



EUROPEAN SHOTOKAN KARATE-DO ASSOCIATION

Constitution



CONSTITUTION of the EUROPEAN SHOTOKAN KARATE-DO ASSOCIATION.

CHAPTER 1 : GENERAL

Art. 1.1 : Name

The organisation shall be called the “European Shotokan Karate-do Association”, and hereafter be referred to as “ESKA”.

Art. 1.2 : Aim

The aim of ESKA is to :

- develop traditional Shotokan Karate-do in Europe by promoting and strengthening friendly relations and collaboration amongst its membership
- become a reference point for traditional Shotokan Karate in Europe
- maintain and develop standards of traditional Shotokan Karate in Europe (in this matter ‘traditional Shotokan Karate’ refers to the definition of Karate as documented by Nakayama Masatoshi in his book-series ‘Best Karate’)

Art. 1.3 : Activities

In order to achieve the afore mentioned aims, ESKA shall :

- promote an annual European championship open to all ESKA affiliated organisations
- establish rules and regulations for the annual championship
- establish, conduct and supervise standards pertaining to the techniques of Shotokan Karate
- establish, conduct and supervise standards pertaining to the officiating of Shotokan Karate competition
- organise or support lectures and seminars pertaining to Shotokan Karate
- publish and distribute official literature relating to the activities of ESKA
- exchange information and provide useful material for member organisations
- carry out other necessary activities for the achievement of the aims of ESKA

ESKA is a non-profit making organisation and does not engage in matters pertaining to politics, religion, or race.

Art. 1.4 : Official language

The official language of ESKA will be English. However, the Japanese language shall be used for competition where appropriate. In case of any disagreement as to an interpretation of these articles or any rules or documents herein, the English text shall prevail.

Art. 1.5 : Communication

Communication with ESKA should be addressed to the Secretary-General.

Art. 1.6 : Anti-doping

ESKA will comply with the Anti Doping Code of WADA (World Anti Doping Agency).

CHAPTER 2 : MEMBERS

Art. 2.1 : Definition

The members of ESKA are national voluntary organisations which practice Shotokan Karate in their own countries, comply with the rules and regulations of ESKA and are accepted as members by the ESKA Congress.

Art. 2.2 : Qualification

ESKA recognises only one member organisation for each European country as its member organisation. However, organisations in the dominion or colonies of certain countries may be recognised as an independent member organisation upon recognition by the Congress of the ESKA.

Art. 2.3 : Application for membership

The Executive Board will determine the procedure for application. An organisation intending to become a member of ESKA will make an application for membership to ESKA using this procedure.

Art. 2.4 : Entrance Fee

The entrance fee payable by each member organisation on applying for affiliation shall be determined by Congress.

Art. 2.5 : Affiliation

Upon receiving an application for membership, the Executive Board has the authority to grant a 'provisional' affiliation. Provisionally affiliated organisations shall have all the rights and duties of normal ESKA-members, with the exception of voting rights. The Executive Board will make a recommendation to obtain the decision of Congress, which shall be final. An affiliation shall be considered permanent when it has been ratified by the Congress.

Art. 2.6 : Rights of members

- Each member has the right to vote at Congress, whereby each member has an equal vote.
- Each member has the right to speak at Congress.
- Each member has the right to participate in all events organised by ESKA.

Art. 2.7 : Duties of members

- Each member will promote and support the aims of ESKA in their own country.
- Each member will pay his annual dues on time. The date for payment will be determined by the Executive Board.
- A member not having paid his dues on time or any amounts which have been in arrears shall not be entitled to execute his rights.

Art. 2.8 : Resignation

At any time a member may resign from ESKA. The resignation shall be made in writing and sent by recorded delivery addressed to ESKA. The resignation is valid one month after the announcement, and on the condition of payment in full of any amounts which have been in arrears.

Art. 2.9 : Suspension and Expulsion

The following situations will justify suspension or expulsion from ESKA by Congress :

- Failure to pay dues
- Acts considered contrary to the aims and rules of ESKA



- Violation or failure to perform the duties required of the member organisation
- Acts considered to damage the reputation of ESKA.

