

**CONSTITUTION  
OF THE  
“TRI-SPORTS SAMOA ASSOCIATION  
INCORPORATED”**

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1. **NAME** – The name of the association is TRI-SPORT SAMOA ASSOCIATION (TSA)
2. **OBJECTS** – The objects for which this association is established are:
  - a. To engage in, promote, sponsor, develop and encourage multisport in Samoa, which include one or more disciplines of swimming, cycling, running and athletics.
  - b. To affiliate all athletes in Samoa who are willing to abide by the association’s laws and rules.
  - c. To organize regular training sessions, races, events and other competitions in Samoa for the activities listed in a), paying particular attention to the development of interest among local school children and youth of Samoa.
  - d. To promote and organize training courses to develop athletes, coaches, technical officials and administrators within Samoa.
  - e. To formulate and implement appropriate policies relating to sexual harassment, equal opportunity, drugs in sport, health, safety, infectious diseases, equity and such other matters as arise from time to time as issues to be addressed in triathlon in Samoa.
  - f. To formulate and implement a Child Safeguarding policy which ensures children are safe and protected from all forms of abuse, harm and neglect while participating in triathlon.
  - g. To formulate and implement an Accessibility Policy which ensures quality opportunities for people with disabilities at all levels of triathlon in Samoa.
  - h. To aim to ensure a high standard and quality of events promoting the sport of triathlon for all people who live in Samoa, being mindful of the need to carry out all functions in a manner that promotes equality of opportunity between: all genders, persons of different religious beliefs, political opinions, racial groups, age, marital status, sexual orientation and economic status.
  - i. To co-operate and affiliate with other organizations whose objectives support and do not conflict with those of Tri-Sport Samoa.
  - j. To use the funds of the association in such a manner as may be considered necessary or proper in carrying out the objects of the association.
  - k. To operate exclusively as a non-profit organization without financial gain to the members. All profits and other accretions to the assets of the association shall be accumulated and used to promote the above listed objects of Tri-Sport Samoa.
  - l. To strive to make triathlon an affordable activity for all interested persons in Samoa. As such, the association will make its community races and events free of charge to all.

### 3. Membership

- a. Application for membership is open to all. The Executive may refuse or remove membership with reasonable cause. (See Section 6.)

All members will be subject to the regulations of the constitution and by joining Tri-Sport Samoa will be deemed to accept these regulations and codes of practice that Tri-Sport Samoa has adopted.

- b. Members will be enrolled in one of the following categories:

- Senior Member - Any person over age 18, who resides in Samoa. Once they move to reside outside of Samoa, they become an Associate Member.
  - Junior Member – Any person under 18 on date of application/renewal, who resides in Samoa. Once they move to reside outside of Samoa, they become a Junior Associate Member.
  - Associate Member – Open to any person who resides outside of Samoa. Cannot vote or hold office in Tri-Sport Samoa. Cannot represent Tri-Sport Samoa except with specific approval granted by the Executive Board on every individual occasion.
  - Life Member – The Executive Board may admit as a Life Member, a person who has rendered outstanding service to the cause of triathlon in Samoa. The person does not have to be residing in Samoa. Life Members can vote but cannot hold office in Tri-Sport Samoa.
- c. Membership fees will be set annually and agreed by the Executive Board. Fees will be paid by annual subscription and due on January 31<sup>st</sup>. TSA will strive to make membership affordable to all.
- d. Cessation of Membership – A person ceases to be a member of the association if the person:
- i) dies
  - ii) resigns their membership
  - iii) is expelled from the association
  - iv) does not pay their annual subscription fee by June 30<sup>th</sup> of that year.

**4. Management** – The management of the association shall be undertaken by the Executive Board which is made up of the Officers, an additional THREE Executive members, the Team Manager and the Head Coach.

- a. The officers of the association shall be:
- President
  - Vice President
  - Secretary
  - Treasurer
  - Athlete Representative (can have TWO, one male and one female)
- b. All officers and additional THREE executive members shall be elected at each Annual General Meeting.
- c. Only Senior Members can be on the Executive Board.
- d. Each member of the Executive Board must declare any possible conflict of interest when they take up office.
- e. All members of the Executive Board (except for Team Manager and Head Coach which are positions dependent on international certification requirements etc) will serve a term of one year and then step down. They are then eligible to stand for re-election for any Executive Board position.

- f. As appropriate, the Executive Board may appoint members throughout the year to key positions as needed and they can then participate in Executive Board meetings. Examples of such key positions are:
  - Race Director
  - Team Physiotherapist
  - Fundraising Manager
  - Equipment Manager/Bike Mechanic
  - Development Officer
- g. In the event of a casual vacancy occurring in the Executive Board, they may appoint a member of the association to fill the vacancy until the next AGM is held.
- h. Executive Board meetings shall be held at least once in every 3 months. Additional meetings of the Executive Board may be convened by the president or by any member of the Board.
- i. Oral or written notice of a meeting of the Executive Board shall be given to each member of the Board at least 24 hours before the time appointed for the meeting.
- j. The quorum for business to be agreed at Executive Board meetings will be FIVE.
- k. The Executive Board will be responsible for adopting new policy, codes of practice and rules that affect the organization of the Association consistent with this constitution.
- l. The Executive Board will be responsible for disciplinary hearings of members who infringe the Association rules or the constitution. The Executive Board will be responsible for taking any action of suspension or discipline following such hearings.
- m. The Executive Board is responsible for ensuring all obligations are met with MCIL to maintain the association's good standing as specified under the Samoa Incorporated Societies Ordinance 1952.

