



STATUTES of the SWISS MÖLKKY FEDERATION

CHAPTER 1: GENERAL PROVISIONS

Article 1.1 – NAME, HEADQUARTERS, NEUTRALITY

- Name:

The Swiss Mölkky Federation (FSM), also known as the Swiss Mölkky Federation, hereinafter referred to as Swiss Mölkky, is an association within the meaning of Articles 60 et seq. of the Swiss Civil Code.

- Headquarters:

Its registered office is located at 11b chemin des Esserts, 1213 Petit-Lancy, Switzerland.

- Neutrality:

It is neutral in political and religious matters.

Article 1.2 – PURPOSE, RELATIONS, COLLABORATION

- Purpose:

The purpose of Swiss Mölkky is the organisation, supervision, development and promotion of the Mölkky game and sport in Switzerland, as well as the proper representation of Switzerland within the IMO (International Mölkky Organisation).

- Relations:

Swiss Mölkky regulates relations between cantonal or regional associations (if any) and other affiliated clubs, and represents their common interests with other organisations in Switzerland and abroad.

- Collaboration:

To achieve its objectives, Swiss Mölkky collaborates with affiliated associations, organisations, and clubs, as well as with the relevant authorities and institutions.

Article 1.3 – AFFILIATION, ETHICS

- Affiliation:

Swiss Mölkky is a member of the International Mölkky Organisation (IMO). By decision of the Central Committee, Swiss Mölkky may also join other organisations if this proves useful to the achievement of its aims.

- Ethics:

Swiss Mölkky is committed to a clean, respectful, fair, and high-performing sport. It applies these values by showing respect towards others and by acting and communicating transparently. The same applies to its bodies and members.

Swiss Mölkky recognises the current Swiss sport ethics charter and disseminates its principles among its members.

Swiss Mölkky is subject to the Swiss Sports Ethics Statutes (hereinafter: Ethics Statutes), which are binding on Swiss Mölkky itself, on cantonal or regional associations, clubs and their members, licensees and officials.

Suspected breaches of the Ethics Statutes are investigated by Swiss Mölkky, which is competent to judge and sanction confirmed violations of the Ethics Statutes. Swiss Mölkky applies its procedural rules and imposes the sanctions provided for in the Ethics Statutes.

Decisions may be appealed within 21 days of receipt of the reasoned decision of the Swiss Mölkky disciplinary chamber.

Article 1.4—FORCE OF LAW, CONFORMITY OF STATUTES, APPLICATION OF REGULATIONS

- Force of Law:

The statutes, regulations, and decisions of Swiss Mölkky and its competent bodies are binding. Members, players, and leaders of Swiss Mölkky, as well as associations, clubs, and their bodies, are required to comply with them.

- Conformity of Statutes:

The statutes of the clubs must conform to the statutes of Swiss Mölkky and contain a provision subjecting their own members to the statutes, regulations, and decisions of Swiss Mölkky.

- Application of Regulations:

The authorities of Swiss Mölkky must respect, in their decisions, the provisions of the statutes and the regulations approved by the Central Committee.

Article 1.5 – OFFICIAL JOURNAL, MANDATORY SUBSCRIPTION

- Official Journal:

Swiss Mölkky may, for publications of the Federation and its members, create and manage its own journal and/or its own website and various social networks.

- Mandatory Subscription:

The Central Committee may require clubs and their licensees to subscribe to the official journal and to consult its website.

Article 1.6 – CANTONAL OR REGIONAL ASSOCIATIONS

Swiss Mölkky shall establish cantonal or regional associations as required. These remain administratively and financially autonomous.

Article 1.7 – JURISDICTION, SCOPE OF ACTIVITIES, DURATION

- Jurisdiction:

For any dispute relating to Federation membership or concerning rights or obligations arising from the statutes or regulations of Swiss Mölkky, the associations, clubs, and their members unreservedly submit to the jurisdiction of the Federation.

- Scope of Activities:

Swiss Mölkky regulates its field of activities by issuing the necessary regulations. The scope is also governed by the decisions of the Federation's bodies.

- Duration:

Swiss Mölkky is established for an unlimited duration.

