

MYANMAR CYCLING FEDERATION

BY-LAWS



Adopted on September 7th, 2018

TABLE OF CONTENTS

CHAPTER 1. ORGANIZATION	4
ARTICLE 1. Name, Definitions and Interpretation... 4	
ARTICLE 2. Symbol, Logos and Registered Office	6
ARTICLE 3. Management.....	7
CHAPTER 2. MEMBERSHIP	8
ARTICLE 4. Membership	8
ARTICLE 5. Member's Rights and Obligations.....	10
ARTICLE 6. Application for Membership.....	10
ARTICLE 7. Membership Contribution	11
ARTICLE 8. Failure to fulfil obligations	12
ARTICLE 9. Suspension	13
ARTICLE 10. Exclusion.....	13
ARTICLE 11. Resignation.....	14
CHAPTER 3. CONGRESS	15
ARTICLE 12. Extraordinary Congress	15
ARTICLE 13. Delegates.....	15
ARTICLE 14. Voting	16
ARTICLE 15. Election of Management Committee	17
CHAPTER 4. MANAGEMENT COMMITTEE	19
ARTICLE 16. Election and Appointment of the Officers	19

ARTICLE 17. Eligibility for candidacy	19
ARTICLE 18. Meetings	20
CHAPTER 5. FINANCES	21
ARTICLE 19. Finances and Financial Year	21
ARTICLE 20. Audit	21
CHAPTER 6. MISCELLANEOUS PROVISIONS	22
ARTICLE 21. ENFORCEMENT	22

CHAPTER 1. ORGANIZATION

ARTICLE 1. NAME, DEFINITIONS AND INTERPRETATION

1. “MOC” means Myanmar National Olympic Committee.
2. “UCI” means Union Cycliste Internationale, a non-governmental international association of all national cycling federations worldwide.
3. “Myanmar Cycling Federation”, referred to as “MCF” in abbreviated form, means the National Federation for the sport of cycling in all disciplines in Union of Myanmar, organized in accordance with guiding principles of MOC and UCI.
4. “ACC” means Asian Cycling Confederation, a non-profit and voluntary continental confederation composed of national cycling federations in Asia.
5. “Management Committee” means committee elected in accordance with By-Laws of MCF.
6. “By-Laws” mean the rules set out in this document that direct the operation of MCF.
7. “State and Divisional Cycling Associations” mean non-governmental state-level associations in fifteen (15) states and

divisions of Myanmar, established to promote the sport of cycling in their states and divisions on behalf of MCF, including but not limited to the development of cycling programs, school leagues and organizing cycling races.

8. "Cycling Clubs" mean non-national level, general or specialized associations of cyclists, such as private cycling clubs, teams representing public entities, sports academies, school and school leagues, lawfully exist and registered in Myanmar.
9. "Congress" means general meeting of the members and the ultimate authority of the MCF.

10. Interpretation

In this Constitution, unless the context otherwise requires;

10.1. words importing persons or Parties shall include associations, clubs, federations, unincorporated organizations, a Relevant Authority or any other legal entity, and all references to persons shall include their permitted successors and assigns

10.2. words importing the singular only shall also include the plural and vice versa where the context requires;

10.3. words importing the masculine shall include the feminine and neuter and vice versa;

ARTICLE 2. SYMBOL, LOGOS AND REGISTERED OFFICE

1. MCF logo shall be as follows;



2. MCF flag, as per sample drawing below, shall be sized 5 feet by 3 feet in white with MCF logo in 12 inches in diameter in the center.



3. Registered office of MCF shall be;

16 Mya Mar Lar Lane
Industrial Zone
Thaketa Township
Yangon
MYANMAR

ARTICLE 3. MANAGEMENT

1. The business of MCF shall be managed by the Management Committee under the authority of the Congress.
2. Management Committee may define and interpret any provision of MCF By-laws and regulations.

