

# COPABE



**PAN AMERICAN BASEBALL  
CONFEDERATION**

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## **STATUTE**

**Nonprofit organization**

**Registered under the laws of the State of Florida USA**

**Registration N2 0000006916 June-26-20**

**Member:**

**World Baseball Softball Confederation - WBSC -**

**Association of Pan American Sports Confederations ACODEPA**



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## **ARTICLE 1: NAME AND PURPOSE**

The PAN AMERICAN BASEBALL CONFEDERATION, also known and identified within these statutes as (COPABE) is the Continental organization, formed by the affiliated Member Federations of Baseball of the American Continent, to provide a unified structure, voice and government, for all the disciplines of Baseball within and across the Continent.

- 1.1** COPABE is an organized, non-profit, autonomous, apolitical entity, registered as an association under the laws of the state of Florida USA applicable to the continent of the Americas.
- 1.2** COPABE is affiliated with the World Baseball Softball Confederation (also known as WBSC) and the Association of Pan American Sports Confederations (ACODEPA).
- 1.3** COPABE exercises its jurisdiction over:
  - A.** Baseball and Baseball5 Activities in the American Continent and its Sub-Regional Organizations;
  - B.** Each Member (defined in Art. 6) of those countries and territories involved in baseball on the Continent;
  - C.** WBSC Continental Competitions.
- 1.4** COPABE will govern and operate in the American Continent, in accordance with these Statutes, Norms, Rules and Regulations (Norms, Anti-Doping Rules, Disciplinary Rules, Code of Ethics, Protocol, Sanctions, Declarations on Sports Betting, Declaration on Harassment and Abuse) These Bylaws shall not, in any way, suspend or affect any WBSC Document.
- 1.5** The jurisdiction to interpret or resolve any situation, dispute or matter arising under these Bylaws or between these Bylaws and the WBSC Documents, is vested in the WBSC Executive Board, whose decision in all matters shall be final and shall not be subject to any appeal. . In the event of a conflict between the COPABE documents and the WBSC Documents, the WBSC Documents shall prevail.
- 1.6** COPABE can form Organizations Sub- regional by its affiliate members that geographically belong to your area, to organize tournaments and championships in accordance with the provisions of the COPABE .

## **ARTICLE 2: HEADQUARTERS**

- 2.1** The official headquarters of the PAN AMERICAN BASEBALL CONFEDERATION is located in Miami Florida USA. The postal address will be the residence address of the President-elect in the Ordinary Congress every four years.

## **ARTICLE 3: DISCRIMINATION**

**3.1** COPABE will not allow any type of discrimination against Member Federations, Associations or Organizations or people, including, but not limited to athletes, officials, referees, delegates, and the like, for any reason, including, in particular, race, and nationality of origin, sex, color, religion, sexual orientation, ancestry, disability or political affiliation.

## **ARTICLE 4: OBJECTIVES**

**4.1** To be the only Pan American Baseball Confederation (COPABE) in the American Continent, without prejudice to the rights and obligations that the member Federations and Associations may have due to their international relations with the WBSC or any other Federation or Confederation.

**4.2** Promote, encourage and develop baseball in the American Continent in all its categories.

**4.3** Cooperate with WBSC and the other Continents that make it up WBSC carrying out its objectives in the American Continent.

**4.4** Fully comply with the provisions of the Olympic Charter.

**4.5** Promote fair play and the fight against doping through prevention and education and comply with the World Anti-Doping Code ("WADA").

**4.6** Establish, organize, and administer training, competition, ranking, and development programs for member and participating federations throughout the Americas.

**4.7** Adopt, administer, review, improve, and enforce statutes, rules, regulations, declarations, and their administration, which are not inconsistent with the WBSC Documents.

**4.8** Hold Pan American Championships and International Tournaments in as many categories and ages as its affiliated members consider, in compliance with these WBSC Statutes and regulations (as applicable) and are open to eligible Members and Participants, and Associate Members of the WBSC.

**4.9** Create the commissions and committees that are necessary for the best development and functioning of baseball, carrying out other activities as may be necessary or desirable to promote Baseball in the American Continent.

**4.10** Consider and decide any dispute, appeal, protection, complaint or disciplinary matter that may arise between, within or involving a Member and / or Participant in their Continental Competitions, lend their good offices in the differences that arise

between members and organizations such as the WBSC and the Sub-Regional Confederations.

- 4.11** Promote and encourage the development of positive international relations.
- 4.12** Ensure that each Member or Participant, who is subject to a disciplinary procedure, under the WBSC Statutes and these Statutes, respects the final decision of such procedure.
- 4.13** Comply with Relevant Laws and other applicable laws, including information privacy.
- 4.14** Carry out all the activities that COPABE may carry out that are necessary or desirable to promote Baseball in its Jurisdiction.

## **ARTICLE 5: LANGUAGE**

- 5.1** The official language of COPABE will be Spanish and English. In case of discrepancies or doubts, the Spanish language will prevail.

## **ARTICLE 6: MEMBERSHIP AND MEMBERSHIP REQUEST**

- 6.1** A recognized national sports body, or National Federation that governs Baseball and that is a member of WBSC, is automatically a member of COPABE. You only have to comply with the affiliation requirements and inform the COPABE Executive Committee of the registration to the WBSC.
- 6.2** COPABE will recognize only one National Baseball Federation, in a country. Jurisdiction will be limited to the internationally recognized political borders of that country or territory.
- 6.3** The National Federation as applicant must present the required documentation and additional information that the Executive Committee requests. It is:
  - A** - Being an independent, non-profit legal entity, under the laws and regulations of your country or established territory.
  - B** - Certified copy of the statutes and regulations of the requesting Federation or Association.
  - C** - Certificate of recognition of the National Olympic Committee,
  - D** - Full names, position and addresses of the Executive Committee.
  - E** - Membership payment. (Amount approved by the Ordinary Congress in US dollars currency)
  - G** - Include an affidavit, by the FN, that it will comply with the Statutes, Code of Ethics, Standards, Rules and Regulations and any resolution or directive of COPABE.

- 6.4** The statutes or regulations of an association cannot conflict with those of COPABE. In the present case, the COPABE Statutes, Code of Ethics, Rules and Regulations are those that must prevail.
- 6.5** Every Member, once their acceptance of affiliation to COPABE has been approved, accepts that this is the only recognized body that governs Baseball in the entire American continent.
- 6.6** All National Federations affiliated to COPABE must be a member of the National Olympic Committee of their country, and be the only body authorized to legislate, make resolutions, agreements and provisions of sport at the national level.

## **ARTICLE 7: RIGHTS AND OBLIGATIONS OF MEMBERS**

- 7.1** Only a Member who is up to date with his Obligations has the following rights:
- 7.2** Attend Congresses and vote on all deliberations and matters
- 7.3** Have voice and vote in the deliberations and matters of the Congresses.
- 7.4** Be recognized as the only national governing body of baseball in your country.
- 7.5** Elect and be elected to occupy positions on the executive committee.
- 7.6** Participate in Pan American Championships and International Tournaments, acts or events that organize or endorse COPABE, upon request of the interested party.
- 7.7** Nominate candidates to bid to host a COPABE World Tournament or Pre.
- 7.8** Propose reforms, operating resolutions and regulations, before the Committee Executive, and Congress. Present motions in Congress.
- 7.9** The Rights of a Member are exclusive and particular to each Member and cannot be delegated by one Member to any other Member or others.
- 7.10** Make or involve in any other act that a Member up to date with its obligations may have the right to do, according to this document or by resolution of a Congress or the Executive Board.
- 7.11** Others designated by these Statutes, the Regulations and the Congress.

