



REMAINING FIT FOR PURPOSE

**A REVISED SUMMARY OF THE PROPOSAL
TO REFORM THE GOVERNANCE OF THE
INTERNATIONAL PARALYMPIC COMMITTEE**

OCTOBER 2020

INTERNATIONAL PARALYMPIC COMMITTEE



FROM THE PRESIDENT

As the President of the International Paralympic Committee (IPC) I want to lead a world leading sports organisation that delivers on its vision and mission and is committed to excellence in all areas.

To achieve this, the IPC must have governance structures that are not just be up to date, but ahead of the game and robust enough to allow the organisation to thrive in the ever-changing sporting landscape.

In January 2018 the IPC launched the first review of its governance structures since 2004. An IPC Governance Review Working Group led by IPC Vice President Duane Kale was established and 18 months of consultation and dialogue with IPC members, Para athletes and key stakeholders was initiated. The objectives were simple: to listen and to learn.

Following analysis and consideration of every piece of feedback received, the IPC in October 2019 published 'Remaining Fit For Purpose' its governance review proposals outlining nine key principles for change that aimed to make the IPC more membership focussed and athlete centred. The proposal document was by no means the finished article, instead it was designed to spark further discussion. I am pleased therefore that over the last 12 months we have been engaging with stakeholders to gather and analyse feedback on the proposals.

This Revised Proposal document takes on board the feedback received and has been prepared for further consultation over the next three months. Ultimately, we want the majority of these proposals to form a new constitution and regulations that will be voted on at the 2021 IPC General Assembly. In the interests of good governance and best practice, as 2021 is an election year, reforms regarding IPC Governing Board composition and elections will be determined at a later date.

Finally, I want to thank all IPC members, Para athletes and stakeholders for their continued support and engagement in this governance review exercise and acknowledge the continued hard work of the Governance Review Working Group. I urge anyone with an interest in the future of the Paralympic Movement to read this document. As always, we want to hear your views and your feedback to make the IPC the organisation you want it to be.



Andrew Parsons
IPC President

FROM THE CHAIR - GOVERNANCE REVIEW WORKING GROUP

On behalf of the IPC Governing Board and Governance Review Working Group, I am pleased to present this Revised Proposal to reform the governance of the IPC following 10 months of further consultation and dialogue with Paralympic stakeholders, including IPC members and Para athletes.

Since the Working Group was formed in January 2018, we have always wanted to listen and learn in order to improve the IPC in line with our members' wishes. Our approach has never changed, and I would like to thank all stakeholders for their continued feedback and engagement in this project.

Since publishing 'Remaining Fit For Purpose' and presenting the key nine principles to the IPC membership at the October 2019 IPC Conference in Bonn, Germany, we have taken the following steps:

- conducted membership consultation through surveys, conference calls and individual discussion where requested.
- Covid-19 led to the cancellation of the Extraordinary General Assembly scheduled for December 2020. We explored options on how/if we could progress the governance review in another way, which the IPC Board approved in June 2020.

- decided on an adjusted approach to factor in the Membership feedback and the necessity of preparing a Revised Proposal that would be included in the 2021 General Assembly. The sub-working group has met regularly to bring forward this Revised Proposal.

We want to make this Revised Proposal as clear and easy to understand as possible. Therefore, a summary of changes from the Original Proposal to this Revised Proposal is included in the following pages. Throughout this document we have also highlighted where sections have been updated or where new and additional content has been included from the Original Proposal.

This Revised Proposal has been prepared for further consultation. It is not yet ready for voting on. The Working Group's next steps following publication will be:

- consultation events with Members from November 2020 through to January 2021
- preparing draft new constitution for circulation to Members in June 2021
- further discussions will be conducted with the Membership following this release
- the December 2021 General Assembly is when the new constitution, incorporating the key elements of the Revised Proposal, will be voted on



We strongly encourage all members, Para athletes and stakeholders involved in the Paralympic Movement to review this document. Following feedback, any adjustments will be considered and included in a proposed new constitution and regulations. The new constitution will be voted on at the 2021 General Assembly. Thereafter there is always the opportunity to propose amendments to these documents and to adjust and adapt specific parts over time.

On behalf of the Working Group, thank you for your support in continuing to grow and evolve the IPC. I look forward to hearing your views on the Revised Proposal and working together to ensuring the IPC remains fit for purpose.

A handwritten signature in black ink, appearing to read 'D. Kale'.

Duane Kale
IPC Vice President



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1. SUMMARY OF CHANGES FROM ORIGINAL PROPOSAL TO THE REVISED PROPOSAL

- 1.1** This Revised Proposal includes changes made to the document “Remaining Fit for Purpose: a Summary of the Proposal to Reform the Governance of the IPC”, which was published in October 2019 (the “Original Proposal”).
- 1.2** The changes are set out in detail in this Revised Proposal and in summary are as follows:
- a. The aspirational date by which all IPC Sports will have separated from IPC is brought forward to 2026 for both summer and winter IPC Sports, rather than 2028 and 2030 as was originally proposed.
 - b. The structure of the World Para Sport (WPS) Unit is changed to remove complexity; allow for more flexibility and to better clarify roles, responsibilities and reporting lines, including removing the proposed Sport Advisory Committees and Sport Technical Committees and replacing them with one Sport Committee; and changing the composition of the WPS Unit Board.
 - c. Changes to the Agitos Foundation have been removed from this Revised Proposal as they have already been implemented.
 - d. The minimum requirements for members to comply with, including those related to gender, have been changed to non-mandatory requirements. The non-mandatory governance requirements have also been explained in more detail.
 - e. The criteria for Recognised International Federations have been further clarified together with their rights and obligations.
 - f. The ability for the IPC to intervene in National Paralympic Committees (NPCs) if they are in difficulty has been removed.
 - g. The roles, responsibilities, rights and obligations of Regional Organisations have been clarified including adding a right for them to nominate people for Committees; clarifying that properly constituted regional bodies of International Federations (IFs) can be non-voting members; and that Regional Organisations’ competitions may include any Para sport or disability sport including those not on the Paralympic Games programme.
 - h. The obligation for delegates of Members to be of both genders at IPC General Assemblies has been changed to a non-mandatory requirement.

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- i. The proposed changes to the IPC Governing Board's composition and terms of office have been removed, due to the elections being held at the same General Assembly at which the new constitution will be voted on. It is expected that the Board composition, appointment process and terms will be revisited by the new Governing Board in time for further constitution amendments at the 2023 General Assembly. The changes to the roles and responsibilities of the Board, the President and the Vice-President remain in the proposal.
 - j. The Nominations Panel will not be involved in appointments to the IPC Governing Board but remains in the Proposal to support the appointments to the Committees and other bodies.
 - k. The composition of the Athletes' Council will change with the addition of up to five appointed members to complement the existing nine elected members and the election of two Vice-Chairpersons. The first Vice-Chairperson will also have a designated seat on the IPC Governing Board, along with the Chairperson.
 - l. The mandatory obligation for Committees to have a fixed quota for gender has been changed to a non-mandatory preference, with skills and experience being the primary criteria.
 - m. There have been some adjustments to the Committees and Working Groups including clarifying their scope and establishing Expert Panels.
 - n. The right for the IPC to take action against officials of Members outside of the Paralympic Games period has been limited to cases where there is serious misconduct by that official, reputational harm to the Paralympic Movement or where the Member has failed or refused to act.
 - o. The meeting at which the new constitution will be voted on to implement this Revised Proposal has been delayed to the December 2021 General Assembly, instead of an Extraordinary General Assembly which had been proposed for late 2020. This means the implementation of the reform, if approved, will be completed a year later, in 2022 rather than 2021.

2. INTRODUCTION

- 2.1** This paper sets out the principles proposed by the IPC Governing Board, to reform the governance of the IPC. These changes have been agreed by the IPC Governing Board following extensive consultation with the membership on the Original Proposal.
- 2.2** This Revised Proposal is not the final proposal on which members will be asked to vote. It has been prepared for the purposes of further consultation and obtaining feedback from members and others involved in the Paralympic Movement.
- 2.3** Once feedback is received on this Revised Proposal adjustments will be considered and included in a proposed new constitution and new regulations (to replace the existing by-laws), which will contain most of the elements of the reform.
- 2.4** The new constitution will be voted on at the IPC General Assembly to be held in December 2021.
- 2.5** If approved, the new structure will largely be implemented in 2022 and the IPC Governing Board will also develop and approve new practices and procedures to ensure all elements of the reform are implemented.

3. KEY PRINCIPLES

3.1 This section sets out the key principles of the Proposal and the intended outcomes, if it is implemented.

3.2 There are nine key principles as follows:

- a. Purpose: The purpose of the IPC will focus on promoting inclusion in society through Para sport, specifically by:
 - i. its leadership of the Paralympic Movement;
 - ii. its supervision of the Paralympic Games; and
 - iii. its support of the NPCs, IFs, International Organisations of Sport for the Disabled (IOSDs), Regional Organisations and Para athletes.

It will cease acting as an international federation for IPC Sports through a managed exit process.

- b. Membership: Adjustments to the categories of members and the criteria for them are proposed including for IPC Sports and Recognised International Federations. The role and structure of Regional Organisations is also clarified.

- c. Wide Engagement: The mechanisms for engagement in decision-making will be improved to enable regular and wide participation by all IPC members and others in the Paralympic Movement.

- d. Greater Athlete Engagement: There will be greater engagement with Para athletes in decision making at all levels of the IPC.

- e. Role Clarity: The roles and responsibilities of the President, the IPC Governing Board and the Chief Executive will be clarified to ensure effective and efficient decision-making and to set out their leadership, governance and management obligations respectively.

- f. Aligned Committees: The number, nature, composition and role of the various committees, and working groups will be refined to align to the strategic priorities of the IPC.

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- g. **Skilled and Diverse People:** The people who sit on decision-making bodies within the IPC must have the necessary skills and expertise for the tasks they are doing. They must also reflect the diverse nature of the Paralympic Movement, which requires prioritising the appointment of people with disabilities, people from all regions of the world and gender balance.
 - h. **Integrity Standards:** High standards of integrity and behaviour will be required of its people and its members with independent bodies in place to enforce those standards.
 - i. **Transparency:** Greater transparency of decisions and the decision-making process with new IPC practices and procedures to be implemented to ensure openness and accountability to the membership, Para athletes, stakeholders and the wider Paralympic Movement.

3.3 If approved, these principles will be implemented through a range of changes in the Constitution, By-laws (to be changed to Regulations), practices and procedures of the IPC as set out in this Revised Proposal.

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4. PROPOSED KEY CHANGES

4.1 PURPOSE

4. PROPOSED KEY CHANGES

This section sets out the key changes proposed for the reform to achieve the nine principles.

4.1 PURPOSE

The following changes to the purpose of the IPC are proposed:

4.1.1 CHANGE OF PURPOSE

- a. The current “purpose” of the IPC (as stated in the IPC Constitution) includes a reference to the IPC governing the IPC Sports. In this role, the IPC is effectively the International Federation for 10 IPC Sports.¹
- b. This role, and the structure created to operationalise it, has created perceptions of conflict of interest, disparity in the application of resources, a sense of unfairness between the IPC Sports and those which are not and confusion about the IPC’s role, all of which is impacting its reputation.
- c. These perceptions are acknowledged as the IPC currently spends approximately one third of its time and money on the IPC Sports. However, the IPC Sports bring in approximately 20 percent of the IPC’s revenue so there is a balancing of costs and benefits.
- d. The fact that the IPC only governs some sports within the Paralympic Movement and not others is recognised as an inequity and a concern as it means the IPC is undertaking tasks which are not part of its core purpose. However, these sports also represent the highest number of Para athletes at the Paralympic Games so their success (especially for the largest sports of Para athletics and Para swimming) has a direct impact on the success of the Paralympic Games, which is a core part of the IPC’s purpose.
- e. Given these concerns, it is proposed that the IPC cease governing and managing the IPC Sports over a transition period until they are in a position to leave the IPC with systems and structures that enable them to continue to thrive.
- f. Accordingly, to reflect this change, the purposes of the IPC, as stated in the Constitution, will be changed to remove reference to governing IPC Sports and to better define its objects to the following:

¹ Para Alpine Skiing, Para Athletics, Para Biathlon, Para Cross Country Skiing, Para Dance Sport, Para Ice Hockey, Para Powerlifting, Shooting Para Sport, Para Snowboard, and Para Swimming.

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- to lead the Paralympic Movement to promote inclusion in society through Para sport;
 - to own, safeguard and supervise the organisation of the Paralympic Games; and
 - to support NPCs, IFs, IOSDs and Regional Organisations, in their development including supporting them in the development and organisation of Para sports, competitions, activities and programmes and in the preparation of their Para athletes for the Paralympic Games.

