



REMAINING FIT FOR PURPOSE

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

INTERNATIONAL PARALYMPIC COMMITTEE



FROM THE PRESIDENT

On behalf of the International Paralympic Committee (IPC) Governing Board, I am very pleased to present this Proposal regarding the IPC's governance reforms.

Everyone involved with the Paralympic Movement wants the IPC to remain a world leading sports' organisation and nowhere is that desire felt stronger than within the IPC Governing Board.

We are rightly proud of the IPC's unprecedented growth and achievements in its first 30 years. As a Board, we are fully committed to unlocking the potential of the Paralympic Movement and ensuring it is well positioned for further development and growth in the years ahead.

In order to achieve this, in today's ever-changing sporting landscape of greater scrutiny and accountability, it is vital that we have in place the best and most up-to-date sports governance structures.

We are fortunate that we start from a position of strength, however since the last governance review in 2004 a lot has changed in global sport and the IPC is a much different organisation to what it was 15 years ago.

Earlier this year, the IPC published its new Strategic Plan. It makes clear our vision to make for an inclusive world through Para sport and clarifies our mission to lead the Paralympic Movement, oversee the delivery of the Paralympic Games and support members to enable Para athletes to achieve sporting excellence.

If we are to achieve our vision and mission, the governance structure and decision-making processes must be adjusted to ensure they are ahead of the game and world leading.

This document is the result of 18 months' worth of consultation and dialogue with IPC members, athletes and key stakeholders, as well as development work by the IPC Governance Review Working Group.

We have aimed to respond to your ideas, issues and concerns, the need for greater engagement, and the call for an increased presence of the athlete voice.

This Proposal is by no means a finished article. It should act as a discussion paper and the starting position for a further year of consultation and dialogue.

I would like to thank the IPC Governance Review Working Group for its work to date in preparing this Proposal, as well as all IPC members for their feedback both prior to, and after, the publication of this document.

We all want the IPC to be an organisation that best serves its members. I therefore encourage you all to read this document, provide comments, and work with us to protect and grow the Paralympic Movement for a further 30 years.



Andrew Parsons
IPC President

FROM THE CHAIR - GOVERNANCE REVIEW WORKING GROUP

It is my pleasure to present this proposal to reform the governance of the IPC on behalf of the IPC Governing Board, on the recommendation of the Governance Review Working Group.

The Working Group was established in January 2018 with Terms of Reference mandating it to conduct a full review of the IPC governance structure.

The Working Group comprised a diversity of members including athletes, National Paralympic Committees (NPCs), International Federations (IFs), IPC staff and members of the IPC Governing Board, as well as an independent sports governance expert.

The members of the Working Group are myself as Chair, Maria Clarke (Sports Lawyer and Sports Governance Expert) as Vice Chair; Emmanuelle Assmann (former President NPC France); Xavier Gonzalez (former IPC Chief Executive Officer) (until March 2019); Sabrina Ibáñez (President of the Association of Paralympic Sports Organisations and Secretary General FEI); Luca Pancalli, (IPC Governing Board member and President NPC Italy); Yerlan Suleimenov (Executive Director NPC Kazakhstan); and Josh Vander Vies (Paralympic Athlete, Boccia, Lawyer, Canada).

The Working Group has been supported by Leen Coudenys, (Executive Assistant), Mike Peters (IPC Chief Executive) and Liz Riley (IPC General Counsel).

Since that time, we have undertaken the following:

- Conducted an initial sample survey from some 30 members to scope the areas for review
- Although not a member of Association of Summer Olympic International Federations (ASOIF), we completed the ASOIF assessment of good governance to benchmark the IPC against the governance standards being applied in international sport
- The Working Group developed and agreed guiding principles for the review, defined the rationale for a review, and established the objectives, scope and proposed areas to be reviewed
- Presented to the IPC Governing Board in June 2018 who fully endorsed the Working Group's principles, rationale, objectives, scope and proposed areas for the review
- Presented at the September 2018 Membership Gathering in Madrid, Spain, the work to date, and conducted workshops to gain feedback on key areas
- Consulted with members in a small sample survey during the 2018 Membership Gathering
- Held meetings with various stakeholders to identify their concerns and also their proposals including IOSDs, Regional Paralympic bodies, and the Athletes' Council
- Following this feedback which we considered, we again presented to the IPC Governing Board recommending that before considering



the best governance structure for the IPC, the IPC Purpose needed to be reviewed and in particular the IPC's ongoing role as an IF

- To assist with this decision and as part of the IPC's 2019-2022 Strategic Plan, several options were developed for the IPC Governing Board's consideration, including the ongoing management of the IPC Sports from retention to full independence and separation
- The IPC Governing Board considered these options and has proposed a change in the Purpose of the IPC which no longer includes it having a long-term role governing IPC Sports. We have valued the feedback, enthusiasm and engagement in which members and interested parties have contributed
- The IPC Governing Board has also discussed and considered, over several meetings, other changes to the governance and decision-making structure and processes to achieve the objectives of the reform
- The principles of the Proposal were shared at October 2019's IPC Conference in Bonn.

The key themes in this document are captured in nine principles which are then explained in detail.

This Proposal has been prepared solely for the purpose of consultation. It is not for voting on at this time. It is a starting point from which the IPC can evolve and develop into the future. If the proposal is eventually adopted and incorporated into a new constitution and regulations, then at each General Assembly thereafter there is always the opportunity to propose amendments to them and to adjust and adapt specific parts over time.

We hope you will discuss this proposal widely amongst your members and all involved in the Paralympic Movement.

We are now seeking feedback from you before proposed amendments to the constitution are finalised for voting on at an Extraordinary General Assembly which is Proposed for November 2020.

On behalf of the Working Group, thank you for your support in continuing to grow and evolve the IPC.

I look forward to hearing your views on the Proposal and working together to create an IPC which is fit for purpose.

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

Duane Kale
IPC Vice President



CONTENTS

08	INTRODUCTION
09	KEY PRINCIPLES
11	PURPOSE
27	MEMBERSHIP
35	GENERAL ASSEMBLIES
41	IPC GOVERNING BOARD
51	PRESIDENT, VICE-PRESIDENTS AND CHIEF EXECUTIVE, IPC HONORARY BOARD
55	BOARD SUB-COMMITTEES, COMMITTEES AND WORKING GROUPS
61	INTEGRITY AND DISCIPLINARY
67	TRANSPARENCY
71	PROCESS AND NEXT STEPS
74	APPENDIX 1

1. INTRODUCTION

- 1.1** This paper sets out the principles proposed by the Governance Review Working Group, and supported by the IPC Governing Board, to reform the governance of the IPC.
- 1.2** It has been prepared for the purposes of consulting and obtaining feedback from members and others involved in the Paralympic Movement. For this reason, this paper is not the final proposal on which members will be asked to vote.
- 1.3** Once feedback is received adjustments will be considered and a revised proposal circulated.
- 1.4** Those elements of the final proposal that require changes to the IPC Constitution to be effected, will be included in a new IPC Constitution and Regulations to be voted on at an Extraordinary General Assembly to be held in December 2020.
- 1.5** If changes are approved, the new structure will largely take effect before the 2021 General Assembly and the IPC Governing Board will also develop and approve new practices and procedures to ensure all elements of the reform are implemented.

2. KEY PRINCIPLES

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

2.2 There are nine key principles as follows:

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

It will cease acting as an international federation for IPC Sports through a managed exit process. It will also restructure the Agitos Foundation to simplify its governance and bring its operations back into the IPC to achieve development of Para sport more efficiently.

- b. **Membership:** Some adjustments to the categories of members and the criteria for them are proposed including for IPC Sports and Recognised IFs. The role and structure of Regional Organisations is also clarified.
- c. **Wide Engagement:** The mechanisms for engagement in decision-making will be improved to enable regular and wide participation by all IPC members and others in the Paralympic Movement.
- d. **Greater Athlete Engagement:** There will be greater engagement with athletes in decision making at all levels of the IPC.
- e. **Role Clarity:** The roles and procedures of the President, the IPC Governing Board and the Chief Executive will be clarified

to ensure effective and efficient decision-making and to set out their leadership, governance and management obligations respectively.

