

## 2016 IPC Athletes' Council Election Campaign Rules

Article 12 below, and its sub-articles, are an extract of the IPC Code of Ethics (IPC Handbook, Section II, Chapter 1.1), which can be downloaded from the IPC Website; alternatively a copy can be received upon simple request.

### 12 Code of Conduct Rules for Candidates to Election

These rules apply to both the candidates for election as well as to their respective nominating body.

#### 12.1 General Conduct

12.1.1 The conduct of all candidates shall comply with all other provisions outlined in the IPC Code of Ethics.

12.1.2 Each candidate and/or their respective nominating body has the right to promote the candidature, subject to these Conduct provisions and the IPC Code of Ethics.

12.1.3 Nominees and/or their respective nominating body shall not Campaign in any way prior to the official public announcement by the IPC of all valid candidates for election.

For the purposes of this Code of Conduct, to “Campaign” shall mean any effort or action – including (but not limited to) any contact by way of letter, email or via any form of social media – the purpose of which is to influence the decision-making process of any relevant person or group in any IPC elections.

12.1.4 The promotion of a candidate by any person or organisation shall always be conducted with dignity and moderation.

12.1.5 Candidates and/or their respective nominating body shall seek the advice of the IPC Electoral Commission where any doubt about the proper interpretation of these Rules may arise.

12.1.6 For elections to the IPC Governing Board and to the IPC Athletes Council, the IPC shall publish an official, international presentation of all approved



candidates, the content of which will be approved in advance by each candidate acting reasonably.

12.1.7 Candidates may also produce, at their own expense, a double-sided A4 colour leaflet promoting their candidature. This document shall be submitted to the IPC Electoral Commission for approval at least 14 days prior to publication, unless the content is the same as used for the official announcement already published by the IPC. The candidate's document may include the branding of the candidate's nominating body, but may not include any branding or other references to any third party that might suggest endorsement of the candidate by that party.

12.1.8 Following the IPC public announcement of the approved nominees for election and up to midnight on the day prior to the day of formal elections process candidates shall be allowed to distribute their promotional document, including by electronic means such as email, social media (being posts on Facebook, Twitter and other similar sites) to all relevant persons or groups, subject to the following:

1) All such communications must comply with the IPC Code of Ethics, and in particular sections 12.1.4 and 12.3.1 of these Rules; and

2) Any electronic communications must be copied to the IPC Electoral Commission for the purpose of monitoring compliance with these the IPC Code of Ethics and these Rules.

12.1.9 The distribution of candidates' printed promotional document at the formal elections and other relevant IPC events shall only be allowed in the designated campaign area. No candidate promotional material shall be distributed at any time in the formal IPC General Assembly/Conference meeting rooms or at any IPC competition venues.

## **12.2 Relations with Members and Other Persons Prior to Elections**

12.2.1 No candidate shall attend any IPC Committee or Council meeting, or any IPC Members' meeting with a view to promoting his or her candidature.

12.2.2 No candidate shall hold or promote a social function for or to any IPC Member or other person or group who may have influence in the relevant elections with the aim, or in the framework of, promoting his or her candidature. This prohibition shall include receptions, lunches and dinners at the elections



venue or any other location prior to the formal elections process, and shall also include the distribution of vouchers for drinks or meals.

- 12.2.3 Candidates and/or their respective nominating body may in no circumstances and under no pretext as a part of their Campaign give presents, offer monetary inducements or compensation or gifts (including payment for accommodation and/or flights) or grant advantages of any kind including the promise of any valuable reward to any IPC Member or other person or group who may have influence in the relevant elections.

### **12.3 Relations with other Candidates and Other Actions**

- 12.3.1 Each candidate and/or their respective nominating body shall, with dignity and consideration, and within the framework of promoting their candidature, fully respect the other candidates, the IPC Members and the IPC itself. Personal attacks shall not be made in public about any other candidate.

- 12.3.2 At no time shall the candidates, their respective nominating body or an IPC Regions body publicly announce or circulate a list of preferred candidates for election.

- 12.3.3 Candidates must have the intent and ambition to run for election and to be elected, and their candidature shall not have the sole purpose of disturbing another candidate's election.