**NEW
ADDITION**

- g. The meaning of the “Paralympic Movement” will be expressly defined, so it is clear who the IPC is leading in terms of its purpose. The definition will include the Members of the IPC and other persons and entities involved in the promotion, organisation, or delivery of Para sport or who participate in it.
- h. “Para sport” will be defined to mean any sport in which people with a disability participate and which has classification rules compliant with the IPC Athlete Classification Code.

4.1.2 IPC CEASES TO MANAGE IPC SPORTS

- a. To give effect to this change in purpose, it is proposed to set an aspirational, but not strict, date of the end of 2026 by which all IPC Sports (summer and winter) will be separated from the IPC.
- b. Separation does not require the sport to move to the relevant Olympic IF, although that is one option if an Olympic IF is interested. IPC Sports could achieve separation in a number of ways including:
 - i. establishing and transferring to a stand-alone entity for the Para sport (e.g. Para swimming);
 - ii. establishing and transferring to a stand-alone entity for two or more Para sports (e.g. all the Para snow sports may wish to set up a new entity together);
 - iii. joining an Olympic IF (e.g. shooting Para sport could join International Shooting Sport Federation (ISSF));
 - iv. becoming part of another existing, or new, organisation, which may include a multi-sport entity; or
 - v. some other combination of the above or another alternative.
- c. In addition to the aspirational end date of 2026, each IPC Sport will have a specific target date for leaving the IPC (i.e. before or during 2026) as decided by the IPC Governing Board (on the recommendation of the World Para Sport Unit Board). Each IPC Sport has different issues and limitations which must be taken into account, so a fixed date is impractical and imprudent if the sports are to thrive and survive once separated. There may be reasons why the target date is not met, if for example, the IPC Sport is ready to leave but the entity it is transferring to is not ready to receive it by that specific date.
- d. At the 2023 IPC General Assembly there will be an update on the progress of the IPC Sports towards separation by the date proposed in their leaving plans. At the 2025 General Assembly, if any of the IPC Sports remaining at that date are not likely to have separated by the end of 2026, the IPC Governing Board will put forward different options for each of these sports for the delegates at the General Assembly to consider.
- e. In consultation with each of the IPC Sports, the IPC Governing Board (on the recommendation of the World Para Sport Unit Board) will approve the steps, timeframe for separation, and the resources and support the IPC will provide them, known as their "leaving plans". The process for developing these leaving plans is further explained in paragraphs 4.1.3f(4) and (5). The steps and timetable for all the IPC Sports must be published to the members by no later than December 2022.

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- f. This timetable must also take into account the impact of the IPC Sports getting ready to leave on the operations of IPC, by staggering the times in which each of the IPC Sports separates from the IPC. There will be considerable legal and other support required to assist the IPC Sports to leave, such as transferring assets; resolving or transferring liabilities; redrafting regulations; attending meetings; transferring employees etc. With 10 sports to support leaving the IPC, this will need to be carefully managed so the day-to-day operations of the IPC and the IPC Sports are not adversely impacted. The timetable will also need to take into account the preference to transfer the IPC Sports at the beginning of a quad following a summer (Tokyo 2021 or Paris 2024) or winter (Beijing 2022) Paralympic Games.
 - g. The IPC Governing Board may adjust the timeframes for each IPC Sport to be leaving the IPC, if necessary.
 - h. The IPC Governing Board will decide if an IPC Sport is ready to separate against the published criteria and following consultation with the sport's membership (see paragraph 4.1.2i below). The IPC Governing Board must also report to the General Assembly every second year, and to the membership in writing in the year between, on the progress of each IPC Sport for leaving the IPC against the published timeframe.
 - i. In deciding if an IPC Sport is ready to separate, the IPC Governing Board will apply a set of criteria. The criteria may vary depending on whether the sport is joining an existing IF or establishing its own stand-alone entity whether as a single sport or with other IPC Sports. The criteria are to be developed but will require the IPC Governing Board to be satisfied in the following areas:

Criteria	Transfer to existing entity	Establish stand-alone or new entity
Governance	<ul style="list-style-type: none"> - Para sport representation on governing bodies - Specific Para sport committee - Commitment to Para sport in constitution - Para sport priorities specified in entity's strategic plan - Para sport development plan - Para sport athlete representation and engagement mechanisms - Meets minimum good governance principles - Minimum number of members across all regions 	<ul style="list-style-type: none"> - Strong capable leadership - Constitution not inconsistent with IPC - Meets minimum good governance principles - Holds General Assemblies and elections - Incorporated and is compliant with regulatory matters - Strategic plan, vision, goals - Athlete representation and engagement mechanisms - Minimum number of members across all regions
Capacity	<ul style="list-style-type: none"> - Para sport specific human resources - Operational plan - Financial sustainability (including revenue reliability, profitability) - Specific Para sport brand and communications plan/resources 	<ul style="list-style-type: none"> - Comprehensive management structure - Adequate human resources - Operational plan - Risk management plan - Operational policies - Financial sustainability (including solvency, revenue reliability, profitability) - Brand identity - Communication plans/resources - Commercial partners
Sport	Rules of the sport	Rules of the sport
	Compliant with IPC Athlete Classification Code and World Anti-Doping Code	Compliant with IPC Athlete Classification Code and World Anti-Doping Code
	Calendar of Para sport competitions in all regions; across all disciplines + with universality	Calendar of Para sport competitions in all regions across all disciplines + with universality
	Hold World Championships for Para sport	Hold World Championships for Para sport
	Para sport education, development and high-performance programmes	Para sport education, development and high-performance programmes
	Wide participation of Para sport in all regions	Wide participation of Para sport in all regions

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- j. These examples of criteria will include aspects which are non-negotiable i.e. classification and competition, however will not be so rigid as to prevent or block a sport from moving to independence. The objective is to achieve independence while ensuring the sport can thrive.
- k. The separation of the IPC Sports from the IPC will occur at international level, but it will affect the sports at national level where sports are governed and managed by NPCs. It will depend on the type of entity the IPC Sport transfers into and will need to be considered in deciding the appropriate entity into which the IPC Sport proposed to transfer. For example:
- if an IPC Sport transfers to an Olympic IF, NPCs will not usually be able to be voting members of that IF. The National Federations (NFs) who are members of the IF would need to represent both the Olympic and Para sport athletes, even if they do not manage the Para sport nationally. In this case, the NPC which is responsible for the sport would need to make arrangements with the NFs about the practical management of the sport;
 - if an IPC Sport transfers to a stand-alone new IF established solely for the Para sport then it may be possible for an NPC which manages the sport to be specified as a member under its constitution.
- l. To enable each IPC Sport to transition smoothly to its new “home” the IPC proposes to agree on a support plan with each sport.



4.1.3 ESTABLISHING AN IPC INTERNAL UNIT FOR THE IPC SPORTS

- a. The continued success and development of the IPC Sports during the period when they are planning and preparing to leave the IPC, and beyond, is important for the sports themselves, and also for the success of the Paralympic Games. Equally important is the IPC continuing to meet its strategic priorities while at the same time supporting the IPC Sports to be self-sustainable and ready to move to a separate structure.
- b. For this reason, many options were considered to manage the transition of the IPC Sports as soon as practicable to independence as well as to minimise the conflicts and other concerns raised with the current structure. Appendix 1 shows all the options that were considered.
- c. The option considered best suitable as a transition for the IPC Sports to become independent is an IPC internal unit as set out below.
- d. The reasons for choosing an internal unit of the IPC are that:
 - it creates a mechanism to both drive, help and support the IPC Sports to leave, so that the IPC can be sure, on the one hand, there is progress and an end point, but on the other hand, the sports, once independent, can survive and thrive on their own
 - it ensures operational independence from the IPC which leaves the IPC to focus on its core purpose and should remove any perceptions of conflict of interest (such as deciding the sports for the Paralympic Games programme)
 - it is a temporary structure which can be easily established and disestablished without substantial costs and complicated legal transactions. It can also be downscaled and adapted over time as the sports leave the IPC
 - it enables the sports to develop and leave with the right people and structures to become fully formed sports organisations, if necessary, rather than just competition departments (as they are now), which will make them stronger in their transition.

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- e. It is proposed that an internal division or unit of the IPC be established with responsibility for all the IPC Sports. It will be operationally independent from the IPC with its own Board and staff. It will be called the World Para Sports (WPS) Unit.
 - f. The key features of this WPS Unit will be as follows:
 - (1) It is legally part of the IPC.
 - (2) It is accountable to the IPC Governing Board which remains liable for the WPS Unit (see section 4.4 below on the IPC Governing Board).
 - (3) It is governed by the WPS Unit Board with delegated authority from the IPC Governing Board to (1) govern the ongoing success of the sports, and (2) monitor and progress the implementation of the “leaving plan” for each sport.
 - (4) The “leaving plan” will set out the target date for each IPC Sport to leave the IPC and the specific steps to be taken within a stated timeline to separate by the target date. The IPC will continue to support each IPC Sport while it remains with the IPC, including support to undertake the steps set out in the leaving plan.
 - (5) The WPS Unit Board will be responsible for approving each IPC Sport’s leaving plan (for recommendation to the IPC Governing Board), as well as the IPC Sports’ strategies, operational plans, budgets, competition calendars, qualification criteria, sports rules etc to operate pending separation. It also recommends to the IPC Governing Board the technical delegates for the Paralympic Games. The WPS Unit Board will have delegated authority (recorded in the Constitution) to undertake its operations within the mandate and budget approved by the IPC Governing Board.
 - (6) The WPS Unit Board structure creates separation of the WPS Unit from the IPC to ensure operational independence but not legal separation from the IPC. This will enable the governance and management of the IPC Sports to be focused entirely on those sports and their transition to separation.

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- (7) The composition of the WPS Unit Board is proposed to have five members as follows:
- i. Two members of the IPC Governing Board (but not the IPC President) to be elected by the IPC Governing Board, who each have experience in the delivery and management of a sport and who are not currently involved, or have been involved in the previous four years, in any way with any IPC Sport. It is important that the IPC Governing Board is represented on the WPS Unit Board, as it is effectively a committee of the IPC Governing Board which is ultimately accountable for the decisions of the WPS Unit Board. However, the IPC Governing Board members do not hold the majority of votes so that the necessary degree of independence is maintained;
 - ii. One independent² member with strong governance experience in sport appointed by the IPC Governing Board (following an open application process and recommendation by the Nominations Panel); this member will chair the WPS Unit Board. In the Original Proposal two independent members were proposed, but this has been adjusted to accommodate a person with IF experience (noted below) which was suggested in the feedback;
 - iii. One person (who is not an IPC Governing Board member) with prior governance experience in an IF (other than an IF to which any of the IPC Sports may transfer) appointed by the IPC Governing Board (following an open application process and recommendation by the Nominations Panel);
 - iv. One athlete representative, elected by all the athlete committees for each of the IPC Sports (see paragraph 4.1.3f(30) below).
- (8) There should be at least two members of each gender on the WPS Unit Board but this is a guide and not mandatory, as the skills and experience of the members are paramount.
- (9) The term of office for each member of the WPS Unit Board is four years, with a maximum of two terms or until the WPS Unit Board is disestablished (as decided by the IPC Governing Board).

² In this context, “independent” means the person does not hold any role within the IPC or in any of the IPC Sports, or has previously held such a role in the last four years.

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- (10) In addition to the WPS Unit Board, the IPC Constitution will mandate the WPS Unit Board to hold a forum, at least annually (and which may be held remotely i.e. by video conference), for all the Chairpersons of the IPC Sports together (who are each elected by their sport, see paragraph 4.1.3f(19) below). This Chairpersons' forum will be advisory to the WPS Unit Board on matters affecting all of the sports and is informal to cater for the fact that its size and composition will change over time as IPC Sports leave the IPC.
- (11) The WPS Unit has its own budget authorised by the IPC Governing Board. It may seek income from non-IPC sponsors and other sources provided they do not conflict with those of the IPC and comply with other conditions, such as not offering exclusive sponsorships.
- (12) Subject to German law, the WPS Unit has its own Managing Director accountable to the WPS Unit Board (not the IPC Chief Executive) and its own dedicated staff, as the IPC Sports do now.
- (13) The WPS Unit can use IPC services such as marketing, communications, legal, human resources, but such services are to be costed and accounted for in the budget and financial reporting. It can also use outside providers within the approved budget where there may be a conflict of interest in using IPC services.
- (14) To enable the IPC Sports to start developing a structure and personnel as an independent sport and more easily transfer to another body, or stand-alone entity, each IPC Sport will have a Sport Committee that is advisory to the WPS Unit Board. This will replace the Original Proposal - to have a Sport Advisory Committee (SAC) and a Sport Technical Committee (STC) - which has been discarded following the feedback, in order to reduce complexity and increase flexibility in the Unit structure.
- (15) If two or more IPC Sports are considering transferring into a new Para sport entity together (for example all the snow sports), then there may be one Sport Committee for all of these sports, rather than one each. This will be decided by the WPS Unit Board in consultation with the sports concerned.
- (16) Each Sport Committee will be made up of people with governance experience in the sport as well as those with technical expertise. It is important to have people ready to transition into both governance and technical roles within the new entity to which the sport is transferring.