### **The following are obligations for all Members:**

- 7.12** Support COPABE in its efforts to achieve the growth of baseball in America.
- 7.13** Support WBSC, to achieve the objectives together with COPABE on the continent.
- 7.14** Enforce and ensure that all athletes, leaders, coaches, technical officials, individuals and organizations under the jurisdiction of the National Federation are bound and comply with the responsibilities and duties of the Member and with the Statutes, Code of Ethics, Rules and Regulations. COPABE regulations.
- 7.15** Pay on time the established annual fee and any other financial obligation approved by the Executive Committee and Congress when required.
- 7.16** Inform COPABE, the organization of national competitions and activities and all kinds of development activities, results, updating the number of its members, athletes, as well as any other information that COPABE requires.
- 7.17** Respect the regulations of each National Olympic Committee.
- 7.18** Enforce and guarantee the resolutions of the Executive Committee and Congress
- 7.19** Not to do or cause any act to disgrace Baseball, another Member, or the COPABE, the WBSC or any participant.

### **ARTICLE 8: DISPUTES, DISCIPLINARY ACTIONS AND TERMINATION OF MEMBERSHIP**

- 8.1** The COPABE Disciplinary Regulations will determine the corresponding sanctions that will be applied for the violation of these Statutes, their Regulations, Resolutions and other adopted legal provisions
- 8.2** The jurisdiction to present a disciplinary matter, appeal, complaint, claim, protest or a dispute as defined in Disciplinary Rules, is as follows:
  - A.** Arising in or from a COPABE Competition, it is assigned to the Executive, whose members are delegates to a COPABE Disciplinary Committee.
  - B.** Emerging in or from a COPABE Competition, involving a Member or Participant, it is assigned to the WBSC Executive Board, a mandate that can be delegated to a Disciplinary Committee and for this purpose, there is one (1) month of prescription, for all matters under this Art. 8, beginning from the date the matter occurred.
- 8.3** Other matter than a matter related to membership or doping, a Federation, a member of the Federation, or a Participant, this subject to disciplinary action, or a Federation is subject to the termination of membership by COPABE through the WBSC:

**A.** For violation of a matter of these Statutes, a WBSC Document or a decision of the Congress or the Executive Committee.

**B.** For causing damage or injury to COPABE, sport, a Member Federation, a member of the Member Federation or Participant.

**C.** For an act or omission within the jurisdiction of the WBSC Disciplinary Rules or Art. 8.2.

**8.4** The Pan American Baseball Confederation or the WBSC must, at the beginning of a notification of an action within the application of Art. 8.2, notify each person involved in said article. The WBSC will initiate proceedings with the documents in its possession, regardless of whether or not the Continental organization in its intervention initiated a proceeding

**8.5** Each matter under Art. 8.2 must be heard and decided in the first instance by a COPABE Disciplinary Commission, which is appointed by the Executive Committee. Each member of this Committee must declare in writing all conflicts of interest, be independent and not be directly or indirectly involved with the matter or the Member, Participant, COPABE Competition or WBSC Competition.

**8.6** Any matter related to the suspension or termination of membership will be heard in the first instance by the Executive Committee. The Executive Committee may request the WBSC to terminate membership or impose conditions on membership. The reasoning for such a request must be specified in detail.

**8.7** The procedural requirements in the COPABE Disciplinary Rules will govern the hearing of any matter under this Art. 8.

**8.8** Other matter that is not a matter involved with membership or doping, in the act after finalizing deliberations, the Disciplinary Commission shall publish a notice, action, disciplinary order, measures, penalty or ruling, in a writing of the ruling, which must include the facts of the matter under consideration, the final determination, the Penalty and the judgment and one or more of the following:

A. Warning.

B. Fine.

C. Declaration that a Member is not up to date with its Obligations and / or cannot exercise its rights.

D. Suspension of Membership

E. Termination of Membership

F. Any measure such as these provided for in the COPABE Disciplinary Rules.

G. Expulsion, exclusion, or confiscation of COPABE Competencies

H. Suspension of WBSC Continental activities or events.



- 8.9** A Judgment or Penalty takes effect immediately upon publication of the judgment, unless an Appeal is pursued pursuant to Art. 8.11 and remains undisclosed, until the appeal is heard, and a final determination is made.
- 8.10** The appeal of the penalty or a decision is heard by the Executive Committee. Only in the case of a doping charge shall it be made by any person who has been disciplined, appealing directly to the WBSC within seven (7) business days of receipt of the decision.
- A.** An appeal can only be made only after the Disciplinary Commission has issued the Judgment - interim appeals are not allowed.
  - B.** Only an involved party can appeal directly. A written appeal must be submitted by the party appealing to the Executive Committee within seven (7) business days, from the date of the judgment, whose appeal contains the reasons for it and copies of all relevant materials.
  - C.** The appealing person may have representation and present arguments to the Executive Committee, which must consider written or oral presentations (in person or via a secure video conference link).
  - D.** A Member of the Executive Committee, hearing an appeal, must consider conflicts of interest and request a remedy where a conflict of interest arises.
  - E.** Each appeal must be filed within fourteen (14) business days, after the appeal is submitted, the Executive Committee must issue a final written decision on an appeal and publish it within seven (7) business days after the appeal is filed.
  - F.** Any appeal of a COPABE decision must be resolved by WBSC in accordance with its rules. Any appeal of a WBSC decision must be resolved by arbitration before the TAS. No dispute or any other matter may be brought before a court.
- 8.11** An affiliation of a member of the Pan American Baseball Confederation shall automatically end, if the Member no longer exists as a legal entity or withdraws his membership as a Member, by written request to the Pan American Baseball Confederation, but the termination does not end with Member's obligations to COPABE:
- A.** By resignation of the member, presented in writing, addressed to the President of COPABE, said resignation being presented before the Executive Committee of COPABE.
  - B.** For not having paid two consecutive annual installments, automatically after a period of 60 days from the date of receipt of notice from COPABE to pay them.
  - C.** For not respecting these Statutes and the respective Regulations.
  - D.** For two consecutive absences from the Congresses, without just cause.
  - E.** For the expulsion duly justified before the Members Congress.
  - H.** All matters related to the termination of membership will be determined by the Executive Committee in accordance with the COPABE Disciplinary Rules. Any determination for the termination of membership must be ratified by the next ordinary congress.

- 8.12** For the expulsion of a member, the Secretary General of COPABE, must notify said member in a reliable manner and with acknowledgment of receipt, with less than thirty (30) business days in advance, the intention of his expulsion informing.
- A. The charges or reason for the possible expulsion.
  - B. The date and place where the meeting will be held to pass judgment on the possible expulsion.
  - C. Your right to participate and raise any defenses you understand can be done during the expulsion process.
  - D. The expulsion may be for a fixed or definitive term and will require the affirmative vote of two thirds (2/3) of the executive council.
  - E. An economic sanction may also be imposed, which may not exceed ten thousand (10,000.00) US dollars.
- 8.13** When a Member's affiliation with COPABE ends, no refunds will be made for membership fees paid to COPABE (as described in Art.9), and all COPABE property and materials must be returned, indicating that this is a Member and it will be returned to COPABE.