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

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

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



3.1 PURPOSE

KEY RECOMMENDATIONS

- Change of Purpose
- IPC ceases to manage IPC Sports
- Establishing an IPC Internal Unit for the IPC Sports
- Agitos Foundation restructured

3.1 PURPOSE

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

3.1.1 CHANGE OF PURPOSE

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

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

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- to support NPCs, IFs, IOSDs and Regional Organisations, in their development including supporting them in the development and organisation of Para sports, competitions, activities and programmes and in the preparation of their athletes for the Paralympic Games.
 - c. In consultation with each of the IPC Sports, the IPC Governing Board will decide the steps, timeframe for separation, and the resources and support the IPC will provide them, known as their “leaving plans”. The steps and timetable for all the IPC Sports must be published to the members by no later than December 2021.

3.1.2 IPC CEASES TO MANAGE IPC SPORTS

- a. To give effect to this change in purpose, it is proposed to set an aspirational, but not strict, date by which all IPC Sports will be separated from the IPC. For summer sports that date will be the end of 2028 (i.e. in eight years) and for winter sports, the end of 2030 (i.e. in 10 years).
- b. In addition, each IPC Sport will have a specific target date for leaving the IPC as decided by the IPC Governing Board. Each IPC Sport has different issues and limitations which must be taken into account, so a fixed date is impractical and imprudent if the sports are to thrive and survive once separated. There may be reasons why the target date is not met, if for example, an IPC Sport is ready to leave but the entity it is transferring to, is not ready to receive it by that specific date.
- d. This timetable must also take into account the impact on the operations of IPC. For example, by staggering the times in which each of the IPC Sports separates from the IPC. There will be considerable legal and other support required to assist the IPC Sports to leave, such as transferring assets; resolving or transferring liabilities; redrafting regulations; attending meetings; transferring employees etc. With 10 sports to support leaving the IPC, this will need to be carefully managed so the day-to-day operations of the IPC and the IPC Sports are not adversely impacted. The IPC Governing Board may adjust the timeframes for each IPC Sport to be leaving the IPC, if necessary.
- e. The IPC Governing Board will decide if an IPC Sport is ready to separate against the published criteria and following consultation with the sport’s membership (see paragraph 3.1.3n and 3.1.3v below). The IPC Governing Board must also report to the General Assembly every second year, and to the membership in writing in the year between, on the progress of each IPC Sport for leaving the IPC against the published timeframe.

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- f. In deciding if an IPC Sport is ready to separate, the IPC Governing Board will develop and apply criteria for doing so. These criteria may vary depending on whether the sport is joining an existing IF or establishing its own stand-alone entity. The criteria is to be developed but will require the IPC Governing Board to be satisfied in the following areas:
- i. Structure e.g. a minimum number of national federations across all regions of the IPC
 - ii. Leadership e.g. suitable personnel available to lead the sport; having a strategy, vision, goals
 - iii. Operations e.g. adequate staffing in place for all facets of the sport
 - iv. Financial - e.g. demonstrated ability to source independent income, for example through broadcasting or other commercial rights
 - v. Marketing + Communications e.g. having its own brand identity and communication plans
 - vi. Competition e.g. well-established competition calendar with events providing for universality gender equality and diversity of classifications including athletes with high support needs
 - vii. Participation e.g. the sport is widely practiced by a minimum number of countries
 - viii. Development e.g. pathways and training opportunities for athletes, officials, coaches
 - ix. Classification e.g. has sufficient classifiers for the sport and
 - x. Anti-Doping e.g. has an anti-doping function in compliance with the World Anti-Doping Code
- g. These examples of criteria will include aspects which are non-negotiable i.e. classification and competition, however will not be so rigid as to prevent or block a sport from moving to independence. The objective is to achieve independence while ensuring the sport is able to thrive.
- h. This separation will occur by each IPC Sport either:
- i. establishing a stand-alone entity or
 - ii. joining an existing able-bodied IF or
 - iii. becoming part of some other organisation, which may include a multi-sport entity

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- i. The continued success and development of the IPC Sports during this time, and beyond, is important for the sports themselves, and also for the success of the Paralympic Games. Equally important is the IPC continuing to meet its strategic priorities while at the same time supporting the IPC Sports to be self-sustainable and ready to move to a separate structure.
- j. Many options were considered to transition the IPC Sports as soon as practicable to independence as well as minimise the conflicts and other concerns raised with the current structure. *Appendix 1* shows all the options that were considered.
- k. The option which is considered best suitable, as a transition for the IPC Sports to become independent, is an IPC internal unit as set out in paragraph 3.1.3 below.
- l. The reasons for choosing an internal unit of the IPC are that:
- it creates a mechanism to both drive and support the IPC Sports to leave, so that the IPC can be sure, on the one hand, there is progress and an end point, but on the other hand, the sports, once independent, can survive and thrive on their own
 - it ensures operational independence from the IPC which leaves the IPC to focus on its core purpose and should remove any perceptions of conflict of interest, (such as deciding the sports for the Paralympic Games programme)
 - it is a temporary structure which can be easily established and disestablished without substantial costs and complicated legal transactions. It can also be downscaled and adapted over time as the sports leave the IPC
 - it enables the sports to develop and leave as fully formed sports organisations, if necessary, rather than just competition departments (as they are now), which will make them stronger in their transition

3.1.3 ESTABLISHING AN IPC INTERNAL UNIT FOR THE IPC SPORTS

It is proposed that an internal division or unit of the IPC be established with responsibility for all the IPC Sports. It will be operationally independent from the IPC with its own Board and staff. It will be called the World Para Sports (WPS) Unit.

The key features of this WPS Unit will be as follows:

- a. It is legally part of the IPC.
- b. It is accountable to the IPC Governing Board which remains liable for the WPS Unit (see section 3.4 below on the IPC Governing Board).
- c. It is governed by the WPS Unit Board with delegated authority from the IPC Governing Board to (1) govern the ongoing success of the sports, and (2) monitor and progress the implementation of the “leaving plan” for each sport.
- d. The WPS Unit Board will be responsible for developing each sport’s leaving plan, strategy, operational plans, budgets, competition calendar, qualification etc. It will have delegated authority (recorded in the IPC Constitution) to undertake its operations within the mandate and budget approved by the IPC Governing Board.
- e. The WPS Unit Board structure creates separation of the WPS Unit from the IPC to ensure operational independence but not legal separation from the IPC. This will enable the governance and management of the IPC Sports to be focussed entirely on those sports and their transition to separation.
- f. The composition of the WPS Unit Board is proposed to have five members as follows:
 - Two members of the IPC Governing Board (but not the IPC President) to be elected by the IPC Governing Board who each have experience in the delivery and management of a sport and who are not currently involved, or have been involved in the previous four years, in any way with any IPC Sport;
 - Two other independent² members with strong governance experience in sport appointed by the IPC Governing Board (following an open application process and recommendation by the Nominations Panel); one of these two members will chair the WPS Unit Board (as decided by the IPC Governing Board).
 - One athlete representative, elected by all the athlete committees for each of the IPC Sports (see paragraph 3.1.3z below).

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

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- g. There must be at least two members of each gender on the WPS Unit Board.
 - h. The term of office for each member is four years, with a maximum of two terms or until the WPS Unit Board is disestablished (as decided by the IPC Governing Board).
 - i. In addition to the WPS Unit Board, the IPC Constitution will mandate the WPS Unit Board to hold a forum, at least annually, for all the Chairpersons of the IPC Sports together (who are each elected by their sport, see paragraph 3.1.3o below). This Chairpersons' forum will be advisory to the WPS Unit Board on matters affecting all of the sports and is informal to cater for the fact that its size and composition will change over time as IPC Sports leave the IPC.
 - j. The WPS Unit Board has its own budget authorised by the IPC Governing Board. It may seek income from non-IPC sponsors and other sources provided they do not conflict with those of the IPC and comply with other conditions, such as not offering exclusive sponsorships.
 - k. The WPS Unit Board has its own Managing Director accountable to the WPS Unit Board (not the IPC Chief Executive) and its own dedicated staff, as the IPC Sports do now.
 - l. It can use IPC services such as marketing, communications, legal, human resources, but such services are to be costed and accounted for in the budget and financial reporting. It can also use outside providers within the approved budget where there may be a conflict of interest in using IPC services.
 - m. To enable the IPC Sports to start developing a structure and personnel as an independent sport and more easily transfer to another body, or stand-alone entity, each IPC Sport will have both a Sport Advisory Committee (SAC) and a Sport Technical Committee (STC). The SAC will be the political or governance part of the sport. The STC will be the technical and operational part of the sport.
 - n. Each SAC will be responsible for driving the transition of the sport to separation, with the approval of the WPS Unit Board. The SAC is the governance arm of the sport and advises the WPS Unit Board by providing it with recommendations on matters such as the competition calendar, submissions on being on the Paralympic programme; appointment of technical delegates; and builds relationships with the able-bodied IF and with other stakeholders in the sport. The SAC reports and is accountable to the WPS Unit Board but reporting to and from the Unit Board will be coordinated through the Managing Director.