CHAPTER 2: MEMBERS

Article 2.1 – COMPOSITION

Swiss Mölkky is composed of:

- Cantonal or regional associations (if required),
- Mölkky clubs, societies, or associations affiliated and their members,
- Honorary members.

Article 2.2 – MEMBERSHIP, APPLICATION FOR AFFILIATION, AFFILIATION

- Membership:

Any Mölkky society, club, or association of at least three members becomes a member of Swiss Mölkky upon definitive affiliation.

- Application for Affiliation:

Applications for affiliation must be submitted to Swiss Mölkky, for the attention of the Central Committee.

- Affiliation:

Affiliation becomes definitive once the club has been accepted by the Central Committee, by a simple majority vote.

Article 2.3 – SIMILARITY OF NAMES, OBLIGATIONS OF CLUBS

- Similarity of Names:

A club, society, or association must change its name if its similarity with another member organisation of the Federation may cause confusion.

- Obligations of Clubs:

Clubs, societies, associations, and their members are required to comply with the decisions or instructions issued by the authorities or bodies of Swiss Mölkky. They must actively assist the Federation and its bodies in achieving their objectives.

Article 2.4 – TERMINATION OF MEMBERSHIP

Membership of Swiss Mölkky ends through:

- Resignation,
- Dissolution,
- Exclusion.

Article 2.5 – RESIGNATION

Members may resign their affiliation at the end of a year by notifying the Central Committee by registered letter, four months in advance.

Resignation shall only be accepted if the affiliated organisation has fulfilled its financial obligations towards the Federation.

Article 2.6 – DISSOLUTION

An affiliated organisation that has decided to dissolve must inform the Central Committee by registered letter and must have fulfilled all its obligations towards the Federation.

Article 2.7 – EXCLUSION, APPEAL

- Exclusion:

The Central Committee may, by a two-thirds majority of the members present, exclude an affiliated organisation in the following cases:

- Violation of mandatory rules or decisions,
- Serious breach of unwritten sporting regulations,
- Conduct detrimental to sport or damaging to the good reputation of Mölkky or Swiss Mölkky.

- Appeal:

The excluded member may, within thirty days of receiving the decision, lodge an appeal with the Executive Committee for the attention of the Assembly of Delegates. During the granted appeal period, the club is not subject to payment of membership fees.

Article 2.8 – LEAVE OF ABSENCE

Each affiliated organisation may, for valid reasons, request a leave of absence from the Central Committee for a period not exceeding two years. After this period, the club will be removed from Swiss Mölkky. During the granted leave, the affiliated organisation is not required to pay membership fees.

Article 2.9 – HONORARY MEMBERS

The Executive Committee may propose, by a two-thirds majority of the members present, to appoint as honorary member(s) any person(s) who have rendered outstanding service to the cause of Mölkky or Swiss Mölkky.

Article 10 – MEMBERSHIP CONTRIBUTIONS

Departing members have no right to reimbursement of their contributions, nor to any share in the assets of Swiss Mölkky.

CHAPTER 3: GOVERNING BODIES

Article 3.1 – THE BODY OF SWISS MÖLKKY, MANAGEMENT REPORTS, ALLOWANCES

- The Body of Swiss Mölkky:

The body of Swiss Mölkky is the Central Committee.

- Management Reports:

All bodies are required to prepare a management report.

- Allowances:

Allowances for meetings, travel, etc., are set by the Central Committee and may not be exceeded.

Article 3.2 – AUTOMATIC RECUSAL, CENTRAL COMMITTEE

- Automatic Recusal:

Members of a Swiss Mölkky authority must recuse themselves from matters concerning the organisation to which they belong.

- Central Committee:

The Central Committee is the governing body of the Federation.

Article 3.3 – COMPOSITION, VOTING RIGHTS

- Composition:

The Central Committee is composed of:

- A President,
- A Secretary,
- A Treasurer,
- A Vice-Treasurer,
- An active member.

Additional members may be added if necessary.

- Voting Rights:

Each member has the right to vote.

Article 3.4 – SUPERVISION, COMPETENCES, VALID DECISIONS, VOTING

- Supervision:

The Central Committee exercises overall supervision in all areas of Swiss Mölkky's activity.