## **ARTICLE 9 FEES, INCOME AND EXPENSES**

- 9.1** COPABE is empowered to raise funds to the maximum extent permitted by law, and by any appropriate means according to these Statutes.
- 9.2** COPABE's income and assets shall be used only for the fulfillment of the objectives as determined by the Executive Committee in the proper exercise of its powers, or by a decision of Congress. The Executive Committee is charged with ensuring compliance with this.
- 9.3** The Executive Committee may hire independent personnel or contractors.
- 9.4** COPABE's assets will be made up of:
- A) With the financial contributions provided by the WBSC, the Pan American Sports organization; the International Olympic Committee.
  - B) For the annual membership fee for annual membership (will be established by the ordinary Congress and approved by its members) and any other payment made by the National Federations.
  - C) The amounts paid for the rights to television, streaming, internet, broadcasting of all competitions, activities and events under the jurisdiction of COPABE (sole owner of the rights). Revenue from rights, Radio, Videos and Television of the transmission of the Championships.
  - D) The amounts payable to COPABE by virtue of all contracts and agreements signed by the President related to the competitions, events, activities under the jurisdiction of COPABE and all the derivatives of participation in them.
  - E) Income that is the result of donations from private companies, government and individuals. Financial support and donations from Panam Sports, ACODEPA, WBSC and any other organization and from any other source.
  - F) Any income and payment from all sources related to COPABE assets and properties, including COPABE brand income and marketing.

G) Regarding the percentages of the contracts, the Executive Committee will make the decisions and fix the amounts of the percentages of the events or contracts that must be signed for this purpose.

**9.7** The assets of COPABE consist of:

- A) The name "Panamerican Baseball Confederation", any COPABE publication such as Newsletters, Magazines, Yearbooks, Documentaries, etc. and the COPABE acronym and the predominant logos and brands of the organization and all those that may be created in the future.
- B) The Pan American ranking for all categories, for example, men's baseball, women's baseball.
- C) All official competitions of national teams that are under the jurisdiction of COPABE.
- D) The name of the Senior Baseball Series of the Americas Cup.
- E) Pan American tournaments and Pan American qualifiers for WBSC events (U12 U15 U18 U23, Women, Baseball5).
- F) All their age categories (that is, U-08 U10 U12 U14 U15 U16 U18 U23, Senior and Female baseball5)
- G) The official competitions and tournaments of COPABE
- H) Any logo, official and brand related to COPABE and its competitions, activities and events.
- I) All material, physical or other property, personal and real property,
- J) Any event that in the future creates or develops.
- K) In the event of dissolution, the assets of COPABE must be turned over to Panam Sports or another association that works towards similar non-profit objectives.

**9.8** USE OF ADVERTISING

- A) A member affiliated to COPABE that participates in competitions organized by Panam Sport, such as Pan-American, Central American and Caribbean, or the qualifying competitions of the Olympic Games, the Multidisciplinary Games of Sport and all competitions organized by COPABE, may use advertising brands or logos at any time when they correspond to what has been authorized by the International Olympic Committee, Panam Sports, ADECABE and WBSC.
- B) COPABE reserves the right to establish the conditions for the use of advertising in uniforms, or under any other form, in the competitions organized by COPABE, taking into account, whenever possible, respecting the previously contracted commitments contracted by the members.
- C) COPABE is the only entity authorized for the use, for advertising or marketing purposes, of the names, brands, logos, publications, emblems and symbols of the organization. Any use of these must be authorized in advance, deliberately in writing, by the President of COPABE

**ARTICLE 10 - ORGANIZATION**

**10.1** The following entities are established to govern and administer the Pan American Baseball Confederation:

- A) The Congress;
- B) The President;
- C) The Executive Committee
- D) Commissions

## **ARTICLE 11: OF THE CONGRESSES.**

**11.1** Congress is the highest authority of COPABE and will be sovereign in its powers to decide on any matter that arises in COPABE.

Its determinations, conclusions and legally adopted provisions are binding for the Executive Committee, Delegated Bodies and their commissions, including the Federations, Associations or Member Organizations and for the Continental Sub-confederations.

**11.2** The President will direct the Congress. If the President is absent, the 1st Vice President will act as President. If the 1st Vice President is also absent, the 2nd Vice President will act as President. If the 2nd Vice President is also absent, the 3rd Vice President will act as President. If they are absent, the Executive Committee will designate one of its remaining members from among those present to serve as President.

**11.3** An attending Member representing, voting and / or speaking at a Congress is governed by the following:

A) There will be no more than two (2) delegates to a Congress, who are appointed by a Member Federation that is up to date with its Obligations and accredited by COPABE. No delegate who is not accredited must represent more than one (1) Member.

B) The notification of Appointment of Accredited Delegates must be submitted in writing to the Secretary General, ten (10) days before the opening of the Congress. The Notice of Appointment must name the Accredited Delegate and the status of his credentials.

C) Each Member Federation has one (1) vote. Only those member countries that have participated in two (2) or more tournaments organized by COPABE may exercise the right to vote, within the four (4) years prior to the congress.

D) All Delegates must be members of the Executive Committee, Executive Director, Secretary General, No Proxies Substitutes are allowed

E) A member of the Executive Committee cannot be an Accredited Delegate.

F) A Member who is not up to date with his / her obligations on / or the date of the Congress, may attend only through a non-voting representative and cannot vote.

G) An applicant for membership may attend, but not vote until after their membership is accepted by a Congress. A Member whose membership is terminated or suspended in a Congress cannot remain for the duration of the Congress.

H) An Accredited Delegate or a non-voting representative is not recognized and cannot speak, if he were subject to a final penalty or failure under Art. 8 or Art. 16;  
I) The President of a Congress has the right to speak, but not the right to vote. You can only use it in case of a tie. (Qualified vote).

J) Every person and / or organization invited to participate in a congress has the right to speak, but not to vote.

**11.4.** The Ordinary Congress will be held every two (2) years on the date and location as determined by the previous Congress or as notified by the Executive Committee to the Members. The calls must be sent to all members, sixty (60) days in advance of the date set by the Executive Committee. The Executive Committee can modify the date and location of the next Congress.

**11.5** Motions, applications, and proposals for consideration by a Congress may be considered by a Member, Executive Committee, or the WBSC. In the case of the first, you must be up to date with your obligations. All motions, applications and proposals to be considered by a Congress must be in the format prescribed by the Executive Committee and with the Secretary General, at least forty (40) calendar days before the date of the Congress, and must appear on the Agenda (defined in Art. 11.8).

**11.6** A qualified urgent motion approved by a two-thirds (2/3) majority of the Members present accredited and with their obligations up to date so that the motion or amendment is accepted or rejected. The Congress may take into consideration new proposals that are not on the agenda. Any modification or addition to the COPABE Statutes and Regulations approved by Congress will be effective and immediately effective unless otherwise determined at the time of approval.

**11.7** The Secretary General will issue the invitation by post, e-mail, to all members, attaching the Agenda with all motions, applications and proposals duly submitted, at least thirty (30) calendar days in advance of the date set for The congress. The Agenda must be published on the COPABE website.

**11.8** Content of the Congress Agenda, as appropriate:

A) Roll Call and declaration of a quorum.

B) Approval of the minutes of the previous Congress.

C) Elect the Executive Committee (One President - One Secretary - One Treasurer)

D) Ratify the President of the Sub Confederations and representative of the Athletes

E) Suspend with just cause, after hearing and / or accept the resignation of any of the members of the Executive Committee.

