



EUROPEAN BASEBALL CONFEDERATION

STATUTES

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DEFINITIONS

For purpose of these Statutes and any and all By-Laws, Rules and Regulations promulgated in accordance with the provisions of these Statutes, the following words shall have the respective meaning set forth below, unless otherwise specified:

- a) “annual membership fee” means the fee, proposed by the Executive Committee and approved by the Congress, charged to each Member of C.E.B. as an annual fee for membership in C.E.B.;
- b) “applicant” means an entity which has applied for affiliation with C.E.B., in accordance with the provisions of Article 12 below;
- c) “Congress” means the supreme governing body of C.E.B. comprised of its Members;
- d) “day” or “days” means a calendar day or days, as the case may be;
- e) “Delegate” means an individual/s designated by a Member federation, association or organization, in accordance with Article 30, to represent the Member at an Ordinary or Extraordinary Congress;
- f) “Extraordinary Congress” means a meeting of C.E.B. Members, other than an Ordinary Congress, convened in accordance with the provisions of Article 25;
- g) “IBAF” means the International BAseball Federation, the internationally recognized body governing the Olympic sport of baseball;
- h) “Member” means a European national baseball federation, association or organization which has applied for affiliation with C.E.B. and whose application has been approved by decision of an Ordinary or Extraordinary Congress;
- i) “notification” means notice, in writing, sent by mail or fax;
- j) “Ordinary Congress” means the meeting of C.E.B. Members, convened in accordance with the provision of Article 24;
- k) “subscription fee” means the fee proposed by the Executive Committee to be charged for participation by a Member’s national or club team in a C.E.B. organized and sanctioned competition.

CHAPTER I - Origins of the European Baseball Confederation

Article 1. - The European Baseball Federation (C.E.B.) was founded on April 27, 1953 in Paris, France as the “Fédération Européenne de Baseball” (F.E.B.). The founders of F.E.B. were the baseball federations representing Spain, Germany, Belgium, Italy and France. In 1972 the name of the European federation was changed from F.E.B. to the “Confédération Européenne de Baseball Amateur (C.E.B.A.) and thereafter, in 1994 to the “Confédération Européenne de Baseball” / ”European Baseball Confederation” (“C.E.B.”). F.E.B, C.E.B.A. and thereafter C.E.B. were initially domiciled in Antwerp, Belgium. Since 2002, C.E.B. has been domiciled in the Olympic City of Lausanne, Switzerland.

CHAPTER II - Name, Composition, Governing Law, Headquarters and Duration

Article 2 - C.E.B. is the body recognized by the International BAseball Federation (IBAF) as governing the Olympic sport of baseball in Europe. C.E.B. is an autonomous, apolitical non-profit making association, which makes no distinction between race, sex, religion or national origin.

Article 3 - C.E.B. is legally established in accordance with its own Statutes and under Article 60 and subsequent Articles of the Swiss Code of Civil Law.¹

Note: ¹ Art. 60 of the Swiss Code of Civil Law: «Political, religious, scientific, artistic, beneficent, recreational and other associations whose object is non profit-making, shall acquire legal status when they express in their statutes the wish to be organized corporately. The statutes shall be drawn up in writing and shall contain the necessary provisions relating to the object, resources and organization of the association.»

Article 4. - C.E.B. shall govern all baseball activities in their various categories in all the countries of Europe which accept the C.E.B. Statutes, By-Laws, rules, regulations and policies and is constituted of the federations, associations or organizations which organize, promote and develop baseball in their respective countries and have been accepted for membership in C.E.B. in accordance with the provisions of these Statutes.

Article 5. - The location of the head office of C.E.B. has been established in the Olympic City of Lausanne, Switzerland.

Article 6. - C.E.B. is an association whose Members join C.E.B. voluntarily and each of whom is recognized by their National Olympic Committee as being the sole governing body for baseball in that particular country and is a member of the International Baseball Federation.

Article 7. - By voluntarily affiliation with C.E.B., each Member and/or their individual members/officials belonging to the respective Member explicitly and impliedly agree to adhere to the principles and specific conditions expressed in the Statutes, By-Laws, rules, regulations and policies of C.E.B. as in effect.

Article 8. - C.E.B. is an association of indefinite duration, subject to dissolution by its Members in accordance with the provisions of Chapter XII.

CHAPTER III - Aims

Article 9. - The objectives of C.E.B. are:

- a) to promote, encourage and facilitate the development of baseball throughout Europe and particularly in the countries where C.E.B. affiliated federations, associations or organizations exist;
- b) to encourage the development of the physical, ethical and moral qualities which are the basis of baseball, through the organization of continental, national and regional competitions;
- c) to promote the greater bonding and fair and loyal cooperation between its Members;
- d) to defend and protect the general interests of baseball throughout Europe and before such organizations and institutions as may be required;
- e) to contribute to the realization of the aims laid down in the Olympic Charter;
- f) to govern and organize baseball competitions throughout Europe, as decided by the Executive Committee and approved by the C.E.B. Members, in such categories and levels, determined, and established the rules and regulations governing such competitions, consistent with the Statutes, rules and regulations of the IBAF and C.E.B.;
- g) to carry out studies and investigations and promote and organize seminars, clinics and conferences of technical and scientific nature for the improvement and development of baseball administration, coaching, umpiring, scoring and playing skills throughout Europe;
- h) to record and make available statistics results to Members and in particular the baseball result and records obtained in C.E.B. officially sanctioned and played competitions;
- i) to provide useful information and assistance to Members requiring such and, at the written request of Member parties, to act as a mediator, in any disputes as may arise between the Members and
- j) to promote, sponsor and, if needed, establish such bodies as may be deemed necessary by the Executive Committee and approved by the Congress, for the advancement, development and functioning of baseball throughout Europe.

CHAPTER IV - Members

Article 10. - To become a Member of C.E.B. the following conditions are required of the applicant:

- a) The applicant must be a legally recognized federation, association or organization in the country which it intends to represent;
- b) The applicant must be a member of IBAF fulfilling the required conditions;

- c) The applicant must be recognized by the IBAF as belonging, geographically, to the European continent as understood by IBAF;
- d) The applicant must be recognized by its National Olympic Committee, as the official body responsible for organizing baseball in the applicant's country, or that it is registered to be so recognized by its National Olympic Committee.

