3.1 Summary of substantive changes required by IPC to APC Charter, Chapter 1 Constitution

<table>
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<tr>
<th>Clause</th>
<th>Original (approved by 2016 GA)</th>
<th>New</th>
<th>Rationale given by IPC</th>
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</table>
| **5.1.1.1** | National Paralympic Committees (NPCs)  
A national organisation belonging to the Asian region and recognised by the International Paralympic Committee (IPC) as the sole representative of Para athletes in that country or territory to the IPC. | Full Members  
National Paralympic Committees (NPCs)  
A National Paralympic Committee based in the Asian region and that has been ratified by the IPC General Assembly.  
Provisional Members  
A National Paralympic Committee that has been endorsed by the IPC Governing Board but is still subject to ratification by the IPC General Assembly | The [IPC Handbook](#) defines members of a Regional Organisation as NPCs - see clause 2.5.1 of Chapter 2.1 Rights and Obligations of IPC Members. |
| **5.1.1.2** | Sub-regional Organisations (sub-regions)  
An independent sub-regional organisation recognised by the APC as the sole sub-regional representative of the APC members within the sub-region. | Deleted | See above - Sub-regional Organisations are not members of IPC, only members of IPC can be members of APC |
| **5.1.2.** | Other members  
**5.1.2.1** Regional Organisation of Sport for the Disabled  
An independent regional organisation for the Asian region, member of the respective International Sport Organisation of Sport for the Disabled (IOSD) recognised by the IPC as the | Entire clause deleted | See above. Additionally:  
- the IOSDs do not yet have independent, legally constituted regional members  
Please note that only IFs and Recognised Federations should |
| 5.1.2.2 | **Regional Paralympic Sport Federation**  
An independent regional organisation for the Asian region, member of the respective International Paralympic Sport Federation (IF) recognised by the IPC as the sole worldwide representative of a sport for Para athletes and is on the Paralympic programme. |
| 5.1.2.3 | **Non-Paralympic Regional Sport Federation**  
An independent sport organisation that is not on the Paralympic Sports Programme (Winter or Summer) and consequently not eligible to obtain IPC membership, but which sport is on the APC Games Sports Programme. |
| 5.3.2 | A member shall only be permitted to exercise its entry, voting, nominating and participation rights if the annual membership fee, any outstanding levies and all fees have been paid and received.  
A member shall only be permitted to exercise its voting and nominating rights at an APC General Assembly if the annual membership fee, any outstanding levies and all fees have been paid and received. A member will still be able to participate at the APC General Assembly but only on topics related to the IPC or IPC activities.  
This must be rephrased to be compliant with: Chapter 2.1 - Rights and obligations of IPC members – "1.5.6: (An RO shall have the right to) Establish a regional membership fee; with the condition that non-payment shall not be a reason for withdrawing an NPCs speaking and voting rights at General Assemblies of the region on all topics related to IPC activities and/or preventing their athletes. |
5.3 Rights and obligations of other members

Other members as defined under 5.1.2 shall have the same rights and obligations as the full members (as defined in 5.2), with the exception that they only have speaking rights at meeting of members (no voting rights).

Clause changed as no ‘Other member’ category. Now refers to Provisional Members

5.3 Rights and Obligations of Provisional Members
Provisional members shall have all the privileges of full membership, with exception of the following rights: i) the right to vote at the General Assembly, ii) the right to submit motions, iii) the right to submit nominations for election to the APC Board, and iv) the right to submit nominations for the APC Athletes Committee elections.

Provisional members must still comply with all other rights and obligations of APC members.

5.4.1 Admission

NPCs that are provisional or full members of the IPC shall

Deleted the following words

The APC GA shall decide on the admission of any other category

See comment on 5.1.1.1 (APC membership is restricted to NPCs)
automatically become members of the APC, with the same membership status as the IPC’s (i.e., provisional member until ratified as full member by the IPC GA), provided they pay annual membership fees as defined in 5.2.2). The APC GA shall decide on the admission of any other category of member as defined in 5.1, with recommendation from the Executive Board that confirms the applicant organisation does comply with the APC requirements with regards to: constitution, national/sub-regional recognition, and financial sustainability. Upon approval of application by the Executive Board, a new member (other than an NPC) shall be given provisional membership, to be ratified at the following APC General Assembly.

5.4.2 **Suspension**

A member may be suspended for:

- Failure to pay the annual membership fee as determined at the General Assembly, unless otherwise decided by the Executive Board
- Not fulfilling the conditions for membership as defined in 5.1, with recommendation from the Executive Board that confirms the applicant organisation does comply with the APC requirements with regards to: constitution, national/sub-regional recognition, and financial sustainability.

Upon approval of application by the Executive Board, a new member (other than an NPC) shall be given provisional membership, to be ratified at the following APC General Assembly.

