

# **Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN)<sup>1</sup>**

Statutes in accordance with the Austrian Association Act 2002 (May 13, 2023)

## Preamble

Sport is for all and should be equally accessible for everyone - irrespective of gender, nationality, ethnic origin, sexual orientation, religion, age, disability, or social status.

Marginalised Groups, including migrants and ethnic minorities – in particular women and girls - face barriers when it comes to practicing sport and physical activities. Furthermore, the underrepresentation of migrants and their exclusion from positions of authority and the lack of advancement of minorities in non-playing positions are recurring issues for mainstream sport.

Against this backdrop, the Sport Inclusion Network - SPIN has been formed to address issues of exclusion in sport and to make full use of sport as means for social inclusion and integration. The SPIN Network encourages the inclusion and participation of migrants, ethnic minorities, refugees and other vulnerable groups in and through sport.

## **TITLE I: IDENTITY AND AIMS**

### **Article 1: Name, Headquarters and Area of Activity**

- (1) The full name of the association is Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN)
- (2) Its headquarters is in Vienna, Austria. It extends its activities to Austria, Europe and, on a case-by-case basis, to other continents.

### **Article 2: Purpose**

Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) fights for the right to enjoy sport and physical activities in a safe environment without the fear of discrimination and/or harassment.

Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) promotes equality and equal opportunities in and through sport and combats any form of discrimination. Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) in its operations and practices recognises (and adheres to) principles enshrined in the following frameworks:

- a) The Universal Declaration of Human Rights
- b) EU Charter of Fundamental Rights
- c) Convention on the Elimination of All Forms of Racial Discrimination

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<sup>1</sup> As per Austrian law, an association's name must in principle be in German language. The German translation has, thus, been added to the English name of the association and is integral to the same for legal purposes.

- d) Convention on the Elimination of All Forms of Discrimination against Women
- e) The United Nations Convention on the Rights of the Child
- f) European Sports Charter

Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) adheres to the following guiding principles:

1. Participation – meaningful and equality of participation of members in decision making (the work of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN)) Inclusion – recognising and facilitating participation of member in decision making (the work of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN))
2. Autonomy – recognising the autonomy of its members

### **Article 3: Aims**

Aims of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) are:

- a) Promote inclusion through sport and physical activity among disadvantaged groups, in particular ethnic minorities, migrants and women
- b) Raise awareness and share best practices among sport stakeholders how to pro-actively involve vulnerable groups in and through sport.
- c) Support, empower and capacity-build grass-roots initiatives and minority organisations
- d) Make innovative use of sport as an educational tool and particularly targeting young people
- e) To address pro-actively racism, sexism, homophobia and any form of discrimination in sport and in society and develop methods and tools to overcome these issues
- f) To promote dialogue and equal cooperation with sport-for-development initiatives and stakeholders outside the European Union and in the Global South

### **Article 4: Funding of the Network**

The association shall be funded by means of:

- a) Membership fees
- b) Income from its own activities and for services rendered
- c) Funding, grants and subsidies from public bodies, foundations, and sport organisations
- d) Subsidies and contributions from for-profit organizations and sponsors
- e) Donations, gifts, and legacies

## **Article 5: Activities**

Main activities of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) include:

1. Develop and deliver high quality trainings and educational tools for sport stakeholders
2. Reflection, analysis and research: create an evidence base for social inclusion through sport interventions and practice
3. Facilitating action at a grassroots level and supporting grassroots clubs to enhance their activities in the field of sport and inclusion
4. Empower and lending practical support to small groups and promote migrant and minority self-organisations as key agents for social change
5. Advocacy and lobbying for policy change at a national and international level
6. Raise public awareness through public interventions and campaigning (influence public discourse, develop counter narratives)
7. Promote the exchange of best practices among organisations working with marginalised groups
8. Promote the use of online educational tools and exchange of information

## **Article 6: Partners and Agreements**

To achieve its objectives, Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) seeks to cooperate and establish partnerships with public and private bodies whose values and activities are not in contradiction with the principles of the association.

## **Article 7: Visual Identity**

The logo of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) is as follows:



## **TITLE II: MEMBERSHIP**

### **Article 8: Members and Supporters**

Members are NGOs, Non-Profit-Organisations, associations, sport clubs and other entities, including public institutions and companies, which work in the field of sport and inclusion at various levels.