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- o. Each SAC will be headed by a Chairperson elected at each sport's general meeting, held every second year. The role of the Chairperson is similar to that of the President of an IF. They are external facing as the figurehead of the sport. Their role is to lead and promote the separation from the IPC by engaging with the members and stakeholders of the sport. SACs cannot make decisions, incur any debt, or bind the IPC or the sport to any commitment. They cannot direct staff or members of the STC nor be involved in the internal operation or delivery of the sport.
- p. The WPS Managing Director will be the interface between each Chairperson, SAC and the WPS Unit Board. SACs (including the Chairperson) will be required to follow the directions and policies set by the WPS Unit Board.
- q. The SAC for each sport will usually each comprise of five people as follows:
- the Chairperson (elected at the sport's biennial meeting);
 - Three members (each from a different region) elected at the sport's biennial meeting; and,
 - one athlete from the sport's athlete committee (see paragraph 3.1.3z below).

At least two of the five members must be of each gender.

- r. The term of office for each member of a SAC is four years, with a maximum of two terms or until the sport leaves the IPC, whichever is the earlier. Elections will be held at every second general meeting of the sports (four yearly).
- s. Each STC is responsible for supporting and advising management on the operations and rules of the sport including classification. The committee members work with the WPS staff and report to the Sport's Manager. The members of the STC are appointed by the WPS Unit Board on the recommendation of the WPS Managing Director. The number of members will vary depending on the size and demands of the sport.
- t. The name of each IPC Sport will have the words "World" and "Para" in its name. Each IPC Sport will have its own page on the IPC website with a distinct brand and identity as decided by the IPC Governing Board.

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- u. Each IPC Sport will hold a general meeting every two years and invite the relevant decision makers as representatives from NPCs or National Federations (NFs) responsible for the sport at national level as applicable, to attend.
- v. The purpose of these sport general meetings is to report on the progress of the sport, to seek input on ideas and proposals and to make recommendations to the SAC. The items of business at general meetings will include the following:
- Election of the SAC Chairperson and the elected members of the SAC (every second meeting/ four years);
 - Report from the WPS Unit Board on the status of all the IPC Sports and other matters affecting all of the sports;
 - Report from the SAC Chairperson on the activities of the sport the preceding year;
 - Report on the financial position of the sport and future forecasts for discussion;
 - Report and discussion on the progress against the sport's leaving plan and any issues arising for recommendation
 - Report on the sport's events (e.g. World Championships) in the preceding year or upcoming events for discussion and recommendation
 - Discussion and recommendations on technical matters of the sport including rule changes and classification
 - Discussion and recommendations on events and disciplines in the Paralympic programme for input to the WPS Unit Board and
 - Any other item notified by the WPS Unit Board, the SAC or any NPC for discussion and recommendation.
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- w. Each NPC which supports or manages one of the IPC Sports at national level may appoint up to two delegates to attend these general meetings, but only has one vote. The NPC will decide who is best placed to attend these meetings, which may include both an NPC representative and an NF representative. In either case, the NPC is responsible for supporting and nominating their delegate/s to attend the meetings. These meetings may be held in person or using technology (or a combination of the two) so that all NPCs from each IPC Sport, whether in person or remotely, can participate. The procedures for these meetings will be set out in the Regulations.
 - x. In the year between the biennial meetings of each IPC Sport, the WPS Unit Board (on the recommendation of all the SACs) will report to the NFs and NPCs for each sport with a written report on the items of business listed above in paragraph 3.1.3v for general meetings. This report must be prior approved by the IPC Governing Board.
 - y. In addition, the WPS Unit Board will report to the full IPC membership at each General Assembly, and in the year in between, with a written report on all the IPC Sports and their progress against their leaving plans. This report must also be prior approved by the IPC Governing Board.
 - z. Each IPC Sport will have an athlete committee, one member of which shall be appointed as the chair of the committee by its members. The appointed chair will be the member of the SAC for their sport. The members on each athletes' committee will be elected by the athletes from their sport at each World Championships of the sport, in the same way that the IPC Athletes' Council is currently elected. However, in the first year of operation, the WPS Unit Board will appoint the athletes to these committees by calling for expressions of interest.

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- aa. These athlete committees may start out working quite informally (e.g. using technology) and evolve and develop over time. It is important they have support for their work so resources will need to be sourced and allocated over time. However, in the meantime it is important that athletes' views and perspectives are heard, so establishing this mechanism is important. The scope of these athletes' committees is limited to athletes' perspectives from each sport and therefore differs from the current IPC Athletes' Council, which considers the perspectives of athletes from across all the Paralympic sports.
- bb. The athletes on each of the IPC Sport committees will collectively elect a person from amongst all the athletes' sports committees to sit on the WPS Unit Board. That person does not have to be, but may be, a chair of one of the sport's athletes' committee.
- cc. Each IPC Sport may also establish other means of communicating and forums within its community.
- dd. The IPC Sports will all have the same structure and processes of operation.
- ee. The Constitution, Bylaws (replaced with Regulations) and other rules of the IPC apply to each of the IPC Sports, as they do now, including the IPC Athlete Classification Code and disciplinary processes.
- ff. In the event there is any dispute or difference between an IPC Sport (whether by its chairperson, the SAC or the STC) and the WPS Unit Board, which cannot be amicably resolved between them, the IPC Governing Board shall decide the dispute or difference.
- gg. Once all the IPC Sports have left the IPC, the IPC Governing Board will disestablish the WPS Unit.
- hh. If the IPC Constitution is changed to empower the IPC Governing Board to proceed with this WPS Unit, it will be established by 30 September 2021 (before the 2021 General Assembly). The first IPC Sports general meetings will be held during the first six months of 2021, with the WPS Board and WPS Managing Director appointed by the end of September 2021. It is proposed that the SAC and STC for each sport, and all other aspects of the WPS Unit, will be in place by December 2021.