CHAPTER 2. MEMBERSHIP

ARTICLE 4. MEMBERSHIP

1. Members of MCF shall be following organizations as accepted and approved by the Congress or the Management Committee, where applicable.
 - a. Fifteen (15) State and Divisional Cycling Associations
 - b. Cycling Clubs
2. State and Divisional Cycling Associations represent integral part of the foundation of MCF.
3. Management Committee shall nominate and appoint management representatives of State and Divisional Cycling Associations.
 - a. Selection criteria of such representatives shall be based on a candidate's:-
 - i. Integrity and Social standing
 - ii. Community spirit
 - iii. Interest and commitment to develop the sport of cycling
 - iv. Ability to coordinate with and organize support from MOC, local and regional

- authorities, and, cycling clubs
- v. Strong leadership and management capabilities
- vi. Financial and other material contribution to develop the sport of cycling
- b. Management representatives of State and Divisional Cycling Associations shall, in particular;
 - i. Elect the officers such as President and Vice Presidents, Secretary General and Treasurer to manage the business of their association;
 - ii. organize, for all cycling sport disciplines, regional championships within their States and Divisions;
 - iii. coordinate and arrange material and financial contributions to entities such as sports academies, where applicable, within their States and Divisions in order to develop regional level coaches, commissaires, mechanics and cycling teams under all forms

- c. Management Representatives of State and Divisional Cycling Associations shall not hold any official or executive position on the board or management of Cycling Clubs.
4. Cycling clubs
Management of Cycling clubs shall be independent from that of MCF.

*ARTICLE 5. MEMBER'S RIGHTS AND
OBLIGATIONS*

Obligations

1. Members shall comply with the Constitutions and the By-Laws of the MCF, as well as with all decisions taken in accordance therewith.
2. Values and guiding principles of Cycling Clubs shall not contradict in any way those of MCF.

ARTICLE 6. APPLICATION FOR MEMBERSHIP

State and Divisional Cycling Associations

1. Membership status of State and Divisional Cycling Associations are life-time until the dissolution of MCF in accordance with its Constitution.

Cycling Clubs

2. The application for membership of Cycling Clubs shall be signed by their official representatives and submit to the office of the Secretary General.
3. The applications must contain following elements;
 - a. official registration, if applicable and as may be required by the Laws of Union of Myanmar
 - b. a formal statement that the applicant, on the condition of its admission, shall accept, apply and comply with MCF's Constitutions and By-Laws, and adapt its own constitution and regulations accordingly;
 - c. ownership details;
 - d. organizational structure especially the description of the management
 - e. official address for correspondence;
 - f. authorized signatories

ARTICLE 7. MEMBERSHIP CONTRIBUTION

1. Each member shall pay annual membership contribution to MCF as follows:-

a.	State and Divisional Cycling Associations	Ks.1,000,000
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b.	Cycling clubs	Ks.50,000
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2. Membership dues are payable within thirty (30) days from receipt of invoice or any similar request from MCF.

ARTICLE 8. FAILURE TO FULFIL OBLIGATIONS

1. Failure of a member to fulfil any of its obligations pursuant to the Constitutions and the By-Laws of MCF or UCI shall render said member liable to a fine of up to (Ks.500,000) as determined by the Management Committee.
2. In the event of serious or persistent breach, the member concerned may be suspended by the Management Committee.
3. In case of failure to fulfil obligations by a State and Divisional Cycling Association, Management Committee may take over the management of such association for a period of maximum 3 months, or for the remaining term of the Management Committee, whichever is earlier, before nomination and appointment of the new Management Representatives for the said Association.

ARTICLE 9. SUSPENSION

1. The suspension of a member may include the following measures;
 - a. non-participation in the Congress;
 - b. suspension of the elected representative(s) of the member in the Management Committee;
 - c. exclusion of its cyclists in races organized by MCF;
2. In the interest of cyclists or international representation, the Management Committee may decide that certain measures will not be applied.

ARTICLE 10. EXCLUSION

1. A member may be excluded by the Congress in the following cases;
 - a. when a member discredits the reputation of MOC, MCF or the reputation of cycling sports;
 - b. when a member fails to fulfil its financial obligations towards MCF;
 - c. when a member seriously violates the Constitution, By-Laws or the decisions of MCF.
2. Exclusion of a member from the Congress shall be decided by the Management Committee.

ARTICLE 11. RESIGNATION

A Cycling Club wishing to leave the MCF shall send a letter of resignation to the office of the Secretary General. MCF shall not refund any membership fees.