To become a member the organisation must present a written request together with the statute and a report about previous activities.

New members are approved by the board and become effective after the payment of the fee. Members have the duty to pay an annual membership fee. The General Assembly determines the membership fees.

Only members who paid their membership fees may participate in the General Assembly.

The Board can adapt the amount of the membership fee.

Individuals cannot become members with voting rights. However, individuals can become supporters. Individual supporters must pay an annual contribution.

### **Article 9: Members' Rights and Duties**

Members of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) have the right to participate in elections, as well as to be informed about the activities of the association and the use of funds.

Members of the association must respect the values and principles of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) and must participate actively in the life of the association. Members should attend the periodic assemblies (in presence or online).

### **Article 10: Withdrawal of Membership**

The membership status of members can be withdrawn when they

- violate against Article 2, 3 or 9,
- have not paid their membership fee over a period of three years.

## **TITLES III: GOVERNANCE**

### **Article 11: Bodies of the Association**

- a) General Assembly
- b) Board
- c) Auditors
- d) Network Coordinator
- e) Court of Arbitration

## **Article 12: The General Assembly**

The General Assembly is the assembly of all members of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN), with representation of one delegate per member organisation, legally the Chairperson or alternatively one person under written mandate of the Chairperson. The General Assembly is the highest political and programmatic body of the association.

The General Assembly meets:

- ordinarily every 4 years (General Assembly)
- ordinarily every 2 years (Midterm Assembly)
- extraordinarily, when the board or at least 10 % of the members so request and submit a written notification of the agenda. The Assembly shall then convene within three months.

## **Article 13: Tasks of the General Assembly**

- a) Elect the Board
- b) Elect the Auditors
- c) Determine the main programmatic lines of the association
- d) Pass resolutions on the amendment of the statutes
- e) Determine the membership fees
- f) Approve the annual balance
- g) Debate and pass resolutions on other items of the agenda
- h) Pass resolutions on the dissolution of the association

## **Article 14: Quorum**

The General Assembly shall be deemed to constitute a quorum when it has been called on time, irrespective of the number of members present. All General Assembly elections and resolutions require a simple majority of the eligible voters present.

To pass resolutions on issues referred to under article 13 items d) and h) above, however, a two thirds majority of the eligible voters present is required.

Each member of the association has one representative in the General Assembly and therefore one vote each.

## **Article 15: The Board**

The Board is the operative body of the association.

It is composed of:

- Chairperson
- Vice-Chairperson

- Five individuals proposed by the Chairperson in their candidature list

The Board is elected every 4 years by the General Assembly.

Each member can present a list for the Board composed of seven people. A list, to be valid, must be signed by 15% of the members. Each member can sign only for one list. That means that members might have to choose one list among several. During the General Assembly all members vote for the list they prefer and elect the Board. In the first meeting of the Board the members vote for the Chairperson.

Each list must be gender-balanced, otherwise it is not eligible. A list is gender-balanced when at least three individuals of the list are of a different gender.

Furthermore, lists must be balanced according to countries. A seven-people list must contain at least people from four different country members or organisations.

Only one individual per member organisation can be represented on the Board.

The Network Coordinator (see article 20) is a permanent guest at meetings of the Board. The quorum for meetings of the Board shall be the presence of at least half of its members. The Board passes its resolutions by simple majority. In the event of a tie, the Chairperson, or in their absence, the Vice-Chairperson shall have the casting vote.

#### **Article 16: Tasks of the Board**

- a) Prepare annual programme and present it to the General Assembly
- b) Approve new members and withdrawal of membership status
- c) Take decision about partnerships
- d) Take decisions about participation in projects and campaigns
- e) Each member of the Board should have a specific task and should work on a political level with the Network Coordinator to reach the aim
- f) Decide on the budget at disposal of the Network Coordinator and approve their work
- g) Determine spending limit of the Network Coordinator

#### **Article 17: The Chairperson**

The Chairperson is the legal representative of the association, they are the one authorised to sign in the name of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) and to represent it in public.

#### **Article 18: The Vice-Chairperson**

The Vice-Chairperson holds the second position in the association. They are authorised to act in the absence of the Chairperson.

### **Article 19: Auditors**

The association has two Auditors. Their task is to monitor the financial management of the Network. They are elected among the ordinary members and may not be members of the Board.