- Competences:

The Central Committee has all powers that are not legally or statutorily assigned to another body. In particular, it has the following responsibilities:

- Appointment of working or special commissions,
- Organisation of Swiss Cups and Swiss Championships,
- Approval of regulations and specifications,
- Interpretation of the statutes,
- Admission of members,
- Approval of the competition calendar,
- National and international relations,
- Management of Federation funds in accordance with approved budgets,
- Drafting of regulations and specifications,
- Proposals for amendment or revision of statutes,
- Establishment and approval of budgets,
- Establishment of long-term objectives,
- Final decisions in case of disputes between Swiss Mölkky authorities or between them and the authorities of clubs or associations,
- Imposition of sanctions provided for by the statutes and regulations.

The Committee may delegate certain internal or external tasks and establish working groups.

- Valid Decisions:

The Central Committee deliberates validly when at least half of its members are present.

- Voting:

Decisions are taken by a simple majority vote.

- Two-Thirds Majority:

A two-thirds majority is required for the exclusion of members.

- President's Vote:

The President has the right to vote. In the event of a tie, the President has the casting vote.

- Secret Ballot:

A secret ballot may be requested by one-fifth of the members.

- Minutes:

Minutes of decisions must be kept. They are signed by the President and the drafter.

Article 3.5 – NEGLIGENCE OF DUTIES

If a club or association committee seriously neglects its duties or deliberately violates Swiss Mölkky's rules, the Central Committee shall suspend it.

Article 3.6 – AUDITING BODY

- Composition:

The auditing body consists of an auditor.

- Election:

The auditor is appointed by the Central Committee and may be chosen from outside Swiss Mölkky members.

- Mandate:

The auditor may not serve more than two consecutive years.

- Incompatibility:

Members of Swiss Mölkky governing bodies may not serve as auditor.

- Tasks:

The auditor must check Swiss Mölkky's accounts annually and report to the Central Committee.

- Right of Inspection:

The auditor has the right to request, at any time, the production of accounting records and documents.

- Duty:

The auditor must immediately report any irregularities to the Central Committee.

CHAPTER 4: FINANCES

Article 4.1 – REVENUES

The financial resources of Swiss Mölkky consist of:

- Annual membership fees, set by the Central Committee,
- Entry fees from new organisations,
- Fees due to Swiss Mölkky for each licence,
- Profits resulting from the organisation of championships or events reserved for the Federation,
- Fines imposed under the statutes and regulations,
- Donations and subsidies granted to Swiss Mölkky,
- Sponsorship,
- Income compatible with these statutes.

Article 4.2 – EXPENSES, BUDGETS

- Expenses:

The following expenses are borne by Swiss Mölkky:

- Administrative meeting costs of the bodies and commissions, in accordance with the standards provided in the annual budgets,
- Payment of liability insurance premiums (Civil Responsibility) for licences,
- Prizes for national championships,
- Costs of organising competitions reserved for the Federation,
- Publicity expenses,
- Travel and representation costs for events and delegations.

- Budgets:

All expenses must remain within the limits of the annual budgets approved by the Central Committee, or must be approved by it in advance.

Article 4.3 – COMPETENCES, ACCOUNTS AND BUDGETS

- Competences:

The Central Committee is responsible for the financial management and accounting of Swiss Mölkky.

- Accounts and Budgets:

The Central Committee is obliged to present the accounts and budgets each year at the annual congress.

Article 4.4 – GUARANTEE, RIGHTS TO ASSETS

- Guarantee:

Swiss Mölkky's commitments are guaranteed only by its assets.

- Rights to Assets:

Any organisation excluded or voluntarily leaving Swiss Mölkky cannot claim any part of the Federation's assets.

Article 4.5 – SIGNATURE

Swiss Mölkky is validly bound to third parties by the joint signature of the President and another member of the Central Committee.

Article 4.6 – ALLOCATION OF FUNDS IN CASE OF DISSOLUTION

In the event of the dissolution of Swiss Mölkky, the Central Committee shall decide on the method of liquidation and the distribution of the Federation's assets. If necessary, it shall appoint the persons responsible for this liquidation.