F) Examine, approve or reject the balance sheets and management of the financial statements presented by the Treasurer and the Executive Committee

G) Approve or disapprove the acts, resolutions or agreements of the Executive Committee.

H) Know, resolve and approve the resolutions, decisions and provisions that are considered appropriate in any matter of COPABE or any topic or matter related to it.

- I) Analyze and decide any point presented by the Executive Committee or by due process of any of the members.
- J) Establish the annual dues of the affiliated members (membership, registration)
- K) Approve the financial fees, as well as any expenses deemed convenient for the economic well-being of the organization.
- L) Mediate and resolve all conflicts that may arise between its members.
- M) Approve, amend or reject the Expense Budget submitted by the Executive Committee.
- N) Approve the expulsion of one of the members in accordance with ARTICLE 8.
- O) Reports and others (consideration, discussion and approval or rejection);
- P) Amendments to the Rules and Regulations.
- Q) Any matter not foreseen in these Statutes, that Congress considers appropriate.

**11.09** In a Congress both ordinary and extraordinary, there is a quorum with fifty-one percent (51%) of its members present, who must be up to date on their obligations; they may be represented by at least one accredited Delegate. No member of the Executive Committee may be an accredited Delegate for the purpose of establishing a quorum.

**11.10** After sixty (60) minutes have elapsed from the designated time to start a congress, Secretary General, after having taken the Roll Call, establishes that the quorum will be constituted with the assistance of the total number of members present.

**11.11** The agreements they take in any of the two circumstances established herein, will be made by simple majority of the duly accredited delegates, said resolutions being mandatory for all members.

**11.12** Only the Extraordinary Congress called for this purpose, can amend the statutes of COPABE, any change will take effect immediately unless the motion provides otherwise.

**11.13** An Extraordinary Congress must be requested, upon the signed request of at least two thirds (2/3) of the current Members, up to date with their obligations, or by majority vote of the members of the Executive Committee.

A) An Extraordinary Congress must be called by the Secretary General within 45 calendar days, after the approval of the petition, to be convened no later than 30 days after the date of publication of the petition or decision of the Executive Committee. .

B) The Secretary General will inform at least 30 days before the date of the beginning of the Extraordinary Congress.

C) Within the same period, the Secretary General will send the Agenda to all Members, including the location, the start time of the first session and the notification of all the topics to be discussed, which, in any case, will be the only ones on which valid resolutions may be passed.

## **ARTICLE 12: EXECUTIVE COMMITTEE**

**12.1** COPABE will be administered by an Executive Committee made up of the following positions:

- A) A President
- B) A 1st Vice President
- C) A 2nd Vice President
- D) A Secretary General
- E) A Treasurer
- F) Three Sub Confederation Presidents (1 per Sub Confederation)
- G) Three Members (1 per Sub Confederation)
- H) Two Athletes Representatives (Male and Female)

**12.2** The positions for President - 1st Vice President - 2nd Vice President - Secretary General and Treasurer, will be elected in the Ordinary Congress, for a period of four (4) years, by closed direct vote and position by position.

**12.3** The position representing the Regional Sub-confederation will be held directly by the President elected by the members of the Sub-Confederations. (CONSUBE - COCABE - COCEBE). The positions of Members will be presented by the Sub-Confederations and ratified by the members of Congress.

Candidates for the position of Vice President and Members shall be appointed by the members representing each of the three Sub-Confederations. They will be ordered by votes present at the time of the vote, for each geographic area.

**12.4** The election of Executives will be governed by the following procedures:

A) Each executive will take the position at the conclusion of the Congress in which they were elected and will be duly sworn.

B) A Member may nominate only one (1) candidate for each position, whose nomination must be signed by the President of the Member submitting that nomination. Self-nominations are not allowed.

Nomination information for a position shall be made in accordance with the criteria for motions. The Secretary General will gather and send to each Member by mail or e-mail the list of candidates, together with the convocation of the Congress.

C) The election of Executives will be in the following order: President; General secretary; Treasurer.

D) The election process will be under the supervision of the COPABE Legal Commission, which must sign the minutes in detail of the entire electoral process.

E) The candidate who receives an absolute majority of votes cast (who has more than 50% of valid votes cast) will be chosen for that position.

F) For a position where there is only one (1) candidate, that candidate is elected.

G) The COPABE Legal Commission must request an open vote from Congress for registration and must declare the elected candidate.

H) The result of the vote must be publicly declared in accordance with the previous Articles.

I) In the absence of a winning candidate by majority in the first vote, the voting procedure will be repeated in accordance with inc. (E), until such time as only one (1) candidate receives an absolute majority.

J) In the case where there are more than two candidates (2), those who receive the most votes and result in a tie, will go to the second vote, leaving the rest of the candidates out of the election. The voting procedure will be repeated in accordance with Inc. (E), until such time as only one (1) candidate receives an absolute majority.

K) If, after the second electoral act, any vote remains tied, the COPABE Legal Commission must call an intermediate recess of fifteen (15) minutes for Congress, to begin a third vote until it meets with Inc. (E).

L) When a candidate has received an absolute majority of votes, the results must be announced publicly, by the COPABE Legal Commission, who will record the vote and certify the result, proclaiming the new authority.

**12.05** If there is no valid nomination for a position, nominations for that position may be made from the congress stand. Only one Accredited Delegate should make a nomination and only for one Member up to date with their Obligations in their national federation. If there is more than one nomination for that position, votes will take place according to the regulations under EL Art. 12.4

**12.06** The Executive Committee must be made up of members from different countries. Candidates will be nominated by members of Congress representing each of the three administrative geographic divisions.

**12.07** Elected candidates must be present during the election.

**12.08** The members of the Executive Committee may not delegate their attendance to its meetings.

**12.09** An Executive is fiduciary and must act only in the best interest of the Continental Organization, as determined by a Congress or the Executive Committee.

**12.10** Each natural person may be elected to hold positions on the Executive Committee, provided that, at the time of the election, she is a member of the outgoing Executive Committee or belongs to the Executive Committee of the Federation or National Association of her country.

**12.11** The determinations of the Executive Committee will be made by simple majority and, in the event of a tie, the President will have a casting vote.

**12.12** The members elected to the Executive Committee will take up their positions after being sworn in at the closing of the Congress that elected them.



12.13 The members of the Executive Committee may not take part in any controversial action in which the Federation, Association or Organization of their country of origin is involved.

12.14 The vacancies that result within the period of the Executive Committee will be temporarily attended by the remaining members of said Committee, as long as these vacancies are not greater than three (3). Otherwise, an Extraordinary Congress must be called and held no later than 45 days, to definitively fill said vacancies.

12.15 Any member of the Executive Committee may be temporarily suspended from their duties for non-fulfillment thereof, with the vote of at least two thirds of the members of the executive committee. The temporary expulsions and the causes that motivated it, will be submitted for their final resolution to the next Congress of Members, being able in said Congress, the suspended member to present the allegations that she considers necessary for the defense of her rights.

