

# AUSTRALIAN MASTERS ATHLETICS INC.

## BY-LAWS

Adopted as By-Laws of Australian Masters Athletics Inc.

24 March 2005

Amendments adopted:

3 August 2007

Amendments adopted:

12 September 2009

Revised:

17 September 2016

### AUTHORITY AND PURPOSE

- 1 These are the By-Laws referred to in clauses 11 (ix) 31 (i) and 31 (ii) of the Australian Masters Athletics Inc. (AMA) constitution.
- 2 The By-Laws cover matters concerning the operation and activities of the Association that are not specifically addressed by the Constitution.
- 3 The By-Laws may be added to, altered or rescinded by the Board at any time subject to ratification by the Council at any General Meeting.
- 4 These By-Laws should be read in conjunction with the AMA Constitution, particularly:
  - (i) clause 1 (viii) dealing with definitions,
  - (ii) clause 31 dealing with creation and subordination, as well as
  - (iii) clause 32 dealing with interpretation.

### COMPETITION

- 5 National masters athletics championships shall be conducted annually in accordance with the technical rules of the IAAF except as modified by the WMA Competition Rules or specified in the AMA Championship Manual.
- 6 AMA conducts the following national masters championships for its Members' athletes:
  - Track & Field, including Cross Country and 10km Road Walk
  - Marathon
  - Half Marathon
  - Winter Throwing
  - Combined-Events
  - 20km Road Walk
- 7 AMA Track & Field Championships shall be hosted and conducted annually over four days on a roster basis by each State or Territory Member.
- 8 The hosting and conduct of all other national championship events other than the AMA Track & Field Championships shall be awarded to a State or Territory member club or other organization on a triennial basis.
- 9 The AMA Track & Field Championships shall be conducted in accordance with requirements specified in the AMA Championship Manual.
- 10 Technical specifications for hurdles and steeplechase and weights of throwing implements shall be those approved by WMA or as modified by AMA for use in Australia.
- 11 Only current financial athletes of Member clubs or associations shall be permitted to compete in AMA championships.
- 12 Overseas athletes who are current financial members of an overseas masters athletics club may also compete in AMA championships, but shall not displace Australian athletes in the placings.
- 13 An athlete's age group shall be determined by their date of birth.
- 14 An athlete shall compete in the age group for which they qualify on the first day of an AMA championship even if they become eligible for an older age group during the championship. This

- does not preclude such athletes from setting records under the older age-grouping.
- 15 AMA championship entry shall not be subject to any prior achievement or qualifying standard.
- 16 Current State or Territory club uniforms must be worn at all AMA championships. The preceding version of a club uniform will be permitted. International competitors must wear their club or national uniform.
- 17 Two or more age groups may compete together in a single event provided that there are separate results and awards for each age group.

## RECORDS

- 18 Australian and Championship records and best performances on record shall be recognized in all five-year age groups for all AMA recognised athletic events.
- 19 Australian records or best performances can only be set by current financial members of Australian masters athletics clubs.
- 20 Championship records or best performances can be set by any current financial member of a masters athletic club, including clubs outside of Australia.
- 21 Championship records are the best performances set in individually specified events at AMA Track & Field Championships. Performances set for individual disciplines in combined events, namely the Decathlon, Heptathlon, Pentathlon, Weight Pentathlon and Heavy Weight Pentathlon, cannot be recognized as championship records although they can be considered for single AMA event records.
- 22 Australian and AMA Track & Field Championship records and best performances shall be kept by the AMA Records Officer. Championship records for the Marathon, Winter Throwing or Combined-Events championships shall be kept by local organising committees.
- 23 Record or best performance on record applications must be made on the official AMA or WMA application form.
- 24 Performances must have been undertaken on recognised certified tracks and grounds, or road or other courses where certification is provided by a registered course measurer.
- 25 Current AMA recognized events for records or best performances include but are not restricted to:

Marathon	Decathlon
Half Marathon	Heptathlon
50K Road Walk	Pentathlon
30K Road Walk	Throws Pentathlon
20K Road Walk	Heavy Weights Pentathlon
10K Road Walk	Shot
1 Hour Run	Hammer
10000m Run	Javelin
5000m Run	Discus
3000m Run	Weight (standard)
1500m Track Walk	56lb Weight
2000m Track Walk	100lb Weight
3000m Track Walk	Long Jump
5000m Track Walk	Triple Jump
3000m Steeplechase	High Jump
2000m Steeplechase	Pole Vault
Mile	80m Hurdles
1500m	100m Hurdles
800m	110m Hurdles
400m	200m Hurdles
200m	300m Hurdles
100m	400m Hurdles

60m	4 x 100m Relay
4 x 400m Relay	4 x 800m Relay
4 x 1500 Relay	8km Cross Country