Replace wording with **Suspension**

A member may be suspended for:

- Failure to pay the annual membership fee as determined at the General Assembly, unless otherwise decided by the Executive Board

5.4.2 **Suspension**

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- Failure to pay the annual membership fee as determined at the General Assembly, unless otherwise decided by the Executive Board

This reference to suspension from IPC needs to be directly integrated in the bylaws, not as a note.

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<th>Membership and not complying with the obligations of members, as defined in the bylaws. Membership in the APC may be suspended by the Executive Board. Before a member is suspended, the member shall have the right to be heard either in person or in writing by the Executive Board. The Executive Board shall inform the General Assembly of all suspensions in progress. A member under suspension loses all rights and privileges of membership. In particular, a member shall not be entitled to be heard, except with respect to their suspension, or vote at meetings of members, and/or enter athletes in competitions sanctioned by the APC, and/or participate in APC activities. <strong>Note:</strong> A NPC suspended by the IPC automatically becomes suspended for the APC as well.</th>
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<td>• not fulfilling the conditions for membership and not complying with the obligations of members, as defined in the bylaws (APC Charter, Chapter 2.7). Membership in the APC may be suspended by the Executive Board. Before a member is suspended, the member shall have the right to be heard either in person or in writing by the Executive Board. The Executive Board shall inform the General Assembly of all suspensions in progress. A member under suspension loses all rights and privileges of membership. In particular, a member shall not be entitled to be heard on matters relating to the APC, except with respect to their suspension, or vote at meetings of members, and/or enter athletes in competitions sanctioned by the APC, and/or participate in APC activities. <strong>Suspended members will be able to participate in the APC General Assembly on matters exclusively relating to the IPC.</strong></td>
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<td>Region, and only those Members (in the event of a dispute as to the area covered by a Region or to which Regional Federation a Member should belong, the decision of the Board will be final and binding); if a member withdraws from or is suspended or expelled from membership of the Company, it will automatically be deemed to have withdrawn from or been suspended or expelled from membership of the Regional Federation.’</td>
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<td>5.4.3</td>
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meets the requirements for membership as outlined in article 5.2; and

- Automatically upon there being passed, at a meeting of members at the General Assembly, by at least two-thirds (2/3) of the votes cast on the question, a resolution that such member’s membership be revoked. Revocation premised a good cause which shall in particular and without limitation be given if a member seriously prejudices the interests of the organisation or if the member is in breach of the APC Constitution, bylaws, codes or rules and regulations. Prior to any vote on revocation, a member shall have the right to be heard.

Note: a NPC whose membership is terminated by the IPC will
| 6.2 Structure | The term of office shall be four (4) years. The Executive Board shall, however, remain in office provisionally until a new Executive Board is elected. An individual might be elected for any of the Executive Board positions for unlimited number of terms as long as he/she is rightfully elected by the members in accordance with the elections procedures described in the by-laws. Elections for the President and Vice-Presidents positions shall occur at the General Assembly following each Asian Para Games. | Delete the wording
The term of office shall be four (4) years. The Executive Board shall, however, remain in office provisionally until a new Executive Board is elected. An individual might be elected for any of the Executive Board positions for unlimited number of terms as long as he/she is rightfully elected by the members in accordance with the elections procedures described in the by-laws. Elections for the President and Vice-Presidents positions shall occur at the General Assembly following each Asian Para Games.

Replace with
The term of office shall be four (4) years. No individual shall serve on the Executive Board for more than three (3) consecutive terms. If an individual’s election as President follows one or more terms on the executive Board in some other capacity, that individual will be entitled, if re-elected, to remain as President for three (3) terms. |

This needs to be reworded to mirror the term limits established in the IPC constitution:

Specifically:

5.2.3 Subject only to article 5.2.4, no individual shall serve on the Governing Board for more than three (3) consecutive terms.

5.2.4 If an individual’s election as President follows one or more terms on the Governing Board in some other capacity, that individual will be entitled, if re-elected, to remain as President for three (3) terms.

On timing of election, suggest recommending an alternative that is not tied to an event.
<table>
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<th>Elections for the President, Vice-Presidents, Members at Large and Women in Sport Committee Chairperson positions shall occur every four years at the General Assembly.</th>
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| 6.5 | **Vacancies**  
The Executive Board shall have the right to appoint a full voting member to the Executive Board in the event that one of the elected positions falls vacant during any term of office. Such an appointment is to be ratified by the membership at the next General Assembly, unless such General Assembly falls in an election year, at which time the electoral process will apply.  

**Insert wording in bold**  
**Vacancies**  
The Executive Board shall have the right to appoint a full voting member to the Executive Board in the event that **any** one of the elected positions falls vacant during any term of office, including President and/or Vice President. The appointment will be for the remainder of the term and is subject to ratification by the membership at the next General Assembly, unless such General Assembly falls in an election year, at which time the electoral process will apply.  

**Needs to be clear that this is for the remainder of the term only.**  
**Should also specifically address the case of specific roles, such as President and Vice-President.** |