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BY-LAWS
Elections

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WORLD
BASEBALL SOFTBALL
CONFEDERATION

BY-LAWS *regarding* **Elections**

Approved by the WBSC Executive Board on February 25, 2017.

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CHAPTER I – GENERAL CONDITIONS

ARTICLE 1. GENERAL CONDITIONS

1.1 The election and ratification procedures for positions on the WBSC Executive Board and on the Division Boards (Baseball Division, BD, and Softball Division, SD) shall be conducted in the WBSC Congresses and respective Division Meetings held in the year immediately after the Summer Olympic Games (first year of the Olympic Cycle). An election or ratification procedure can take place at another Congress should a vacancy arise on the WBSC Executive Board or on the Division Boards.

1.2 The election and ratification procedures outlined under these By-Laws shall be under the control of the WBSC Legal Commission, who shall apply these procedures in strict accordance with these By-Laws.

1.3 Any dispute in regard to the interpretation of the election and ratification By-Laws, as it affects the “specific moment of the elections” (that is, from the moment of the actual distribution of ballot papers to immediately after the announcement of the vote count), shall be determined by the WBSC Legal Commission. A Member Federation may appeal a decision of the WBSC Legal Commission in regard to the interpretation of matters during the “specific moment of the elections” to the WBSC Congress / BD Biennial Meeting / SD Biennial Meeting at the particular time. No other appeal shall be permitted at this particular moment concerning the election process.

1.4 Subject to Article 1.3 of these By-Laws above, a Member Federation may appeal the decision of the WBSC Legal Commission in regard to the interpretation of the election or ratification By-Laws by appealing to the Court of Arbitration for Sport in Lausanne, Switzerland. By the mere fact of participating in the election process, the Member Federations accept the competence of the Court of Arbitration for Sport, in regard to the previous paragraph, excluding all recourse to ordinary courts.

ARTICLE 2. POSITIONS CONCERNED BY ELECTIONS

2.1 In the WBSC Executive Board, the following are the positions that are subject to an election in accordance with these By-Laws:

- President
- Secretary General
- Treasurer
- First Member At-Large for Baseball
- Second Member At-Large for Baseball
- First Member At-Large for Softball
- Second Member At-Large for Softball

2.2 In each of the Division Boards, the following are the positions that are subject to an election in accordance with these By-Laws:

- Chairman
- First Vice Chairman
- Second Vice Chairman
- Treasurer
- First Member At-Large
- Second Member At-Large
- Third Member At-Large

ARTICLE 3. POSITIONS CONCERNED BY RATIFICATION

3.1 In the WBSC Executive Board, the following are the positions that are subject to be ratified in accordance with these By-Laws:

- Executive Vice President for Baseball
- Executive Vice President for Softball
- Vice President for Baseball
- Vice President for Softball
- Athlete Representative for Baseball
- Athlete Representative for Softball

3.2 In each of the Division Boards, the following are the positions that are subject to be ratified in accordance with these By-Laws:

- Continental Representative for Africa
- Continental Representative for Americas
- Continental Representative for Asia
- Continental Representative for Europe
- Continental Representative for Oceania
- Athletes' Representative for Men's Baseball and Women's Baseball
- Athletes' Representative for Men's Softball and Women's Softball

CHAPTER II – NOMINATIONS

ARTICLE 4. NOMINATIONS

4.1 At least sixty (60) days prior to the opening date of the Congress, the WBSC Executive Director shall inform all Member Federations of the positions that are due for election and shall invite nominations for those positions, to close with the WBSC Executive Director, no later than at least thirty (30) days prior to the first day of the Congress. The closing time and date shall be clearly specified.

4.2 In regard to the calling of nominations, the following shall be the nomination procedure:

- nominations can only be made by National Federations (see Article 4.3).
- a National Federation has the right to nominate one person for any elected position. Nominations may be made for more than one position.
- all nominations shall be in writing and must clearly state the position, or positions, for which a person or persons is being nominated.
- the nomination must include the name of the nominating Member Federation and must be signed by the President or the Secretary General of that National Federation.
- the nomination assumes that the person being nominated is willing to be elected and will abide by the WBSC Statutes, Code of the Divisions, By-Laws, Rules and Regulations, both during the election process and in the event that that person shall be elected.

4.3 Only Member Federations in good financial standing may nominate a person for election. To be in good financial standing, a Member Federation must be a current financial member with no fees or dues outstanding prior to the year of the elections, or have a prior written agreement with the WBSC concerning the payment of outstanding fees or dues. Furthermore, such a Member Federation must not be under suspension or disqualification.