(17) The size and composition of each Sport Committee will be decided by the WPS Unit Board. They will not all be the same and will be of a size and composition reflecting the needs of each sport. As a general principle Sport Committees will not be larger than 10 members and not less than 5 members. In addition, as a minimum they must include the following:

- i. a Chairperson and such number of other elected members (to be elected at the sport's biennial meeting), to ensure the elected members are not less than one third of each Sport's Committee;
- ii. one athlete from the sport's athletes' committee (see paragraph 4.1.3f(30) below);
- iii. such number of other members appointed by the WPS Unit Board as is necessary to make up the total number of members fixed by the Board for each Sport Committee;
- iv. provided that amongst all the members of each Sport Committee, there must be 40% of each gender (with a non-mandatory target of at least 50% female members, in line with the target set by the IPC Governing Board in 2017).

For example, if a Sport Committee has 10 members the composition could be:

- 1 Chair (elected)
- 1 athlete rep
- 4 elected members (minimum 1/3rd)
- 4 appointed members.

If a Sport Committee has 5 members, the composition could be:

- 1 Chair (elected)
- 1 athlete rep
- 2 elected members (minimum 1/3rd)
- 1 appointed member.

(18) Each Sport Committee will have both a governance and an operational focus. It will be responsible for making recommendations to the WPS Unit Board on the transition of the sport to separation and for supporting and advising management on the ongoing delivery of the sport while it remains within the IPC. Their scope of work will include:

Transition to Separation:

- i. on the recommendation of the sport management and Managing Director, developing the sport's leaving plan for approval by the WPS Unit Board (which in turn will recommend the plan to the IPC Governing Board for approval)
- ii. supporting management, as requested, to implement the sport's leaving plan, including being involved in discussions with the IF or other entity into which they are proposing to transfer or in designing and establishing a new entity.

Ongoing Delivery of the Sport:

- iii. developing the sport's strategy and reviewing operational plans and budgets on the recommendation of the sport management and Managing Director, for the period the sport remains within the IPC, for approval by the WPS Unit Board
- iv. reviewing the competition calendar and qualification rules on the recommendation of the sport management and Managing Director for the period it remains within the IPC, for approval by the WPS Unit Board
- v. making submissions for the Paralympic Games programme on the recommendation of the sport management and Managing Director for approval by the WPS Unit Board and, if approved, to the IPC Governing Board

- vi. appointing technical delegates for the sport's World Championships or other events requested by the WPS Unit Board, on the recommendation of the sport management and Managing Director
- vii. advising and assisting management on operational issues, as requested
- viii. advising management, as requested, on matters related to the rules of the sport.

(19) Each Sport Committee will be headed by a Chairperson elected at each sport's general meeting, held every second year. The role of the Chairperson is to:

- i. chair the meetings of the Sport Committee
- ii. work with management (Managing Director and the sport's management) on the work of the Sport Committee
- iii. within the authority delegated to them by the WPS Unit Board, and as requested by the Managing Director, represent the sport (alongside the management) in any discussions with the entity to which it proposes to transfer to, and to other stakeholders affected by the proposed separation from the IPC; the Chairperson will also act as the point of contact for any 'board to board' level discussions with such entity

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- iv. present and report to the WPS Unit Board on behalf of the Committee
 - v. engage with the members and stakeholders of the sport to seek their views on the sport including its separation from the IPC.
- (20) Sport Committees cannot make decisions, incur any debt, or bind the IPC or the sport to any commitment.
- (21) The Managing Director (who in effect the Chief Executive of the WPS Unit) will be responsible for leading and co-ordinating the work between each Chairperson, Sport Committee for reporting to the WPS Unit Board.
- (22) Sport Committee members (including the Chairperson) will be required to follow the directions and policies set by the WPS Unit Board. Sport Committee members (including the Chairperson) cannot direct IPC staff.
- (23) The term of office for each member of a Sport Committee is four years, with the right to reappointment. The Original Proposal to have maximum term of office of eight years has been removed due to the need for these personnel, who will have built relationships with the entity it is transferring to as well as specific knowledge about the proposed arrangements that could otherwise be lost.
- (24) For the period the sports remain with the IPC, the name of each IPC Sport will have the words "World" and "Para" in its name. Each IPC Sport will have its own page on the IPC website with a distinct brand and identity as decided by the IPC Governing Board.
- (25) Each IPC Sport will hold a general meeting every two years and invite the relevant decision makers as representatives from NPCs or NFs responsible for the sport at national level as applicable, to attend.
- (26) The purpose of these sport general meetings is to report on the progress of the sport, to seek input on ideas and proposals and to make recommendations to the Sport Committee. The items of business at general meetings will include the following:
- i. Election of the Sport Committee Chairperson and the other elected members (to ensure one third of the Committee is elected), every second meeting/four years
 - ii. Report from the WPS Unit Board on the status of all the IPC Sports and other matters affecting all of the sports
 - iii. Report from the Sport Committee and discussion on the progress against the Sport's leaving plan and any issues arising, for input

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- iv. Report from the Managing Director or Sport Management on the activities of the sport for the preceding year
 - v. Report on the financial position of the sport and future forecasts for discussion
 - vi. Report on the sport's events (e.g. World Championships) in the preceding year or upcoming events for discussion and recommendation
 - vii. Discussion and recommendations on technical matters of the sport including rule changes and classification
 - viii. Discussion and recommendations on events and disciplines that the sport wishes to be considered for inclusion in the Paralympic programme for input to the WPS Unit Board; and
 - ix. Any other item notified by the WPS Unit Board, the Sport Committee or any NPC for discussion and recommendation.
- (27) Each NPC which supports or manages one of the IPC Sports at national level may appoint up to two delegates to attend these general meetings, but only has one vote. The NPC will decide who is best placed to attend these meetings, which may include both an NPC representative and an NF representative. In either case, the NPC is responsible for supporting and nominating their delegate/s to attend the meetings. To ensure each NPC is represented by the appropriate person, participants may join these meetings in person or remotely using technology. The procedures for these meetings will be set out in the Regulations.
- (28) In the year between the biennial meetings of each IPC Sport, the WPS Unit Board (on the recommendation of all the Sports Committees) will report to the NFs and NPCs for each sport with a written report on the items of business listed above in paragraph 4.1.3f(26) for general meetings. This report must be prior approved by the IPC Governing Board.
- (29) In addition, the WPS Unit Board will report to the full IPC membership at each General Assembly, and in the year in between, with a written report on all the IPC Sports and their progress against their leaving plans. This report must also be prior approved by the IPC Governing Board.
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- (30) Each IPC Sport will have an athlete committee (of active athletes³), one member of which shall be appointed as the Chair of the committee by its members. The appointed Chair will be the member of the Sport Committee for their sport. The members on each athletes' committee will be elected by the athletes from their sport at the World Championships of the sport held in the four-year period after the Paralympic Games, in the same way that the IPC Athletes' Council is currently elected. However, in the first year of operation, the WPS Unit Board will appoint the athletes to these committees by calling for expressions of interest.
- (31) The role of the athletes' committee for each sport is to provide the athletes' perspectives on matters being considered by the Sport Committee and the WPS Unit Board that affect the athletes. In addition to the input the Sport Committee and WPS Unit Board receive from athlete representatives, they must consult with the athletes' committees on such matters. The athletes' committee for each sport is accountable to the WPS Unit Board through the Sport Management and the Managing Director.
- (32) These athlete committees may start out working quite informally (e.g. using technology) and evolve and develop over time. It is important they have support for their work so resources will need to be sourced and allocated over time. However, in the meantime it is important that athletes' views and perspectives are heard, so establishing this mechanism is important. The scope of these athletes' committees is limited to athletes' perspectives from each sport and therefore differs from the current IPC Athletes' Council, which considers the perspectives of athletes from across all the Paralympic sports.
- (33) The athletes on each of the IPC Sport committees will collectively elect a person from amongst all the athletes' sports committees to sit on the WPS Unit Board. That person does not have to be, but may be, a Chair of one of the sport's athletes' committee.
- (34) Each IPC Sport may also establish other means of communicating and forums within its community.
- (35) The structure and operation of each of the IPC Sports will be approved by the WPS Unit Board.

³ See footnote 6.

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- (36) The Constitution, Bylaws (replaced with Regulations) and other rules of the IPC apply to each of the IPC Sports, as they do now, including the IPC Athlete Classification Code and disciplinary processes.
- (37) In the event there is any dispute or difference between an IPC Sport (whether by its Chairperson, or the Sport Committee) and the WPS Unit Board, which cannot be amicably resolved between them, the IPC Governing Board shall decide the dispute or difference.
- (38) Once all the IPC Sports have left the IPC, the IPC Governing Board will dis-establish the WPS Unit.
- (39) If the IPC Constitution is changed to empower the IPC Governing Board to proceed with this WPS Unit, it will be established by no later than 30 September 2022. The first IPC Sports general meetings will be held during the first six months of 2022, with the WPS Board and Managing Director appointed by the end of September 2022. It is proposed that the Sport Committees for each sport, and all other aspects of the WPS Unit, will be in place by no later than December 2022.
- (40) An assessment of the costs and resources necessary to establish and run the WPS Unit, until the IPC Sports have separated, has been conducted. It is estimated that the Unit will cost an average of approximately €220k per annum (based on a six-year budget assessment), with a peak of €400k in 2022 and reducing thereafter. The IPC will continue to provide financial and value in kind (VIK) support, as is currently the case, through the transition period while the sports remain at the IPC (see paragraph 4.1.1(c)).
- (41) In summary, the internal unit is a practical, relatively quick and cost-effective way of addressing the issues and concerns raised while preparing the sports for separation. There will be little set up or legal costs to establish this WPS Unit including transferring of contracts, suppliers etc. This Proposal also enables the IPC Sports to start establishing their leaders, members, and their own identity and processes so they are ready to operate independently. In addition, as sports leave the IPC, the WPS Unit can easily be downscaled to suit without significant (although there will be some) legal or other associated costs.
- (42) The diagrams on the following pages represent the structure of the proposed WPS Unit.