26 AMA also recognizes records for indoor events as follows:

3000m	Indoor Pentathlon
Mile	High Jump
1500m	Long Jump
1000m	Triple Jump
800m	Pole Vault
400m	Shot
200m	Weight (standard)
60m	56lb Weight
60m Hurdles	3000m Track Walk
4 x 200 Relay	

## FINANCE

- 27 Each Member club or association shall pay to AMA an annual affiliation fee per each financial member of the Member in that year. This capitation fee is set by the AMA Council at the AGM, and currently stands at \$7.00 per capita.
- 28 AMA will reimburse Board members, other than the AA Representative, for travel expenses and reasonable accommodation costs for attendance at Board and Council meetings. Where a Board meeting is held at the AMA national Track & Field Championships, competing Board members will be reimbursed for half of their travel expenses. AMA will pay all travel expenses and reasonable accommodation costs for a Board member who is not competing.
- 29 Two delegates from each State and Territory Member club or association are eligible to attend an Annual General Meeting. Accommodation costs for Member delegates will be paid by AMA. Travel costs for all delegates attending an AGM will be shared equally by the Members.
- 30 Except for emergency meetings Board members are expected to book travel sufficiently in advance to obtain the lowest economy fare or to book travel through the AMA's official travel agent where one has been appointed.
- 31 All requests for reimbursement shall be supported by receipts or other supporting documentation acceptable to the Treasurer.
- 32 AMA has the right to place an additional levy on competitors competing in international championships to cover organisation and team management costs.

## ANNUAL GENERAL MEETING AGENDA ITEM TIMEFRAMES

- 33 (i) As per clause 14 (ii) of the Constitution nomination for Board positions shall be submitted by Member associations and in the hands of the Secretary not less than five weeks before the date of the Annual General Meeting.
- (ii) The Secretary shall send details of the nominations to each Member not less than four weeks before the AGM.
- (iii) As per clause 33 of the Constitution, proposed amendments to the Constitution in the form of a Special Resolution shall be submitted in writing to the Secretary not less than two months before the AGM.
- (iv) The Secretary shall send details of the proposed amendments to each Member not less than eight weeks before the AGM.
- (v) Proposed Notices of Motion shall be submitted in writing to the Secretary not less than two months before the AGM.

- (vi) The Secretary shall send the proposed Notices of Motion to each Member not less than eight weeks before the date of the AGM.
- (vii) As per clause 23 (i) of the Constitution the Secretary shall deliver notice of AGM to Members, not less than six weeks prior to the date of the meeting.
- (viii) General items for discussion should as much as possible be with the Secretary in time for inclusion in the circulated AGM agenda.

## **GENERAL**

- 34 The broad thrust and range of activities of AMA shall be guided by its 5-year Strategic Plan.
- 35 The conduct of AMA Board and Council meetings shall be in accordance with AMA's adopted Standing Orders.
- 36 Privacy and security issues in relation to the use or dissemination of personal information shall be dealt with in accord with AMA's Privacy Policy.
- 37 AMA's competition, organisational and other activities shall be conducted in accordance with the AMA Constitution, By-Laws and its policies, and shall include the IAAF Code of Ethics.
- 38 AMA shall manage risks to the association and its officers, its Members and their athletes, officials and administrators according to its Risk Management Policy.
- 39 AMA shall be guided by the WMA By-Laws, rules and policies where AMA's By-Laws, rules and policies do not provide guidance.
- 40 AMA supports the principles of the By-Laws of Athletics Australia where they are consistent with WMA and AMA By-Laws or policies.

## **MISCONDUCT**

- 41 Athletes, coaches, officials, support staff and administrators at AMA sanctioned championships shall be subject to disciplinary proceedings, adjudication and sanctions for any of the following prohibited conduct:
  - (i) an incorrect statement of age or competing or attempting to compete in an incorrect age group,
  - (ii) competing or attempting to compete as a member of the opposite sex, or as another athlete,
  - (iii) unsportsmanlike conduct,
  - (v) seeking to compete while under suspension,
  - (vi) inappropriate interpersonal conduct,
  - (vii) displaying conduct prejudicial to the good name of AMA or conduct bringing the sport of athletics into disrepute,
  - (viii) behaviour that infringes, denigrates or otherwise interferes with the rights of sponsors, or
  - (ix) conduct that violates the IAAF Code of Ethics.
- 42 Allegations at AMA sanctioned championships of the offences listed in by-law 41 shall initially be considered by an ad hoc four-person committee comprised of available AMA Board members and/or other appropriate individuals established by the President in consultation with the Competition Director.
- 43 The committee, which shall meet as soon as possible at the championships once the allegation has been made, and shall determine if the allegation is found to be sufficiently serious to warrant no more than a reprimand and warning as per by-law 57.
- 44 Where the committee finds that the allegation is sufficiently serious to warrant a more formal adjudication process, the procedures set out in by-laws 45 and 47 to 56 shall be implemented.