Art. 2.10 : Disciplinary Action

Any breach of these rules by a member shall render the organisation committing such a breach liable to suspension by the Executive Board and to be temporarily deprived of membership. At the next succeeding Congress such disciplinary action shall be approved, suspended or extended by no less than a simple majority of those voting. The Executive Board shall have the power at any time to disqualify or suspend, for such a period as they think appropriate, a competitor, official or any representative of a member who at any ESKA event, conducts himself in a manner considered by the officials to be detrimental to the reputation or best interests of ESKA. During such period of disqualification the individual shall not be eligible to take part in any ESKA event in any capacity. The member shall be notified of any disciplinary actions by recorded delivery.

Art. 2.11 : Former members

Members who have resigned or were expelled, or their legal successors, do not share in the property of the ESKA and cannot claim restitution of amounts paid or compensation for work carried out.

Art. 2.12 : Honorary Membership

Honorary Membership provides for the inclusion into the membership of ESKA of those individuals who have served ESKA for a long period and in respect of whom the Executive Board proposes to acknowledge the service rendered by nominating them as Honorary Members of ESKA. Nominations will be endorsed by Congress by a simple majority of those voting. The Grade of Honorary Membership will carry no voting entitlement or representative capacity and their presence at Congress and the Championships of ESKA will be as guests.

CHAPTER 3 : CONGRESS

Art. 3.1 : Definition

The Congress is the highest authority in ESKA.

Art. 3.2 : Composition

The Congress of ESKA is composed of the members of ESKA.

Art. 3.3 : Representation

At the meeting of Congress of ESKA members are represented by their president, as logged in the files of ESKA, or his mandated representative. This mandate is given by a written document, signed by the mandating president, and only valid for one specific meeting of Congress. In case this mandate is given to another member of the Congress of ESKA, this last one can only represent one other member of ESKA.

Art. 3.4 : Participation

The following are entitled to participate at the meeting of Congress :

- the members of ESKA, being the only ones with voting rights
- 'provisional' members
- the Executive Board
- Honorary members

Observers may be invited to the meeting of Congress by the President, with the right to speak only upon the authorisation of the Chairman of the meeting.



Art. 3.5 : Authority

The Congress of ESKA has the authority to :

- modify the Constitution
- affiliate new members
- elect, authorise and dismiss members of the Executive Board
- elect the president of ESKA and the vice-president of ESKA from amongst the members of the Executive Board of ESKA
- elect, authorise and dismiss auditors
- approve the annual financial report and the annual budget
- ratify the transfer to the Congress of both the responsibility and the liability from the Executive Board, its members and the auditors
- dissolve ESKA
- expel a member
- take decisions in all cases unforeseen by the Constitution.

Art. 3.6 : Meeting of Congress

The regular annual meeting of Congress will coincide with the annual ESKA championships. Additional meetings of Congress will be convened on the initiative of the Executive Board or when requested by recorded delivery to ESKA by not less than one third of the members.

Art. 3.7 : Notices

The notices for a meeting of Congress, including the agenda, must be circulated in writing at least one month prior to the meeting.

Art. 3.8 : Order of Business of Congress

The Congress can discuss items which are not listed in on the agenda with the consent of two-thirds (2/3) of attending representatives.

Art. 3.9 : Quorum

A meeting of Congress shall, in order to conduct business, require the attendance of not less than two-thirds (2/3) of the valid members.

Art. 3.10 : Decision

In Congress all attending and valid members have one equal vote.

- Alteration, addition, deletion or amendment to the Constitution and exclusion of a member require the support of at least two-thirds (2/3) of the attending voting members.
- A three-quarters (3/4) vote in the Congress is required for the dissolution of the ESKA.
- Any amendment to the aim of ESKA requires the support of at least four-fifths (4/5) of the attending voting members.
- All other decisions are valid if supported by a majority of attending voting members.

Art. 3.11 : Voting

Voting at the meeting of Congress in principle shall be conducted by open ballot. It shall generally be done by the show of hands or by roll call. If there is more than one candidate for an open position, or if requested by at least one-third (1/3) of the attending members, voting shall be carried out by secret ballot. An ad-hoc chairman may be appointed to preside over the election process.