## **12.16 ATTRIBUTIONS OF THE EXECUTIVE COMMITTEE.**

- A) Achieve the objectives proposed by Congress.
- B) Interpret and enforce the Statutes, Rules, Rules and Regulations.
- C) Sanction and impose penalties on the Members and / or Athletes, officials and others and / or members of COPABE in case of not obeying or not complying with the COPABE Statutes, Rules, Rules and Regulations.
- D) The Executive Committee of the Pan American Baseball Confederation is empowered to meet its objectives, both in conducting Ordinary and Extraordinary Congresses, to use Videoconferencing applications via zoom or video calls, using virtual platforms and all those tools that arise in the future, in order to carry out their group meetings.
- E) Decide and act on any matter related to COPABE.
- F) Enforce the WBSC Documents that apply in the Continent.
- G) Consider and proceed on any matter that has been submitted to it by Congress.
- H) Submit proposals and motions to Congress.
- I) Implement and manage the procedures in Art. 8.
- J) Adopt or amend fees and expenses and payment requirements
- K) Carry out appropriate actions to maintain harmony between members and participants.
- L) Take action and decide on controversies that may arise between members, members of the Executive Committee and / or athletes, officials and others.
- M) Direct, adopt, amend and administer the Regulations for all matters related to the Pan American Championships and Games and any other competition organized or authorized by COPABE.
- N) Establish rules of order for the meetings of the Congress, Executive Committee, Commissions, always in accordance with the statutes.
- O) Process membership applications. Matters concerning suspension and termination of membership.
- P) Prepare a written report of what has been done and present it to the next Congress
- Q) Prepare and convene the Congresses.

- R) Prepare and present to Congress the financial statements, annual budget, balance sheets, and duly audited annual reports to be presented in the Ordinary Congress.
- S) Establish and maintain relations with other international sports organizations, government agencies, the International Olympic Committee, ACODEPA, Panam Sport, WBSC, among others.
- T) Decide and recognize about the awards to COPABE members.
- U) Control, supervise and guide the activities of the Special Commissions.
- V) Appoint and remove from office the Presidents and members of the different Special Commissions.
- W) Approve and compile Baseball records obtained in competitions under the jurisdiction of COPABE.
- X) Judging and publishing regulations for COPABE competitions.
- Y) Work with the National Federations together, generating strategic plans for the development of sport on the continent.
- Z) Decide, grant, organize, control and prepare all COPABE competitions, World Cup qualifiers (WBSC) including the Pan American (Panam Sport) and Central American and Caribbean (ODECABE) games as well as all those that are organized by the Sub - continental confederations.
1. Authorize, and appropriately delegate its authority through a Commission that proposes modifications to the Statutes, Code of Divisions, Rules, Rules and Regulations of COPABE.
  2. Appoint Tournament Directors and Technical Directors for each official COPABE competition.
  3. Keep the WBSC and Sub-Continental Confederations informed of all the activities of COPABE.
  4. Make determinations in case of emergency, informed to subsequent national federations.
  5. Appoint a person or professional advisor independent of the Executive Committee or Member, to represent the Executive Committee or COPABE to carry out reviews and investigations required by the Executive Committee or a Congress.
  6. Submit tenders to Congress for each Continental Competition.
  7. Present a written report of their activities to each Congress.
  8. Monitor and supervise the activities of Commissions and Committees.
  9. Approve or not at the request of the President the appointment of the Executive Director.
  10. Review materials to be presented to a Congress and, if required, approve said documents.
  11. The Executive Committee is not authorized to make any changes to the Statutes without the approval of the COPABE Congress.
  12. The members of the Executive Committee may not participate or be involved in any way in COPABE competitions as an athlete, manager, coach, referee or scorer. Only the Athletes Representatives.
  13. In any other case, take all measures as necessary or required by these COPABE Statutes, Rules and Regulations.

## **12.17 THE EXECUTIVE COMMITTEE - PROTOCOL AND OPERATIONS**

A) The Executive Committee may ordinarily meet at least four (4) times a year, on dates and places indicated by said Committee and using video conference; and extraordinarily when requested by the President, or at the request of fifty-one percent of the members in office. It can take place in whole or in part, or using secure electronic means as well as social networks.

B) Unless the Executive Committee approves a short-term meeting, the call must be given at least 15 days in advance of a meeting with a request for business or information on the agenda.

C) The Secretary General shall publish a notice about said meeting, confirming the date, time and place of the same, issuing the call with supporting documentation, at least fifteen (15) days in advance of each meeting.

D) Once the written call for the meeting has been made, it can be canceled only by majority vote of the Executive Committee.

E) The quorum for the ordinary or extraordinary meetings of the Executive Committee will be formed with the assistance of five (5) members in person, or by videoconference or audio link. Resolutions will be taken by simple majority. The attendance of the President or one (1) Vice President shall be required of the quorum.

F) All meetings held by Videoconference or audio link must be recorded and transcribed, keeping the recording for the term of the Executive Committee.

G) An executive may participate in a meeting by telephone or other electronic means of communication. A member of the Executive Committee attending a meeting in this way should be considered as present.

H) The Executive Board can act:

A) for a meeting

B) by a unanimous written resolution that is signed by all the members of the executive, without negative vote, abstention, or dissent.

C) In a meeting, each executive has only one (1) vote. No executive can have a Substitute and no executive can vote through a substitute.

D) Any decision in a meeting requires four (4) affirmative votes.

E) The Secretary General shall take or cause to be taken minutes of a meeting, provide draft minutes within five (5) calendar days after the meeting, request comments on them as soon as reasonably practical and publish them within thirty (30) days later, to each Member and on the website.

F) In every meeting, each executive must declare and have recorded in the minutes any conflict of interest, that involves any matter concerning them or in the agenda or in any other way discussed in the Meeting, which conflict must be recorded in the minutes. .

G) Unless otherwise agreed by the meeting in question, its minutes, in whole or in part, must be made public.

H) Transfer the invitation to the WBSC president to each meeting with the right to speak.

**12.18** The members of the executive or six (6) executives may request in writing that the executive committee meet on a determined basis, but the notice, agenda, and distribution of the requirements can be avoided by affirmative vote of five (5) executives.

**12.19**An executive may be suspended and removed from a position, and cease to be a member of the Executive Committee, if one or more of the following points is demonstrated through proven evidence:

- A) Unexcused absence from two consecutive meetings.
- B) The failure to adequately fulfill their duties mentioned here.
- C) By complaint and final judgment; for sexual harassment and abuse; likewise for a criminal offense that could result in your country.
- D) The performance or omission of an act that brings disrepute to the Pan American Baseball Confederation, to a member, a participant or to the sport.

**12.20**An Executive who is subject to a procedure under Art. 12.19 must be duly notified of the receipt of the motion to be withdrawn. The procedure and the substantive provisions of the COPABE Disciplinary Rules apply to each procedure for a withdrawal or suspension.

**12.21**The Executive Committee shall summon an Extraordinary Assembly in the event that three (3) or more vacancies are generated that do not include the President. In case of one or two vacancies these will be covered by the members.

**12.22**The Executive Committee shall make the corresponding call by means of publication of the vacancies to be filled.

**12.23**The President may invite a person with specialized knowledge or skills to attend a meeting and speak, but this person cannot vote.

**12.24**The Executive Committee may appoint an Executive Director / CEO with the right to attend and speak at each meeting, without the right to vote.