Article 11. - Each country shall be represented by a single federation, association or organization affiliated with C.E.B.. Any and all applications for affiliation with C.E.B. by a federation, association or organization, in respect of a country already represented by an IBAF / C.E.B. recognized federation, association or organization, will be automatically rejected.

Article 12. - To apply for affiliation with C.E.B., the candidate shall send to the C.E.B. headquarters, by registered mail, the following documents:

- a) a written request, on the official letterhead of the potential member, for affiliation, addressed to the President of C.E.B. and signed by the President or Secretary General of the applicant;
- b) a written confirmation or certificate of recognition by the applicant's National Olympic Committee;
- c) a copy of the applicant's Statutes and by- Laws;
- d) a letter from the IBAF, signed by its President or Secretary General, confirming that the applicant is a member of the IBAF and that the applicant's country is recognized, for purposes of the IBAF, as belonging geographically to the continent of Europe;
- e) a list of the composition of the applicant's Executive Board, or other governing body, with the position, name and addresses of all its present officers and members;
- f) evidence of a bank transfer or bank check covering the applicant's first year's C.E.B. annual fee. In the event the applicant's application for affiliation with C.E.B. is rejected, the prepaid fee will be refunded to the applicant.

Article 13. - The official request for affiliation, referred to in Article 12, must include a formal statement from the applicant seeking affiliation that it will, upon becoming a Member of C.E.B., comply with these Statutes, as well as By-Laws, rules, regulations and policies of C.E.B., as adopted and in force.

Article 14. - All applications for affiliation to C.E.B. will, upon receipt by the Secretary General, be immediately transmitted to the President of C.E.B., who, in turn will communicate the application to the members of the Executive Committee for consideration at the next Executive Committee meeting. Following its examination of the application for affiliation, the Executive Committee will vote to recommend to the next immediate Congress the rejection of the application for affiliation. The Secretary General shall immediately inform the applicant and, in due time, the members of C.E.B. of the recommendation passed by the Executive Committee. The application, together with the recommendation of the Executive Committee, shall be included in the agenda of the next immediate Congress, which will ultimately decide on the applicant's acceptance or rejection. The decision shall be communicated to the candidate by the Secretary General.

Article 15. - The Members of C.E.B. shall, subject to the applicable Statutes, By-Law, rules, regulations and policies of C.E.B., exercise total jurisdiction in their respective countries in respect of the development, promotion and control of baseball activities in such country.

Article 16. Members of C.E.B. shall have the following rights:

- a) to speak in all deliberations of Ordinary and Extraordinary C.E.B. Congresses;
- b) to vote on all matters submitted for a vote to Ordinary and Extraordinary Congresses, provided that the Member has paid all outstanding fees and all other amounts, referred to in Article 19 b), not later than commencement of the Congress;
- c) subject to the Member making timely application for participation and payment of the proscribed subscription fee, to take part in all competitions authorized by C.E.B. in accordance with the By-Laws, rules, regula-

tions and policies, determined for such competition. This provision shall not be construed as limiting the right of a Member to participate in any baseball competition organized by other than C.E.B., provided that there is no specific C.E.B. prohibition restricting such participation;

- d) to receive the services offered by C.E.B. and enjoy such benefits as C.E.B. may institute and/or provide to Members;
- e) to make proposals to the C.E.B. Executive Committee and/or Congress for the improvement of the organization and functioning of C.E.B.;
- f) to propose candidates, in accordance with the provisions of the By-Laws (Regarding Elective and Ratified Positions) to these Statutes, for election by the Congress to the C.E.B. Executive Committee.
- g) to propose to the C.E.B. Executive Committee in accordance with the provisions of the By-Laws to these Statutes, for election by the Congress;
- h) to exercise such other rights as these Statutes and the C.E.B. By-Laws, rules, regulations and policies may confer on Members.

Article 17. - The rights of C.E.B. Members are exclusive and particular to each Member as an organisation and as such these rights cannot be delegated by the Member to any other Member or third party. Moreover a Member can only exercise its rights in a Congress of C.E.B. through a delegate duly designated and authorised by the Member in accordance with Article 30 of these Statutes. A delegate so designated and authorised by a Member can only represent, and vote on behalf of the Member appointing such delegate.

Article 18. - The Members recognize that their membership in C.E.B. is voluntary and that when they participate in its activities, the Member implicitly agrees to adhere to the Statutes, By-Laws, rules, regulations and policies of C.E.B. as in effect at any time, and to enforce compliance with them in the respective Member's organization.

Article 19. - C.E.B. Members shall have the following rights and obligations:

- a) to attend Ordinary and Extraordinary Congresses;
- b) To pay an annual membership fee by not later than January 31st day of the year to which the fee relates and to pay all other amounts which may be payable by the Member, including subscription fees and penalties, within thirty (30) days of receipt of invoice from the C.E.B. Treasurer. The C.E.B. Treasurer shall, for the purpose of reminder only, send an invoice for annual membership fee to each Member by not later than November 31st of the year prior to which the membership fee relates. Failure of the Member to receive such invoice does not relieve the Member from paying the Annual Fee by January 31st of the year to which the fee relates;
- c) to faithfully carry out the duties entrusted to Member or Member's representative by the President of the Executive Committee and to maintain ethical and moral standards proper to the organization;
- d) to take an active role in the activities and programs of C.E.B.;
- e) upon written request of the C.E.B. Secretary General, to inform him/her of the organization of national competitions and the results of the same, as well as the number of clubs, ballplayers, according to Juvenile, Cadet, Junior and other categories, umpires, fields and other pertinent information;
- f) to modify and adapt their federation, association or organization Statutes, By-Laws, rules, regulations and policies so as to bring them into harmony with the Statutes, By-Laws, rules and regulations of C.E.B. as well as the IBAF;
- g) to comply at all time with the provisions of these Statutes, By-Laws, Rules, Regulations and policies of C.E.B. as in effect at all times.