CHAPTER 5: DISCIPLINARY MEASURES

Article 5.1 – DISCIPLINARY SANCTIONS, CUMULATION

- Disciplinary Sanctions:

The disciplinary sanctions available to Swiss Mölkky are:

- Warning,
- Sporting penalties,
- Fine,
- Suspension,
- Exclusion.

- Cumulation:

These sanctions may be applied cumulatively.

Article 5.2 – APPLICATION, DOPING

- Application:

Anyone subject to the provisions of the Federation who intentionally or negligently violates the rules established by Swiss Mölkky, who disobeys the decisions of the Federation's authorities and competent bodies, or who behaves in an inappropriate or unsporting manner, is liable to the sanctions set out in the previous article.

- Doping:

Doping is contrary to the fundamental principles of sport as well as to medical ethics and constitutes a health risk. For these reasons, it is prohibited.

Swiss Mölkky, the Cantonal or Regional Associations, the Clubs, and their members, players, and officials are subject to the Swiss Olympic Anti-Doping Statutes and other related documents.

Suspected breaches of anti-doping rules are investigated by Swiss Mölkky, which is competent to judge and sanction confirmed violations of the applicable anti-doping rules. The Federation applies its procedural rules and imposes the sanctions provided for in the Statutes.

Decisions may be appealed within 21 days of receipt of the reasoned decision of the Swiss Mölkky disciplinary chamber.

Article 5.3 – COMPETENCES, SUSPENSION, RIGHT TO BE HEARD

- Competences:

The following bodies are entitled to impose sanctions:

- The Central Committee, which may impose all penalties,
- Cantonal or Regional Associations, which may impose up to a six-month suspension and a fine of CHF 200.

- Suspension:

During the period of suspension, the member is not authorised to take part in any event organised by Swiss Mölkky or any affiliated body. This includes all complementary competitions, promotional competitions, open competitions, sector events, and all indoor or outdoor competitions.

- Right to Be Heard:

Before any decision, the member concerned must be heard. This article does not necessarily apply when an extension of a sanction is requested by a cantonal or regional association before a disciplinary or appeals committee.

Article 5.4 – COMMUNICATION

Sanctions imposed by the Central Committee must be communicated to:

- The player(s) concerned,
- The President of the club of the player(s) concerned,
- All clubs, in order to be informed of the responsible party.

CHAPTER 6: LICENCES AND COMPETITIONS

Article 6.1 – RIGHT TO ORGANIZE COMPETITIONS, REGULATIONS, COMPETITIONS

- Right to organize Competitions:

Any organisation affiliated with Swiss Mölkky has the right to organize competitions under the control of Swiss Mölkky.

- Regulations:

Competitions held in Switzerland are subject to Swiss Mölkky's regulations.

- Competitions:

Swiss Mölkky reserves the right to organise, directly or by delegation, national or international competitions.

Article 6.2 – LICENCES, REGULATIONS

- Licences:

A Swiss Mölkky licence (for foreigners: national licence) is mandatory to participate in official competitions reserved for licence holders. A Swiss licence is required to take part in the Swiss National Championships.

- Regulations:

The issuance of licences is subject to regulations issued by Swiss Mölkky.

Article 6.3 – PROMOTIONAL COMPETITIONS WITHOUT LICENCE

Promotional competitions without licences may be organised by affiliated organisations, outside of Federal Championship periods.

Article 6.4 – COMMITTEE MEMBERSHIP

Only a licensed member may serve on the Central Committee of the Swiss Mölkky Federation.

Article 6.5 – ENTRY INTO FORCE

These statutes shall enter into force upon their approval at the first General Assembly.

Article 6.6 – TRANSITIONAL PROVISIONS

The Central Committee is competent to make final decisions on any conflict of competence or procedure arising from the application of the new statutes.

Article 6.7 – TEXT DISCREPANCY

In the event of a discrepancy between texts in the statutes or regulations, the French text shall prevail and be decisive.

Final note: These statutes consist of 39 articles over 17 pages including this one; copies may be issued at a later date.

Accepted by the congress of the Swiss Mölkky Federation in , on