Auditors must present a report to the board yearly.

The term of office of the Auditors shall be four years and shall be terminated by the election of the new Auditors.

### **Article 20: The Network Coordinator**

The Network Coordinator should be hired after the first election of the Board, depending on the availability of financial resources. The Board decides on the contract for the Network Coordinator. It must be in line with European and national job policies and the budget at disposal.

The Network Coordinator is hired for up to four years. If budget restraints do not allow for a four-year contract, the term can be shorter.

The Network Coordinator oversees the administration of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN), including financial management and communications. They should represent the association in day-to-day operations.

### **Article 21: Tasks of the Network Coordinator**

- a) Execute political decisions of the board
- b) Initiate, manage and implement projects and activities of the network
- c) Coordinate the present project proposals
- d) Manage and operate within the budget approved by the board and provide suggestions to the Board
- e) Consult the Board when hiring staff or when issues arise

### **Article 22: Incompatibility**

The Network Coordinator cannot be a member of the Board.

### **Article 23: Anti-Discrimination Policy**

The process of hiring and employing staff must be non-discriminatory. In particular, candidates must not be discriminated against for age, religion, ethnicity/nationality, disability/medical history, marriage/civil partnership, pregnancy/maternity/paternity or gender identity/sexual orientation.

All staff of Sport Inclusion Network – Netzwerk Sport und soziale Inklusion (short: SPIN) must

sign an Anti-Discrimination and Anti-Harassment Policy.

#### **Article 24: Regulation of Relationship between Board and Network Coordinator**

- a) The Network Coordinator attends all the meetings of the General Assembly without voting right
- b) The Network Coordinator attends all the meetings of the Board without voting rights
- c) The Network Coordinator must report every 6 months about their work to the Board with a short, written report and must be available (in presence or via video) to the board or when a board member asks for clarification
- d) Board members must inform the Network Coordinator about decisions taken in all working areas
- e) The Board should consult the Network Coordinator before taking major decisions and vice-versa

#### **Article 25: Additional Staff**

The Network Coordinator can propose hiring additional staff to the Chairperson, who will inform the Board. After a positive reply, the Network Coordinator is responsible for staff selection and management, always informing the Chairperson before signing a new contract.

#### **Article 26: Modality of Meetings**

Meetings must be organised according to principles of cost-effectiveness, efficiency, and sustainability. This includes travels, hotels, rent of rooms, subsistence.

If a health situation and/or the financial situation does not allow one or more members to meet in presence, online meetings are an accepted solution, respecting the statutory rules. This includes secrecy of vote, active cameras for the whole duration of the meeting, presence in Board meetings only by people allowed at regular meetings.

#### **Article 27: Court of Arbitration**

- 1) The internal Court of Arbitration is appointed to settle all disputes arising from the association relationship. It is an "arbitration institution" in the sense of the Austrian Association Act 2002 and not an arbitration court according to §§ 577 ff of the Austrian Code of Civil Procedure.
- 2) The Court of Arbitration shall be composed of three ordinary members of the association. It shall be formed in such a way that one party to the dispute nominates a member as arbitrator in writing to the Board. Upon request by the Board within seven days, the other party to the dispute shall nominate a member of the Court of Arbitration within 14 days. After notification by the Board within seven days, the



nominated arbitrators shall elect a third ordinary member as chairman of the Court of Arbitration within a further 14 days. In the event of a tie, a decision shall be made by drawing lots among the nominees. The members of the Court of Arbitration may not belong to any body - except for the General Assembly - whose activities are the subject of the dispute.

- 3) The Court of Arbitration shall reach its decision by a simple majority of votes after hearing both sides in the presence of all its members. It shall decide to the best of its knowledge and belief. Its decisions are final within the association.

#### **Article 28: Voluntary Dissolution of the Association**

- 1) The voluntary dissolution of the association can only be decided in a General Assembly and only with a two-thirds majority of the valid votes cast.
- 2) The General Assembly shall also decide on the liquidation of the association, if assets of the association are available. It shall appoint a liquidator and decide to whom the liquidator shall transfer the assets of the association remaining after the liabilities have been covered. These assets shall, insofar as this is possible and permitted, go to an organization that pursues the same or similar purposes as this association, otherwise to social welfare purposes.