Article 20. - The Statutes of C.E.B. membership shall be forfeited on the following grounds only:

- a) by resignation from membership, as confirmed in a written notification, signed by the Member's President

or Secretary General, addressed to the C.E.B. President and sent by registered mail to the headquarters of C.E.B.. A Member resigning from membership in C.E.B. shall remain liable for, and obligated to pay, to C.E.B. all sums accruing and due to C.E.B. up to the date of the written notification of resignation from C.E.B. membership;

- b) In the event a Member fails to fulfil any financial obligation to C.E.B. for a period of twenty-four (24) consecutive months, and thereafter does not cure such failure within a period of thirty (30) days from the date of written notification of the failure given by the Secretary General by registered mail;
- c) In the event a Member is expelled from the IBAF and the IBAF notifies C.E.B. in writing of such expulsion;
- d) In the event a Member fails to comply with a material provision of the C.E.B. Statutes, By-Laws, Rules, Regulations and policies, the Executive Committee may temporarily suspend such Member from membership until the next annual Ordinary Congress, provided that a preliminary hearing on the matter has been held by the Executive Committee, following not less than thirty (30) days prior notification to the Member, by registered mail (with advise of receipt). The notification shall include a description of the failure of the Member to comply with the provision of the C.E.B. Statutes, By-Laws, Rules, Regulations and policies the date, time and place of the intended Executive Committee preliminary hearing, an invitation to the Member to attend and be heard at the preliminary hearing. The preliminary hearing by the Executive Committee may be conducted in the absence of the Member, provided that the abovementioned notification has been sent to the Member. The matter of the temporary suspension of a Member, pursuant to this sub-Article 20 d), shall be placed on the Agenda, as the first order of business after roll call of the next Ordinary Congress for final decision by the Congress. Permanent exclusion, of the temporarily suspended Member, from C.E.B. membership pursuant to this sub-Article 20 d) will require a two-thirds (2/3) majority vote in the Congress in favour of exclusion, by all the Members of C.E.B. present and entitled to vote at the Congress.

Article 21. - The National federations, associations or organizations constituting the C.E.B. membership shall have the authority, within the limits of their jurisdiction to supervise, promote and develop baseball in their respective countries only, subject to applicable IBAF and C.E.B. Statutes, By-Laws, rules, regulations and policies.

CHAPTER V - C.E.B. Organs

Article 22. - The governing bodies of C.E.B. are the Congress of delegates and the Executive Committee, in this order of precedence.

In accordance with these Statutes, Commissions, Sub-Commissions and work groups may be appointed, and exercise their respective functions as delegated to them, by the Executive Committee. The Commissions, Sub-Commissions and work groups shall report and be subject to the authority of the Executive Committee.

THE CONGRESS

Article 23. - The Congress consisting of the Delegates of the C.E.B. Members is the supreme authority of C.E.B. and the only body of C.E.B. with the power to amend the Statutes. Its legally-adopted resolutions and decisions are binding on the Executive Committee, Commissions, Sub-Commission and Members. The Congress shall meet in Ordinary or Extraordinary session, as specified below.

Article 24. - The Congress shall meet in ordinary session once every year, during the first three months of the year. The specific date of the Congress shall be proposed by the Executive Committee and decided upon by a majority vote of the Members at the prior year's Congress. In those years when a European Championship Senior Pool A is organized, the annual Congress shall be held in the city where the competition is conducted. In those year when a European Championship Seniors Pool A is not to be conducted, the annual congress shall be held in the city decided upon a majority vote of the previous year's Congress from amongst candidates submitting their written bid to the Secretary General prior to the commencement of the Congress at which the decision is made. Submission of a bid to host a C.E.B. Congress shall be conditioned upon the written agreement on the part of the proposed host federation, association or organization to do whatever shall be necessary for the holding of the Ordinary Congress in accordance with these Statutes, By-Laws, rules, regula-

tions and policies of C.E.B., including arranging and bearing the costs of the Congress hall and ancillary facilities, simultaneous translation (French and English), in-land transportation to and from airport/railway station and hosting of a dinner to all Delegates. The host federation is entitled, at its own expense and choice, to provide simultaneous translations of the proceeding in other language/s in addition to French and English. The cost of transportation to and from the host country as well as room and board of the Member delegate(s) shall be borne by the respective Member federation sending the Delegate(s).

Article 25. - The Congress shall meet in extraordinary session in the event the President so decides, or if the Executive Committee, by majority vote, so determines, or upon written request, addressed and sent to the Secretary General by registered mail, of half plus one of the Member federations, associations or organizations with a right to vote.

Article 26. - Members shall, within ninety (90) days prior to the date fixed for the beginning of the first session of the Ordinary Congress, be entitled to request and have placed on the Agenda, items for discussion, consideration and decision by the Congress. Said Member request shall be in writing addressed and mailed to the Secretary General by registered mail. At least thirty (30) days prior to the opening date of each Ordinary Congress, the Secretary General shall send the agenda of the Congress to each of the Members, as well as confirmation of the venue, date and time of the beginning of the first session and information regarding all topics on the agenda to be considered at the Congress, including items requested by Members. The Secretary General shall immediately cause the notification and agenda to be posted on the C.E.B. website.

Article 27. - An Extraordinary Congress shall be summoned by the President within forty-five days following the occurrence of any event referred to in Article 25 above and at least thirty days prior to the scheduled commencement of the Extraordinary Congress. Within the same period of time, the Secretary General shall send the Agenda to all Members, including the location, date and time of the first session opening and notification of all topics, including details, to be considered at the Extraordinary Congress. During an Extraordinary Congress only matters specified on the Agenda will be discussed and decided by the Congress. Unless otherwise decided by the Executive Committee, all Extraordinary Congresses will be held in Lausanne, Switzerland. The expense associated with the Congress facilities, in-land transportation and translation shall be at C.E.B.'s charge. The cost of transportation to and from the host country as well as room and board of the Member delegate(s) shall be borne by the respective Member federation sending the delegate(s).

Article 28. - At all Congresses Ordinary or Extraordinary the "quorum" shall be the presence of at least 51% of all Members entitled to vote (though not necessarily present at the Congress). In the event of the existence of such quorum, an absolute majority of the votes cast shall be required to approve a resolution, unless a larger majority is otherwise provided for in these Statutes. In the absence of a "quorum", any duly summoned Congress may, nevertheless approve a proposed resolution, provided that an affirmative vote, equal to not less than fifty-one percent (51%) of a normal quorum, is obtained in favour of the resolution (an affirmative vote, of not less than two thirds of a normal quorum will be required if the action refers to a change in the Statutes or any other resolution ordinarily requiring, according to these Statutes, a two-thirds majority to pass the resolution).

Article 29. - For purposes of voting by ballot, a blank vote shall be considered and counted as a vote cast.