## **ARTICLE 13 DUTIES AND RESPONSIBILITIES OF THE MEMBERS OF THE EXECUTIVE COMMITTEE**

### **13.1 The President:**

- A. Officially represent COPABE, with full legal powers, in accordance with the provisions of these Statutes, Rules, Regulations and Regulations.
- B. Preside and convene the sessions of the Executive Committee and the Congresses and sign the corresponding Minutes together with the Secretary General.
- C. Sign all contracts jointly with the treasurer, (including opening bank accounts, requesting credits) with the authorization of the Executive Committee.
- D. Write the Annual report with the Secretary General and the Treasurer, distributing it among the members of COPABE and, render a written report at the end of their mandate, which will be known, approved or rejected by the next Congress.
- E. Propose to the people for the realization of courses, seminars, investigations and other acts together with the COPABE Commissions and the approval of the Executive Committee.

- F. Execute the decisions of Congress and the Executive Committee presenting to them the reports that may be requested.
- G. Propose to the Executive Committee the appointment of the Presidents of the COPABE Commissions and all its members.
- H. Carry out such duties and functions in accordance with the provisions of the Statutes and as entrusted to it by the executive committee or as decided in a congress.
- I. Propose to the Executive Committee the appointment and contract of independent employees and contractors.
- J. The president, together with the treasurer, must have the endorsement of the Executive Committee for purchases and commercial agreements greater than US \$ 10,000 (Ten thousand US dollars).

### **13.2 The Vice Presidents**

- A. Execute any task entrusted by Congress, the Executive Committee or its President.
- B. Direct baseball development programs assigned to their geographic region.
- C. Report annually on all baseball activities in your region.
- D. Punctually attend the meetings of the Executive Committee and the Congresses.
- E. The First Vice President will occupy the presidency in the absence of the President. In the absence of the President and First Vice President, the presidency will be filled by the Second Vice President and in the absence of the President, the First Vice President and Second Vice President, the presidency will be filled by the Third Vice President.
- F. The permanent absence of the President, by reason of resignation, disability, death or dismissal, will be covered by the First Vice President until the end of the mandate to be fulfilled.

### **13.3 The Secretary General.**

- A) Send the citations that are necessary to attend the Congresses and meetings of the Executive Committee.
- B) Draft the Minutes of the sessions of both the Congresses and the Executive Committee, and signed together with the President.
- C) Transcribe the minutes of Congress and the executive committee and send them to all members  
in the Spanish and English languages within thirty (30) days after the meeting.
- D) Receive all suggestions, requests and demands and make them known to the President and the Executive Committee for the respective resolution.
- E) Extend all legal and official documents ordered by the President and / or Executive Committee
- F) Supervise the operation and operations of the COPABE executive office in its administrative and management functions, including the presentation and proper maintenance of COPABE records and documents.

- G) Receive all messages, requests, consultations and other matters and inform the President appropriately and follow up with the necessary actions and inform the Members of the decisions and resolutions taken.
- H) Provide the WBSC with an annual activity and development report.
- I) All those who are inherent in their position, carrying out all the duties and functions that are considered necessary that can be entrusted by the Executive Committee and the Congress and that are indicated in the Statutes and its Regulations.
- O) In the event of a vacancy in this position, he will be one of the members appointed by the Executive Committee until the end of the term.

#### **13.4 The Treasurer:**

- A) Manage all financial issues related to the management, organization and administration of COPABE, including the formulation of the necessary internal verification and audit processes and procedures.
- B) Open bank accounts with the President, manage loans with the express authorization of the Executive Committee.
- C) Keep the accounting books updated, containing all the entries related to COPABE's income and expenses, assets and liabilities, expenses, inventory.
- D) Keep a file of all the commitments paid on behalf of COPABE and the bank account statement.
- E) Send account statements to members and collect established fees.
- F) Submit monthly reports on income and expenses to the Presidency and whenever the Executive Committee meets.
- G) Control the financial execution of the contracts and agreements concluded by COPABE keeping the president informed.
- H) Control all financial and commercial aspects of all tournaments under the jurisdiction of COPABE, propose to the President when it is deemed necessary to appoint a representative in charge of collecting the registrations of the participating countries.
- I) Submit semi-annual financial reports of income and expenses to the Executive Committee.
- J) Prepare balance sheets and financial statements to be presented to the Executive Committee and later to Congress.
- K) Represent COPABE, as a non-governmental, non-profit organization and thereby be able to carry out commercial transactions or transactions for the benefit of COPABE, in any country in the world.
- L) Provide the WBSC with an annual financial report.
- M) Make jointly with the President and / or Secretary, payments and / or transfers from the bank account of the Pan American Baseball Confederation.
- N) Carry out the other duties and functions that are deemed necessary in accordance with the Statutes, Rules and Regulations of COPABE and / or that are entrusted to it by the Executive Committee or Congress.
- O) In the event of a vacancy in this position, he will be one of the members appointed by the Executive Committee until the end of the term.

### **13.5 The Members:**

- A) Execute any task entrusted by Congress, the Executive Committee or its President.
- B) Direct baseball development programs assigned to their geographic region.
- C) Report annually on all baseball activities in your region.
- D) Substitute, in the terms of these Statutes, the members of the Executive Committee, as appropriate.
- E) In the event of a vacancy for the Secretary General and / or Treasurer, the Executive Committee will appoint the member to replace him, thus filling the vacancy.

### **13.6 Represent yourself as Athletes:**

- A) The Athletes Representatives are the legal persons of the athletes in COPABE.
- B) Their duties and responsibilities must be the voice of the athletes in all matters of COPABE and the Executive Committee and perform such duties and responsibilities that the Statutes, Rules and Regulations of COPABE are entrusted to them by THE Executive Committee or Congress. .

### **13.7 The Executive Director:**

- A. The Executive Director responds and is subject to the authority of the President and the Executive Committee. The responsibilities of the Executive Director include:
- B. Execute under the supervision of the President and / or Secretary General, the decisions and resolutions of the Executive Committee of the Congress.
- C. Draft the minutes of the Congress and of the meetings of the Executive Committee, receive, transmit and ensure the proper filing and preservation of all correspondence and necessary documents and keep the official books that contain the annotations, records and certifications under the supervision of the General secretary.
- D. Manage and govern the administration, accounts and financial affairs of COPABE under the direction of the President and ensure adequate custody of accounting documents under the supervision of the Treasurer.
- E. Organize the Central Office of COPABE and recommend to the Executive Committee, for its prior approval, the use of the necessary personnel for the proper and efficient operation of the Central Office and all the competitions, activities and events of COPABE.
- F. Manage all publications of COPABE
- G. Organize the Congresses and the meetings of the Executive Committee and the Commissions.
- H. Execute the duties and responsibilities that the President or the Executive Committee may request or direct.

I. The Executive Director will attend the Congresses and the meetings of the Executive Committee and the Commissions and will have the right to express an opinion but not to vote.

J. Whenever possible, you should also attend all COPABE competitions, activities and events and submit a report in connection therewith.

## **ARTICLE 14: THE COMMISSIONS AND COMMITTEES**

- A. Technical Commission.
- B. Legal Commission.
- C. Athlete Commission.
- D. Ethics Commission.
- E. Medical and Anti-Doping Commission.

The Executive Committee has the power to create any Commission that it deems necessary for the good administration of COPABE. The composition and functions of all the Commissions are established in the Commission Rules.

A. The President may appoint and remove Presidents and members of the Commissions with the approval of the Executive Committee, according to Art. 12.16 inc V

B. The Commissions act under the authority and supervision of the Executive Committee and must report to it and to Congress, if necessary. Each Commission will have terms of reference and operating procedures, which must be approved by the Executive Committee.

C. The following Commissions are mandatory, will have jurisdiction over the topics for which they were formed and can only be dissolved by the vote of two thirds (2/3) of the majority of the Executive Committee.