Art. 3.12 : Minutes

Minutes of the meetings of Congress are to be signed by the Chairman and kept by the Secretary-General. Copies of the Minutes are to be mailed out to all members within two months of the close of

the Meeting. Any comment on the Minutes has to be addressed to the Secretary-General within two months after the Minutes having been sent. Modifications to the Minutes have to be approved by the next Congress. Decisions involving parties external to ESKA shall be announced to them by the Secretary-General.

Art. 3.13 : Chairman

The President shall be chairman of the meeting of Congress, and in his absence, the most senior mandated Vice President will take the chair.

CHAPTER 4 : EXECUTIVE BOARD

Art. 4.1 : Composition

The Executive Board is composed of members elected by Congress from amongst candidates proposed by the Executive Board or by the ESKA-member representing their own country. The minimum number of members is three and the maximum is seven.

Art. 4.2 : Term of Office

The term of office for members of the Executive Board shall be four years. Members can be re-elected. Their term of office ends in the event of death, termination of the term of office, resignation or dismissal by Congress.

Art. 4.3 : Responsibility

Members of the Executive Board acting within their mandate on behalf of ESKA, are absolved of any personal liability in respect of these actions. Their responsibility is limited to the execution of their mandates within the Executive Board.

Art. 4.4 : Resignation

In case a member of the Executive Board wants to resign, he will announce his intention to resign by recorded delivery to ESKA or by announcement in a meeting of the Executive Board. The subject will be included on the agenda of the next Congress, which will decide on the acceptance and terms of the resignation.

Art. 4.5 : Duties of the Executive Board

The Executive Board will carry out collectively such tasks as those provided for within this Constitution and those arising from decisions taken by Congress.

Art. 4.6 : Authority

The Executive Board has the authority to :

- execute the mandates received from Congress
- govern and to manage ESKA
- represent ESKA
- take all necessary actions which are not assigned by the Constitution to Congress or any other body of ESKA
- take decision in all cases not foreseen by the Constitution.

Art. 4.7 : Reporting and discharge

The Executive Board reports to Congress in order to obtain ratification for decisions made and actions taken between meetings of Congress. Ratification is given by a simple majority vote of attending



ESKA-members. This ratification effectively discharges the responsibility of the Executive Board for these decisions and actions.

Art. 4.8 : Delegation

The Executive Board has the authority to delegate part of its duties to internal executing bodies. The extent of the delegation has to be clearly defined by a decision of the Executive Board. Delegation does not absolve the Executive Board of its responsibilities to Congress or third parties. At any time the Executive Board can withdraw any delegation.

Art. 4.9 : President

Congress will elect a president from the members of the Executive Board. If there is more than one candidate, this will be done by secret ballot. The president is the first representative of ESKA.

Art. 4.10 : Vice-President

Congress will elect a vice-president from the members of the Executive Board. If there is more than one candidate, this will be done by secret ballot.

Art. 4.11 : Meetings of the Executive Board

Meetings of the Executive Board will happen on the initiative of the President or when requested by one third of the members of the Executive Board.

Art. 4.12 : Quorum

In order to conduct business, a meeting of the Executive Board requires the attendance of at least one half of its membership.

Art. 4.13 : Decision

The Executive Board acts and decides as a body. Each member has one equal vote. Decisions are taken by a simple majority of votes. In case of a tie, the President may cast the deciding vote. Members of the Executive Board are bound by the decisions taken by the Executive Board.

Art. 4.14 : Minutes

Minutes of the meetings of the Executive Board are to be signed by the President. Copies of the Minutes shall be mailed out to all the members of the Executive Board within two months of the close of the Meeting. The original Minutes are to be kept by the Secretary-General.

Art. 4.15 : Honorary Vice-President

The ESKA-member organising and hosting the next ESKA-championship will propose an Honorary Vice-President. This Vice-President must be ratified by ESKA Congress. This Vice-President is an honorary member of the Executive Board. His term of office is of one year duration and he has no vote in the Executive Board.

CHAPTER 5 : EXECUTIVE BODIES

Art. 5.1 : Secretary-General

The Executive Board can delegate the execution of its decisions and/or the management of all activities necessary to assure the normal course of events of ESKA to a Secretary-General. The terms and scope of the mandate will be defined in detail by the Executive Board.