DIAGRAM 1: WPS UNIT WITHIN IPC

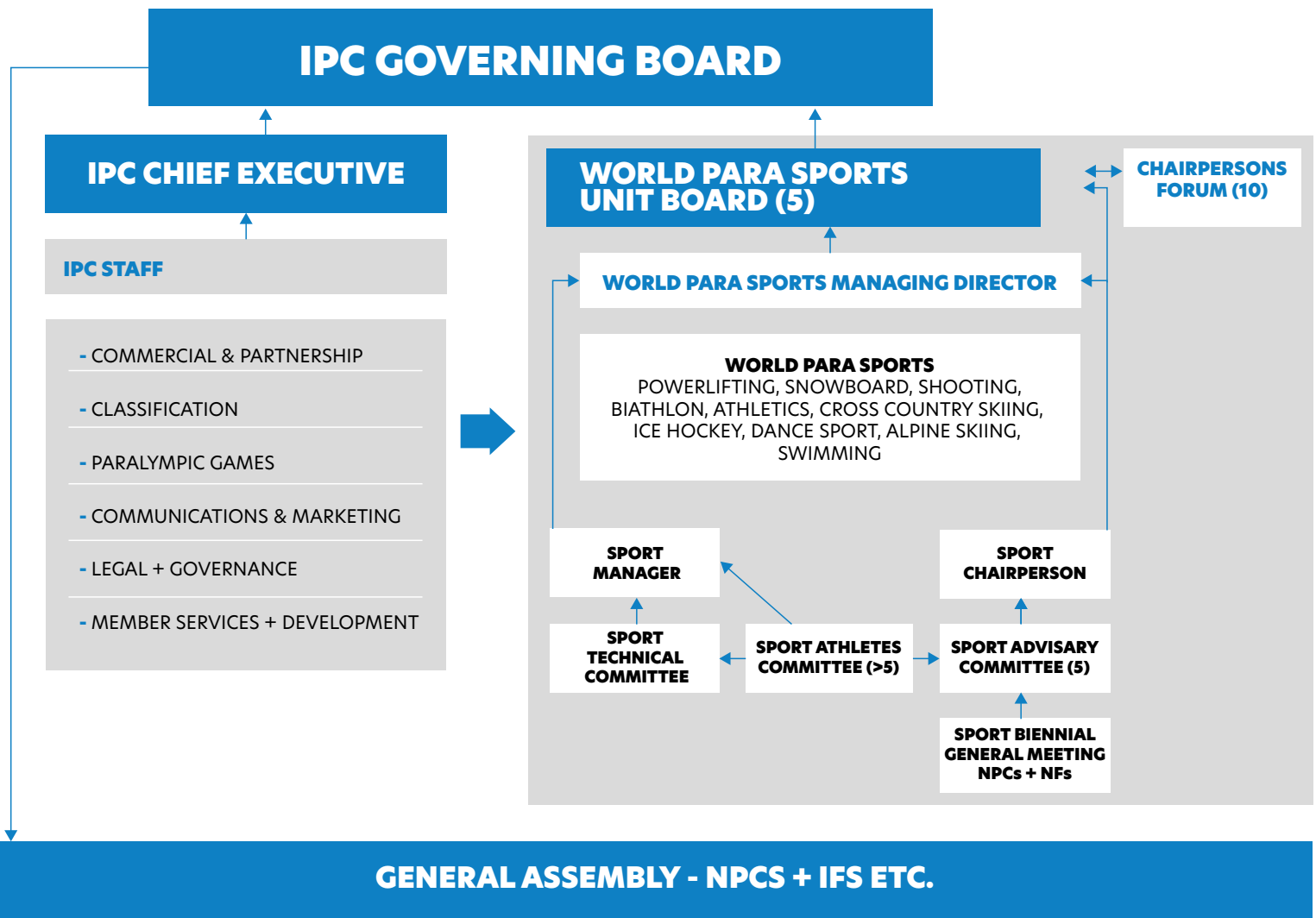
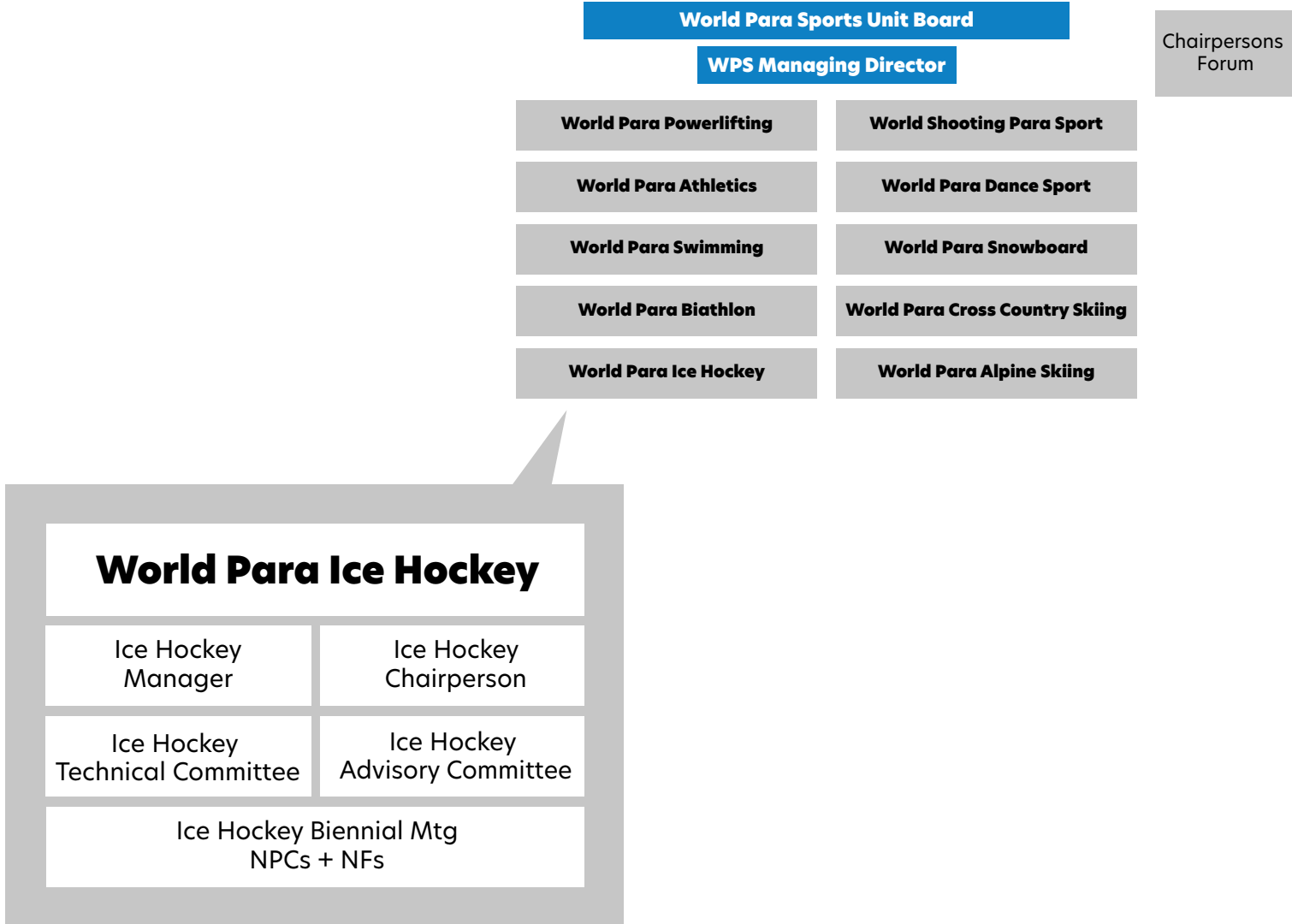


DIAGRAM 2: DETAIL OF WPS UNIT



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- ii. In summary, the internal unit is a practical, relatively quick and cost effective way of addressing the issues and concerns raised while preparing the sports for separation. There will be little set up or legal costs to establish this WPS Unit including transferring of contracts, suppliers etc. This Proposal also enables the sports to start establishing their leaders, members, and their own identity and processes so they are ready to operate independently. In addition, as sports leave the IPC, the WPS Unit can easily be downscaled to suit without significant (although there will be some) legal or other associated costs.

 - jj. The diagrams on pages 22 and 23 depict the structure of the proposed WPS Unit

3.1.4 AGITOS FOUNDATION RESTRUCTURED

- a. The transition to removing the IPC Sports provides an opportunity for the IPC to better focus on all elements of its stated purpose including supporting NPCs, IFs, IOSDs, Regional Organisations and their athletes in preparations for the Paralympic Games and the development and organisation of Para sport. For this reason, it is proposed to bring back into the IPC the delivery of programmes currently undertaken by the Agitos Foundation and for the Agitos Foundation to remain, but be limited to, a fundraising vehicle.

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- b. As a result, it is proposed to restructure the Agitos Foundation so its activities are focussed on raising and granting funds to the Paralympic Movement.
- c. The current Agitos Foundation structure, with a board of Trustees, an interim Executive Board, Chief Executive and operations teams results in duplication of some resources (at governance and operational level), inefficiencies in alignment of strategies and requires members to deal with two organisations. This can be better streamlined and the resources used more efficiently if they are all under "one roof". It will also enable the IPC to better connect the development and member services work carried out by it with the Regional Organisations.
- d. This will result in changes to the Agitos Foundation governance structure and the transferring of the existing operations to the IPC. In particular:
- The IPC Governing Board will take over responsibility for establishing and monitoring the strategy and planning for programmes and services to support members and their athletes in their development
 - The overall purpose and mandate of the Agitos Foundation will remain the same and it will continue to fund and support Para sport
 - The Agitos Foundation governance structure will reduce to a board of Trustees, made up of two IPC Governing Board members and an independent investment or fundraising expert. The interim Executive Board will cease. There will be a transition for the existing board of Trustees to the smaller board
 - The implementation of the strategy and priorities for development become the responsibility of the IPC staff, led by the Chief Executive
 - The existing operations of the Agitos Foundation will transfer to the IPC. This change will ensure alignment to the strategy, plans and more efficient use of resources
- e. If there is general support for these changes, they could be implemented by the IPC Governing Board, with the approval of the Agitos trustees, in 2020, prior to the approval of the IPC Constitution.
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3.2 MEMBERSHIP

KEY RECOMMENDATIONS:

- Membership categories and rights
- Admission/suspension of membership
- Member obligations
- Obligation to have athletes' perspectives
- IPC assistance
- Regional Organisations