4.4 In the case where no nominations have been received in accordance with these By-Laws, or where a nominee withdraws his or her nomination, thereby resulting in no nomination existing for a particular position, the WBSC Legal Commission at the appropriate order as outlined in these By-Laws, shall call for nominations from the Congress or the respective Biennial Meeting for that position. An individual may be nominated for a position only by National Federations and only an Accredited Delegate shall make such a nomination; there may be more than one such nomination for a position. Once nominations for that position have been received from the Congress, the election procedures outlined above shall continue.

4.5 If no individual receives the required majority of votes cast after exhaustion of the process set out in Article 7 and there are no additional nominations from the floor, then the WBSC Legal Commission shall declare that position vacant and that position shall be filled as provided for in Article 13.

4.6 A National Federation, which governs only Baseball in its country, shall send nominations only for the WBSC Executive Board and the Baseball Division Board using separate documents as indicated by the WBSC Executive Director in a timely manner.

A National Federation which governs only Softball in its country shall send nominations only for the WBSC Executive Board and the Softball Division Board using separate documents as indicated by the WBSC Executive Director in a timely manner.

A National Federation which governs both Baseball and Softball in its country shall send nominations for all three Executive bodies using separate documents as indicated by the WBSC Executive Director in a timely manner.

CHAPTER III – ELECTIONS

ARTICLE 5. PRELIMINARY PROCESS PRIOR TO THE ELECTIONS

5.1 The WBSC Congress shall elect the positions for the WBSC Executive Board.

5.2 Each Biennial Meeting shall elect the positions for each Division Board respectively.

5.3 The election process shall be as follows:

5.3.1 The President/Chairman of each Congress or Biennial Meeting shall declare “vacant” all positions on the respective Executive body and its members shall vacate the official table/dais.

5.3.2 After 5.3.1, the WBSC Legal Commission shall take control of each Congress/Biennial Meeting for the period of the election process. In the case where a member of the WBSC Legal Commission is nominated for any position on any Executive body, that person shall be replaced on the WBSC Legal Commission by another person, appointed by the WBSC Executive Board, from outside of the WBSC Executive Board.

5.3.3 The WBSC Legal Commission shall confirm the number of Member Federations that are eligible to vote, in accordance with these By-Laws, and shall explain the election procedure to the delegates of each Congress/Biennial Meeting.

5.3.4 All positions to be elected shall be elected by secret ballot in order of precedence as outlined above, under Article 2.

5.3.5 The WBSC Legal Commission shall conduct the elections for each position one at a time, and complete each election process for each position, prior to proceeding to the election of the next position.

5.3.6 The WBSC Legal Commission shall ensure that there is one location in the meeting room where there are at least two (2) private voting positions where delegates may complete their ballot paper in total privacy, prior to lodging their ballot paper in the appropriate ballot box under the control of the WBSC Legal Commission.

ARTICLE 6. ELIGIBILITY TO VOTE

6.1 In order to be eligible to vote a Member Federation must be in good financial standing in accordance with Article 4.3 of these By-Laws.

ARTICLE 7. THE VOTING PROCEDURE

7.1 The following is the procedure to apply in each and every position, for each of the three Executive bodies and by each respective Congress/Biennial Meeting.

7.2 The WBSC Legal Commission shall announce the election of each position, for example “Election of the President”, and it shall ensure that the meeting room of the Congress/Biennial Meeting is secure, with no person being allowed entry or exit during the voting procedure and process for that particular position.

7.3 The WBSC Legal Commission shall read aloud the list of candidates nominated for that particular position and shall display the list in writing on a large display board in alphabetical order of surname.

7.4 In the case where more than one nomination has been made for a position, the voting procedure shall be as follows:

7.4.1 The WBSC Legal Commission shall ensure that the ballot paper to be distributed shall have the surname of each candidate listed in alphabetical order as it appears on the display board.

7.4.2 The WBSC Legal Commission shall read out, in alphabetical order, the Member Federations that are present and eligible to cast a vote and one (1) of the official delegates for that Member Federation shall collect from the WBSC Legal Commission a ballot paper.

7.4.3 The delegate shall then proceed to the voting position and complete the ballot paper.

7.4.4 The delegate shall then return the ballot paper to the ballot box, which at all times shall be under the complete control and supervision of the WBSC Legal Commission.