Article 30. - Each member of the C.E.B. may be represented at all Congresses by no more than three Delegates with the right to speak, but only one of whom shall have the right to vote. The Secretary General will, together with the convocation for the Congress, provide each Member with a Credential's form. In the Credentials, to be presented by the Member's delegate at the commencement of the Congress, the name of the main Delegate, who will be the one with the right to vote, shall be designated. In his absence, the vote shall be exercised by the alternate Delegate designated in the Credentials. The Credentials, to be signed and sealed by the President or Secretary General of the Member federation, association or organization, shall confirm that the named Delegates are members of the respective Member's federation, association or organization and are residents or citizens of the Member's country, or, alternatively, that a named Delegate is a diplomatic representative of the Member's country accredited in the country where the Congress is celebrated. In the event a Member's Delegate is not entitled to vote, by virtue of the fact that the Member's federation, association or organization has failed to pay all fees and other amounts referred to in Article 19 b), prior to the commence-

ment of the Congress, the Secretary General shall declare such fact at the time of the roll call at the commencement of the Congress.

Article 31. - The functions and responsibilities of the Congress shall be:

- a) to elect the President, the first, second and third Vice Presidents, the Secretary General, the Treasurer and the five Members-at-Large in accordance with the By-Laws Regarding Elective Positions;
- b) to approve the internationally recognized auditing firm to perform the functions specified in Article 79;
- c) to examine and approve the final report of the auditing firm;
- d) to ratify the suspension or removal, or accept the resignation, of Member/s of the Executive Committee, and to elect a replacement(s), in accordance with the C.E.B. By-Laws Regarding Elective Positions and Disciplinary Rules;
- e) to be informed of, analyze, and approve such resolutions, decisions and dispositions considered as proper on any C.E.B. matter or anything related to it or to its objects;
- f) to analyze and decide any point, proposal or resolution submitted by the Executive Committee or any of its members which appears on the agenda;
- g) to approve or reject the actions, decisions and resolutions of the Executive Committee;
- h) to examine, and approve the balance-sheets, financial statements and reports, as well as the budget for the forth coming year, presented by the Treasurer and/or Executive Committee.
- i) to decide applications for affiliation with C.E.B., in accordance with the provisions of Article 14 above;
- j) to be informed of and, in accordance with the Rules for the Resolution of Disputes and Lodging of Appeals, decide disputes which may occur between affiliated Member federations, associations or organizations;
- k) to place competitions under the jurisdiction of the C.E.B.;
- l) to establish the C.E.B. annual membership fee for the Members as proposed by the Executive Committee;
- m) to confer upon Member federations, associations or organizations and/or individual Members such honours and awards as may be appropriate in accordance with the By-Laws, rules, regulations and policies of C.E.B.;
- n) to delete all or part of any By-Laws, rules, regulations or policies promulgated by the Executive Committee, by not less than a 51% vote of Congress Delegates with the right to vote present at a valid meeting of Congress;
- o) to reform, revise or amend these Statutes, by an affirmative vote of not less than two-thirds of the Members present and entitled to vote, subject to the provisions of Article 28;
- p) to exercise any and all other rights conferred on the Congress by these Statutes or by the By-Laws, rules and regulations of C.E.B.;
- q) to confirm or fix the venue and date of the next Ordinary Congress;
- r) to approve C.E.B. Honorary positions proposed by the Executive Committee.

THE ELECTORAL PROCEDURE

Article 32. - C.E.B. Congress elections of the Executive Committee shall be carried out, once every four years, during the C.E.B. Ordinary Congress that is celebrated in the year following the holding of the Games of the Olympiad.

Article 33. - The Election process and procedures shall be in accordance with the C.E.B. By-Laws Regarding Elective Positions.

THE EXECUTIVE COMMITTEE

Article 34. - The management and administration of all C.E.B.'s activities shall be the responsibility of an eleven (11) member Executive Committee consisting of:

- a) a President;
- b) three (3) Vice Presidents: First, Second and Third;
- c) a Secretary General;
- d) a Treasurer;
- e) five (5) Members-at-Large.

Article 35. - All of the elected positions on the C.E.B. Executive Committee shall, subject to the provisions of Article 37 below, be for a term of office of four (4) years, commencing immediately after the elections have been concluded and ceasing immediately prior to the next elections for the entire Executive Committee being held. Each individual serving in an elected position can be re-elected to a new Executive Committee. An individual serving in an elected position will automatically be deemed to be a candidate for the same position in the next elections for the entire Executive Committee, unless he/she has withdrawn his/her candidacy in accordance with the By-Laws Regarding Elective Positions.

Article 36. - All the members of the Executive Committee, elected by the Congress, shall belong to different Members of C.E.B.. However, each individual serving in an elected positions, serves in his/her personal capacity and not as a representative of the country in which they reside or their respective Member. A member of the Executive Committee may resign from or be suspended from his/her position in accordance with the By-Laws Regarding Elective Positions. In the event of the death, suspension or resignation of a member of the Executive Committee, or his/her inability to serve due to lengthy illness, his/her vacant position shall be filled in accordance with the By-Laws Regarding Elective Positions.

Article 37. - The members of the Executive Committee shall exercise their honorary duties, with no right to receive any kind of remuneration, but the right to be reimbursed their actual expenses incurred in the function of their duty. They cannot serve, at a C.E.B. Ordinary or Extraordinary Congress, as a Delegate of a Member affiliated with C.E.B..

Article 38. - The Executive Committee shall ordinarily meet at least three times a year, and extraordinarily meet during the year upon request of the President, when he considers it necessary, or upon written request, setting forth the issue(s) to be discussed, of at least six of the members of the Executive Committee or at least half plus one of the Members of C.E.B.. In the cases of a request of an extraordinary meeting, as aforesaid, the meeting must be held within thirty days of the request. The President shall decide the location, and set the date and time at which the meetings of the Executive Committee must be held, and the Secretary General shall send a written summons to all members of the Executive Committee. Said summons shall be sent at least thirty (30) days before the scheduled commencement date of each ordinary meeting and at least twenty.(20) days before the scheduled commencement date of each extraordinary meeting.

Article 39. - In extraordinary emergency circumstances and not as a matter of general practice, the President will be entitled to seek the opinion and receive the votes of the members of the Executive Committee on a specific subject, by means of a letter, fax or email instead of formally convening a meeting, by sending a copy of the request and other pertinent information and documents to all the members of the Executive Committee. Thereafter the members of the Executive Committee must communicate their vote in writing within seven days of communication of said request. In such case, a resolution or decision will require a majority vote of all members of the Executive Committee to be considered approved.