DIAGRAM 1: WPS UNIT WITHIN IPC

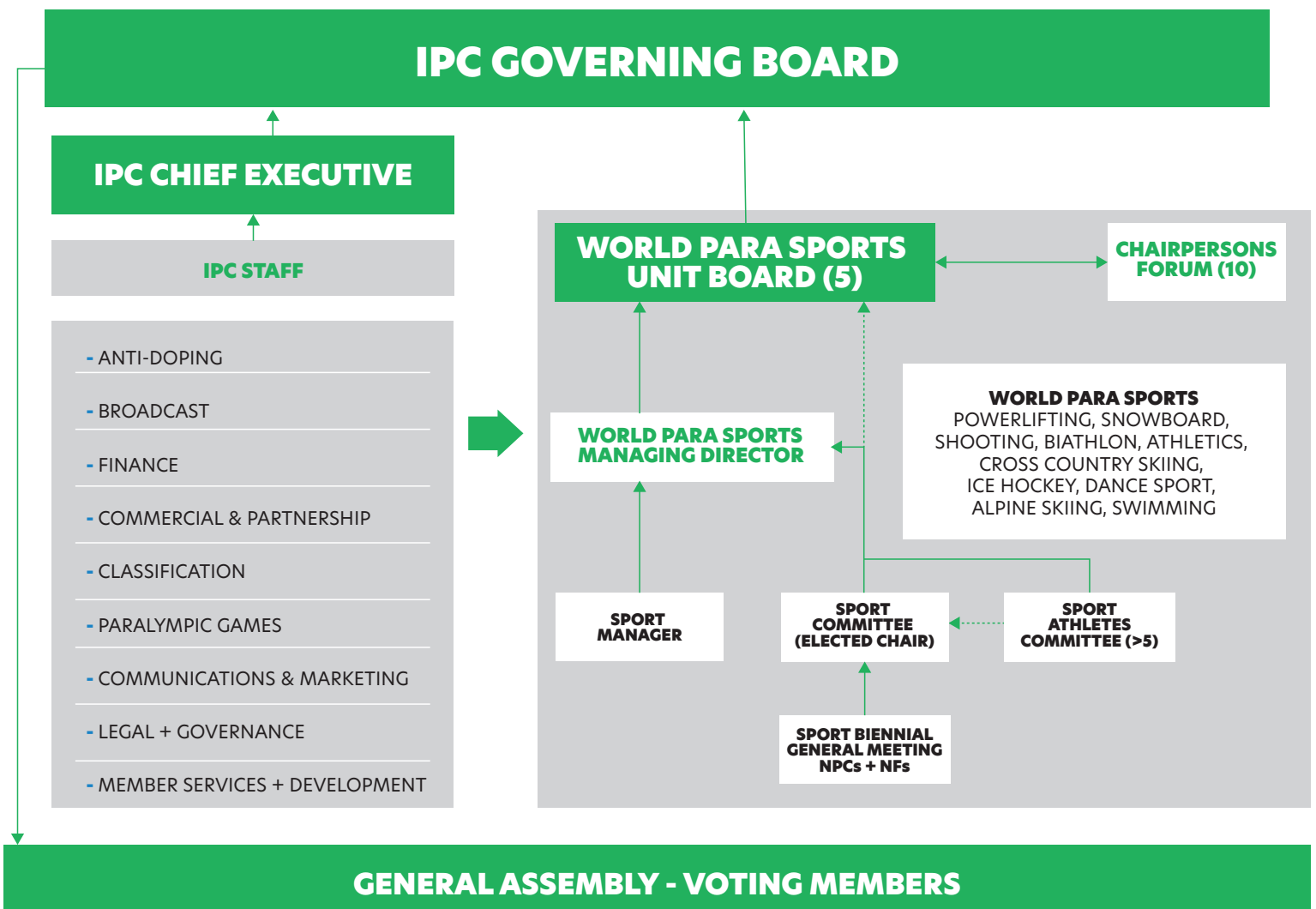
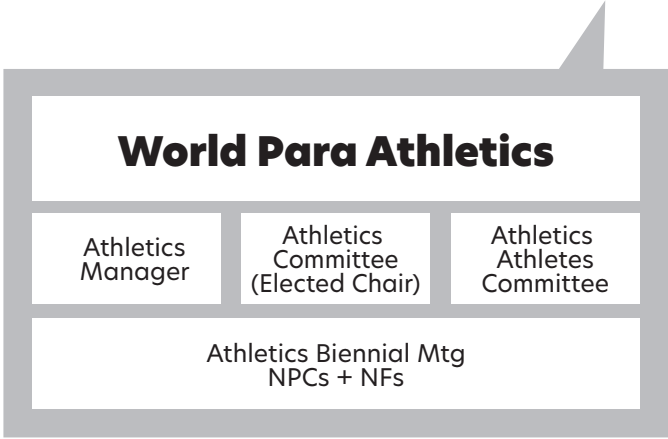


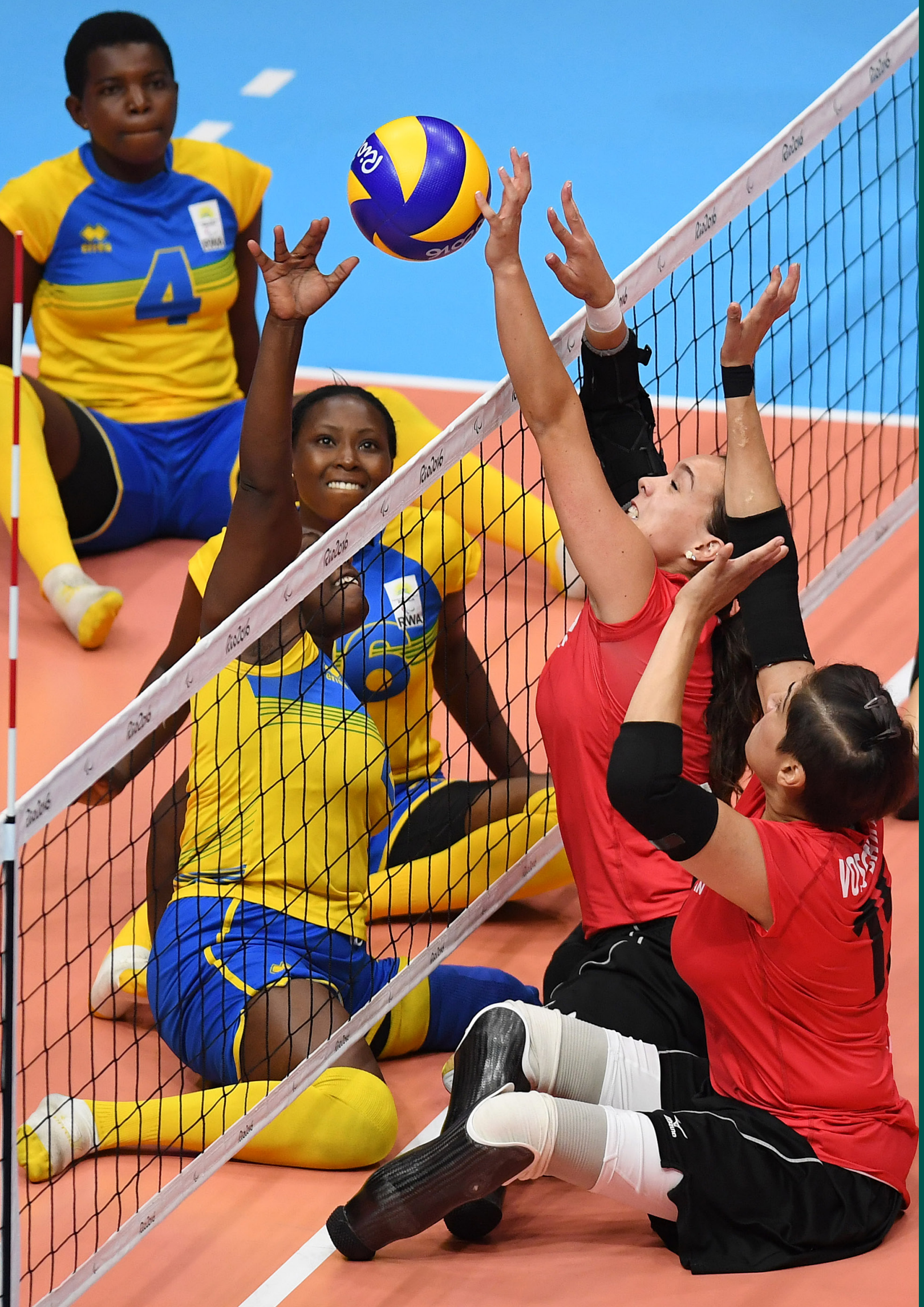
DIAGRAM 2: DETAIL OF WPS UNIT



UPDATE**4.1.4 AGITOS FOUNDATION RESTRUCTURED**

- a. The transition to removing the IPC Sports provides an opportunity for the IPC to better focus on all elements of its stated purpose including supporting NPCs, IFs, IOSDs, Regional Organisations and their athletes in preparations for the Paralympic Games and the development and organisation of Para sport. For this reason, the Original Proposal proposed to bring back into the IPC the delivery of programmes currently undertaken by the Agitos Foundation and for the Agitos Foundation to remain, but be limited to, a fundraising vehicle.
- b. As a result of the positive feedback to the Original Proposal, the Board approved bringing back in-house the delivery of the development programmes previously undertaken by the Agitos Foundation, with effect from 1 July 2020.
- c. The Agitos Foundation will remain in existence as a separate legal entity from the IPC. The trustees of the Agitos Foundation and the IPC Governing Board will discuss the best structure for the Agitos Foundation.

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4.2 MEMBERSHIP

4.2 MEMBERSHIP

4.2.1 MEMBER CATEGORIES AND RIGHTS

- a. Although consideration was given to adjusting the categories of membership to give NPCs greater rights as the core members of the IPC, it was decided, on balance, to retain the current categories of IPC membership being NPCs, IOSDs, IFs and Regional Organisations.
- b. NPCs, IOSDs and IFs will retain the right to attend, speak, propose resolutions, and nominate candidates for election and vote at General Assemblies with one vote each.

UPDATE

- c. Regional Organisations retain the right to attend, speak and propose resolutions, but will no longer have the right to vote at General Assemblies (at the 2023 General Assembly and thereafter). This is because the NPCs already have a direct vote, so the votes by Regional Organisations are duplicative. The Regional Organisations are the only members who, by definition, represent another member of the IPC namely, the NPCs. Although some IFs and IOSDs have NPCs as their members, this does not apply to the vast majority of them.

- d. The IF category will be extended to include the IPC Sports once they have established themselves with an elected Chairperson and Sports Committee. Once these components of the sport are established, the Chair of each Sport Committee and up to two other members of the Sport Committee (as decided by the Sport Committee) will be entitled to attend IPC General Assemblies as the delegates of each IPC Sport. They will have the same rights and obligations relating to delegates and voting as IFs, including the right to attend, speak, propose resolutions, nominate candidates for election and vote at IPC General Assemblies.

- e. The reason for this extension is to recognise that the IPC Sports, like the IFs, are key stakeholders of the IPC and once they begin the process to be ready to leave the IPC, they should have the same rights as the IFs.

- f. The other rights of members will remain largely unchanged.

UPDATE

following membership feedback

- g. Changes to Recognised International Federations (RIFs) (which are not voting members) are also proposed. Currently they are not referred to in the Constitution but should be, so their status, rights and obligations are clear. In addition, the current criteria for acceptance as a RIF is broad and vague, focused on the federation's contribution to the development of sport. The current criteria have also resulted in IPC staff resources being spent checking and supporting RIFs. It is proposed instead, to tighten and clarify this category in order to reduce the administrative burden.

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- h. The RIF category will be for those sports, approved by the IPC Governing Board in its complete discretion, taking into account the following relevant factors:
- The IF must be the sole worldwide representative of a sport for athletes with a disability. If there is more than one body claiming this, the Governing Board will decide in its discretion
 - A satisfactory level of Para sport activity organised globally by the IF
 - The IF must have organisational purposes and goals which are compatible with the IPC's purpose, vision and mission
 - The IF must have been certified by WADA as compliant with the World Anti-Doping Code
 - The IF must agree to have classification rules which are compliant with the IPC Athlete Classification Code.
- i. It will no longer be a requirement for sports seeking to be on the Paralympic Games programme to be a RIF.
- k. RIFs will have the following rights:
- to attend open sessions of the General Assembly as an observer (one representative), at its own cost, but no right to speak, propose resolutions, nominate candidates for election or vote
 - "IPC Guest" accreditation at the Paralympic Games for up to two representatives
 - with the IPC's prior approval, the right to use the title "IPC Recognised International Federation" including the IPC logo with that denomination (but cannot be used for commercial use)
 - with the IPC's prior approval, the right to use the Paralympic flag at designated events
 - with the IPC's prior approval, the right to use the terminology "Para [sport name]" to designate its sport's association with the Paralympic Movement.
- l. RIFs will have obligations, including to comply with the Constitution, Regulations, policies and procedures of the IPC.

UPDATE

following membership feedback

- j. Once recognised as a RIF this recognition will be permanent, unless removed by the IPC Governing Board in its discretion. The IPC may review RIFs' compliance against the criteria from time to time.

4.2.2 ADMISSION/SUSPENSION OF MEMBERSHIP

UPDATE

- a. The criteria on which members can be admitted to the IPC, and suspended will be clarified, in particular to set out clear criteria and procedures in the Constitution and Regulations. These will include the right to suspend Members due to governmental interference.

UPDATE

following
membership
feedback

4.2.3 MEMBER OBLIGATIONS

- a. Additional obligations on NPCs will be introduced to protect them from government interference (for example, political interference, or interference with the operations of the NPC).
- b. All Members will be encouraged (but not required) to meet minimum governance requirements but it will be mandatory to report to the General Assembly on progress against them, and publish the results, every two years. The Original Proposal was for the minimum governance requirements to be mandatory, but this has changed to a lesser non-mandatory threshold in recognition of the fact that it will take time for all Members to implement these requirements. These requirements on each IPC Member (subject to any applicable local laws) will include:
 - having gender equality (50% of each gender⁴) on its governing Board. This obligation does not apply to existing IFs where their members are not limited to those delivering Para sport, as in these cases it is not appropriate for the IPC to impose its obligations on the non-Para members of the IFs
 - having people with disabilities (50% with a disability⁵) on its governing Board. This obligation does not apply to existing IFs for the same reasons as noted above
 - having transparency measures such as publishing constitution/rules, organisational structure, key personnel, a summary of minutes of meetings, strategy / plans and annual reports, job vacancies etc on its website
 - preparing and publishing audited annual accounts
 - being a legal entity with members
 - holding a general meeting of its members at least once every two years
 - electing the President and the majority of the governing board at least every four years
 - having terms of office for Board members to be up to four years, with a maximum of three terms or 12 years

⁴ All references to gender in this Revised Proposal mean the gender to which the person identifies, which may not be their biological sex. For example, if a person identifies as female (although biologically male) they would count as a female. Unlike the important distinction between males and females on the field of play due to physical and other characteristics, these are not relevant for persons on boards, committees and other decision making bodies.