7.4.5 Each Member Federation shall be entitled to the following votes:

- at the WBSC Congress, only Baseball National Federations shall be entitled to only one (1) vote; only Softball National Federations shall be entitled to only one (1) vote; National Federations that govern both Baseball and Softball shall be entitled to two (2) votes (expressed by one (1) or two (2) separate delegates).
- at the Baseball Division Biennial Meeting, only Baseball National Federations shall be entitled to only one (1) vote; National Federations that govern both Baseball and Softball shall be entitled to one (1) vote (expressed by only one (1) delegate).
- at the Softball Division Biennial Meeting, only Softball National Federations shall be entitled to only one (1) vote; National Federations that govern both Baseball and Softball shall be entitled to one (1) vote (expressed by only one (1) delegate).

7.4.6 The delegate shall complete the ballot paper by placing a cross or a tick in the box corresponding to the person for whom the Member Federation wish to vote.

7.4.7 A ballot paper shall be declared invalid if:

- more than one cross or tick appears on the ballot paper indicating more than one person or if it does not clearly indicate the single candidate for whom the delegate wishes to vote.
- the ballot paper bears marks or erasers of such a nature as to prevent the WBSC Legal Commission from clearly determining the person for whom the delegate intended to vote.
- the ballot paper bears marks or words identifying the person or the Member Federation casting the vote.

7.4.8 At the conclusion of this process for a particular position, the WBSC Legal Commission shall declare closed the voting procedure for that particular position and shall proceed to the counting of votes in accordance with Article 8.

7.4.9 Under no circumstances shall the meeting room of the Congress/Biennial Meeting be opened to allow entry or exit of persons or delegates until the total process, including the counting of all votes and the announcement of the elected candidate has been completed.

7.5 In the case where there has been no nomination for the position or whereby a person nominated has withdrawn his or her nomination, thereby resulting in no nomination existing for a particular position, Article 4.4 shall apply.

ARTICLE 8. COUNTING OF THE VOTES

8.1 After the voting procedures [see Article 7] have been completed, the WBSC Legal Commission shall count the votes and proceed as follows:

8.1.1 If a candidate obtains an absolute majority of valid votes cast (that is, more than 50% of valid votes cast), that person is elected.

8.1.2 If no candidate wins an absolute majority at the first vote, the candidate with the least number of votes shall be deleted from the list of candidates and the voting procedure shall be repeated in accordance with the above, until such time as only one (1) candidate receives an absolute majority.

8.1.3 In the case where there are four (4) or more candidates and two (2) of them receive an equal number of votes in the last position, then those two (2) candidates shall be deleted from the list of candidates and the voting procedure shall be repeated in accordance with the above until such time as only one (1) candidate receives an absolute majority.

8.1.4 In the case where there are three (3) candidates or only three (3) candidates are remaining and two (2) of them receive an equal number of votes in the last position, then a further vote shall be held between these two (2) candidates that finished equally last to determine which one (1) of these candidates shall be deleted.

8.1.5 If, after the second vote, any tied vote remains tied, the WBSC Legal Commission shall call a recess of the Congress/Biennial Meeting for fifteen (15) minutes, after which a third vote shall be conducted.

8.1.6 If, after the third vote, the vote remains tied, the WBSC Legal Commission shall determine the matter by the toss of a coin. However, for the election of the President only, if after the third vote the vote remains tied, the voting shall be repeated until one (1) candidate receives an absolute majority.

8.2 When one (1) candidate has received an absolute majority of votes, the results shall be publicly announced by the WBSC Legal Commission, who shall record the vote and certify the result.

8.3 It is only after the announcement of the person properly elected that the meeting room can be opened for the entry and exit of delegates and accredited persons.

8.4 For a position where there is only one (1) candidate, that candidate is elected. The WBSC Legal Commission shall request an open vote of the Congress/Biennial Meeting for the record and shall declare the candidate elected. The result of the vote shall be publicly declared in accordance with the previous Articles.

ARTICLE 9. OATH OF OFFICE

9.1 At the conclusion of the election and ratification process for all positions, the elected members, together with the ratified members, shall swear the Oath of Office and take their position immediately.

9.2 No person elected or ratified can take their position on the respective Executive body unless that person has taken the Oath of Office.

9.3 If a person elected to a position on the respective Executive body is not present at the Congress/Biennial Meeting, he or she must take the Oath of Office at the WBSC Headquarters in

front of the President and one witness, or at a subsequent meeting of the respective Congress/Biennial Meeting or the respective Executive body.

9.4 If the Oath of Office is not taken within a period of one (1) year of the election taking place, the position shall be declared vacant and another election for the position shall be held in accordance with these By-Laws.