Article 40. - Each member of the Executive Committee shall, on each issue presented at the Executive Committee meeting, have the right to express his/her opinion and vote and the decisions shall be adopted on a majority basis. In the case of a tie, the President shall have the casting vote. Notwithstanding the foregoing, a member of the Executive Committee shall be entitled to take part in discussions specifically pertaining to the country in which they reside or to the country's federation, but shall not be entitled to vote on the issue/s raised nor be present at the vote.

Article 41. - The quorum for the purpose of the Executive Committee holding a meeting shall be constituted upon the presence, at the commencement of the meeting, of at least six of its members, for purpose of determining the existence of a quorum an Ex-Officio member will not be counted. In the absence of a quorum, the Executive Committee, duly convened, may nevertheless conduct the meeting and pass resolutions by an affirmative vote in favour of at least five of its members.

Article 42. - The Executive Committee's prime responsibility is C.E.B.'s management, administration and organization when the Congress is not in session as well as implementing and applying the mandate of the Congress.

The duties of the Executive Committee shall be:

- a) to comply with and implement the C.E.B. Statutes and By-Law and cause the Members to do likewise;
- b) to resolve all matters of general interest and particular points that might be put forward by C.E.B. Members and which are not covered by these Statutes and to take such decisions as may be necessary in cases of emergency, which shall come into force immediately;
- c) to control the good functioning of C.E.B. and baseball, in Europe, and to obtain its improvement and progress;
- d) to organize and prepare for Ordinary and Extraordinary Congresses, subject to the provisions of these Statutes;
- e) to take sanctions against Federations, Associations or Organizations when they fail to observe or are in breach of these Statutes, By-Laws and the rules, regulations and policies of C.E.B., or to temporarily suspend a Member in accordance with Articles 20 d);
- f) to approve and compile baseball records achieved in competitions under the jurisdiction of C.E.B., once they have been confirmed by the party responsible for scoring and the Technical Commission;
- g) to do everything possible to maintain harmony between C.E.B. Members and to decide, without prejudice, on each dispute between them which has been referred to the Executive Committee to decide;
- h) to comply with and implement all decisions of the Congress;
- i) to give maximum cooperation and support to C.E.B. Members when, on matters of principle, they have difficulty with official or private bodies in their country, and they put at risk the stability or authority of C.E.B.. The Executive Committee can appoint one of its own members to go to the country in question and provide moral support and assistance that may be necessary;
- j) to handle all matters related to disputed competitions under the jurisdiction of C.E.B. and ensure that the same are conducted in strict compliance with the By-Laws, rules and regulations in force;
- k) to review and recommend the annual budget for submission to and approval of the annual Ordinary Congress;
- l) to review and recommend the balance sheets, financial statements and annual reports on C.E.B.'s financial activities and status, after same have been duly audited, for submission for approval of the annual Ordinary Congress;
- m) to deal with the applications for affiliation as a Member of C.E.B. in accordance with these Statutes;
- n) to establish Commissions, Subcommissions and work groups and appoint their respective members;
- o) to appoint, upon the President's recommendation, the Chairmen of the Commissions and Subcommissions;
- p) to decide, upon the President's proposal, the employment of C.E.B. office staff, including an Executive Administrator;
- q) to propose motions to the Congress;
- r) to keep the IBAF informed concerning the activities of C.E.B.;

- s) to approve an Ex-Officio member of the Executive Committee, in accordance with the provision of Article 52;
- t) to approve sites of all C.E.B. competitions and to nominate technical commissioners for specific competitions, who shall act as members of the Technical Commission for the specified competitions;
- u) subject to the approval of the Congress, to consider and take all necessary decisions in respect of matters, not otherwise specified above, relating to the conducting of C.E.B. business and the furthering of its interest;
- v) to approve the Continental Vice President to the IBAF proposed by the President, in the event the President is unable to serve in such capacity;
- w) to propose an international recognized auditing firm as a candidate to be selected by the Congress to audit the books of C.E.B.

Article 43. - The Executive Committee shall decide the tasks to be assigned to each of its members.

Article 44. - All travel, board and lodging expenses, of the members of the Executive Committee in the exercise of their duties shall be paid by C.E.B..

Article 45. - All the members of the Executive Committee shall attend the Congresses and have the right to speak but no right to vote.

THE PRESIDENT

Article 46. - The President is the legal representative of C.E.B. and his duties and responsibilities are:

- a) to officially represent C.E.B. in accordance with the provisions of these Statutes, and By-Laws, rules, regulations and policies of C.E.B.;
- b) to summon and preside at the sessions of all Congresses and the Executive Committee and to sign the corresponding minutes together with the Secretary General;
- c) to prepare together with the Secretary General and the Treasurer an annual report describing the C.E.B. and Executive Committee activities during the prior year. This report shall be distributed to all the members of C.E.B. together with the agenda of the respective Congress;
- d) to manage and supervise the execution and implementation of the decisions of the Congresses and the Executive Committee, and to present to the latter such reports as may be requested by its members;
- e) to be the responsible for the public image of C.E.B.;
- f) to sign all C.E.B. contracts following their respective approval by the Executive Committee;
- g) to propose to the Executive Committee the designation of an Ex-Officio member of the Executive Committee in accordance with the provisions of Article 52;
- h) to propose to the Executive Committee the appointment of the Chairmen of the C.E.B. Commissions, Sub-commissions and work groups;
- i) to appoint persons to be responsible for carrying out investigations required by C.E.B.;
- j) to propose to the Executive Committee the number of staff personal for the C.E.B. office, including Executive Administrator;
- k) to perform such other functions and carry out such other tasks as may be provided for in these Statutes and the C.E.B. By-Laws, rules, regulations and policies or entrusted to him/her by the Congress;
- l) to propose the European Continental Vice President for the IBAF, in the event the President of C.E.B. is a member of the IBAF Executive Committee in another capacity and is thus unable to serve as the Continental Vice President.

THE VICE PRESIDENTS

Article 47. - The First Vice President shall, subject to the provisions of the By-Laws Regarding Positions, replace the President in the event the latter being incapacitated or temporarily absent from his/her position for any other reason. If necessary, the Second Vice President shall replace the First Vice President and, in turn, the Third Vice President the Second one, in order to exercise the powers of presidency, due to the fact that the others are unable to do so, all subject to the provisions of the By-Laws Regarding Elective Positions. In any of the foregoing events of incapacity or temporary absence, the Executive Committee shall be informed immediately of such occurrence by the Secretary General.