### **12.4 Relations with Third Parties**

- 12.4.1 No candidate and/or their respective nominating body shall enter into any promise or undertaking to be performed, whatever the timing of such performance, for the direct or indirect benefit of any third party in order to influence the result of the elections or to be performed should the candidate be successful in his or her election bid.

### **12.5 Relations with the IPC Administration**

- 12.5.1 No support or service in relation to a candidature may be requested from any IPC department or from any member of the IPC Management Team.



## **12.6 Relations with Media**

12.6.1 Subject to respecting the principles set out in this Code of Conduct candidates shall be allowed to give interviews to media on their individual candidacy. Candidates shall not however give any media statements or interviews on behalf of the IPC.

12.6.2 Candidates shall provide to the IPC Electoral Commission a copy of any press article or with a link to any other media interview of which they are aware concerning (in whole or in part) their candidature. Where possible, this copy shall be provided prior to publication or the posting online of such media, with an accompanying English translation.

## **12.7 Governing Board - Candidates' Presentations**

12.7.1 All candidates shall fully respect the IPC Regulations Concerning Candidate Presentations for the IPC Governing Board Elections as issued by the IPC from time to time.

## **12.8 Compliance and IPC Electoral Commission**

12.8.1 A breach of any of these Rules may result in the IPC Electoral Commission deciding on sanctions as outlined in the IPC Electoral Commission rules under article 10.5 of the IPC Legal and Ethics Committee Bylaws.

12.8.2 In addition, a breach of any of these Rules may also be considered as an infringement of the IPC Code of Ethics, which may be further investigated by the IPC Legal and Ethics Committee following any elections and may result in further sanctions.



Article 10 below and its sub-articles, are an extract of the IPC Legal and Ethics Committee Bylaws (IPC Handbook, Section I, Chapter 2.4.7), which can be downloaded from the IPC Website; alternatively a copy can be received upon simple request.

## **10 The electoral commission**

### **10.1 General**

10.1.1 The IPC Governing Board has resolved to create an electoral commission in accordance with the following provisions in this bylaw article 10 in order to assist and enable the Legal and Ethics Committee to carry out certain of its functions with regard to the control of IPC elections.

### **10.2 Authority of the electoral commission**

10.2.1 An electoral commission is an ad-hoc commission exclusively established to monitor a specific election campaign for the elections of the IPC Governing Board or for the elections to the IPC Athletes Council, at the completion of which it automatically ceases to exist. It shall be for the Chairperson of the Electoral Commission, or the Legal and Ethics Committee (a resolution of the Legal and Ethics Committee taking precedence in the event of a conflict), to determine when the authority of the electoral commission shall terminate in respect of any election for which it has been formed.

10.2.2 An electoral commission is appointed by the IPC Legal and Ethics Committee in accordance with the procedures set out below and its members shall exclusively act within the framework of the IPC rules and regulations as approved by the IPC Governing Board and shall be subject to the general direction and control of the Legal and Ethics Committee.

### **10.3 Composition and appointments to the electoral commission**

10.3.1 The IPC Legal and Ethics Committee shall appoint the electoral commission as soon as possible following the closing of the nomination process, and prior to the public announcement by the IPC of all candidates for election.

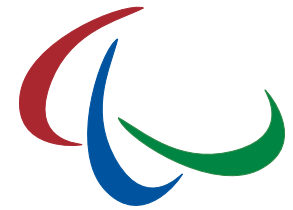


- 10.3.2 The IPC Legal and Ethics Committee shall appoint the Chairperson to the electoral commission.
- 10.3.3 The electoral commission shall be composed of maximum three (3) members of the IPC Legal and Ethics Committee, with the possibility to co-opt other persons as deemed needed.
- 10.3.4 The names of the electoral commission Chairperson and members shall be made public; this will normally be announced together with the names of the candidates to election, which also constitutes the start of the election campaign.
- 10.3.5 No member of the electoral commission shall either be a candidate to election or shall have an official position in the board of the nominating body of any of the candidates.
- 10.3.6 Members of the electoral commission shall withdraw from the discussions on a specific case under consideration should any other association with the candidate arise.