⁵ Unless expressly stated otherwise, all references to "disability" in this Revised Proposal mean any disability as defined in the UN Convention on the Rights of Persons with Disabilities (i.e. Article 1 - "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others"). Disability is not limited to those with a disability described in the IPC Athlete Classification Code.

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- having athlete wellbeing policies and procedures that protect the dignity and safety of athletes (and team officials) at events and training camps including such matters as ensuring accessible transport and venues; adequate, safe and accessible accommodation; adequate and proper nutrition; registration and accreditation fully completed; appropriate team officials to accompany athletes; adequate support provided to athletes with high support needs; access to suitable health services and medical facilities; tracking and recording of major medical incidents; maintaining awareness of the health status and wellbeing of retired Paralympians (to collect long term health related data to inform future policies); protecting athletes' personal information and meeting privacy obligations
 - having a means for two-way communication to its athlete community on organisational decisions, updates and changes that impact the athlete community, in a timely and transparent way
 - having policies, procedures, systems and mechanisms for collecting, holding, using and disclosing personal information, including information of athletes and others involved with the Member, including complying with applicable data protection and privacy laws
 - having rules or a code of ethics or equivalent in its rules that are consistent with the IPC's Integrity Code
 - having anti-doping rules compliant with the IPC's anti-doping rules
 - having safeguarding rules to protect athletes and others involved in the sport from harassment, unlawful discrimination and abuse including confidential reporting mechanisms for complaints
 - having a disciplinary tribunal or equivalent body which is independent of the Member to hear and decide breaches of its rules and Code of Ethics
 - having a right for parties to appeal decisions of the disciplinary tribunal to another independent tribunal.
- c. The details of the above non-mandatory obligations will be set out in the Regulations of the IPC.
- d. All Members and RIFs will be mandated not to participate or engage in any event, activity or competition of an IPC member who is suspended or expelled from the IPC, whether at international, regional or national level.
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UPDATE

following membership feedback

4.2.4 OBLIGATION TO HAVE ATHLETES' PERSPECTIVES

- a. It is proposed that, as a condition of membership, all members must have formalised mechanisms in their decision-making structure to engage with, and have the perspective of, active athletes⁶. This may include, but is not limited to any one or more of the following:
- an athlete committee or athlete representative/s
 - designated athlete seats on the top decision-making body such as the Board or Executive
 - designated athlete seats on committees
 - holding athletes' forums
 - designated athlete engagement roles within the organisation.
- b. A transition period of 12 months or longer, as decided by the IPC Governing Board, is proposed to enable members to fulfil this condition.
- c. Members will be required to report to the General Assembly on their progress to implement these athlete engagement mechanisms (and to publish such report) at the same time as reporting on governance requirements referred to in paragraph 4.2.3c above.

⁶ An "active athlete" is an athlete that is or was a Paralympian in any one or more of the last two editions of the Games (summer or winter) i.e., Eight years.

⁷ European Paralympic Committee; Asian Paralympic Committee; Americas Paralympic Committee; African Paralympic Committee; and Oceania Paralympic Committee.

UPDATE

4.2.5 IPC ASSISTANCE

- a. It was proposed in the Original Proposal that a new provision would be included in the Constitution to enable the IPC (or a taskforce on its behalf) to step in and manage an NPC where it is in difficulty where such difficulty is or is likely to directly affect the athletes; the members of that organisation or the reputation of the IPC or the Paralympic Movement.
- b. This provision is no longer part of this Revised Proposal due to feedback that giving the IPC this power would unreasonably intrude on the autonomy of Members. This means the IPC will not have any authority to assist where, for example, an NPC is having internal political or significant operational issues. However, it could still assist informally, resources permitting, if requested by the Member.

UPDATE

following membership feedback

4.2.6 REGIONAL ORGANISATIONS

- a. It is proposed that all Regional Organisations⁷ must be separate legal entities and members of the IPC, with their role, rights and responsibilities within the Paralympic Movement clarified. The link between the Regional Organisations, NPCs and the IPC will be stronger if the roles and responsibilities are clarified.

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- b. Currently the Americas Paralympic Committee (APC) is not a separate entity and its legal status, and consequential rights and responsibilities, are unclear. There are also perceptions that while the APC is inside the IPC, the same conflict and unfairness perceptions that exist for the IPC Sports being internal, apply to the APC. It will therefore be established as a separate legal entity. This could occur prior to the reform being voted on if the APC wish to act sooner, but otherwise it is proposed this will occur by no later than immediately after the 2023 Parapan American Games in Santiago, Chile.
- c. It is proposed that all NPCs in the region are encouraged, but not mandated, to be members of the Regional Organisation in their region. Regional Organisations may have other categories of non-voting members from the same region (such as separately constituted continental or regional bodies of IFs). However, IFs themselves (including any committee or representative of IFs) cannot be members or be represented on the Regional Organisation (whether voting or non-voting) as their relationship should be with the IPC either as a member of the IPC, a RIF or through cooperation.
- d. The role of the Regional Organisations will be clarified with responsibilities to:
- deliver IPC and other regional Para sport events, competitions, programmes and activities in the region, in accordance with IPC policies and with IPC's support
 - represent the NPCs in the region
 - assist and support NPCs with development and participation competitions, programmes and activities and
 - represent the IPC in the region, when requested.
- e. It is acknowledged that the size, composition, resources and the nature of activities and events undertaken by each Regional Organisation varies but their role and responsibilities are the same.
- f. The rights and obligations of Regional Organisations will be clarified as follows:

i. Rights

- attend and speak at General Assemblies, but no right to nominate persons for the elected positions on the IPC Governing Board or to vote
- nominate persons for IPC Committees (see paragraph 4.8.4c)
- participate in IPC member forums and gatherings
- “IPC Guest” accreditation at the Paralympic Games for up to two representatives
- with the IPC’s prior approval, the right to use the Paralympic flag at designated events
- apply for access to IPC development programmes
- establish, supervise and sanction regional Para competitions in consultation with the IPC and the relevant IF(s).

ii. Obligations

- co-ordinate the development of Para sport in the region in co-operation with the IPC, IFs and IOSDs
- all NPCs in the region must be invited to be members, but NPCs can choose whether or not to accept such invitation
- only NPCs can be voting members and any other categories of members must be non-voting
- for any regional Para sport competitions (in which Para sports⁸ and other disability sports may participate) only permit disability sports to have up to one-third of the total number of participants in the competition. In the Original Proposal these regional events were limited to those Para sports that were members of the IPC or RIFs and only with IPC Governing Board approval. This has now been broadened with no requirement to seek approval from the IPC Governing Board, and to allow other disability sports to be involved. This is in response to feedback received asking for a wider and more inclusive approach to development of Para sport in the Regions.

⁸ Refer to paragraph 4.1.1h for the definition of “Para sport”.

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- comply with the IPC Constitution, Regulations and all other rules and policies of the IPC
 - have a constitution which is not inconsistent with the IPC's Constitution
 - to use the name "Paralympic", "Para" and "Para sports" in accordance with IPC requirements
 - may use the Paralympic flag at designated events in accordance with IPC requirements with IPC prior approval
 - must admit into membership any NPC in the region which requests to do so (unless such NPC has been suspended by the IPC)
 - use best efforts to meet the minimum good governance requirements applicable to all Members
 - hold an annual regional general assembly and forums, at which IPC can attend to engage with NPCs and discuss matters relevant to the Paralympic Movement and
 - if requested, represent the IPC in the region.
- g. As a matter of principle, each Regional Organisation should receive, on a proportionate basis, the same level of support from IPC as each other, noting that currently there are significant differences in the number of NPCs in each Region, as well as the scope and capacity levels between them.
 - h. The IPC will also facilitate an annual meeting for the Chairs of each Regional Organisation.



4.3 GENERAL ASSEMBLIES

4.3 GENERAL ASSEMBLIES

4.3.1 The following changes to the role and procedures of General Assemblies are proposed, to ensure wider participation in decision making by the members and to enable them to hold the IPC Governing Board to account.

4.3.2 ROLE OF GENERAL ASSEMBLY

- a. The General Assembly is the meeting of members. It has supreme authority to make decisions within its stated mandate and to hold the IPC Governing Board to account.
- b. General Assemblies will be held every two years at venues which are most convenient to most members (such as large international ports). In accordance with this principle, the IPC Governing Board will develop, in consultation with the members, the criteria for deciding the venues of General Assemblies and then decide on venues in accordance with these criteria.
- c. The following matters are for the members to decide, approve or receive reports on, at each General Assembly:
 - i. Admission, suspension (if it exceeds four years), expulsion and reinstatement of members
 - ii. Election of the President and the elected members of the IPC Governing Board
 - iii. Removal of the President and/or the IPC Governing Board as a whole, prior to the expiry of their terms, if there is no confidence in them, by special majority vote. (Should any individual Board member engage in misconduct, they may be removed by order of the Disciplinary Tribunal in accordance with the disciplinary process - see paragraph 4.9.4)
 - iv. Approval of annual financial report and audited accounts for the preceding financial year (note see paragraph 4.4.2b for the IPC Governing Board's role for budget and financial management)
 - v. Approve the Auditor on the recommendation of the IPC Governing Board
 - vi. Receive reports on the most recent edition of the Paralympic Games and the next edition of the Paralympic Games
 - vii. Approval of strategic direction for the Paralympic Movement and to monitor progress against it (note see paragraph 4.4.2b(iii) for the IPC Governing Board's role to lead and approve the IPC Strategic Plan and to report progress against it at each General Assembly)
 - viii. Approval of the membership fee and any criteria on which the IPC Governing Board may waive this fee
 - ix. Amend the Constitution
 - x. If required, to dissolve the IPC.

4.3.3 GENERAL ASSEMBLY PROCEDURES

Some changes to participation at General Assemblies, and the procedures for it, are proposed as follows:

- a. NPCs, IOSDs and IFs will be entitled to have up to three delegates at each General Assembly. Only one of them will be designated as the voting delegate but all three delegates will be entitled to speak on behalf of the Member.
- b. Each delegate must be appointed by the NPC, IOSD or IF (as applicable), and either hold an official position with the body appointing them or be an active athlete (namely a Paralympian who competed in the Paralympic Games in the last eight years). A delegate may be a member of the appointing body's board, an employee or hold another position within the body.
- c. If an NPC, IOSD or IF sends two delegates to a General Assembly meeting, Members are encouraged (but not required) to have one of each gender⁹. If an NPC, IOSD or IF sends three delegates, then one of them **must** be an active athlete.
- d. A delegate of one member will not be able to be the delegate for another member. Proxy voting will not be permitted.
- e. A fund for financial support/subsidy to attend General Assemblies will be established for delegates to apply to against set criteria.
- f. All members of the IPC Athletes' Council will be entitled to attend and speak at General Assemblies but have no right to vote.
- g. In conjunction with every General Assembly there will be an informal forum held for face-to-face discussions between members and other stakeholders of the Paralympic Movement to discuss topics of interest.
- h. The IPC will aim to hold an IPC Athletes' Forum every two years. If feasible and appropriate, it will be held immediately prior to or following the General Assembly to enable the athletes to also attend the General Assembly as observers or delegates.
- i. There will be translation services available at all General Assemblies in English, French and Spanish, and other languages, costs permitting, if requested by a sufficient number of members to warrant the expense. The IPC will investigate using technology to effect live translation to reduce the cost of in-person translation services.
- j. In addition to General Assemblies, it is proposed that between General Assemblies and the Members' Gathering, the President and/or Chief Executive will hold regular informal forums by teleconference or using technology to keep members updated on developments and to seek their input on matters being considered by the organisation.

⁹ See footnote 4.



4.4 IPC GOVERNING BOARD

4.4 IPC GOVERNING BOARD

4.4.1 There are several adjustments proposed to the role, responsibilities, powers, and composition of the IPC Governing Board. These adjustments seek to:

- a. better clarify the responsibilities of the IPC Governing Board (including the President) from those of the Chief Executive;
- b. increase the IPC Governing Board's effectiveness as the IPC's key decision-making body;
- c. increase the contribution of the athletes' perspectives and,
- d. take into account the IPC Governing Board's adjusted role with the IPC Sports transitioning out of the IPC.