3.2.1 MEMBER CATEGORIES AND RIGHTS

- a. Although consideration was given to adjusting the categories of membership to give NPCs greater rights as the core members of the IPC, it was decided, on balance, to retain the current categories of IPC membership being NPCs, IOSDs, IFs and Regional Organisations.
- b. NPCs, IOSDs and IFs will retain the right to attend, speak, propose resolutions, and nominate candidates for election and vote at General Assemblies with one vote each.
- c. Regional Organisations retain the right to attend, speak and propose resolutions, but will no longer have the right to vote at General Assemblies (at the 2021 General Assembly and thereafter). This is because the NPCs already have a direct vote, so the votes by Regional Organisations are duplicative.
- d. The IF category will be extended to include the IPC Sports once they have established themselves with an elected Chairperson, Sports Advisory Committee and Sport Technical Committee (as described in paragraph 3.1.3m to bb above). Once these components of the sport are established, they will have the right to attend, speak, propose resolutions, and nominate candidates for election and vote at General Assemblies. The chair of each SAC and up to two other members of the SAC (as decided by the SAC) will be entitled to attend IPC General Assemblies as the delegates of each IPC Sport.
- e. The reason for this extension is to recognise that the IPC Sports, like the IFs, are key stakeholders of the IPC and once they begin the process to be ready to leave the IPC, they should have the same rights as the IFs.
- f. The other rights of members will remain largely unchanged.
- g. Changes to Recognised International Federations (which are not voting members) are also proposed. Currently they are not referred to in the Constitution but should be, so their status, rights and obligations are clear. In addition, the current criteria for admission (set out in policy of the IPC) is broad and focused on the federation's contribution to the development of sport. It is proposed instead to narrow this category to those sports which are approved to use the word "Para" in their name or in connection with their sport; or that want to use the IPC Athlete Classification Code, which are both properties of the IPC. There may be other criteria included but the general intention is for the criteria to become more stringent.
- h. It will no longer be a requirement for sports seeking to be on the Paralympic Games programme to be a Recognised Federation.
- i. Recognised IFs will have the right to attend General Assembly meetings but no right to speak, propose resolutions, and nominate candidates for election or to vote.

3.2.2 ADMISSION/ SUSPENSION OF MEMBERSHIP

- a. The criteria on which members can be admitted to the IPC and suspended will be clarified, in particular to set out clear criteria and procedures.

3.2.3 MEMBER OBLIGATIONS

- a. Additional obligations on NPCs will be introduced to protect them from government interference (for example, political interference, or interference with the operations of the NPC).
- b. Members will also be required to meet obligations for athlete care and wellbeing.
- c. Members will be required to meet minimum governance requirements including having gender parity (50% by a specified date) on their Board and to report on that every two years in the year of the General Assembly.
- d. Members will also be mandated not to participate or engage in any event, activity or competition of an IPC member who is suspended or expelled from the IPC, whether at international, regional or national level.

3.2.4 OBLIGATION TO HAVE ATHLETES' PERSPECTIVES

- a. It is proposed that, as a condition of membership, all members must have formalised mechanisms in their decision-making structure to engage with, and have the perspective of, athletes. This may include, but is not limited to, having an athlete committee, athlete seats on the top decision-making body such as the Board or Executive, athletes on committees, holding athletes' forums or designated athlete engagement positions. A transition period of 12 months or longer, as decided by the IPC Governing Board, is proposed to enable members to fulfil this condition.

3.2.5 IPC ASSISTANCE

- a. A new provision in the Constitution is proposed, to enable the IPC (or a taskforce on its behalf) to step in and manage an NPC where it is in difficulty and such difficulty is or is likely to directly affect the athletes; the members of that organisation or the reputation of the IPC or the Paralympic Movement. For example, where an NPC is prevented from performing its functions due to internal/national-level disputes.
- b. This may include financial difficulties, political difficulties (whether internally or externally) e.g. government interference or significant operational problems. The agreement of the NPC Board will usually be required in each case, unless the reputation or funds of the IPC (or the Agitos Foundation) are being impacted by the difficulty, in which case the IPC Governing Board could direct the intervention. This does not mean the IPC will necessarily provide financial support in these situations.

3.2.6 REGIONAL ORGANISATIONS

- a. It is proposed that all Regional Organisations³ must be separate legal entities and members of the IPC, with their role, rights and responsibilities within the Paralympic Movement clarified. The link between the Regional Organisations, NPCs and the IPC can be stronger if the roles and responsibilities are clarified.
- b. Currently the Americas Paralympic Committee (APC) is not a separate entity and its legal status, and consequential rights and responsibilities, are unclear. There are also perceptions that while the APC is inside the IPC, the same conflict and unfairness perceptions that exist for the IPC Sports being internal, apply to the APC. It will therefore be established as a separate legal entity. A transition period of 18 months is proposed to enable this to occur progressively (i.e. after the 2023 Parapan American Games in Santiago).

³ European Paralympic Committee; Asian Paralympic Committee; Americas Paralympic Committee; African Paralympic Committee; and Oceania Paralympic Committee.

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- c. It is proposed that all NPCs in the region are encouraged, but not mandated, to be members of the Regional Organisation in their region. Regional Organisations may have other categories of non-voting members in the same region (such as continental or regional bodies of IFs), but IFs themselves cannot be members of the Regional Organisation (whether voting or non-voting) as their relationship should be with the IPC either as a member of the IPC or through cooperation.
- d. The role of the Regional Organisations will be clarified with responsibilities to:
- deliver IPC and other regional Para sport events, competition, programmes and activities in the region, in accordance with IPC policies and with IPC's support
 - represent the NPCs in the region
 - assist and support NPCs with development and participation competitions, programmes and activities and
 - represent the IPC in the region, when requested.
- e. The rights and obligations of Regional Organisations will be clarified as follows:
- i. Rights
- attend and speak at General Assemblies, but no right to nominate persons for the elected positions on the IPC Governing Board or to vote
 - attend IPC member forums and gatherings
 - may apply for funding from the Agitos Foundation or IPC and
 - establish, supervise and sanction regional Para competitions in consultation with the IPC and the relevant IF.

ii. Obligations

- co-ordinate the development of Para sport in the region in co-operation with the IPC, IFs and IOSDs
- all NPCs in the region must be invited to be members, but NPCs can choose whether or not to accept such invitation
- only NPCs can be voting members and any other categories of members must be non-voting
- for any regional Para competitions, only permit sports to participate on the programme which are members of the IPC or Recognised Federations, unless approved by the IPC Governing Board (which approval will be dependent on those sports meeting minimum requirements regarding anti-doping and classification)
- comply with the IPC Constitution, Regulations and all other rules and policies of the IPC
- have a constitution which is not inconsistent with the IPC's Constitution
- only use the name "Paralympic" and "Para" in accordance with IPC requirements
- must admit into membership any NPC in the region which requests to do so (unless such NPC has been suspended by the IPC);
- have minimum good governance requirements including in its Board and committees, including gender equity; published annual audited accounts; athlete representation etc.
- hold an annual regional general assembly and forums, at which IPC can attend to engage with NPCs and discuss matters relevant to the Paralympic Movement and,
- if requested, represent the IPC in the region.

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- f. As a matter of principle, each Regional Organisation should receive, on a proportionate basis, the same level of support from IPC as each other, noting that currently there are significant differences in the number of NPCs in each Region, as well as the scope and capacity levels between them.
 - g. The IPC will also hold an annual forum for the Chairs of each Regional Organisation as well as open days for regional staff at IPC headquarters, to better integrate the work of the IPC and the Regional Organisations.



3.3 GENERAL ASSEMBLIES

KEY RECOMMENDATIONS:

- Role of the General Assembly
- General Assembly procedures

3.3 GENERAL ASSEMBLIES

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

3.3.2 ROLE OF THE GENERAL ASSEMBLY

- a. The General Assembly is the meeting of members. It has supreme authority to make decisions within its stated mandate and to hold the IPC Governing Board to account.
- b. General Assemblies will be held every two years at venues which are most convenient to most members (such as large international ports). In accordance with this principle, the IPC Governing Board will develop, in consultation with the members, the criteria for deciding the venues of General Assemblies and then decide on venues in accordance with these criteria.
- c. The following matters are for the members to decide, approve or receive reports on, at each General Assembly
 - i. Admission, suspension (if it exceeds four years), expulsion and reinstatement of members
 - ii. Election of the President and the elected members of the IPC Governing Board
 - iii. Removal of the President and/or the IPC Governing Board as a whole, prior to the expiry of their terms, if there is no confidence in them, by special majority vote. (Should any individual Board member engage in misconduct, they may be removed by order of the Disciplinary Tribunal in accordance with the disciplinary process - see paragraph 3.8.4)
 - iv. Approval of annual financial report and audited accounts for the preceding financial year (note see paragraph 3.4.2b(iv) for the IPC Governing Board's role for budget and financial management)
 - v. Approve the Auditor on the recommendation of the IPC Governing Board

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- vi. Receive reports on the most recent edition of the Paralympic Games and the next edition of the Paralympic Games
 - vii. Approval of strategic direction for the Paralympic Movement and to monitor progress against it (note see paragraph 3.4.2b(ii) for the IPC Governing Board's role to approve the IPC Strategy and to report progress against it at each General Assembly)
 - viii. Approval of the membership fee and any criteria on which the IPC Governing Board may waive this fee
 - ix. Amend the Constitution
 - x. If required, to dissolve the IPC.