#### **10.4 Mandate**

The electoral commission has the mandate to:

- 10.4.1 Advise and respond to questions raised by the candidates and/or nominating body in relation to their rights and obligations.
- 10.4.2 Receive and review complaints made by any properly interested party as to any alleged breach of the Code of Conduct for Candidates to Elections, or the Code of Ethics with respect to conduct linked to the election under the jurisdiction of the election commission.
- 10.4.3 Consider and discuss with the respective candidate and/or the nominating body possible breaches of the Code of Conduct for Candidates to Election reported to the commission and decide on possible further implications.



10.4.4 Verify that campaign rules are followed by the candidates, decide whether an infringement of the rules has occurred, and subsequently impose appropriate sanctions.

10.4.5 To approve any election publication, or issue guidance of a general nature regarding permitted promotional material to be issued by candidates (if any) in addition to anything permitted under the Code of Conduct for Candidates to Elections.

## 10.5 **Sanctions**

10.5.1 The electoral commission has the authority to decide on the following sanctions in case of infringements of the rules or of the Code of Conduct for Candidates to Elections, which may include:

- Withdrawal of promotional material that constitutes an infringement to the rules
- Reprimand
- Public notification of the reprimand to the IPC membership
- Reporting of the breach of the rules at the IPC General Assembly, prior to the elections
- In the most serious cases, withdrawal of a candidate from election.

10.5.2 Without limiting the ability to impose sanctions the electoral commission may recommend to the candidate and/or to the respective nominating body withdrawal or nullification of the nomination.

## 10.6 **Advisory process**

10.6.1 Any question raised by the candidate or by his/her nominating body shall be submitted in writing to the attention of the Chairperson of the electoral commission. All communication must be submitted officially to the IPC headquarters for proper registration.

10.6.2 A confirmation of receipt shall be sent immediately with notification of when the answer may be expected.



- 10.6.3 Members of the electoral commission shall consider the question, deliberate and provide an answer in writing within the shortest timeframe possible.
- 10.6.4 For formality purposes, a copy of the answer will also be provided to the CEO.
- 10.7 Process for considering alleged breaches of the Code of Conduct for Candidates to Elections**
- 10.7.1 Any complaint on alleged breaches of the Code of Conduct for Candidates to Elections shall be formally submitted in writing to the IPC to the attention of the Chairperson of the electoral commission.
- 10.7.2 Members of the electoral commission, having the responsibility to monitor compliance with the Code of Conduct for Candidates to Elections, may equally observe and report such alleged breaches of the Code.
- 10.7.3 A confirmation of receipt shall be sent to the complainant and a notification of the complaint shall be sent to the candidate who allegedly broke the Code rules, providing him/her with the opportunity to respond to the accusation and defend his/her case. The respective nominating body shall also be informed of the complaint and of any further process or implications.
- 10.7.4 Subsequent investigations and hearings conducted by the electoral commission shall follow the same standards as outlined in the 'IPC regulations governing the procedures for dealing with complaints regarding alleged breaches of the IPC Code of Ethics', and may adopt the same procedures. In any event no reliance shall be placed on these regulations if to do so would create a conflict with any provision laid down in this bylaw.
- 10.7.5 Prior to imposing the sanction of withdrawal the candidate shall have the right to a hearing.
- 10.7.6 The electoral commission shall reach its conclusions with simple majority, except for the sanction of withdrawal of the candidature, for which the decision shall be taken with unanimity.





10.7.7 The electoral commission shall communicate its decision to the relevant parties within the shortest timeframe possible.

10.7.8 For formality purposes, a copy of the commission's answer will be provided to the CEO.

10.7.9 There is no appeal possible to any of the sanctions that fall within the determination authority of the electoral commission.

## **10.8 Monitoring at time of election**

10.8.1 Members of the electoral commission shall attend the IPC General Assembly or the Paralympic Games during which the elections take place to monitor the last days of the campaign and to monitor the election process.

10.8.2 Should any question or complaint arise at, or close to the time of election, either during the IPC General Assembly and IPC Conference days for Governing Board elections, or during the Paralympic Games for IPC Athletes' Council elections, the requirement for written notice may be replaced by the requirement for an official witness in case of verbal communication. Where such immediate action is required, written confirmation shall be submitted to relevant parties as soon as possible thereafter.