4.4.2 ROLE OF THE IPC GOVERNING BOARD

- a. The IPC Governing Board will continue to be responsible for governing the IPC and deciding all matters that are not otherwise for the members to decide at a General Assembly; the Chief Executive or an independent body.
- b. The following matters will be within the IPC Governing Board's mandate:
 - i. Membership - if required between General Assemblies, approve provisional admission, provisional suspension (up to four years only then the General Assembly must approve any ongoing suspension) and provisional reinstatement of membership
 - ii. Recommend to the General Assembly the broader strategic direction for the Paralympic Movement
 - iii. IPC Strategic Plan (four years) and Annual Plan - lead the development of, approve, and monitor progress against the Strategic Plan and report to each General Assembly on such progress
 - iv. Brand - approve and monitor name and branding of IPC and its properties
 - v. Annual budget and four-year financial forecast - approve and monitor progress against it
 - vi. Financial management policies and procedures- approve these

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- vii. Contracts and transactions - approve transactions if above a specified monetary limit or value of rights/obligations and monitor implementation of them
 - viii. Major transactions - approve, and report to the members on, any transaction in which IPC is acquiring assets or disposing of assets which equate to more than one-third of the IPC's assets; or where the transaction is likely to incur a liability or contingent liability of more than one-third of the IPC's assets
 - ix. Risks - identify, monitor and decide policies and procedures to manage risks at a governance level
 - x. Auditor - recommend to the General Assembly the appointment of an independent external auditor on the recommendation of the Audit Sub-committee
 - xi. Paralympic Games - decide the sports and events on the programme of the Paralympic Games in accordance with the specified criteria; appoint the members of the Paralympic Games Co-ordination Commission; approve the technical delegates for the IPC Sports for the Paralympic Games, on the recommendation of the WPS Unit Board; and monitor progress of the preparations and delivery of the Games
 - xii. Personnel- appoint, monitor, terminate the Chief Executive and provide input to the Chief Executive on other key IPC personnel
 - xiii. Delegations- decide and monitor delegations of authority to the President, the Chief Executive and the WPS Unit Board, provided that the IPC Governing Board cannot delegate its decision making power where the constitution specifically states a matter is to be decided by the IPC Governing Board (noting this does not prevent the IPC Governing Board from requesting a recommendation from the Chief Executive on a matter)
 - xiv. Board Sub-committees- appoint, define scope and delegated authority, monitor, disband Board Sub-committees to advise the IPC Governing Board (such as Finance, Risk, Audit) (see further at paragraph 4.8)
 - xv. Committees- appoint (on the recommendation of the Nominations Panel), define scope, monitor and disband Committees (see further at paragraph 4.8)
 - xvi. Regulations (formerly called By-Laws) - approve, review and revoke for matters within its stated mandate or as required under the Constitution. (Note - in general, Regulations are to cover matters applying to members or external to the IPC; whereas policies are to cover matters internal to the IPC). The IPC Governing Board will discuss, seek input or consult with members, committees and other relevant bodies within the Paralympic Movement as necessary and appropriate before approving Regulations
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- xvii. Agitos Foundation - fulfil the responsibilities of the IPC under the Agitos Foundation Constitution (as amended)
- xviii. IPC Sports - approve and monitor the IPC Sports' transition from IPC on the recommendation of the WPS Unit Board; and during the transition period, approve or delegate authority to management to approve, IPC Sports international events including bidding process, qualification criteria, events on programme, classification criteria, sponsorship or other transactions, and the brand
- xix. Approve the appointment of members of the independent bodies such as the Board of Appeal of Classification (BAC), Disciplinary Tribunal, Election Oversight Panel, and Appeals Tribunal on the recommendation of the Nominations Panel
- xx. Approve the appointment of the appointed members of the Athletes' Council, on the recommendation of the Nominations Panel (see paragraph 4.8.6b)
- xxi. Recommend amendments to the Constitution; and
- xxii. Approve amendments to the IPC Athlete Classification Code and the IPC Medical Code following appropriate consultation.
- c. To ensure some independence to the IPC Governing Board's audit function, the IPC Governing Board must have an audit committee chaired by an independent person to carry out the internal audit functions.
- d. The IPC Governing Board will also be mandated to have stringent written policies and procedures for the following matters:
- conflicts of interest
 - risk management
 - internal financial controls
 - procurement of goods/services.

UPDATE**4.4.3 COMPOSITION AND APPOINTMENT OF IPC GOVERNING BOARD**

- a. Changes to the composition, appointment process and terms of office of the IPC Governing Board were proposed in the Original Proposal. However, these have been removed from this Revised Proposal due to the election of the Board due to be held at the 2021 General Assembly, at which the constitutional changes for the governance reform are also proposed. It is not possible legally to amend the constitution and elect Board members on the basis of the amended constitution at the same General Assembly.
- b. It is hoped that the Original Proposal for changes to the Board composition, appointment process and terms of office can be considered by the IPC Governing Board after its election in 2021, and then progressed and voted on at the 2023 General Assembly. If this occurs, changes to the Board composition would be in place for the elections at the 2025 General Assembly.
- c. For the elections at the 2021 General Assembly, the current composition of the Board will remain the same, except for two adjustments, namely:
 - the addition of one more athlete representative on the Board; and,
 - the removal of the Chief Executive as a member of the Board. He or she will still attend Board meetings.
- d. The composition of the Governing Board will therefore be as follows:
 - President
 - Vice President
 - Ten (10) members at large
 - Two (2) Athletes' representatives (being the Chair and the First Vice-Chair of the Athletes' Council elected by the Athletes' Council)
 - Up to 3 co-opted members, at the IPC Governing Board's discretion (non-voting).
- e. The second member of the Athletes' Council on the Board will be the First Vice-Chairperson of the Athletes' Council who will be elected by the Athletes' Council following the 2021 General Assembly (as further described in paragraph 4.8.6e).
- f. The nomination and election process for the IPC Governing Board will remain the same as is currently the case. However, as requested by the members at the 2017 General Assembly, new election campaign By-laws will be put in place by the IPC Governing Board for the 2021 election. It is proposed that further changes will be included in the new constitution and regulations, for additional measures, to apply from the 2025 election, as described in paragraph 4.9.3.



4.5 PRESIDENT, VICE-PRESIDENT AND CHIEF EXECUTIVE

4.6 IPC HONORARY BOARD

4.7 NOMINATIONS PANEL

4.5 PRESIDENT, VICE-PRESIDENT AND CHIEF EXECUTIVE

4.5.1 The Constitution will better define the roles and responsibilities for the positions of President, Vice-President and Chief Executive.

a. President - The President will not be involved in the day-to-day operations of the IPC. The President will be the leader and the public face of the organisation. He or she will:

- be the lead representative of the IPC
- chair the IPC Governing Board meetings and manage the IPC Governing Board
- chair General Assemblies
- manage and support the Chief Executive
- maintain close relations with the members and
- maintain close relations with key stakeholders of the IPC such as the IOC, sponsors, media, other sports organisations e.g. government authorities and other relevant organisations e.g. NGOs.

b. Vice-President - In addition to their role as an IPC Governing Board Member, the role of the Vice President will be to support and assist the President to undertake any of the above tasks requested of them by the President. The Vice-President will also stand in for the President, if he or she is unable to fulfil any of their duties for any reason.

c. Chief Executive - The Chief Executive's role will be to manage the operations of the IPC. Their responsibilities will include:

- facilitating the development of the IPC Strategic Plan (to be led and approved by the IPC Governing Board), delivering the Strategic Plan and reporting to the IPC Governing Board against it
- developing the annual plan (for IPC Governing Board approval), implementing the plan and reporting to the IPC Governing Board against it
- developing the annual budget and four-year financial forecast (for IPC Governing Board approval) and reporting to the IPC Governing Board against it
- managing the operations and headquarters of the IPC including the appointment, monitoring and removal of staff

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- developing internal policies for management of staff and systems (for IPC Governing Board approval, where appropriate)
 - sourcing income for the IPC including sponsorship, grants and other revenue
 - being accountable for all operational aspects of the Paralympic Games including preparation and delivery of the Games
 - establishing and monitoring Working Groups, as required.
- d. The IPC Governing Board will not be able to delegate to the Chief Executive any decisions within the IPC Governing Board's mandated responsibilities. The Chief Executive may make recommendations on these matters, but these decisions must be made by the IPC Governing Board.
- e. In addition, it is proposed to include provisions to limit the nature and extent to which members of the Governing Board can direct staff, with some exceptions such as the President being able to direct the Chief Executive.
- f. The role and responsibilities of the President, Vice-President and Chief Executive will be stated in the Constitution rather than in the Regulations, to ensure the IPC Governing Board cannot change them as it currently can do. This will protect the members and enable them to call the IPC Governing Board to account for its responsibilities.

4.6 IPC HONORARY BOARD

4.6.1 It is proposed to disestablish the IPC Honorary Board upon the adoption of the new Constitution. The structure and title of this group is misleading as it is not a governing board.

4.6.2 In its place, the IPC Governing Board will explore the option of having ambassadors or patrons of the IPC for these leaders of such standing and importance to the IPC.

UPDATE**4.7 NOMINATIONS PANEL**

4.7.1 In the Original Proposal, a Nominations Panel was proposed to undertake various tasks including appointing four IPC Governing Board members. With the changes to the composition of the IPC Governing Board held off until after the 2021 General Assembly, the Nominations Panel will not be needed for that process.

4.7.2 However, it is still proposed to have a Nominations Panel to assess nominations and applications for members of the following bodies within the IPC:

- World Para Sport Unit Board (1 x independent member and 1 x member with prior governance experience in an IF – see paragraph 4.1.3f)
- Committees
- Athletes' Council (up to 5 appointed members – see paragraph 4.8.6b)
- Disciplinary Tribunal
- Appeals Tribunal
- Board of Appeal of Classification (BAC)
- Elections Oversight Panel
- Anti-Doping Tribunal.

4.7.3 The Nominations Panel will comprise of:

- two independent persons (appointed by the IPC Governing Board) – one with expertise in non-executive appointments and one with expertise in legal or tribunal appointments. One of these independent members will be the Chair of the Panel (decided by the IPC Governing Board);
- the President, for the appointment of the World Para Sport Unit Board, the Committees and the Athletes' Council, but not for the other independent bodies;
- for consideration of the Athletes' Council appointments, the Chair and one other member of the Athletes' Council (appointed by the Athletes' Council).

4.7.4 In appointing the two independent members, the Board must ensure there are members of both genders on the Nominations Panel.

4.7.5 It is proposed that the term of office for the members of the Nominations Panel will be four years commencing on their appointment and ending at the conclusion of the General Assembly (at which the election of the Governing Board occurs) held four years later. Members of the Nominations Panel can be reappointed for up to a maximum of three terms of office.

4.7.6 The Nominations Panel will publicly advertise the positions, target candidates and assess applications for the bodies listed in paragraph 4.7.2 above. The Nominations Panel must assess the candidates based on specified criteria applicable to each body. This will primarily be based on the skills and expertise needed for the position/s for which they are applying and secondarily take into account the need for gender balance, people with disabilities and a diversity of perspectives including where possible having members from different regions.



4.8 BOARD SUB-COMMITTEES, COMMITTEES AND WORKING GROUPS

4.8 BOARD SUB-COMMITTEES, COMMITTEES AND WORKING GROUPS

4.8.1 With the transition of the IPC Sports into an Internal Unit, the current committee structure will be adjusted to better align with the new IPC Strategy and to distinguish those which advise the IPC Governing Board (governance level) from those which assist the Chief Executive (operations).

4.8.2 The names and purpose of the groups will be as follows:

- a. Board Sub-Committees are sub-committees of the IPC Governing Board, comprising largely of IPC Governing Board members. They are tasked by the IPC Governing Board to do preparatory work for, and make recommendations to, the IPC Governing Board. Some sub-committees will be mandatory and permanent but the IPC Governing Board may establish or disestablish others to assist in its work.
- b. Committees are advisory to the IPC Governing Board but their composition will generally be larger than the sub-committees. They will include experts and people from the membership to bring different perspectives and act as a mechanism to ensure engagement with the members. Some committees will be permanent or standing (see paragraph 4.8.4(a)) and others may be appointed on an ad hoc basis.

- c. Working Groups are advisory to the Chief Executive. They assist the Chief Executive (or persons delegated by the Chief Executive) to undertake work for the IPC on a voluntary basis. The composition will depend on the subject matter and scope of work, but generally these will comprise between approximately five to nine members appointed (and disestablished) by the Chief Executive. Working Groups are usually ad hoc and established as required but some may be ongoing. They may be called Working Groups, Expert panels, taskforces or such other suitable name as decided by the Chief Executive.

4.8.3 BOARD SUB-COMMITTEES

- a. The proposed Board Sub-Committees are described in the table below.
- b. Board Sub-Committees will generally comprise three or four IPC Governing Board members (decided by the IPC Governing Board); usually those with some expertise in the subject matter. The Audit, Risk and Finance Sub-Committee will be chaired by an independent person (appointed by the IPC Governing Board) with expertise in audit.