Article 48. - The Executive Committee shall assign to each of the Vice Presidents specific tasks with specific responsibilities related to the functioning of C.E.B..

THE SECRETARY GENERAL

Article 49. - The duties and responsibilities of the Secretary General are:

- a) to send out the summons to attend the Congresses and the meetings of the Executive Committee. The summons shall include a detailed agenda and all data and information necessary for proper, informed consideration of issues to be discussed and voted upon during the course of the Congress and Executive Committee meetings;
- b) to draw up the minutes of the sessions of the Congress and the Executive Committee, jointly signing them together with the President;
- c) to transcribe the minutes of the Congresses and the Executive Committee meetings and send them, within thirty days of the end of the meetings, in the official C.E.B. languages to all the regular members of each organ for review and comments;
- d) to receive all suggestions, proposals, requests and inquiries and to inform the President about them, thereafter advising the members of the Executive Committee of the actions taken;
- e) to supervise the receipt of all the correspondence addressed to C.E.B., its processing and filing in the central office, and to supervise the functioning of the office staff in this connection;
- f) to send out all legal and official documents that the Executive Committee or the President may instruct him to and, subject to Executive Committee approval, such certifications or confirmations, as the Members of C.E.B. may request;
- g) to obtain from Members and maintain records of national competitions and the results of the same, as well as the number of clubs, ballplayers (according to Juvenile, Cadet, Junior and other categories), umpires, fields and other pertinent information;
- h) to maintain the informations of all Members as well as of all members of the Executive Committee, Commissions and Subcommissions and to assist in establishing a C.E.B. internet website and providing and maintaining current, accurate and complete information on the website;
- i) to perform all the other tasks that these Statutes, the C.E.B. By-Laws, rules and regulations empower or require him/her to perform as well as all other tasks which the Executive Committee shall specifically entrust to him/her.

THE TREASURER

Article 50. - The duties and responsibilities of the Treasurer are:

- a) to deal with all financial matters related to C.E.B.'s management, organization and administration;
- b) to keep the books containing all entries relating to the assets and liabilities, income and expenditures of C.E.B.. The books shall be audited by the auditing firm. For such purposes the Treasurer shall make all C.E.B. books and records available to the auditing firm and to cooperate with and assist the firm in carry-

ing-out of its auditing function;

- c) to open, together with the President and on behalf of C.E.B., bank accounts and keep them up-dated, including designation of the authorized signatory(ies), all as approved by the Executive Committee;
- d) to supervise accounts management relating to C.E.B.'s office staff and the receipt of all accounting documents and supervise their processing and filing;
- e) to ensure and control the receipts of all fees, fines and charges from Members, as determined by the Ordinary Congress or Executive Committee, and to keep the Members currently advised of their account statement regarding C.E.B.. The C.E.B. Treasurer shall, for the purpose of reminder, send an invoice for annual membership fee to each Member by not later than November 30 of the year prior to which the membership fee relates;
- f) prepare the balance sheets, the financial statements, the financial reports and budget for the forthcoming year for submission, review and approval of the Executive Committee;
- g) to remit to the President monthly written reports on income and expenditures and remit said reports to the Executive Committee for review prior to each Executive Committee meeting;
- h) to control the implementation of financial aspects of contracts and agreements entered into with the Members of C.E.B. and with third parties, and inform the President and Executive Committee thereof;
- i) to control the financial and merchandising aspects of all competitions falling under the jurisdiction of C.E.B. and propose to the President, whenever he deems this necessary, the appointment of a representative charged with checking the fulfilment of the financial commitments contracted with C.E.B. by the corresponding organizing committee;
- j) send out the vouchers relating to C.E.B.'s income and expenditures whenever necessary or required by the Statutes;
- k) to perform all the other tasks that these Statutes, the C.E.B. By-Laws, rules and regulations empower or require him/her to perform as well as all other tasks which the Executive Committee shall entrust to him/her.

THE MEMBERS-AT-LARGE

Article 51. - The Members-at-Large shall perform the functions and specific tasks which the Executive Committee shall, from time to time, assign to the Members-at-Large, including participation in one or more Commissions or Subcommissions.

THE EX-OFFICIO MEMBER OF THE EXECUTIVE COMMITTEE

Article 52. - In the event a European country is selected to host the Games of the Olympiad, the President shall propose to the Executive Committee an individual, representing baseball in the host country, to act as an Ex-Officio member of the C.E.B. Executive Committee until conclusion of the subject Games of the Olympiad. After considering the Presidents proposal, the Executive Committee shall approve the nomination.

Article 53. - The Ex-Officio member, approved in accordance with the provisions of Article 52, shall be entitled to attend all meetings of the Executive Committee and to speak in respect of all C.E.B. matters pertinent or related to the conducting of baseball competition as part of the Games of the Olympiad. The Ex-Officio member shall not however, be entitled to vote on any matter to be determined by the Executive Committee.

THE COMMISSIONS, SUBCOMMISSIONS AND WORK GROUPS

Article 54. - The Commissions, Subcommissions and work groups of C.E.B. are to be delegated by the Executive Committee with the purpose to carry out the functions of organizing and controlling the competitions, the technical aspects, the promotion and development of baseball in Europe, the legal and other aspects which may be specified in these Statutes or regulations governing the respective Commission, Subcommission

and Work Groups.

C.E.B. will, at least, have the following Commissions and Subcommissions: Medical Commission, Legal Commission, Technical Commission and the Umpires Subcommission.

The Executive Committee may, from time to time, set up other Commissions, Subcommissions and Work Groups to carry out specific tasks decided by the Executive Committee. All Commissions, Subcommissions and Work Groups shall report to the Executive Committee.

Article 55. - All the members of the Commissions and Subcommissions shall be designated by the Executive Committee, as a rule on the basis of criteria of expertise and experience, at the first meeting of the Executive Committee following its election. The President and Secretary General are automatically members of all Commissions and Subcommissions

Article 56. - The mandate of the Commissions, Subcommissions and Work Groups members shall begin the day when they are designated by the Executive Committee and shall be terminated by decision of the Executive Committee or election of a new Executive Committee by the Congress.