D. The Executive Committee may appoint a Compliance member who is not related to any Member or an executive, to monitor compliance with the Code of Ethics and other matters delegated to them by the Executive Committee.

### **14.01 TECHNICAL COMMISSION**

A) The Technical Commission will be made up of five (5) members, appointed by the Executive Committee. Alternate members may be appointed.

B) The members of the Technical Commission will be appointed for a period of four (4) years, and may be replaced before the end of the period or confirm it for another similar period.

C) The President of the Technical Commission will be directly appointed by the President of COPABE.

They are the responsibility of the Technical Commission.

A) Prepare the special rules that will govern COPABE events, these rules being approved by the Executive Committee.

B) Appoint the referees and scorers who will work in the events authorized and endorsed by COPABE.



- C) Study and inform the Executive Committee about any reform and the Official Baseball Rules.
- D) To designate, together with the Executive Committee of any event authorized or endorsed by COPABE, the members who will make up the Technical Commission of said events.
- E) Compile and submit to the approval of the Executive Committee the statistics of Baseball of America.
- F) Promote seminars for Coaches, Referees and Scorers of the American Continent.
- G) The other tasks conferred by the Executive Committee and the Regulations.

## **14.02 THE LEGAL COMMISSION**

- A) This Commission advises the Executive Committee on legal and regulatory matters, and is made up of three (3) members, one of whom is the President, preferably an attorney.
- B) Who will be appointed by the Executive Committee for a period of four (4) years, being able to be replaced before the end of the period or confirmed for another similar period. The President of COPABE will appoint the President of this Commission, which will also have its functions regulated.
- C) The President of the Legal Commission has the obligation to attend all Congresses, whether Ordinary or Extraordinary, where he may advise but not vote. The responsibilities of the Legal Commission are:
  - A) Analyze and permanently inform the COPABE Executive Committee of the amendments to the Statutes that are deemed necessary.
  - B) Receive, analyze and inform the Executive Committee of all the suggestions sent by the affiliated members, about the reforms in the Organization or the operation of COPABE.
  - C) Collaborate in the elaboration or reforms of the internal Statutes of the members of COPABE and the Continental Sub-Confederations.
  - D) To attend to any queries of a legal, statutory or regulatory nature, presented to the Executive Committee and to the Congresses, making the recommendations it deems appropriate.
  - E) Receive any appeal or review of acts in which any of the members of COPABE are involved, and inform the members of the congress, as appropriate, for the purposes of adopting the respective resolution.
  - F) Present, after investigation, charges against any member, for their decision by Congress.
  - G) All the others that are entrusted to it by the Executive Committee or the President.

## **14.03 ATHLETES COMMISSION:**

- A) This adviser on matters relevant to the players. It is made up of five (5) members as follows: two (2) athlete representatives, plus two (2) aggregate Members and the President or her representative.

The first two must have participated in at least two COPABE Pan American Championships, within the 4 years immediately preceding their election.

#### **14.04 ETHICS COMMISSION**

A. This Commission administers the Code of Ethics for COPABE under the delegated authority of the Executive Committee. This must conduct a review of subjects when required by resolution of the Executive Committee. It is made up of three (3) members appointed under Art.14 Inc A, one of whom is the Secretary General of COPABE.

B. The Ethics Commission shall establish a Code of Conduct and Disclosure that shall govern the actions of the COPABE Executive Committee, its representatives, lawyers, Athletes' representatives and other persons acting on behalf of COPABE, which will be based on the IOC Code of Ethics with the explicit objective set out in the IOC Preamble "to contribute to the achievement of the objectives set out in the Olympic Charter".

C. The Code of Ethics must specifically address the areas of dignity, integrity, good governance and resources, all of them fundamental principles of the COPABE Code of Ethics.

**14.05**The Commissions will meet at least once a year or whenever there are issues to be discussed, all meetings being subject to the approval of the Executive Committee. All the meetings of the Commission may be held by electronic means, video conferences, audio or in person.

**14.06**For any Commission, the Executive Committee may appoint ex officio a member of the same Committee or another person who must guarantee and maintain communication between the Executive and the Commission.

**14.07**The Executive Committee will appoint a Disciplinary Commission for each matter arising under Art. 8. The president and two members of this commission will hear only one matter for which they were appointed. Each one must be independent and free of any conflict of interest regarding the matter previously mentioned, including the Member or Participant involved.

**14.08** Each member of a Commission shall declare in writing, if there is any conflict of interest in connection with their work with that Commission, and must be removed from any other matter before the Commission concerning that Member or the matter involved.

**14.09**If a member of a Commission is absent in two consecutive meetings without justification to the Executive Committee, the latter shall terminate her membership in said commission and, if necessary, fill the vacancy.

**14.10** For any Commission that is not a Disciplinary Commission, the Executive Committee may appoint a person with specialized skills and knowledge in the matter to be dealt with.

## **ARTICLE 15. SUB-CONTINENTAL CONFEDERATIONS**

**15.1** The Sub-Continental Confederations South American Baseball Confederation (CONSUBE) - Caribbean Baseball Confederation (COCABE) - Central American Baseball Confederation (CONCEBE) will be formed by members affiliated to COPABE that geographically belong to their continental area.

**15.2** The Sub-Continental Confederations will have, as COPABE Organisms, the following powers:

- A. Promote and supervise Baseball in their Regions.
- B. Ensure that the Statutes and Regulations of COPABE and WBSC are duly respected.
- C. Organize Regional Tournaments and Championships according to the provisions of COPABE and WBSC.

## **ARTICLE 16. COMPETITION AND ELIGIBILITY**

**16.1** Any athlete who participates for her national team in a competition, match, game, tournament under the jurisdiction of COPABE must be of the nationality of the country she represents.

- A) National by birth or nationalized by the Laws of the country of the interested member.
- B) The national passport is the only valid document for the demonstration of eligibility.

**16.2** Only the member National Federation can validate a national team to represent on its behalf, that federation, its country, or territory, its flag and colors in a COPABE Continental Competition. Only a Club Team, state or provincial team that is validated by a Member, can participate in a COPABE Continental Competition.

**16.3** Each matter related to citizenship or nationality must be determined according to the tournament regulations and the Olympic Charter. The eligibility rules, according to the Olympic Charter, are described in the COPABE Continental Tournament Regulations.

**16.4** A Member or Participant involved in a COPABE competition if it contravenes these Statutes or Rules, may be subject to a disciplinary sanction in accordance with Art.8.

**16.5** COPABE will hold Championships in the major and minor categories every year, and for such purposes will prepare the necessary regulations. The Executive Committee

will designate the total of Championships to be held based on the ages of the participants and the regions to which they belong.