## **DISCIPLINE PROCEDURES AND SANCTIONS**

- 45 Allegations of any breach of clause 18 (ii) of the Constitution or by-law 40 (subject to by-law 43) shall

be made in writing to the Secretary, unless the allegation relates to the Secretary in which case it should be sent to the President, who shall promptly report all such allegations to those members of the Board without a conflict of interest.

46 Where an allegation relates to a member of the Board, the other members of the Board without a conflict of interest shall determine whether the allegation warrants no more than a reprimand and warning as per by-law 57.

47 Where such an allegation is found to be sufficiently serious to warrant further action it shall be adjudicated as follows:

- (i) by the Board if it relates to an individual who is not a member of the Board, or
- (ii) where it involves a member of the Board the adjudication, by an ad hoc five-person Committee comprising individuals without a conflict of interest, which should where possible include:
  - (a) the AMA President,
  - (b) another Board representative other than the President
  - (c) the AA Representative or other relevant AA representative,
  - (d) an official from one of AMA's Members, and
  - (e) any other appropriate individual.
- (iii) the committee under by-law 47 (ii) shall be appointed by the President in consultation with unaffected members of the Board. Where the allegation involves the President, the Vice President or other uninvolved member of the Executive shall take the role of the President in relation to this issue.

48 Those responsible to adjudicate allegations under of clause 18 (ii) of the Constitution or by-law 41 are herein referred to as the Adjudicating Committee.

49 The accused person shall be fully informed by written Notice of:

- (i) the allegations made under clause 18 (ii) of the Constitution or by-law 41,
- (ii) whether the Adjudicating Committee will meet in person and if so the date, time and place of that meeting, and
- (iii) the correct means of delivering any defence.

50 Any and all documents, evidence and other material, favourable or unfavourable to the accused that may be used in any deliberation, shall be given to the accused before any consideration of the allegations by the Adjudicating Committee takes place. The accused shall also be given a copy of the relevant parts of the AMA Constitution and By-Laws.

51 The accused shall be given the opportunity to:

- (i) provide a written defence to the Chair of the Adjudicating Committee, or
- (ii) where the Adjudicating Committee meets in person, to appear personally and/or be represented by another person to answer the charge.

52 Any written defence from the accused must be lodged with the Chair of the Adjudicating Committee within 30 days of the sending of documentation regarding the allegation, who shall within 7 days send it on to each member of the Adjudicating Committee.

53 Where such allegations are made against the President or the Secretary, their duties while such proceedings continue shall be carried out by the Vice-President.

54 The Adjudicating Committee shall conduct a fair hearing with minimal formality and determine the matter before it in an unbiased manner. The adjudication process may be by electronic means.

55 Each member of the Adjudicating Committee, shall within 15 days of receipt of the defence of the accused (or, if no written defence is received, within 15 days of the expiration of the 30 day period within which the accused was entitled to respond), and in accordance with the principles of natural justice, submit written recommendations to the Chair of the Adjudicating Committee as to whether the allegation or allegations are to be dismissed or upheld and, if upheld, as to what the sanctions listed under by-law 57 should be applied.

56 Any upholding of an accusation by the Adjudicating Committee shall be by an absolute majority in accordance with the principles of natural justice. The Chair of the Adjudicating Committee shall

- promptly notify the Secretary of the decision of the Adjudicating Committee.
- 57 Individuals adjudicated to have been in breach of a Standard of Conduct under clause 18 (ii) of the Constitution or engaged in misconduct under by-law 41 may:
- (i) be removed from Office in the case of a Board member, and/or
  - (ii) be suspended from any role in masters athletics for a period of time to be determined by the Adjudicating Committee, and/or
  - (iii) be reprimanded and warned in writing, and/or
  - (iv) be subjected to any other sanction that the Adjudicating Committee sees fit, including without limitation, publication of particulars on the AMA website.
- 58 Within 15 days of having received such notification from the Chair of the Adjudicating Committee, the Secretary, or President where the allegation involves the Secretary, shall:
- (i) inform the President and Board of the decision of the Adjudicating Committee,
  - (ii) advise the accused by e-mail and registered mail of the outcome of the allegation and of any sanctions imposed, and shall also outline any procedures and right to appeal the determination, and
  - (iii) where an allegation is upheld, advise all AMA Members as well as WMA and AA as appropriate, of the offending individual, the nature of their offence, the outcome of the review and any sanctions imposed.
- 59 Any Board member removed or suspended under by-law 57 shall automatically become ineligible to be or become an officer or delegate of a Member which in the case of a suspension, shall be for the duration of such suspension.
- 60 A person ceasing to be an Office Bearer must within 30 days promptly hand over all material directly relevant to their former role to the new incumbent or to the Secretary and otherwise comply with any agreement signed on their assumption of office.