Article 57. - The Chairmen of C.E.B. Commissions shall attend all Congresses, having the right to speak but no right to vote. The Chairmen of the Commissions, Subcommissions and Work Groups shall attend the meetings of the Executive Committee whenever their presence will be of assistance in discussing and resolving matters on the agenda and they are requested to attend.

Article 58. - All members of the Commissions, Subcommissions and Work groups shall carry out their voluntary functions with no right to receive any kind of remuneration. The expenses of said members, to enable them to carry out their functions and subject to prior authorization by the Executive Committee, including travel, board and lodging shall be paid by C.E.B.. With prior approval of the Executive Committee, a Commission, Subcommission or work group may retain (at a charge/fee) or otherwise use the services of an outside expert to provide advice and assistance to the Commission, Subcommission or work group in the performance of its task.

THE MEDICAL COMMISSION

Article 59. - The Medical Commission is responsible for the medical aspects, including the matter of use of drugs, as same relate to the control, organization and playing of baseball within the jurisdiction of C.E.B.. The Medical Commission shall be comprised of three individuals, with a medical background and of whom one shall be designated by the Executive Committee, on the C.E.B. President's proposal, as the Chairman.

THE LEGAL COMMISSION

Article 60. - The Legal Commission shall be composed of up to three individuals, who have a legal background, and of whom one shall be designated by the Executive Committee, on the President's proposal, as the Chairman.

The responsibilities of the Legal Commission shall be:

- a) to analyze and inform the Executive Committee of amendments to these Statutes and/or By-Law, which the Legal Commission deems necessary, and to advise the Executive Committee of any other legal matter affecting the functioning of C.E.B.;
- b) to report to the Executive Committee the conclusion deriving from legal, statutory or regulatory consultations requested by or to be submitted to the Executive Committee or to the Congresses;
- c) to act in the course of electoral proceeding of C.E.B., as specified in the By-Laws Regarding Elective and Ratified Positions;
- d) to receive through the Executive Committee, and review any appeal regarding a penalty or sanction that has been imposed on any Member or affiliated federation, association or organization. On completion of its review, the Legal Commission shall advise the Executive Committee as to its findings, so as to permit the

Executive Committee to bring the matter, if necessary, to the attention of the next Congress, for final determination;

- e) upon request of the Executive Committee, to interpret the provisions of these Statutes, By-Laws, rule and regulations of C.E.B. in the event dispute relating to these Statutes, or such By-Laws, rules and regulations or versions thereof;
- f) upon request of the Executive Committee, to review any legal/contractual document pertinent to C.E.B. and to advise the Executive Committee as to its findings;
- g) to consider amendments to these Statutes, By-Law, Rules and Regulations proposed by any Members or the Executive Committee and to report its findings to the Executive Committee for its determination;
- h) to perform all other legally related tasks which the Executive Committee specifically entrust to the Legal Commission.

THE TECHNICAL COMMISSION

Article 61. - The Technical Commission shall be responsible for the technical aspects of all competitions under C.E.B.'s jurisdiction and its responsibilities are defined in the prevailing C.E.B. "Internal Rules".

The Executive Committee, on proposal of the President, shall appoint a Chairman, Secretary and Scoring Director from among the members of the Technical Commission. The Chairman of the Technical Commission will attend all the meetings of the Executive Committee and attend all Ordinary and, unless otherwise advised by the Executive Committee, Extraordinary Congress, where he shall have the right to speak in an advisory capacity, but with no right to vote on any matter. No member of the C.E.B. Executive Committee nor member of a Member's executive (or similar) committee may be appointed nor serve on the Technical Commission.

THE UMPIRES SUBCOMMISSION

Article 62. - The Umpires' Subcommission shall be composed of three members, among which the Executive Committee on proposal of the C.E.B. President shall appoint one as its Chairman.

The Umpires' Subcommission shall report, in writing, directly to the Executive Committee with a copy to the Technical Commission.

The Umpires' Subcommission has the responsibility to assist with promoting the training of competent umpires throughout Europe through the National federations.

The Chairman of the Umpires' Subcommission will assist as an adviser to the Technical Commission meetings with the right to speak but no right to vote.

THE WORK GROUPS

Article 63. - The Executive Committee or President has the power, consistent with the provisions of these Statutes, to designate a work group/s for the purpose of dealing with a specific project. The work group shall be comprised of member/s of the Executive Committee and/or other qualified individuals, of whom one shall be designated by the Executive Committee, on the President's proposal, as the Chairman. The work group shall periodically report to the Executive Committee, on the work groups progress, developments and accomplishments.

THE EXECUTIVE MANAGEMENT

Article 64. - The Executive Committee has the power, consistent with the provisions of these Statutes, to hire a staff and/or Executive Administrator, for the purpose of maintaining the C.E.B. office in Lausanne, Switzerland, and carrying out administrative functions designated to it by the Executive Committee and/or the President, the Secretary General or Treasurer.

CHAPTER VI - BY-LAWS, RULES, REGULATIONS AND POLICIES

Article 65. - The Executive Committee has the power, consistent with these Statutes, to make By-Laws, Rules, Regulations and policies for the efficient functioning of C.E.B. and all its activities, including, but not limited to Disciplinary Rules, Rules for the Resolution of Disputes and Lodging of Appeals, Rules of Conduct, Protocol Rules and Rules for the Application of a Code of Ethics.

Article 66. - In order to have effect, all By-Laws, Rules and Regulations must be adopted by a 2/3 majority vote of Executive Committee members present at a valid meeting of the Executive Committee.

Article 67. - The By-Laws, Rules, Regulations and policies, once approved by the Executive Committee, shall come into immediate effect or at such other time as determined by the Executive Committee.

Article 68. - The Congress may disallow, in whole or in particular section, part or clause, Executive Committee made By-Laws, Rules, Regulation and/or policies, upon an affirmative vote of one-half plus one Members present at a valid meeting of the Congress.

Article 69. - All Member federations, associations or organizations shall be informed of the adoption by the Executive Committee of any and all By-Laws, Rules, Regulations and major policies, within thirty (30) days of their adoption.

CHAPTER VII - DISCIPLINARY MATTERS

Article 70. - The penalties that may be imposed for non-compliance with or breach of the C.E.B. Statutes, By-Laws, rules, regulations and policies, shall be as set forth in C.E.B. By-Laws or Rules to be determined by the Executive Committee.