Sub -Committee**Description**

Audit, Risk & Finance

This Sub-Committee may be sub-divided internally, as appropriate. It will be responsible for advising the IPC Governing Board on: (a) its oversight responsibilities including financial reporting, monitoring compliance with internal controls, risk identification and management, internal and external audit functions, and monitoring the governance structure and practices of the IPC; and (b) the financial management of the IPC including overseeing the preparation of the annual budget and monitoring against the budget; preparation of annual statements; advising on transactions requiring IPC Governing Board approval (above the Chief Executive's delegated authority); and, advising on new or changes to internal controls and policies related to management of finances such as delegated authorities, signatories etc.

Human Resources
and Remuneration

Responsible for advising the IPC Governing Board on the Chief Executive's employment terms; monitoring and review of the Chief Executive's performance; consulting with the Chief Executive on other key personnel; the operational structure of the IPC and organisational development; culture, staff well-being and certain internal policies.

UPDATE**4.8.4 COMMITTEES**

- a. The proposed permanent Committees are described in the table below.
- b. The IPC Governing Board may also establish other ad hoc Committees to advise it from time to time. These may be called committees, taskforces or similar names to reflect the nature of their work.
- c. The composition, and appointment process for the permanent Committees will reflect the need to have skilled and diverse people. Nominations will be sought from NPCs, IFs and IOSDs for members of the Committees. Regional Organisations may also nominate people for these Committees. All positions for Committees will be publicly advertised via the IPC website and other avenues.
- d. Each Committee will ordinarily have between five to 15 members, depending on the nature and volume of work. Each Committee will be chaired by, or include, a member of the IPC Governing Board. The Chairperson will be appointed by the Board, on the recommendation of the Nominations Panel. The Chairperson may, but need not, be the member of the IPC Governing Board. The President will be entitled to attend any meeting of a Committee.
- e. Committees receive their direction from the Governing Board (through the President or Chief Executive) and report to it through the Committee Chairperson.

f. The Nominations Panel will be responsible for assessing the applications and recommending for appointment by the IPC Governing Board the members of the Committees against the following criteria:

- skill, expertise and experience in the subject matter of the Sub-Committee;
- a non-mandatory target of at least 50% female members (in line with the target set by the IPC Governing Board in 2017);
- a spread of members from all regions and a range of countries to ensure diversity and bring global perspectives;
- at least one in every five members must be an active athlete or recently active athlete (ie a Paralympian in the past 12 years), who may include, but is not limited to, an athlete from the Athletes' Council.

Committee

Description

IPC Paralympic Games Sport Programme Committee

Responsible for advising the IPC Governing Board on the development of key principles that should be used to define the Paralympic sport programme, and on the process for selection of the programme.

IPC Classification Compliance and Oversight Committee

Responsible for advising the IPC Governing Board on compliance with the IPC Athlete Classification Code, the ongoing development of the IPC Athlete Classification Code, and global classification education and understanding. Supporting IFs in relation to their classification systems. This Committee will not have any responsibilities for classification matters of the IPC Sports. Nor will it include research on classification matters.

IPC Leadership & Equality Committee

Responsible for advising the IPC Governing Board on matters relating to the development of leaders within the Paralympic Movement; and, equality of gender and disability in the Paralympic Movement and the membership, including review of members' policies, practices and organisational culture.

IPC Member Engagement Committee

Responsible for advising the IPC Governing Board on proposals or ideas for changes to the IPC services, programmes and activities for members; issues affecting members; and, communication channels with members.

UPDATE

following membership feedback

4.8.5 WORKING GROUPS

- a. The Chief Executive may establish Working Groups on an as required basis for projects or tasks to assist with IPC operations.
- b. Working Groups will be of such size as is necessary to undertake the work of the group. In addition to skills and expertise (which is the primary requirement for appointment), factors such as gender, regional spread and diversity will be taken into account.
- c. Working Groups will largely provide advice to management, but they also may be asked by the Chief Executive to give advice on matters, within their scope of work, for decision by the Governing Board. Working Groups will not be required to advise on any matters affecting any IPC Sport, which will be for the World Para Sports Unit Board to consider.
- d. All Working Groups will receive their direction from, and report to, the Chief Executive.
- e. The duration of the Working Groups will reflect the length of the project or task the group is undertaking.
- f. Initially there are likely to be Working Groups or Expert Panels in the areas of medical and science and/or research.
- g. Membership of all Committees and Working Groups is voluntary, but expenses will be paid by the IPC in accordance with its policies.

UPDATE

following membership feedback

4.8.6 ATHLETES' COUNCIL

- a. The IPC Athletes' Council sought input from athletes on possible changes to the Athletes' Council and other aspects of the Original Proposal at the IPC Athletes' Forum in November 2019. As a result of that, and further discussion by the Athletes' Council and the Governing Board, some changes to the Athletes' Council are proposed.
- b. The proposed composition of the Athletes' Council (all of whom are voting members) is as follows:
 - nine elected members of which there are six summer active athletes and three winter active athletes (no change from current composition);
 - up to five appointed active athletes appointed by the Governing Board on the recommendation of the Nominations Panel (with half of the Nominations Panel made up of Athlete Council members) (this would replace the current provision allowing for up to three co-opted members);
 - the Chair or Vice-Chair of the IOC Athletes Commission member, appointed by the IOC Athletes' Commission (no change).
- c. All members must be active athletes¹⁰.
- d. The reasons for proposing the appointment of up to five appointed members (each of whom must be an active athlete) are to:

¹⁰ See footnote 6.

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- enable any gaps in skills and expertise of elected members to be filled
 - increase the capacity of the Athletes' Council so it is more productive and effective
 - allow active athletes from IFs and IOSDs to be part of the Athletes' Council to better reflect the membership of IPC
 - ensure gender balance, diversity of perspectives and a spread of athletes from all Regions.
- e. It is proposed to have a Chairperson and two Vice-Chairpersons of the Athletes' Council (currently there is only one Vice-Chairperson). The additional Vice-Chairperson (from the current composition) will enable the workload of the Athletes' Council to be shared across a wider group of leaders. The first Vice-Chairperson would be the second athlete member on the IPC Governing Board. The second Vice-Chairperson is part of the leadership group within the Athletes' Council. They will be an independent voice for the Athletes' Council on decisions of the Governing Board, which is more difficult for the Chairperson and First Vice-Chairperson who are voting members of the Governing Board.
- f. The Chairperson and Vice-Chairpersons will be elected by the Athletes' Council from amongst the elected members of the Athletes' Council.
- g. Ideally the persons in these three positions will be of different genders and come from different regions, but this is not mandatory as having people with the skills, experience in representing athletes and the capacity to fulfil the roles will be the primary requirements.
- h. The election of the elected members of the Athletes' Council will continue to occur at every Paralympic Games, where six summer athletes are elected and at every Paralympic Winter Games, where three winter athletes are elected. Nominations for elected members of the Athletes' Council can be made by NPCs, IOSDs and IFs. If an IF or IOSD nominates a candidate, it must inform the NPC of that athlete prior to submitting the nomination that it is going to do so, as a matter of courtesy. The Original Proposal limited nominations to NPCs only, but it is proposed to broaden this to active athletes from IOSDs and IFs.

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- i. For the appointed members of the Athletes' Council, following the Athletes' Council elections after each edition of the Paralympic and Paralympic Winter Games, the Nominations Panel will assess the gaps in the Athletes' Council's needs including skills, experience, gender, regions etc, and call for applications from active athletes including from NPCs, IFs, IPC Sports and IOSDs. The Nominations Panel may also target candidates. The Panel will then assess the applications based on the criteria described in paragraph 4.8.6g and make recommendations to the IPC Governing Board for approval.
 - j. There cannot be more than one active athlete from the same country on the Athletes' Council (in any capacity) and no more than two athletes from the same sport (as is the case in the existing By-Laws).
 - k. The term of all members of the Athletes' Council is four years with the right to be re-elected or re-appointed provided they remain active athletes.
 - l. The two Vice-Chairpersons are elected by the Athletes' Council after each respective edition of the Paralympic and Paralympic Winter Games and will serve four-year terms, but these will be staggered as follows:
 - First Vice-Chairperson: Their term starts in the third year of the Chairperson's four-year term to allow transfer of knowledge within the Athletes' Council and consistency of the athlete leadership on the Governing Board
 - Second Vice-Chairperson: Their term would be on the same four-year term cycle as the Chairperson
 - However, to enable a transition to these staggered terms, the terms for the inaugural Chairperson, First Vice-Chairperson and Second Vice-Chairperson under this new structure, will be for three, two and one-year terms respectively, and thereafter four-year terms
 - Should the Chairperson, First Vice-Chairperson and Second Vice-Chairperson vacate their position (whether due to expiry of the person's term on the Athletes' Council, resignation or otherwise) it will be filled (by election from amongst the members of the Athletes' Council) for balance of the term of the vacated position.
 - m. The role and responsibilities of the Athletes' Council would remain unchanged.
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4.9 INTEGRITY AND DISCIPLINARY

4.9 INTEGRITY AND DISCIPLINARY

It is proposed to increase the standards of integrity to both simplify and make the integrity functions more independent than they are currently.

4.9.1 ELIGIBILITY CRITERIA

- a. All IPC Officials will need to meet eligibility criteria to ensure they are suitable for such role including having no relevant criminal convictions, not being an undischarged bankrupt, a disqualified director, subject to a mental health order, or be subject to investigation or disciplinary action, etc.
- b. "IPC Officials" means individuals who represent the IPC, whether elected or appointed, including members of the IPC Governing Board, sub-committees, committees, the Athletes' Council, working groups, Nominations Panel, panels and tribunals, staff (to the extent permissible by law), and for the period the IPC Sports are with the IPC, the members of the WPS Unit Board, and Chairpersons, and members of the Sport Committees and athletes committees.
- c. Before applying for any IPC Official position, applicants must self-declare that they are eligible for office under the eligibility criteria. If it becomes apparent that they were ineligible, or become ineligible, they may be removed from office after the necessary hearing process.

4.9.2 CODE OF ETHICS

The existing Code of Ethics will be revised to:

- a. Change its name to an Integrity Code; since it covers matters which are broader than ethics
- b. Clarify the standards against which IPC Officials are required to conduct themselves including provisions on:
 - gifts and benefits
 - prevention of the manipulation of competitions
 - declaring interests and managing conflicts
 - confidentiality
 - equality and non-discrimination
 - protection of human rights
 - fair elections
 - anti-doping
 - protection of reputation
 - match fixing, betting and corruption
 - harassment, discrimination and other misconduct, etc.

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- c. The Integrity Code will also apply to IPC Officials and all participants in the Paralympic Games during the period of the Paralympic Games. The IPC will also have certain jurisdiction over member representatives outside of this period where those member representatives engage in misconduct or have brought the IPC or the Paralympic Movement into disrepute.
- d. The IPC will also have the power to prosecute officials of an NPC, IF or IOSD before the Disciplinary Tribunal if:
- the alleged conduct is serious or is likely to bring the IPC and/or the Paralympic Movement into disrepute or
 - the NPC, IF or IOSD has not taken any sufficient action against its official/s for breach of their own integrity code or equivalent rules.
- e. IPC Members will be required to have an integrity code or equivalent rules with standards that are the same or higher than those of the IPC.
- f. Member entities are not themselves subject to the Integrity Code; but any breaches of rules by NPCs, IFs, IOSDs or other members that are entities will be dealt with under the member suspension provisions in the Constitution and applicable Regulations.

4.9.3 ELECTION CAMPAIGN RULES

- a. The Election Campaign By-Laws will be reviewed prior to the 2021 General Assembly, so those changes will not form part of this Proposal.
- b. However further changes are proposed which will come into effect for the next election in 2025, to enable the appointment of an Election Oversight panel (by renaming and strengthening the current Electoral Commission) and other changes to ensure the following:
- maximising candidates' ability to campaign, including the use of modern technology
 - maximising compliance with the highest ethical standards, including:
 - o avoiding (undeclared) conflict of interest
 - o limiting third parties influencing/interference (no direct contact by e.g. embassies)
 - o avoiding hidden influencing
 - o taking measures to avoid direct & indirect bribery/donations/promises.