## **ANTI-DOPING MATTERS**

- 61 Athletes, coaches, officials, support staff and administrators at AMA sanctioned championships shall be subject to disciplinary proceedings, adjudication and sanctions for any of the following prohibited conduct:
- (i) improper use of prohibited substances,
  - (ii) refusing to submit to drug testing when requested to do so, or
  - (iii) tampering or other anti-doping matters.
- 62 Any allegation of breaches of by-law 61 shall be sent to the Secretary who shall forward it the Chair of the AA Doping Control Tribunal.
- 63 The AA Doping Control Tribunal shall adjudicate the allegation according to the natural justice process outlined in AA's By-Laws and Anti-Doping Policy, and ASADA's requirements.
- 64 An athlete, coach, official, support staff or administrator adjudicated to have been in breach of by-law 61 may be:
- (i) suspended from any role in masters athletics for a period of two years for a first offence, or for life or such other term as is determined by the Doping Control Tribunal for a subsequent offence, and/or
  - (ii) reprimanded and warned in writing, and/or
  - (iii) subjected to any other sanction that the Doping Control Tribunal sees fit, including without limitation, publication of particulars on the AMA, AMA Members, AA, OMA, WMA and IAAF websites.
- 65 Any suspension imposed under by-law 64 shall be observed by all AMA Members, by AA, OMA, WMA and IAAF, and shall apply to all masters and open athletics competitions and activities including masters games.
- 66 Any suspended individual shall be notified by the AMA Secretary to the WMA Secretary within 15 days of the suspension, who shall notify all WMA Members of the details of the individual and the

suspension.

- 67 A masters athlete convicted of a first offence relating to the improper use of prohibited substances shall not automatically be reinstated at the end of their 2-year suspension period until they have made themselves available for out-of-competition testing by ASADA. Any testing shall be at the athlete's cost and the athlete shall provide information on their whereabouts to ASADA for this purpose.
- 68 The lifting of the suspension shall be dealt with as provided in by-law 67 with the results reported to the AMA Secretary who shall notify WMA Secretary and all other relevant agencies.

## **APPEALS**

- 69 Any Board member or individual sanctioned under clause 18 (ii) of the Constitution or by-law 57 shall have the right to appeal the determination and sanction to the AA Appeals Tribunal with 30 days of the adjudication decision being advised by e-mail and registered mail.
- 70 The process for an appeal to the Tribunal are be provided in AA by-law 7, and requires a written submission setting out all the arguments in support of the athlete's appeal as well as an appeal fee (currently \$1000).
- 71 Any decision by the AA Appeals Tribunal shall be final and binding on all parties.
- 72 An Anti-Doping sanction under by-law 64 can be appealed to Court of Arbitration for Sport in Lausanne in accord with ASADA's rules.
- 73 The decision of the Court of Arbitration for Sport shall be final and binding on all parties.
- 74 AMA shall seek costs or contribution to costs incurred by it or AA in conducting any appeal.

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## ***Alternative By-Laws that do not involve AA in Appeals or Anti-Doping Matters***

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***The clauses (below) replace the equivalent numbered by-laws while other by-laws remain the same***

### **Anti-doping Matters**

- 62 *Allegations of breaches of by-law 61 shall be made in writing and sent to the Secretary who shall send all details to the President who shall liaise with the Board and AA to establish an appropriate skilled ad hoc Adjudicating Committee of at least four members, which must include at least one appropriately skilled medical practitioner and a lawyer.*
- 63 *The Adjudicating Committee shall adjudicate the allegation according to the natural justice process outlined in AMA by-laws 48 to 56 and 58 (ii) in the context of WMA's Anti-Doping Rules, and relevant ASADA and IAAF Rules and By-Laws.*
- 64 *An athlete, coach, official, support staff or administrator adjudicated to have been in breach of by-law 61 may be:*
- (i) suspended from any role in masters athletics for a period of two years for a first offence, or for life or such other term as is determined by the Adjudicating Committee for a subsequent offence, and/or*
  - (ii) reprimanded and warned in writing, and/or*
  - (iii) subjected to any other sanction that the Adjudicating Committee sees fit, including without limitation, publication of particulars on the AMA, AMA Members, AA, WMA and IAAF websites.*

### **Misconduct Appeals**

- 69 *Any Board member or individual sanctioned under clause 18 (ii) of the Constitution or by-law 57 shall have the right to appeal the determination and sanction to the AMA Council at a Special General Meeting.*
- 70 *The AMA Council for the appeal shall comprise of members without a conflict of interest, with the appeal determined by a two thirds majority of valid votes.*
- 71 *Any arbitration decision by the AMA Council relating to an appeal shall be final and binding on all parties.*