Article 71. - Unless otherwise specified in such By-Laws or Rules, disciplinary actions may be taken and penalties imposed by:

- a) the Congress and the Executive Committee in respect of any Member, including individuals;
- b) any Member. The C.E.B. Member may also, within the limits of their territorial jurisdiction, suspend any manager, official, coach or individual from their country infringing these Statutes or C.E.B.'s By-Laws, Rules, Regulations and policies.

Article 72. - Unless otherwise specified in such By-Laws or Rules, any penalty imposed by the Congress or the Executive Committee, must, subject to right of appeal to the Executive Committee of IBAF, be respected by the C.E.B. Members once it has been officially communicated by the Secretary General to the Members. Any penalty imposed by a Member must, subject to the right of appeal to the C.E.B. Executive Committee, be respected by all other Members once the penalty, and reason for same, have been officially communicated by the Member to the C.E.B. Secretary General and, in turn are communicated by the Secretary General to the Members.

Article 73. - Any final decision made by an organ of C.E.B., may be the object of appeal arbitration proceedings before the IBAF Executive Committee in accordance with its Rules for Resolution of Disputes and Lodging of Appeals.

CHAPTER VIII - TO INTERNATIONAL PLAY, INTERNATIONAL PLAYER TRANSFER AND NATIONALITY

Article 74. - The purpose of Articles 64 to and including 67 of the IBAF Statutes, pertaining to international play, international player transfer and nationality, are hereby incorporated by reference in these C.E.B. Statutes and shall apply with equal force to all C.E.B. sanctioned games, tournaments and players.

CHAPTER IX - MERCHANDISING

Article 75. - C.E.B. is the only entity authorized to use, for advertising or merchandising purposes, the names, brands, logos, publications heads, emblems and symbols of C.E.B.. Any use of these elements by other than C.E.B. must be specifically authorized, in writing, by C.E.B.'s President prior to such use. The Executive Committee should be advised of such authorization.

CHAPTER X - INCOME AND ASSETS

Article 76. - The financial year of C.E.B. begins the first day of January of each year and ends on the last day of December of the same year.

Article 77. - C.E.B.'s income shall derive from:

- a) the revenue of the annual membership fees of each affiliated Member;
- b) the fees derived from competitions taking place under its jurisdiction, including subscription fee paid by participants in same;
- c) the fees charged for television, internet and radio rights;
- d) all income derived from donations by third parties and/or other sources (including the International Olympic Committee and IBAF);
- e) the amounts specified in contracts signed by the President relating to competitions taking place under C.E.B.'s jurisdiction and those derived from the participation in same;
- f) the amount specified in sponsorship contracts signed by the President.

The Executive Committee shall be responsible for determining, subject to the approval of the Congress, the fees and charges specified in Articles 77 a), b) and c).

Article 78. - C.E.B.'s assets consist of

- a) the names «European Baseball Confederation», «Confederation Europeenne De Baseball», the C.E.B. internet website «www.europeanbaseball.org»², the acronym «C.E.B.» and the existing logos and brands of the organization and all those that may be created in the future;
- b) the C.E.B. official competitions and tournaments and others that can be created with this character;
- c) the balances sheets of the current bank accounts in its name;
- d) all assets material, physical or of any other kind, personal and real estate properties, included by reason of existence of the C.E.B. head office in Lausanne, Switzerland and any other C.E.B. office wherever located.

CHAPTER XI - AUDITING FIRM

Article 79. - An internationally recognized auditing firm shall be approved by the Congress, immediately following the normal elections of an entirely new Executive Committee. The approved auditing firm shall serve for a term of four (4) years and shall independently audit the financial books, records and practices of C.E.B.. In addition, to reporting its findings to the each Congress, the auditing firm shall periodically report their findings to the Executive Committee, as requested.

Article 80. - For the purpose of performing its duties, the auditing firm shall, each year, be given free and unhindered access to the books and records of C.E.B. and all necessary assistance from the Treasurer and other members of the Executive Committee.

CHAPTER XII - DISSOLUTION OF C.E.B.

Article 81. - C.E.B. may be dissolved, on proposal of the Executive Committee, at an Extraordinary Congress convened for the purpose of determining the matter, provided that not less than three-quarters (75%) of the Members of C.E.B., entitled to vote, affirm the proposition.

Article 82. - In case of dissolution C.E.B., the C.E.B. assets should, after satisfying all C.E.B. debts be transferred to another association or foundation which works towards similar goals and aims.

CHAPTER XIII - LANGUAGES

Note: ² The correct registered name of the C.E.B. Web Site is "www.baseballeurope.com"

Article 83. - C.E.B.'s official languages shall be French and English. These Statutes and all By-Laws, Rules and Regulations shall be translated and furnished to the C.E.B. members in English and French versions. In the event of a discrepancy or conflict between the versions, the French version shall prevail.

CHAPTER XIV - REFORM OF THE STATUTES

Article 84. - These Statutes may be revised at an Ordinary or Extraordinary Congress, provided that no less than 2/3 of the Members entitled to vote are present at the Congress and that no less than two thirds of those Members vote in favor of the proposed revision.

Article 85. - A revision of these Statutes may be proposed by the Executive Committee or any Member, provided that a Member initiated proposed revision must be transmitted, in writing to the Secretary General not later than four months year prior to the next Ordinary Congress.

Article 86. - The proposed revision/s of the Statutes shall be transmitted by the Secretary General to all affiliated Members not less than thirty (30) days prior to the date of the opening of the Congress at which the proposed revision/s is to be submitted for approval.

CHAPTER XV - MISCELLANEOUS PROVISIONS

Article 87. - In the event of an irreconcilable dispute between C.E.B. members, arising under these Statutes or C.E.B. By-Laws, the Executive Committee shall encourage the parties to resolve the dispute by Subcommission of the issue to the Executive Committee of IBAF in accordance with its Rules for the Resolution of Dispute and Lodging of Appeals.

Article 88. - These Statutes save for the provisions relating to the Treasurer and his functions, and any future amendments shall be deemed to come into force on the date of their respective approval by the Congress of Members. The provisions relating to the Treasurer and his functions shall be deemed to come into force at the commencement of the year 2005 Ordinary Congress, it being understood, however, that the provisions of the By-Law Regarding Elective Positions, relating to the nomination of candidates for the position of Treasurer shall be deemed to come into force on the date of approval of such By-Laws by the Congress of Members.

Madrid, February 7th, 2004

Signed by:

Aldo Notari – C.E.B. President

Gaston Panaye – C.E.B. Secretary General