3.3.3 GENERAL ASSEMBLY PROCEDURES

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

- a. NPCs, IOSDs and IFs will be entitled to have up to three delegates at each General Assembly. Only one of them will be designated as the voting delegate but all three delegates will be entitled to speak on behalf of the Member.
- b. Each delegate must be appointed by the NPC, IOSD or IF (as applicable), and either hold an official position with the body appointing them or be an active athlete (namely a Paralympian who competed in the Paralympic Games in the last 12 years). A delegate may be a member of the appointing body's board, an employee or hold another position within the body.
- c. If an NPC, IOSD or IF sends two delegates to a General Assembly meeting, they will need to be each gender. If an NPC, IOSD or IF sends three delegates, then one of them must be an active athlete.
- d. A delegate of one member will not be able to be the delegate for another member. Proxy voting will not be permitted.

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- e. A fund for financial support/subsidy to attend General Assemblies will be established for delegates to apply to against set criteria.
 - f. All members of the IPC Athletes' Council will be entitled to attend and speak at General Assemblies, but have no right to vote.
 - g. In conjunction with every General Assembly there will be an informal forum held for face-to-face discussions between members and other stakeholders of the Paralympic Movement to discuss topics of interest.
 - h. The IPC will aim to hold an IPC Athletes' Forum every two years. If feasible and appropriate it will be held immediately prior to or following the General Assembly to enable the athletes to also attend the General Assembly as observers or delegates.
 - i. There will be translation services available at all General Assemblies in English, French and Spanish, and other languages, costs permitting, if requested by a sufficient number of members to warrant the expense. The IPC will investigate using technology to effect live translation to reduce the cost of in-person translation services.

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- j. In addition to General Assemblies, it is proposed that between General Assemblies and the Members' Gathering, the President and/or Chief Executive will hold regular informal forums by teleconference or using technology to keep members updated on developments and to seek their input on matters being considered by the organisation.



3.4 IPC GOVERNING BOARD

KEY RECOMMENDATIONS:

- Role of the IPC Governing Board
- Composition and appointment of the IPC Governing Board
- Nominations Panel
- Terms of Office

3.4 IPC GOVERNING BOARD

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

- a. ensure the IPC Governing Board has the necessary skills and expertise to govern the IPC as a multi-million Euro enterprise.
- b. better clarify the responsibilities of the IPC Governing Board (including the President) from those of the Chief Executive.
- c. increase the IPC Governing Board's effectiveness as the IPC's key decision-making body.
- d. increase the contribution of the athletes' perspectives and
- e. take into account the IPC Governing Board's adjusted role with the IPC Sports transitioning out of the IPC.

3.4.2 ROLE OF THE IPC GOVERNING BOARD

- a. The IPC Governing Board will continue to be responsible for governing the IPC and deciding all matters that are not otherwise for the members to decide at a General Assembly; the Chief Executive or an independent body.
- b. The following matters will be within the IPC Governing Board's mandate:
 - i. Membership - if required between General Assemblies, approve provisional admission, provisional suspension (up to four years only then the General Assembly must approve any ongoing suspension) and provisional reinstatement of membership
 - ii. IPC Strategic Plan (four years) and annual plan - approve, monitor progress against the Strategic Plan and report to each General Assembly on such progress

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| iii. Brand - approve and monitor name and branding of IPC and its properties | viii. Risks - identify, monitor and decide policies and procedures to manage risks |
| iv. Annual budget and four year financial forecast - approve and monitor progress against it | ix. Auditor - recommend to the General Assembly the appointment of an independent external auditor on the recommendation of the Audit Subcommittee |
| v. Financial management policies and procedures- approve these | x. Paralympic Games - decide the sports and events on the programme of the Paralympic Games in accordance with the specified criteria; appoint the members of the Paralympic Games Coordination Commission; appoint the technical delegates for the IPC Sports; and monitor progress of the preparations and delivery of the Games |
| vi. Contracts and transactions - approve transactions if above a specified monetary limit or value of rights/obligations and monitor implementation of them | |
| vii. Major transactions - approve, and report to the members on, any transaction in which IPC is acquiring assets or disposing of assets which equate to more than one-third of the IPC's assets; or where the transaction is likely to incur a liability or contingent liability of more than one-third of the IPC's assets | |

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| xi. | Recommend to the General Assembly the strategic direction for the IPC and the Paralympic Movement | xv. | Committees- appoint (on the recommendation of the Nominations Panel), define scope, monitor and disband Committees (see further at paragraph 3.7) |
| xii. | Personnel- appoint, monitor, terminate the Chief Executive and provide input to the Chief Executive on other key IPC personnel | xvi. | Regulations (formerly called By-Laws) - approve, review and revoke for matters within its stated mandate or as required under the Constitution. (Note - Regulations are to cover matters applying to members or external to the IPC; whereas policies are to cover matters internal to the IPC). The IPC Governing Board will discuss, seek input or consult with members, committees and other relevant bodies within the Paralympic Movement as necessary and appropriate before approving Regulations |
| xiii. | Delegations - decide and monitor delegations of authority to the President and Chief Executive, provided that the IPC Governing Board cannot delegate its decision-making power where specifically stated to be decided by the IPC Governing Board (noting this does not prevent the IPC Governing Board from requesting a recommendation from the Chief Executive on a matter) | | |
| xiv. | Board Sub-committees- appoint, define scope and delegated authority, monitor, disband Board Subcommittees to advise the IPC Governing Board (such as Finance, Risk, Audit) (see further at paragraph 3.7) | xvii. | Agitos Foundation - fulfil the responsibilities of the IPC under the Agitos Foundation Constitution (note this is subject to potential changes set out in this Proposal) |

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- xviii. IPC Sports –approve and monitor the IPC Sports’ transition from IPC on the recommendation of the WPS Unit Board; and during the transition period, approve or delegate authority to management to approve, IPC Sports international events including bidding process, qualification criteria, events on programme, classification criteria, sponsorship or other transactions, and the brand
- xix. Approve the appointment of members of the independent bodies such as the Board of Appeal of Classification (BAC), Disciplinary Tribunal, Election Oversight Panel, and Appeals Tribunal on the recommendation of the Nominations Panel
- xx. Recommend amendments to the Constitution and
- xxi. Approve amendments to the IPC Athlete Classification Code and the IPC Medical Code following appropriate consultation.
- c. To ensure some independence to the IPC Governing Board’s audit function, the IPC Governing Board must have an audit committee chaired by an independent person to carry out the internal audit functions.
- d. The IPC Governing Board will also be mandated to have stringent written policies and procedures for the following matters which will be published:
- conflicts of interest
 - risk management procedures
 - internal financial and risk controls and
 - procurement of goods/services

3.4.3 COMPOSITION AND APPOINTMENT OF IPC GOVERNING BOARD

- a. It is proposed to change the composition of the IPC Governing Board (to 15 members) to ensure there are sufficient skills and expertise on the IPC Governing Board, gender balance and an increase in the perspectives of athletes, as follows:
 - President - elected at the General Assembly (no change)
 - Nine members - elected at the General Assembly
 - Four members - appointed by the IPC Governing Board on the recommendation of the Nominations Panel (see paragraph 3.4.4 below) and
 - One athlete member - namely, the Chair of the Athletes' Council
- b. It is proposed to have a second athlete within the above 15 members, however discussion on the options for this position (including the mechanism of appointment) will be undertaken with the athletes at the IPC Athletes' Forum in November 2019, before any proposal is decided.
- c. All 15 members of the IPC Governing Board are full voting members, including the appointed board members and the Chair of the Athletes' Council.
- d. At the first meeting when the full IPC Governing Board is convened, two Vice-Presidents will be elected by the whole IPC Governing Board (by secret ballot), on the recommendation of the President. Any IPC Governing Board member, including an appointed IPC Governing Board member (but not the Athletes' Council Chair member), may be elected to these positions. There must be one Vice President of each gender.
- e. The President will also recommend to the IPC Governing Board which of these two Vice-Presidents should be designated as acting-President in the unexpected event of the President's removal, resignation, or death, pending a new election at the next General Assembly.
- f. The Chief Executive will not be a member of the IPC Governing Board (as is currently the case) but will ordinarily attend all IPC Governing Board meetings unless the IPC Governing Board requests otherwise.