9.5 The Oath of Office shall be as follows:

“I, (name of person) having been duly elected by this Congress/Biennial Meeting, accept the duties and responsibilities of my position and swear to carry out the letter and the spirit of the Statutes of the World Baseball Softball Confederation with integrity and loyalty”.

9.6 After the Oath of Office, all the elected people shall stand in front of the Congress/Biennial Meeting and the WBSC anthem shall be played.

9.7 The elected people at the Baseball Division Biennial Meeting and the elected people at the Softball Division Biennial Meeting shall be introduced to the WBSC Congress.

CHAPTER IV – VARIOUS DISPOSITIONS REGARDING ELECTED POSITIONS

ARTICLE 10. TERM OF OFFICE

10.1 All the elected positions on the WBSC Executive bodies shall be for a period of four (4) years, commencing immediately after the elections have been concluded and ceasing immediately prior to the next elections being held.

10.2 The term of office shall only be reduced by the resignation by the individual Member or through the removal of the Member in accordance with the WBSC Statutes and By-Laws.

ARTICLE 11. ATTENDANCE AT MEETINGS

11.1 In the event that a Member of the Executive fails to attend two (2) consecutive meetings of the Executive without such absence being approved by the Executive, such Member shall be deemed to have resigned his or her position on the respective Executive body.

ARTICLE 12. SUSPENSION FROM OFFICE

12.1 Any Member of the Executive bodies (whether the Member is an elected Member or a ratified Member) may be suspended from his or her position on a vote in favour of two-thirds (2/3^{rds}) or more of his or her Executive body present at a duly constituted meeting. The affected Member is not eligible to vote.

12.2 Prior to the respective Executive body considering the suspension of a Member, the procedures outlined in the By-Laws regarding Disciplinary Matters affecting an individual person shall be instigated.

12.3 The grounds for the removal of an Executive Member are as follows:

12.3.1 Failure to properly discharge his or her duties under WBSC Statutes and By-Laws.

12.3.2 The conviction of a criminal offense that in his or her country would result in the imposition of a monetary fine or a term of imprisonment, or the insolvency, bankruptcy or disqualification to serve as a director of a company of such person.

12.3.3 The commission or omission of an act that brings WBSC, Baseball or Softball into disrepute.

12.3.4 The incapacity of the individual involved.

12.4 The Member of the Executive body subject to removal shall be timely notified of the receipt of any such motion for removal.

12.5 In the case of a removal, the provisions for election of individuals in the event of a vacancy shall apply. In the case of a suspension, the individual shall be suspended from all activities as regards his or her position and may not take part in any activities or deliberations of any Executive body, in accordance with the terms of the suspension.

ARTICLE 13. VACANCY

13.1 In the event that a member of one Executive body resigns, dies, or is deemed to have resigned, or is removed from office, the respective Executive body may, at its absolute discretion, decide to appoint another person from within or from outside the Executive Board itself, to fill the positions vacant if it is important that such a position be filled. If in the course of his or her tenure, a particular Athletes Representative loses his or her position, the WBSC Athletes Commission will seek for a possible substitute.

13.2 Should a person from within an Executive body be appointed to fill another vacancy within such Executive body, such a person shall only have one (1) vote, even if that person occupies two (2) positions, except for the situation to apply per Article 14.

13.3 Should an Executive body make such a temporary appointment, that appointment shall be for a period up to the next respective Congress/Biennial Meeting, where the position shall be filled in accordance with these By-Laws.

13.4 If an Executive body determines that the position need not be filled, the position can remain vacant, and an election for that position shall be held in accordance with the procedures outlined in these By-Laws at the next respective Congress/Biennial Meeting. Should a person from outside of an Executive body be appointed to a vacancy within such Executive body, such a person shall have no vote.

ARTICLE 14. VACANCY OF THE POSITION OF PRESIDENT

14.1 In the case the position of President of the WBSC becomes vacant, then the WBSC Protocol List shall apply and the appointed person shall become the Acting President.

14.2 In the case the position of Chairman of the Baseball or Softball Division Board becomes vacant, then the WBSC Protocol List shall apply and the appointed person shall become the Acting Chairman.

14.3 In this situation, the Acting President/Chairman shall arrange to have an Extraordinary Congress/Members' Meeting called, to be held within one hundred twenty (120) days of the position becoming vacant and to have the position of President/Chairman subject to elections in accordance with these By-Laws.

ARTICLE 15. POWERS OF THE ACTING PRESIDENT/CHAIRMAN

15.1 Further to Clause 14, the "Acting President/Chairman" shall retain his or her original position, but shall have only one (1) vote within the respective Executive body. In the case of a tied vote, the Acting President/Chairman shall have the casting vote.