Art. 5.2 : Technical Director

The Technical Director is a member of the Executive Board who is elected by congress. As with other Executive Board positions the term of office is 4 years.

Duties and responsibilities:

- 1) Chairman of Technical Committee and is responsible for chairing technical committee meetings and communicating the recommendations of the committee in writing to the ESKA director of administration.
- 2) Member of the Referee Commission and is responsible for:
 - a. The communication of any recommendations by the referee commission to the technical committee
 - b. Delivery of the referee course and examination
 - c. Delivery of the kata standardisation course
 - d. The organisation and deployment of the referees and judges for the championships
 - e. Keeping records of referee & judge examination results and communicating these results to the ESKA Director of Administration

Art. 5.3 : Director of Finance

The Executive Board can delegate management of financial matters to a Director of Finance. The terms and scope of the mandate will be defined in detail by the Executive Board.

Art. 5.4 : Director of Competition

The Executive Board can delegate management of competition matters to a Director of Competition. The terms and scope of the mandate will be defined in detail by the Executive Board.

Art. 5.5 : Competition Committee

The Executive Board can delegate the authority on urgent competition matters to a Competition Committee. The terms and scope of the mandate will be defined in detail by the Executive Board.

Art.5.6: Technical Committee

The Executive Board can delegate management of the technical matters of ESKA to a Technical Committee. The terms and scope of the mandate will be defined in detail by the Executive Board.

The ESKA Technical Committee reports to the Executive Board. It's members are of high grade and widely respected for their technical expertise. They are appointed by the Executive Board and have no fixed term of office. There will be a maximum of 6 members. The matters discussed are raised as a result of referrals by the ESKA president, the Executive Board, the Referee Commission or upon the initiative of members of the technical committee.

Art. 5.7: Referee Commission

The ESKA Referee Commission reports to the ESKA Technical Committee. It's members are widely respected AA qualified referees. They have no fixed term of office. Two members are appointed by the Executive Board, two members are filled by election by the AA qualified referees from a limited panel of candidates submitted by the Executive Board. The fifth member will be the Technical Director who will be elected by congress. There will be a maximum of 5 members.

The responsibilities of the Referee Commission members are to:

- a) Deliver a referee course and examination as directed by the Executive Board
- b) Deliver a Kata Standardisation Course in order to standardise the performance of kata according to the 'Best Karate' series of books by Sensei Masatoshi Nakayama.



- c) Provide training for Area Managers
- d) Organise, develop and deploy the referees and judges for the championships
- e) Keep records of examinations undertaken by ESKA referees and judges

CHAPTER 6 : FINANCIAL MATTERS

Art. 6.1 : Fiscal Year

The fiscal year of the ESKA will begin on January 1st and end on December 31st of each year.

Art. 6.2 : Budget

The Executive Board will present to the regular meeting of Congress a budget and business plan for the twelve month period beginning 1st January of the following year. The approval of Congress is required. In the event a budget overrun is anticipated, Congress will be notified and shall decide if such overrun is approved.

Art. 6.3 : Budget Changes

When the assumption of new duties or the abandonment of old rights besides those already stipulated in the budget are necessary, the approval of Congress is required. The same is required in the case of a loan.

Art. 6.4 : Financial Report

The financial report of ESKA is to be compiled within three months of the end of each fiscal year. It is required to be reported to and obtain authorisation from the next regular meeting of Congress.

Art. 6.5 : Auditor

An independent auditor shall be elected by the annual Congress and will not hold any additional office in ESKA. The auditor will inspect the accounting and business records of ESKA once a year and evaluate their accuracy. He will also audit the financial report of the ESKA, together with the property inventory and business report.

CHAPTER 7 : OTHER MATTERS

Art. 7.1 : Alteration

Any alteration, addition, deletion or amendment to the articles of the Constitution of ESKA shall only be made by Congress. Any by-laws or minor regulations necessary for the execution of ESKA articles are to be decided by the Executive Board.

Art. 7.2 : Dissolution

The residual assets upon the dissolution of ESKA are to be donated to the valid members, taking into account the duration of membership, or to some public welfare organisation which has a similar purpose as the ESKA. This decision will be based on a four-fifths (4/5) approval of Congress.