- 16.6** Any competition, match, game, International Baseball tournament between National, Provincial, Team and / or Club National Teams under the jurisdiction or under the auspices of one or more National Member Federations and / or that include one or more players under the jurisdiction and / or the auspices of one or more Member Federations, will be under the jurisdiction of COPABE and will be subject to the Statutes, Code of the Divisions, Rules, Rules and Regulations of COPABE and the WBSC.
- 16.7** Any team / clubs and / or players that participate in a Pan-American Baseball Game or Tournament in accordance with the Statutes, Rules, and Regulations of COPABE, may be penalized according to them, as well as to the National Federation Member under whose auspices belong.
- 16.8** For the purposes of this document, "Pan American Baseball Competition, game, tournament" means a game or series of Baseball games between national teams or teams representing the country at any level, previously authorized by COPABE and its corresponding National Federation .
- 16.9** All international Baseball competitions, games, tournaments not related to the Pan-American competition and / or its qualification competitions that belong to COPABE, shall notify the Sub-Continental Confederations when they refer to activities between their member countries, when they refer to countries belonging to different continents, they must request the endorsement of COPABE in accordance with the Statutes, Norms, Rules and Regulations.
- 16.10** Failure to comply with art. 16.9 would constitute a violation of the Statutes and the Member who does not comply with them may be disciplined according to the corresponding Rules.
- 16.11** In the competitions or tournaments of the Pan American Games and the Pan American Classification where there may be discrepancies between the Statutes of COPABE and WBSC, the provisions of the WBSC will prevail.
- 16.12** Any player who plays with a Team under the jurisdiction and / or under the auspices of a Federation, Association or Member Organization of COPABE who wishes to play in another country, must obtain an International Player Transfer Certificate issued by the Federation, Association or Organization. Member where the player comes from, in accordance with the WBSC Statutes, Divisions Codes, Rules, Rules, Regulations.
- 16.13** COPABE Tournament Regulations apply in all its competitions.  
A. The Tournament Regulations can be adopted, modified or rescinded only under the recommendation of the respective sport, with the vote of the simple majority of the Executive Committee.

B. COPABE Statutes, Norms, Rules, Regulations and Tournament Regulations are the only governing documents of COPABE.

C. All power, express or tacit, over the administration of Pan-American Sport will be in charge and can be carried out by Congress or the Executive Committee.

D. Each Tournament Regulation, the resolution of a Commission and the measures adopted by Congress or the Executive Committee must be consistent with these Statutes. In the event of any discrepancy or conflict, these Bylaws will prevail.

E. The competence to examine, interpret or resolve any conflict, interpretation or matter that arises under these Statutes or between these Statutes and a Tournament Regulation rests with the Executive Committee, whose resolution will be final.

## **ARTICLE 17. PROCEDURES, CLAIMS AND ARBITRATION FOR FEDERATIONS OR WBSC**

**17.1** COPABE recognizes the jurisdiction and the right of a National Federation to sanction or disqualify in its own country and its sports discipline any person, in accordance with the rules of that National Federation, in accordance with the obligations of that National Federation disciplinary regulations to provide a full and fair opportunity for said person to be received, to be heard and to be represented by an attorney, and to appeal any resolution in accordance with the legal procedures of each country.

**17.2** COPABE recognizes the jurisdiction and right of the WBSC to sanction or disaffiliate a person in its own territory in accordance with the WBSC Rules, and to give a full and fair opportunity for such person to be present, be heard, represented and can appeal any decision.

**17.3** Subject to these Statutes, the applicable Code and applicable legislation, a National Federation shall have the right to sanction or disqualify a foreign person who, in a COPABE competition sanctioned by that National Federation, violates the rules of said National Federation. . After reaching the final resolution and it dictates sanctioning or disqualifying the person, the resolution will be sent to COPABE and the National Federation to which the person or player belongs. All National Federations and COPABE will respect the final resolution.

**17.4** If the foreign person refutes any resolution of that National Federation, that person has the right to appeal the resolution to the Court of Arbitration for Sport ("TAS") under the applicable rules of the TAS. The resolution of the TAS will be final.

**17.5** COPABE can take disciplinary measures or disqualify any person for any infraction, which is a violation of these Statutes in accordance with Art. 8 of these Statutes.

**17.6** The provisions of Art. 8 apply regardless of any matter under Art. 17.1, 17.2 and 17.3, as long as no person is subject to an Art.9 procedure, if the act or omission has been considered by a Member or WBSC BASEBALL AMERICAS under Art. 17.1, 17.2 and 17.3, a final determination has been made.

**17.7** All claims must be submitted in writing, stating the matter in question, along with supporting documentation and a list of witnesses or others who have information that the complaining party wants to trust. The resolution of the claim will be governed by Art.8 of these Statutes.

**17.8** The Resolution of that claim is heard by the Legal Commission and is governed as if this were a procedure under Art. 8.

## **ARTICLE 18 DISPUTE RESOLUTIONS:**

**18.1** A claim requesting disciplinary action may be filed by THE Executive Committee, any National Federation or any Sub-Continental Confederation resulting from an act or omission involving a matter related to these Statutes, or as a result of a COPABE competition that otherwise it is not stipulated in these Statutes.

**18.2** A dispute resolution claim cannot be filed with COPABE unless and until all available administrative remedies provided by any other organization with authority over the claim are exhausted.

**18.3** Any dispute or demand for arbitration against WBSC BASEBALL AMERICAS must be resolved in the first instance exclusively, as if it were a complaint before WBSC, under art. 16.5.

**18.4** Any dispute against COPABE, or any appeal of a COPABE resolution, will be resolved exclusively by arbitration before the TAS. No dispute or any other matter may be brought before a court.

**18.5** Until the resolution of such dispute or demand is finally determined, subject to applicable law, the dispute or matter cannot be brought before a court.

**18.6** The arbitration will be carried out in accordance with the rules of the TAS, or in accordance with other rules or modified rules that the parties agree on. The resolution of the TAS or other agreed arbitration body will be final, binding on the parties and not appealable

## **ARTICLE 19. DOPING CONTROLS**

**19.1** COPABE has adopted and enforces a complete set of control programs WBSC anti-doping tests that include both in-competition and out-of-competition tests.

**19.2** The Anti-Doping Program will be established in the WBSC Anti-Doping Code and will be made available to all National Federations, the IOC and the NOC of each National Member Federation.

**19.3** Any infraction of the Anti-Doping Program will involve actions taken by virtue of the Final resolution of the hearing instance and in accordance with the provisions of the Anti-Doping Code.

**19.4** COPABE, in cooperation with WBSC and WADA, adopts, administers and enforces the WBSC Anti-Doping Rules.

**19.5** Any violation of the WBSC Anti-Doping Rules will be sanctioned by it.

## **ARTICLE 20. SUPERVISION OF THE COPABE CHAMPIONSHIPS**

**20.1** The Executive Committee of COPABE, will supervise and guarantee during the development of The Championships, that these Statutes, their Regulations, the Special Provisions, that regulate these events, Baseball5 and the Official Rules of Baseball are complied with and faithfully applied.

**20.2** The Federation or Association of the host country, together with the Technical Commission of COPABE, will be responsible for the event and will be in charge of the organization and administration. --

**20.3** The Pan American Baseball Games for Adults (Men and Women), Central American and the Caribbean, and the Sub-Regional Confederations events of this category will be played under the Official Rules of the WBSC, or failing that under the Rules in force from the year prior to holding these competitions.

**20.4** The Pan American Championships and Sub-Regional Confederations of Minors will be regulated by the Rules established in the Regulations for Minors.-

## **ARTICLE 21. FINAL PROVISIONS**

**21.1** Complement these Statutes, Regulations, Agreements and approved Provisions by the COPABE Congress; those of the WBSC and the Official Rules of Baseball.

**21.2** Any person acting on behalf of or representing COPABE at events must Conduct yourself with respect, according to the nature of their duties. Transgressions to this provision will be subject to sanction through a disciplinary process of COPABE.

**21.3** These Statutes will come into effect from the date of their approval, without prejudice to their registration at the main offices of the World Baseball Softball Confederation (WBSC)