## 5. Annual General Meeting

- a. The Annual General Meeting of the Association shall be held each year. At least 10 days written notice (via email etc.) of such AGM will be given to members by the Secretary.
- b. All members of Tri-Sport Samoa can attend the AGM.
- c. The AGM will receive a report from officers of the Executive Board and a statement of audited accounts.
- d. Elections of officers and Executive Board members are to take place at the AGM. Prospective candidates must be proposed and seconded by two members of the association who have the right to vote.
- e. The quorum for AGMs will be twenty percent of members.
- f. The Executive Board has the right to call Special General Meetings (SGM) outside the AGM. An SGM may also be called if at least 10 members propose it. They will make written application to the Secretary, with an agenda for the SGM. The President must move to hold this SGM within 30 days of receiving the written application. If not, then the members can proceed with holding the SGM. If the President refuses to

chair the meeting, then any other member can be nominated to do so, by those who signed the written application. Procedures for SGMs will be similar to the AGM.

## **6. Discipline and Appeals**

If the conduct of any member is such as to endanger the character, good order, welfare or interest of the association, it shall be in the power of the Executive Board to conduct such a hearing or an investigation as the Executive Board deems warranted, and to take the following action after that member has been heard:

- a. Expel the member, or
- b. Suspend the member from taking part in the association's activities for such period as the Executive Board may specify, or
- c. Where the misconduct took place during an event or competition conducted by the association, disqualify the member from that competition or event, as the case may be, or
- d. Reprimand the member.

All concerns, allegations or reports of poor practice/abuse relating to the welfare of children and young people will be responded to in accordance with the Association's Child Safeguarding Policy. (See Appendix 1).

## **7. Finances**

- a. The funds of the association shall be derived from membership fees, donations, sponsorship, fundraising and such other sources as the Executive Board determines.
- b. All money received by the Association shall be deposited into the Tri-Sport Samoa Association's bank account.
- c. All money received shall be receipted.
- d. The Executive Board will authorize payments of association expenses.
- e. The Treasurer will be responsible for the finances of the Association and keep proper accounts.
- f. Any cheques must be signed by the Treasurer and one other Executive Officer.
- g. The financial affairs of the Association shall be audited at least once in every period of 12 months by an independent auditor appointed by the Executive Board.
- h. The Executive Board shall prepare and present a proposed annual budget for the association at the AGM.

## **8. Athlete Representative(s)**

- a. Shall be elected at an AGM or a SGM.
- b. Must be active athletes in Tri-Sport Samoa.
- c. Must be age 18 or over.
- d. Where possible, there should be TWO – one male and one female.
- e. Shall attend Executive Board meetings and have all voting rights as per the rest of the Board.
- f. Shall present an athlete's report to all AGM, SGM, and Executive Board meetings.
- g. Shall meet regularly with both the National Squad and the Development Squad, for the purposes of hearing their concerns and ideas for the future development of the sport.

- h. Shall ensure all athletes in Tri-Sport Samoa are informed of their constitutional rights as members of Tri-Sport Samoa, and educated as to what opportunities and services are available to them through national, regional and international sporting bodies.
- i. Shall at all times, advocate for all athletes in Tri-Sport Samoa.

**9. Amendments**

The constitution will only be changed through agreement by two-thirds majority vote at an AGM or a SGM.

10. **The common seal** of the association shall be kept in the custody of the Secretary.
- a. The common seal shall only be used by the authority of the Executive Board and the affixing of the common seal shall be attested by the signatures of TWO members of the Executive.

**11. Dissolution**

A resolution to dissolve the association can only be passed through a two-thirds majority vote of the membership at an AGM or a SGM. In the event of dissolution any assets of the Association that remain will be distributed to other sporting organizations with similar objectives.

**Registered Office** – The registered office of Tri-Sport Samoa is located at Young Steel Office Complex, Vaitele.

## **Child Safeguarding Policy: Tri-Sport Samoa Association**

Children have the right to take part in sport in a safe, positive and enjoyable environment. This policy will assist Tri-Sport Samoa to ensure everyone involved is aware of their rights and responsibilities in relation to children, and that children are safe and protected from all forms of abuse, harm and neglect while participating in triathlon.

This policy is breached when any person engages in prohibited conduct such as child abuse, grooming, misconduct with a child, or they do not comply with the requirements outlined under this policy. Failure by anyone to report alleged misconduct, is also a breach of this policy.

(Further explanatory details and specific examples of what safe child practices in sport look like will be added at a later date by Tri-Sport Samoa.)

Who does this policy apply to? – Everyone involved in Tri-Sport Samoa including participants, contractors, coaches, officials, event volunteers, and support personnel.

The following actions are breaches of the Child Safeguarding Policy:

- Child abuse, including physical, emotional, sexual and psychological abuse.
- Grooming – when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them.
- Misconduct with a child, including age-inappropriate behavior, or behavior that places the child at risk of harm.
- Asking a child to keep any communication secret from their parents etc.
- Supplying alcohol, drugs, tobacco, or medicines, except with appropriate consent and under a valid prescription.
- Failing to comply with screening requirements.
- Failing to report a breach of prohibited conduct. i.e if you see it, you MUST report it.
- Breaching the child safe practices that cover actions such as photographing/filming children, travel arrangements, overnight stays, change room arrangements, electronic and online communications.

How to Report a breach.

1. If a person is in immediate risk or danger, call the police.
2. If you have reasonable grounds to suspect a child has been or is at risk of being harmed, report to the police.
3. Report all relevant information to the Executive Board of Tri-Sport Samoa.
4. If you are unsure but you have concerns for a child, report all relevant information to the Executive Board and to the parents of the child.