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- g. Any NPC, IOSD or IF may nominate persons for the elected positions on the IPC Governing Board, provided that the nominee:
- i. is a member of the NPC, IOSD or IF or
 - ii. holds, or has held, a position within the Paralympic Movement and
 - iii. in the case of a nominee of an NPC, is either a national or ordinarily resident in the country of the NPC or
 - iv. in the case of a nominee of an IF or IOSD, the IF or IOSD has informed the NPC of the nominee who it proposes to nominate, where that nominee resides in the country of the NPC.

An NPC, IOSD and IF can each nominate only one person per position.

- h. All prospective and current members of the IPC Governing Board must meet the

eligibility criteria to be an IPC Official (see paragraph 3.8.1), such as no criminal convictions. In addition, a person who is an employee or full-time contractor of the IPC cannot be an IPC Governing Board member. However, this limitation does not apply to employees or members of NPC, IOSD or IF Boards, noting that any conflicts of interest will need to be managed.

3.4.4 NOMINATIONS PANEL

- a. The appointment of four IPC Governing Board members following assessment by a Nominations Panel is proposed to ensure that any gaps in skills, expertise, gender balance and diversity of perspectives, from those who are elected to the IPC Governing Board, can be filled.
- b. The Nominations Panel will comprise of:
 - the President
and
 - two independent persons (appointed by the IPC Governing Board) with expertise in non-executive appointments.
- c. Following the election of the President and the nine elected IPC Governing Board members, these elected members will assess the gaps in the IPC Governing Board's needs including skills, experience and diversity (gender, regions, and disabilities) and inform the Nominations Panel of those gaps.
- d. The Nominations Panel will then advertise, target candidates and assess applications for the four appointed positions.
- e. The Nominations Panel must assess the applicants for appointed members based on specified criteria, which includes skills, expertise, gender balance and diversity of perspectives on the IPC Governing Board, including a spread of members from each of the regions. In particular the Nominations Panel must ensure that amongst the IPC Governing Board as a whole:
 - at least seven of the 15 IPC Governing Board members are of each gender
and
 - at least seven members have a disability.
- f. Any person will be able to apply for the four appointed member positions, by an open application process. They will not need to be independent and may come from within or outside the Paralympic Movement. They will not need to be endorsed by a member and do not have to satisfy the requirements in paragraph 3.4.3(g).

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- g. The Nominations Panel should complete its assessment and provide its recommendation of the four appointed board members to the IPC Governing Board within three months of the election.
 - h. The Nominations Panel will also be responsible for calling and assessing applications for the Committees, and the following independent bodies: Disciplinary Tribunal, Elections Oversight Panel, the BAC and Appeals Panel, for recommendation to the IPC Governing Board. However, the President will not sit on the Nominations Panel for the independent bodies as the President may be subject to the jurisdiction of them.
 - c. The term of the Chair of the Athletes' Council on the IPC Governing Board will be the term for which they are elected to that position. The position is ex officio so that if the Chair of the Athletes' Council resigns or ends their term of office, so will their position on the IPC Governing Board end. The term of office as Chair of the Athletes' Council will not exceed two terms of four years, provided the Chair is still eligible to be a member of the Athletes' Council.
 - d. Consideration was given to introducing staggered terms, with IPC Governing Board members being elected or appointed every two years, but it was decided not to propose this for a number of reasons. This includes the fact there will need to be an election at every General Assembly which involves greater administration and may distract from other matters. In addition, the stability and continuity of the IPC Governing Board is important to ensure a cohesive IPC Governing Board so regular changes will affect this.

3.4.5 TERMS OF OFFICE

- a. It is not proposed to change the term of office for IPC Governing Board members which will continue as four year terms with a maximum of three terms of office (total maximum of 12 years).
- b. For the President, there is no change proposed to the maximum number of terms to be served as President, which is three terms of four years if re-elected as President, regardless of the number of terms he or she had on the IPC Governing Board. This is due to the time necessary to fulfil one's mandate.



3.5 PRESIDENT, VICE-PRESIDENTS AND CHIEF EXECUTIVE

3.5 PRESIDENT, VICE-PRESIDENTS AND CHIEF EXECUTIVE

3.5.1 The Constitution will better delineate the roles and responsibilities for these positions.

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

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

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

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

- i. developing the IPC Strategy (for IPC Governing Board approval), implementing the Strategy and reporting to the IPC Governing Board against it
- ii. developing the annual plan (for IPC Governing Board approval), implementing the plan and reporting to the IPC Governing Board against it
- iii. developing the annual budget and four year financial forecast (for IPC Governing Board approval) and reporting to the IPC Governing Board against it
- iv. managing the operations and headquarters of the IPC including the appointment, monitoring and removal of staff

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

3.6 IPC HONORARY BOARD

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

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



3.7 BOARD SUB-COMMITTEES, COMMITTEES AND WORKING GROUPS

KEY RECOMMENDATIONS:

- Board Sub-Committees
- Committees
- Working Groups
- Athletes' Council and Committee

3.7 COMMITTEES AND WORKING GROUPS

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

3.7.2 THE NAMES AND PURPOSE OF THE GROUPS WILL BE AS FOLLOWS:

- a. **Board Sub - Committees** are sub-committees of the IPC Governing Board, comprising largely of IPC Governing Board members. They are tasked by the IPC Governing Board to do preparatory work for, and make recommendations to, the IPC Governing Board. Some subcommittees will be mandatory and permanent but the IPC Governing Board may establish or disestablish others to assist in its work.
- b. **Committees** are permanent and advisory to the IPC Governing Board but their composition will generally be larger than the sub-committees. They will include experts and people from the membership to bring different perspectives and act as a mechanism to ensure engagement with the members.
- c. **Working Groups** are advisory to the Chief Executive. They assist the Chief Executive (or persons delegated by the Chief Executive) to undertake work for the IPC on a voluntary basis. The composition will depend on the subject matter and scope of work, but generally these will comprise between approximately five to nine members appointed (and disestablished) by the Chief Executive. These may be permanent or ad hoc groups.

3.7.3 BOARD SUB-COMMITTEES

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

Sub -Committee	Description
Audit, Risk & Finance	This Sub-Committee may be sub-divided internally, as appropriate. It will be responsible for advising the IPC Governing Board on: (a) its oversight responsibilities including financial reporting, monitoring compliance with internal controls, risk identification and management, internal and external audit functions, and monitoring the governance structure and practices of the IPC; and (b) the financial management of the IPC including overseeing the preparation of the annual budget and monitoring against the budget; preparation of annual statements; advising on transactions requiring IPC Governing Board approval (above the Chief Executive's delegated authority); and, advising on new or changes to internal controls and policies related to management of finances such as delegated authorities, signatories etc.
Human Resources and Remuneration	Responsible for advising the IPC Governing Board on the Chief Executive's employment terms; monitoring and review of the Chief Executive's performance; consulting with the Chief Executive on other key personnel; the operational structure of the IPC and organisational development; culture, staff well-being and certain internal policies.

3.7.4 COMMITTEES

- a. The proposed permanent Committees are described in the table below.
- b. The IPC Governing Board may also establish other Committees to advise it from time to time.
- c. The composition, and appointment process for the Committees will reflect the need to have skilled and diverse people. Nominations will be sought from NPCs, IFs and IOSD's for members of the Committees. Each Committee will ordinarily have between five to 15 members, depending on the nature and volume of work. Each Committee will be chaired by, or include, a member of the IPC Governing Board. The President will be entitled to attend any meeting of a Committee.
- d. The Nominations Panel will be responsible for assessing the applications and recommending for appointment by the IPC Governing Board the members of the Committees against the following criteria:
 - i. skill, expertise and experience in the subject matter of the Sub-Committee
 - ii. 50% of each gender
 - iii. a spread of members from all regions and a range of countries to ensure diversity and bring global perspectives
 - iv. at least one in every five members must be an active or recently active (in past 12 years) Para sport athlete, who may include, but is not limited to, an athlete from the Athletes' Council

Committee	Description
Paralympic Games	Responsible for advising the IPC Governing Board on the development of key principles that should be used to define the Paralympic sport programme, and on the process for selection of the programme.
Classification Compliance and Oversight	Responsible for advising the IPC Governing Board on compliance with the IPC Athlete Classification Code, the ongoing development of the IPC Athlete Classification Code, and global classification education and understanding. Supporting IFs in relation to their classification systems.
Leadership & Equality	Responsible for advising the IPC Governing Board on matters relating to the development of leaders within the Paralympic Movement; and, equality of gender and disability in the Paralympic Movement and the membership, including review of members' policies, practices and organisational culture.
Member Engagement	Responsible for advising the IPC Governing Board on proposals or ideas for changes to the IPC services, programmes and activities for members; issues affecting members; and, communication channels with members.

