.4 If Asian Athletics decides to appeal the decision of the Legal and Ethics Commission or the Safeguarding Officer, the Participant must be informed by a notice of appeal received within twenty-one [21] calendar days of the decision by the Legal and Ethics Commission or the Safeguarding Officer. The Appeal Panel should be appointed within thirty-five (35) calendar days of the decision by the Legal and Ethics Commission or the Safeguarding Officer.
- 9.5 The Appeal Panel will usually consider the appeal on the information contained within the documents submitted to it from the Legal and Ethics Commission or the Safeguarding Officer and the Participant. It will usually be a consideration of whether or not the Legal and Ethics Commission or the Safeguarding Officer considered the information either unfairly or prejudicially to the appellant, misinterpreted or failed to or wrongly applied these Rules or applicable law or came to a decision that no reasonable decision-maker could have come to (either in respect of liability, sanction, safeguards or any other relevant matter). In very exceptional cases the Appeal Panel may rule that the appeal shall be a hearing in person by the Appeal Panel, in which case, witnesses called in the original hearing by the Legal and Ethics Commission or the Safeguarding Officer (if any) may be recalled for the hearing by the Appeal Panel and, if the Appeal Panel considers appropriate, the Appeal Panel may direct that such re-hearing shall be carried out by new members of the Appeal Panel.
- 9.6 The original decision may be upheld or a new decision may be issued to replace the original decision either increasing or decreasing the original Interim Safeguarding Order or the Final



## Asian Athletics Safeguarding Rules

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Safeguarding Order or the matter may be referred back to the Legal and Ethics Commission or Safeguarding Officer for further consideration.

- 9.7 The Participant must be notified of the decision of the Appeal Panel and all those who have previously been informed of the existence of an Interim Safeguarding Order or a Final Safeguarding Order shall be also informed of any variation or lifting of such Safeguarding Order within fourteen (14) calendar days of such decision.
- 9.8 Appeals must be held expeditiously and unless all the parties agree, or fairness dictates otherwise, the appeal hearing will be started no later than thirty (30) calendar days after the appointment of the Appeal Panel.
- 9.9 Any decision made by the Appeal Panel shall be the full, final and complete disposition of the matter and will be binding on all parties. All parties waive irrevocably any right to any other form of appeal, review or recourse by, or in any court or judicial authority, insofar as such waiver may validly be made.
- 9.10 If an appeal has already been made against an Interim Safeguarding Order, no parties shall be entitled to appeal against a Final Safeguarding Order unless in imposing the Final Safeguarding Order, the Legal and Ethics Commission took into different considerations and facts than the Interim Safeguarding Order or the Final Safeguarding Order imposes different terms and considerations than the Interim Safeguarding Order.

## 10. Decisions

- 10.1 Any decisions (whether by the Legal and Ethics Commission, the Safeguarding Officer or an Appeal Panel) will be made in writing and sent to all the parties involved.
- 10.2 Only in very extreme cases will the decision be made public. Any agencies and individuals who need to know the decision will be informed of the outcome of the matter with clear rules about confidentiality and disclosure of the information.
- 10.3 If the Participant is exonerated of all the allegations, then the decision may only be made public with the consent of the Participant who is the subject of the decision. The fact that the allegation has been dismissed may be made public.
- 10.4 It may be necessary to share the decision with other authorities or agencies if Asian Athletics is required to inform another authority as a result of local legislation or any applicable law. There may be other authorities who need to be made aware of the outcome of the decision even if the decision is not to sanction the individual but to put other safeguards in place.
- 10.5 Asian Athletics may be required to inform the relevant Member Federations, Regional Association and World Athletics about any sanction imposed and decision made.
- 10.6 If World Athletics requests the decision from Asian Athletics it must be sent to World Athletics by Asian Athletics together with any further information requested around the matter.



## Asian Athletics Safeguarding Rules

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### 11. **Protection**

- 11.1 No member of the Legal and Ethics Commission, no Safeguarding Officer and no members of the Appeal Panel shall be personally liable to the Participant and any person affected by their decision (including the victim of the alleged Safeguarding Concern) unless such decision is made by that member in bad faith. Except for such decision made in bad faith, Asian Athletics shall indemnify members of the Legal and Ethics Commission, the Safeguarding Officer and members of the Appeal Panel for all loss and damages, including the costs of instructing lawyers to represent them suffered by or caused to them arising from their decision made.