4.9.4 DISCIPLINARY TRIBUNAL

- a. It is proposed to disestablish the current Legal and Ethics Committee because it functions as both a regulator (makes recommendation on regulations) and an enforcer (makes decisions on breaches of them). There is also cross over of some of its current functions with the in-house legal function, which has expanded considerably since the LEC was first established.
- b. In its place, it is proposed to establish a Disciplinary Tribunal which will have two chambers, (at least while the IPC Sports remain within the IPC) as follows:
 - it will hear and decide cases where IPC Officials have breached the IPC Constitution or any Regulations
 - it will hear and decide cases where international level athletes and athlete support personnel from any IPC Sport have breached the rules of the sport. Once all the IPC Sports have left the IPC, this chamber of the Disciplinary Tribunal will cease to exist.
- c. All the members of the Disciplinary Tribunal will be independent of the IPC. This means they cannot have had any role with the IPC, in any capacity (other than a position in a disciplinary or judicial tribunal or similar) in the last four years. This does not prevent them from having been, or remaining, involved in Para sport in other capacities (including as a delegate of an IPC Member) except in a role with the IPC.
- d. Once appointed, members of the Disciplinary Tribunal may not sit on any case where they have any connection (personal or organisational) with any of the parties or witnesses including being from the same country as any party to the case. The members must either be qualified lawyers or have expertise in sporting disputes.
- e. It is proposed there will be no less than five members appointed to the Tribunal including a Chairperson. If possible, there should be members from all the Regions of the IPC. For each case, the Chairperson may appoint one of the qualified lawyer members to hear and decide it, or three members for complex or important cases (in which case at least one of the three members must be a qualified lawyer).
- f. The members of the Disciplinary Tribunal will be appointed for four-year terms of office, renewable for a maximum of three terms (12 years). Any prior or existing terms on the IPC Legal and Ethics Committee or Appeals Panel will not be counted.
- g. In order to bring some independence to the appointment process members of the Disciplinary Tribunal will be appointed by the IPC Governing Board on the recommendation of the Nominations Panel. The President will not sit on the Nominations Panel for these appointments.
- h. The Disciplinary Tribunal will have its own secretariat, and it is possible this function and the members of the Disciplinary Tribunal could be contracted to an independent body, such as UK Sport Resolutions.

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- i. There will be a right of appeal from decisions of the Disciplinary Tribunal to an independent IPC Appeals Tribunal, appointed by the same process as the members of the Disciplinary Tribunal.
 - j. The Board of Appeal of Classification (BAC) will remain in place with its current jurisdiction. Members of the BAC must be independent of the IPC meaning they cannot hold, or have held, any role with IPC in the previous four years. In addition, a BAC member cannot be allocated to hear and decide an appeal where:
 - the BAC member is from the same country as any party to the appeal or
 - in the previous four years, the BAC member has held, or currently holds, a role within the Paralympic Movement in which they were, or are, directly involved with the sport which is the subject matter of the appeal.
 - k. The BAC members must either be qualified lawyers or have prior experience in classification or Para sport or another relevant field.
 - l. For each appeal, the Chairperson of the BAC may appoint one of its members to hear and decide it, or three members for complex or important cases (in which case at least one of the three members must be a qualified lawyer).

4.9.5 COMPLAINTS AND DISPUTES RESOLUTION

- a. A confidential complaints process will be established for any person in the Paralympic Movement to confidentially raise issues or concerns about IPC Officials (e.g., safeguarding concerns or breaches of the Integrity Code). In addition, the current process applicable during Games time, where any person who is accredited to compete in or attend the Games can complain about breaches of the Integrity Code, may be updated.
- b. A dispute resolution process will also be established by the IPC for disputes between members of the IPC (e.g. NPCs, IOSDs, IFs) or between a member and the IPC. This will include persons to facilitate possible agreed resolutions, mediation or referral to the Disciplinary Tribunal (if applicable).



4.10 TRANSPARENCY

4.10 TRANSPARENCY

4.10.1 It is proposed to increase the nature and level of transparency of decisions, outcomes and the decision-making process including the following:

- a. Financial Accounts
 - The IPC annual audited accounts will be published on the IPC website.
 - Subject to German law, the IPC accounts will include a record of any remuneration or fees paid to the President or any other member of the IPC Governing Board, Chief Executive and any other IPC Officials (excluding other staff).
- b. Meetings, minutes etc.
 - The agenda and minutes of all General Assemblies will be published on the IPC website. A calendar of General Assembly, IPC Governing Board and Committee meetings will also be published. A summary of each IPC Governing Board meeting will also be published.
 - All voting will be open, except for elections which remain by secret ballot or where secret ballot is called by 25% of voting members at a GA. If the technology to do so is available and affordable, open voting will mean the results of the votes, including who voted for each resolution, are shown immediately after the vote. This holds delegates to account to their NPC or IF for how they voted.
- c. Awards
 - The criteria and process for awards will be published on the IPC website, including the Paralympic Order.
- d. Positions Advertised
 - Positions for the IPC Governing Board, Committees and permanent positions for senior executive staff will be publicly advertised via the IPC website and, resources permitting, other avenues.
- e. Distribution of Funds
 - All grants for development projects including via the Agitos Foundation or the IPC will be disclosed in the annual report. These grants will also be audited independently and verified in the report.
- f. Members Portal
 - A members' only portal will be established on the IPC website to enable disclosure of more detailed information to members, than that which is available to the general public. This will also be used as the mechanism for consultation and ongoing dialogue with members.

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5 PROCESS AND NEXT STEPS

5. PROCESS AND NEXT STEPS

UPDATE

5.1 COST AND RESOURCES

5.1.1 An assessment has been undertaken of the costs and resources required to operate the proposed new structure if it is approved by the membership.

5.1.2 The estimated annualised costs to operate the total new structure and conduct the reforms is €308.5k and is made up of the following key components:

- €64k per annum for the WPS Unit Governance structure
- €147k per annum for additional human resources
- €97.5k per annum for Governance compliance and changes to rules & regulations.

5.1.3 The IPC will also continue to provide the existing levels of support to each IPC Sport while it remains with the IPC.

5.2 FEEDBACK

5.2.1 The IPC Governing Board and Governance Review Working Group will be seeking feedback on this Revised Proposal.

5.2.2 The feedback will be considered with any adjustments to this Revised Proposal made, and those adjustments communicated.

5.3 NEW CONSTITUTION AND REGULATIONS

5.3.1 Many, but not all, of the elements of the final Proposal will be incorporated into the IPC Constitution. It is envisaged that a whole new constitution will be drafted. To ensure the agreed governance changes cannot be changed by the IPC Governing Board through Regulations, this proposed new constitution will contain more detail than the current constitution.

5.3.2 As a consequence, the By-Laws will be substantially revised and renamed as Regulations. This will also provide an opportunity for the Handbook to be revised and simplified with many of the other documents, guidelines, position statements separated or revoked, where no longer required.

UPDATE

5.4 VOTE

5.4.1 It is proposed to vote on the new Constitution at the General Assembly due to be held in December 2021, which will require a two-thirds majority of those present to vote in favour of it, for it to be approved.

5.4.2 It will be a vote to accept or not, the whole document as presented. Members are therefore encouraged to submit any proposed changes to the wording of the constitution when a draft of it is circulated for input in June 2021.

UPDATE

5.5 TIMING

5.5.1 If approved, the new structure will largely take effect in time for the 2023 General Assembly.

5.5.2 The Regulations will be approved by the IPC Governing Board following the General Assembly in 2021. Other changes in practices and procedures will be implemented over a transition period.

PROPOSED TIMELINE

October 2020

Revised Proposal
published

November 2020 to January 2021

Consultation
on Revised Proposal

June to August 2021

Draft Constitution
sent out (June)
for feedback

late September 2021

Final Constitution
and Regulations
sent out

December 2021

IPC General Assembly
Vote on Constitution

By July 2022

IPC Sports hold general
meetings - elect
Sport Committee
members

By December 2022

WPS Unit
and Board established

2023

America
Paralympic Committee
leaves IPC

2023 IPC General Assmebly

Amendments to
constitution re the
IPC Governing Board
composition

FEEDBACK AND QUESTIONS

For questions, comments and feedback on this Proposal, please send comments to governance.review@paralympic.org.

APPENDIX 1

The table below shows the options considered by the Working Group and the IPC Governing Board in considering the best way to address the separation of the IPC Sports from the IPC and the IPC's function as an IF, from its other functions.

Option	Pros	Cons
<p>1 Expanded role IPC can govern any Para sports including IPC Sports</p>	<ul style="list-style-type: none"> • Clarity of purpose • Increases IPC income/ resources • Improves resources for sports • Equity/fairness across more sports including non-Paralympic games sports • IPC has more expertise/experience • Strengthens declining sports • Allows for new sports to be developed • Aligns with NPCs who in many cases are both a National Federation for a sport(s) and an NPCs 	<ul style="list-style-type: none"> • IPC Governing Board is not seen as listening to the membership • IPC capacity will be stretched • Unknown impact on IPC e.g. financial, which sports and how sports might come in • Doesn't align with all NPCs so may create expectation for NPCs to align • Is a reversal of the current direction towards independence which some NPCs have already followed • Doesn't address conflicts (unless New structure) • Sports not members of IPC if inside • Equity/parity concerns continue
<p>2 Status Quo IPC governs IPC Sports indefinitely until they are self sustainable</p>	<ul style="list-style-type: none"> • Better clarity of purpose • Known impact on IPC • Ensures survival of IPC sports • Aligns with NPCs who in many cases are both a National Federation for a sport(s) and an NPCs • Continues existing position of IPC Sports seeking to be self sustainable • No change means no distraction to IPC's other priorities 	<ul style="list-style-type: none"> • IPC Governing Board is not seen as listening to the membership • Is a reversal of the current direction towards independence which some NPCs have already followed • May be confusing as to whether goal is still for sports to seek independence or not • Conflicts continue unless change in structure • Sports not members of IPC once inside the IPC • Doesn't address sports that may want to be under IPC governance but can't • Equity/parity concerns continue

<p>3 Internal Unit IPC governs IPC Sports via a Unit within IPC but separate governance/management</p>	<ul style="list-style-type: none"> • Clarity of purpose • Conflicts mitigated • Separate governance/management functions • Dedicated focus and expertise for the sports • Shows listening to membership • IPC retains legal and practical “control” • Ensures survival of IPC sports and minimal disruption • Continues existing position of IPC Sports seeking to be self sustainable • Equally can be used if retaining as core part of IPC purpose and new sports • Possible to set up without constitutional change and easier to change quickly 	<ul style="list-style-type: none"> • Significant set up resource – time and cost • Degree of duplication between Unit and IPC HQ • Impact unknown • Conflicts not completely avoided • Could exacerbate “them and us” within staff • IPC Sports not members of IPC • Equity/parity concerns may continue
<p>4 External Unit IPC establishes wholly owned separate legal entity</p>	<ul style="list-style-type: none"> • Clarity of purpose • Conflicts mitigated • Separate governance/management functions • Dedicated focus and expertise for the sports • Shows listening to membership • IPC retains legal (but not practical) “control” • Ensures survival of IPC sports • Continues existing position of IPC Sports seeking to be self sustainable 	<ul style="list-style-type: none"> • Significant cost to set up which may not be worth it if the sports ultimately separate • Take time to implement • Impact unknown • Probably requires constitutional change • Conflicts largely but not completely avoided • Sports not members of IPC • Disruption to the IPC Sports to move across to separate entity • Equity/parity concerns may continue
<p>5 External sports entity IPC Sports establish own separate membership entity</p>	<ul style="list-style-type: none"> • Clarity of IPC purpose (i.e. not IPC Sports) • Conflicts completely removed • Shows listening to membership • Separate governance/management functions • Dedicated focus and expertise for the sports • IPC could retain an interest through services and support • Ensures survival of IPC sports – possible new commercial interests • Enables new sports to be established with necessary support • Sports or the entity (on their behalf) could become members of IPC • Equity/parity concerns should cease (since sports are self-sufficient) • IPC’s liability limited 	<ul style="list-style-type: none"> • Requires time, willingness and leadership of sports to establish it • Significant cost to set up • IPC control of sports is minimised • Impact unknown • Unknown financial viability • Sports may not survive, which could impact PG and Movement • Requires constitutional change of IPC • NPCs/NFs members of two international bodies • Risk of confusion of brand/commercial impact on IPC • Disruption to the IPC Sports to move across to separate entity • Take time to implement
<p>6 IFs or PIFs IPC Sports to merge into existing IF or PIF or establish new PIF by a specified date or time-frame</p>	<ul style="list-style-type: none"> • Clarity of IPC purpose (i.e. not IPC Sports) • Conflicts completely removed • Shows listening to membership • Deadline brings closure • Decision on future left to sports to decide (not IPC) • Dedicated focus and expertise for the sports • IPC could retain an interest through services and support • Sports could become members of IPC • Equity/parity concerns should cease (since sports are self-sufficient) 	<ul style="list-style-type: none"> • Requires time, willingness and leadership of sports to negotiate • IPC retain little control of sports • IPC will have to support/fund transfer • Sports may not survive, which could impact PG and Movement • Requires constitutional change of IPC • Disruption to the IPC Sports to move across to separate entity • Take time to implement • A specified date for all IPC Sports does not take into account the variations between them



INTERNATIONAL PARALYMPIC COMMITTEE

Adenauerallee 212-214, 53113 Bonn, Germany / paralympic.org
info@paralympic.org / Tel: +49 228 2097-200 / Fax: +49 228 2097-209

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