3.7.5 WORKING GROUPS

- a. The proposed permanent Working Groups to support management and staff are described in the table below.
- b. Ad hoc working groups may also be set up from time to time. For example, currently there is a Safeguarding Working Group and a Human Rights Working Group.
- c. Working Groups will be appointed by the Chief Executive and be of such size as is necessary to undertake the work of the group. Usually there will be an open call for expressions of interest from members. In addition to skills and expertise (which is the primary requirement for appointment), factors such as gender, regional spread and diversity will be taken into account.
- d. Membership of all Committees and Working Groups is voluntary, but expenses will be paid by the IPC in accordance with its policies.

3.7.6 ATHLETES' COUNCIL AND COMMITTEE

- a. The Athletes' Council structure will be reviewed and discussed with the athletes at the IPC Athletes' Forum in November 2019. The intention is to increase the opportunities for athletes to contribute to decision making throughout the IPC. The details of the proposed structure will be advised following that Forum.

Working Group	Description
Medical	Advising management on policies and procedures for the medical care of athletes; assisting with event related medical programmes; and reviewing Therapeutic Use Exemptions submitted under the IPC Anti-Doping Code.
Education	Advising management on the development of a strategic plan for long-term Paralympic education, and on policies, guidelines and materials for IPC education activities.
Science and Research	The precise terms of reference for this group are still under consideration.



I.R. IRAN

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Paralympic Games

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3.8 INTEGRITY AND DISCIPLINARY

KEY RECOMMENDATIONS:

- Eligibility criteria
- Code of Ethics
- Election campaign rules
- Disciplinary Tribunal
- Complaints and dispute resolution

3.8 INTEGRITY /DISCIPLINARY

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

3.8.1 ELIGIBILITY CRITERIA

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

3.8.2 CODE OF ETHICS

The existing Code of Ethics will be revised to:

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

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- c. The Integrity Code will also apply to IPC Officials and all participants in the Paralympic Games during the period of the Paralympic Games. The IPC will also have certain jurisdiction, over member representatives outside of this period, and there will be an obligation on member entities to have a code of conduct or equivalent rules with standards that are the same or higher than those of the IPC.
 - d. The IPC will also have the power to prosecute officials of an NPC, IF or IOSD before the Disciplinary Tribunal if the alleged conduct is serious or is likely to bring the IPC and/or the Paralympic Movement into disrepute.
 - e. Member entities are not themselves subject to the Integrity Code; but any breaches of rules by NPCs, IFs, IOSDs or other members that are entities will be dealt with under the member suspension provisions in the IPC Constitution and applicable Regulations.

3.8.3 ELECTION CAMPAIGN RULES

- a. The Election Campaign By-Laws will be reviewed, as previously requested by the membership.
- b. The key objectives for this review are:
 - maximising candidates' ability to campaign, including the use of modern technology
 - maximising compliance with the highest ethical standards, including:
 - avoiding (undeclared) conflict of interest
 - limiting third parties influencing/interference (no direct contact by e.g. embassies)
 - avoiding hidden influencing
 - taking measures to avoid direct & indirect bribery/donations/promises
- c. The role and composition of the Electoral Commission (to be renamed as the Election Oversight Panel) will be reviewed in line with these new Election Campaign rules.

3.8.4 DISCIPLINARY TRIBUNAL

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

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

3.8.5 COMPLAINTS AND DISPUTE RESOLUTION

- a. A new whistleblowing process will be established for any person in the Paralympic Movement to confidentially raise issues or concerns to an independent person, with protection from retaliation for doing so. For example issues about safeguarding concerns, or breach of the Integrity Code. This independent person will be able to advise the complainant on their options and to assist the person to progress the matter with the relevant body within the Movement e.g. NPC, IF, IPC, depending on the nature of the complaint.
- b. A dispute resolution process will also be established by the IPC for disputes between members of the IPC (e.g. NPCs, IOSDs, IFs) or between a member and the IPC. This will include persons to facilitate possible agreed resolutions, mediation or referral to the Disciplinary Tribunal (if applicable).



3.9 TRANSPARENCY

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

a. **Financial accounts**

- i. The annual audited accounts will be published on the IPC website.
- ii. The accounts will include a record of any allowances and financial benefits of the IPC Governing Board, Chief Executive and IPC Officials.

b. **Meetings, minutes etc.**

- i. The agenda and minutes of all General Assemblies will be published on the IPC website. A calendar of General Assembly, IPC Governing Board and Committee meetings will also be published. A summary of each IPC Governing Board meeting will also be published.

- ii. All voting will be open, except for elections which remain by secret ballot or where secret ballot is called by 25% majority of voting members at a General Assembly. If the technology to do so is available and affordable, open voting will mean the results of the votes, including who voted for each resolution, are shown immediately after the vote. This holds delegates to account to their NPC, IOSD or IF for how they voted.

c. **Awards**

- i. The criteria and process for awards will be published on the IPC website, including the Paralympic Order.

d. **Positions advertised**

- i. All positions with the IPC including IPC Governing Board, Committees and staff will be publically advertised via the IPC website and other avenues.

e. **Distribution of funds**

- i. All grants for development projects including via the Agitos Foundation or the IPC will be disclosed in the annual report. These grants will also be audited independently and verified in the report.

f. **Members portal**

- i. A members' only portal will be established on the IPC website to enable disclosure of more detailed information to members, than that which is available to the general public. This will also be used as the mechanism for consultation and ongoing dialogue with members.



4. PROCESS AND NEXT STEPS

- Cost and resources
- Feedback
- New Constitution and Regulations
- Vote
- Timing

4.1 COST AND RESOURCES

- a. An assessment is being undertaken of the costs and resources required to operate the proposed new structure if it is approved by the membership.

4.2 FEEDBACK

- a. The IPC Governing Board and Governance Review Working Group will be seeking feedback on this Proposal after the General Assembly in October 2019.
- b. The feedback will be considered with any adjustments to the Proposal made and those adjustments communicated.

4.3 NEW CONSTITUTION AND REGULATIONS

- a. Many, but not all, of the elements of the final Proposal will be incorporated into the IPC Constitution. It is envisaged that a whole new constitution will be drafted. To ensure the agreed governance changes cannot be changed by the IPC Governing Board through Regulations, this proposed new constitution will contain more detail than the current constitution.
- b. As a consequence, the By-Laws will be substantially revised and renamed as Regulations. This will also provide an opportunity for the Handbook to be revised and simplified with many of the other documents, guidelines, position statements separated or revoked, where no longer required.

4.4 VOTE

- a. It is proposed to vote on the new Constitution at an Extraordinary General Assembly to be held in December 2020, which will require a two-thirds majority of those present to vote in favour of it, for it to be approved.

4.5 TIMING

- a. If approved, the new structure will largely take effect in time for the 2021 General Assembly.
- b. The Regulations will be approved by the IPC Governing Board following the Extraordinary General Assembly in 2020. Other changes in practices and procedures will be implemented over a transition period.

PROPOSED TIMELINE

October 2019

Conference + GA
Proposal presented
and published

November 2019 to July 2020

Consultation on Proposal.
Agitos may transfer to IPC

October 2020

EGM notice
+ Proposed Constitution
+ Regulations sent out

December 2020

EGM Vote
on Constitution

February 2021

WPS Unit Board appointed

1 March 2021

IPC Sports Unit established

March to June 2021

IPC Sports hold
general meeting
- elect SACs

September to November 2021 (tbc)

IPC General Assembly
elections of new Board

2023

Americas
Paralympic Committee
leaves IPC

FEEDBACK AND QUESTIONS

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

APPENDIX 1

IPC SPORTS OPTIONS

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

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

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



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