CHAPTER 3. CONGRESS

ARTICLE 12. EXTRAORDINARY CONGRESS

1. Management Committee shall convene Extraordinary Congress at the written request of at least ten (10) State and Divisional Cycling Associations and at least two thirds (2/3) of the membership of Cycling Clubs.
2. If the conditions to convene Extraordinary Congress are duly met, the Management Committee shall specify the date and venue of the Extraordinary Congress. The date shall be no later than 60 days after the conditions are met.

ARTICLE 13. DELEGATES

1. Each member of the MCF may be represented at the Congress by a delegation of maximum three (3) representatives.
2. Members of the MCF's staff may not be appointed as delegates to the Congress.
3. The identity of the delegates and the voting delegate must be submitted by the members to the office of Secretary General

at least fifteen (15) days before the Congress.

ARTICLE 14. VOTING

1. As a rule, votes are taken by a show of hands or by the use of electronic equipment.
2. Votes shall be organized by secret ballot in the following cases only;
 - a. Expulsion of members of MCF;
 - b. Election or dismissal of the President or a member of the Management Committee;
 - c. At the request of the voting delegates of a minimum of ten (10) State and Divisional Cycling Associations of two thirds (2/3) of the membership of Cycling Clubs.
3. Before each vote, the chair, or the person designated by him, shall read the text of the proposal aloud and explain the voting procedure to the Congress. If an objection is raised, the Congress shall decide immediately.
4. Voting is compulsory.
5. The chair shall check the results of the vote and announce it to the Congress.

6. No-one is permitted to speak during the vote and until after the result has been announced.
7. Voting for Congress and Elections of MCF shall be executed in accordance with following distribution of votes;
 - a. All votes from fifteen (15) State and Divisional Cycling Associations
 - b. Ten (10) votes representing memberships of Cycling Clubs through electoral college system
 - c. Management Committee shall organize and decide voting delegates representing Cycling Clubs for all agenda items requiring voting except for the election of the members of the Management Committee.

*ARTICLE 15. ELECTION OF MANAGEMENT
COMMITTEE*

Electoral Commission

1. Management Committee shall appoint an independent Electoral Commission to oversee the election of the new Management Committee at least Thirty (30) days before the end of the term of Management Committee.

2. Electoral Commission shall comprise of five (5) members called Commissioners, who are independent of governmental organizations and political parties, and are accountable directly to the Congress.
3. A Commissioner shall not be member or a staff of MCF.
4. A member of outgoing Management Committee who is not seeking re-election may be appointed as a Commissioner.

Election process and voting

5. Electoral Commission shall be responsible to prepare, manage and oversee the election of the Management Committee in compliance with ARTICLE 14.

CHAPTER 4. MANAGEMENT COMMITTEE

ARTICLE 16. ELECTION AND APPOINTMENT OF THE OFFICERS

1. The first order of the newly elected Management Committee shall be the election of the President and the three (3) Vice Presidents from among its members by secret ballot.
2. The President shall appoint other officers of the MCF.

ARTICLE 17. ELIGIBILITY FOR CANDIDACY

1. A candidate for the office of the President or for the Management Committee must neither have been convicted for a breach of MOC, MCF, UCI regulations nor any criminal offence incompatible with the position.
2. Any candidate for the office of the President or Secretary General shall not have reached the age of 60 years at the time of the election.
3. Nominations for the Management Committee must be made in accordance

with the guidelines published by the
Electoral Commission.

ARTICLE 18. MEETINGS

1. The Management Committee shall meet at least four (4) times a year.
2. It shall also meet any time either at the request of the President or at the request of at least five (5) members.
3. The quorum of the Management Committee meetings is six (6).
4. Any member of the Management Committee failing to attend three (3) consecutive meetings of the Management Committee shall be considered to have resigned. The Management Committee may decide to maintain a member who failed to attend three consecutive meetings due to exceptional circumstances.

CHAPTER 5. FINANCES

ARTICLE 19. FINANCES AND FINANCIAL YEAR

The financial year of the MCF shall be January 1st to December 31st.

ARTICLE 20. AUDIT

The term, replacement and any interim appointment before the next Congress of an auditor shall be decided by the Executive Committee.

CHAPTER 6. MISCELLANEOUS PROVISIONS

ARTICLE 21. ENFORCEMENT

These By-Laws were adopted by the Management Committee Meeting held on 7th Day of September, 2018 and came into effect on the same day.

By Order of the Management Committee

President

Secretary General

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