ARTICLE 16. NATIONALITY OF ELECTED MEMBERS

16.1 In the case of elected positions as outlined under Article 2 of these By-Laws, each elected Member shall be from different Member Federations, Associations or Organisations of the WBSC.

CHAPTER V – VARIOUS DISPOSITIONS REGARDING RATIFIED POSITIONS

ARTICLE 17. POSITIONS

17.1 During the Congress/Biennial Meetings held in the year immediately after the Summer Olympic Games, the positions listed in Article 3 shall be subject to ratification by each respective Congress/Biennial Meetings.

17.2 The Vice Presidents shall be International Olympic Committee members and shall be nominated and appointed by the relevant Division Board. He or she shall hold only one Office at a time and their ratification is by the WBSC Congress.

17.3 The Executive Vice Presidents shall be the Chairman of each respective Baseball and Softball Division or such other person who may be nominated and appointed by the Board of the relevant Division (in case the Chairman already has a position in the WBSC Executive Board), and their ratification is by the WBSC Congress.

17.4 The Athlete Representatives shall be elected during an election year by eligible players. Such eligibility shall be determined by the Baseball and Softball Divisions respectively pursuant to standards which shall have been established by the Board and the WBSC Athletes' Commission, in accordance with election process and procedure determined by the Baseball and Softball Divisions respectively and approved by the WBSC Executive Board. The voting for Athlete Representatives is to be conducted by and within each of the Baseball and Softball Divisions. The term of an Athlete Representative on the Executive Board shall be four (4) years.

17.5 The WBSC Executive Board shall have the authority to fill any vacancy, which occurs through death or resignation of any Member of the Executive Board, except for Athlete Representatives. Should a vacancy occur in an Athlete Representative position, the Executive Board shall establish a mechanism, if necessary, for the eligible athletes to elect a replacement. The person elected shall serve until the expiration of the term of office for which the person has been elected.

ARTICLE 18. THE RATIFICATION PROCESS

18.1 The ratification process shall commence immediately after the elections of Members of the Executive bodies. Each Congress/Biennial Meeting shall ratify its respective positions.

18.2 The WBSC Legal Commission shall take control of the Congress/Biennial Meeting for the period of the election of the ratification process. In the case where a member of the WBSC Legal Commission is nominated for any position on any Executive body, that person shall be replaced on the WBSC Legal Commission by another person, appointed by the WBSC Executive Board, from outside of the WBSC Executive Board (as already provided by Article 5.4.2).

18.3 Prior to the ratification process, each responsible body shall nominate every appointed person and shall advise the WBSC Legal Commission of the nominee for that ratified position. Such nominations shall be in writing and shall be signed by the President or Chairman of each responsible body making that nomination.

18.4 The President of the WBSC shall announce the names of the positions to be ratified in front of the WBSC Congress and seek for final ratification.

ARTICLE 19. VACANCY

19.1 If in the course of his or her tenure, a particular Executive Vice President of the WBSC Executive Board loses his or her position on the Baseball or Softball Division Board, that person will automatically cease to act in his or her capacity as Executive Vice President on the WBSC Executive Board.

19.2 If in the course of his or her tenure, a particular Vice President of the WBSC Executive Board loses his or her position, the WBSC Executive Board will seek for a possible substitute.

19.3 If in the course of his or her tenure, a particular Athletes Representative of the WBSC Executive Board loses his or her position, the WBSC Athletes Commission will seek for a possible substitute.

19.4 If in the course of his or her tenure, a particular Continental Representative loses his or her position on the Continental Executive body of his or her particular Continental Association, that person will automatically cease to act in his or her capacity as Continental Representative on the respective Division Board. The position so vacated shall be provisionally filled by nomination of the Continental Association, through its President, of a person nominated by that Continental Association.

19.5 All such appointments shall be subject to the ratification process at the next available Congress/Biennial Meeting.

19.6 During the period of the vacancy that has been filled by a substitute, and until the time that that particular person is ratified in the position, the position shall only be filled on a provisional basis and the person filling that position shall have no vote on the respective Executive body.

ARTICLE 20. SUSPENSION FROM OFFICE

20.1 Any Member of the Executive bodies (whether the Member is an elected Member or a ratified Member) may be suspended from his or her position as per Article 12.1.

ARTICLE 21. NATIONALITY OF RATIFIED MEMBERS

21.1 In the case of ratified positions as outlined under Article 3 of these By-Laws, each ratified Member shall be from different Member Federations, Associations or Organisations of the WBSC.