

OLYMPIC COUNCIL OF ASIA

CONSTITUTION
2024

Contents

INTERPRETATION OF TERMS AND DEFINITIONS: 5

CHAPTER 1. INTRODUCTION OF OLYMPIC COUNCIL OF ASIA 7

FORMATION OF THE OLYMPIC COUNCIL OF ASIA 7

ARTICLE 1. OLYMPIC COUNCIL OF ASIA & CONSTITUTION 7

ARTICLE 2. FUNDAMENTAL PRINCIPLES OF OLYMPIC COUNCIL OF ASIA 8

ARTICLE 3. ROLES, FUNCTIONS, AND OBJECTIVES 9

CHAPTER 2. THE INSTITUTION OF OLYMPIC COUNCIL OF ASIA 11

ARTICLE 4. NAME 11

ARTICLE 5. LEGAL STATUS 11

ARTICLE 6. OCA OFFICIAL LANGUAGE AND NOTIFICATIONS 11

ARTICLE 7. SYMBOL 12

ARTICLE 8. LOGO 12

ARTICLE 9. FLAG 13

ARTICLE 10. MOTTO 14

ARTICLE 11. HYMN 14

ARTICLE 12. JURISDICTION 14

ARTICLE 13. MEMBERSHIP 15

13.2 APPLICATION FOR MEMBERSHIP: 15

13.3 MEMBERSHIP REQUIREMENTS: 15

13.4 MEMBER'S RIGHTS AND OBLIGATIONS: 15

13.5 MEASURES AND SANCTIONS: 16

CHAPTER 3. INSTITUTIONAL GOVERNANCE 18

ARTICLE 14. GOVERNING BODIES 18

ARTICLE 15. GENERAL ASSEMBLY 18

COMPOSITION OF THE GENERAL ASSEMBLY 18

AGENDA OF THE GENERAL ASSEMBLY: 19

POWERS AND ROLES OF GENERAL ASSEMBLY 22

ARTICLE 16. EXECUTIVE BOARD 23

COMPOSITION OF THE EXECUTIVE BOARD 23

POWERS AND ROLES OF EXECUTIVE BOARD 25
ROLES AND RESPONSIBILITIES OF OFFICE BEARERS 26
ARTICLE 17. THE PRESIDENT 26
ARTICLE 18. FIRST VICE PRESIDENT 27
ARTICLE 19. ZONAL VICE PRESIDENT(S) 27
ARTICLE 20. MEMBER(S) EXECUTIVE BOARD 28
ARTICLE 21. DIRECTOR GENERAL 28
ARTICLE 22. QUALIFICATION (ELIGIBILITY) OF EB MEMBERS 29
GENERAL 29
PRESIDENT 29
ZONAL VICE PRESIDENT(S) AND MEMBER(S) 30
ARTICLE 23. HONORARY LIFE PRESIDENT(S) AND HONORARY VICE PRESIDENT(S) 30
ARTICLE 24. STANDING COMMITTEES 30
24.4 Appointment and Tenure of Committee Members 31
24.5 Mandates of the other Statutory Standing Committees 33
ARTICLE 25. OCA HEADQUARTERS 34
ARTICLE 26. ELECTIONS 34
ARTICLE 27. VOTING 35
ARTICLE 28. POSTAL, FAX, CABLE OR EMAIL VOTE 36
ARTICLE 29. CONTRIBUTIONS AND ACCOUNTS 36
ARTICLE 30. CONFIDENTIALITY/NON-DISCLOSURE AGREEMENT(S)/COMPLAINTS 36
ARTICLE 31. RESOURCES 37
ARTICLE 32. RECORD RETENTION 37
CHAPTER 4. MISCELLANEOUS 38
ARTICLE 33. AMENDMENTS AND ALTERATION OF CONSTITUTION AND RULES 38
ARTICLE 34. SETTLEMENT OF DISPUTES/COMPLAINTS BETWEEN CA/NOC/AF 38
ARTICLE 35. DISCIPLINARY POWERS, PRINCIPLES AND SANCTIONS 40
ARTICLE 36. MATTERS NOT COVERED IN THIS CONSTITUTION 42
ARTICLE 37. OCA GAMES 42
Article 38. ENTRY INTO FORCE 44

ARTICLE 39. PROVISIONS RELATED TO THE EXISTING CONSTITUTIONAL RULES, REGULATIONS AND BY-LAWS 44
RULES OF OCA GAMES AND EVENTS 44
OCA AWARDS REGULATIONS 44
OCA CODE OF ETHICS 45
OCA ELECTION RULES 45
OCA FINANCIAL RULES 45
TRANSITORY PROVISIONS 45

INTERPRETATION OF TERMS AND DEFINITIONS:

In the context of this Constitution, unless explicitly defined otherwise, the terms listed will carry the meanings assigned to them here for the purposes of this Constitution, as well as for any Rules, Regulations, Policies, and By-laws introduced over time:

Term	Definition
ABG	Asian Beach Games
AF	Asian Federation
AG	Asian Games
AGF	Asian Games Federation
AGOC	Asian Games Organising Committee
AIMAG	Asian Indoor & Martial Arts Games
AIOSF	Association of International Olympic Sports Federations
ANOC	Association of National Olympic Committee
ASOIF	Association of Summer Olympic International Federations
AWG	Asian Winter Games
AYG	Asian Youth Games
CAS	Court of Arbitration for Sport
Constitution	The Constitution of OCA adopted by General Assembly and approved by IOC
Continental	Pertains to the Asian continent unless specified otherwise
DG	The Director General of OCA
EB	The Executive Board of OCA
EB Member	A Member of the Executive Board of OCA
FVP	The First Vice President of the OCA
GA	A General Assembly of OCA
HC	Host City
HCC	Host City Contract
HQ	Headquarters
IF	International Federation administering one or several sports at World level
IOC	International Olympic Committee
IPC	International Paralympic Committee
ITA	International Testing Agency
Member	A National Olympic Committee that is a member of OCA.

NOC	National Olympic Committee, recognized by IOC
NOCs	National Olympic Committees, recognized by IOC
OC	Organizing Committee(s) of OCA Games
OCA	Olympic Council of Asia, Continental Association of Asian NOCs recognized by IOC
OCA Properties	Exclusive properties of the OCA, including but not limited to the OCA Symbol, Logo, Flag, Motto, Hymn and OCA Games related properties
Olympic Charter	Codified principles and rules adopted by the IOC, which govern the Olympic Movement
Olympic Movement	The collective action of individuals and entities under the IOC's authority, inspired by Olympism
PMC	Prevention of the Manipulation of Competitions
President	The President of the OCA
VP	The Vice President(s) of the OCA
WADA	World Anti-Doping Agency

CHAPTER 1. INTRODUCTION OF OLYMPIC COUNCIL OF ASIA

FORMATION OF THE OLYMPIC COUNCIL OF ASIA

A decision to form the Olympic Council of Asia (OCA) was taken in New Delhi at the AGF Council meeting held on the 26th of November 1981. The meeting was attended by the duly accredited representatives of the then affiliated NOCs of Asia. The first edition of the Constitution of the OCA was formally approved and adopted in this meeting and came into force in November 1982. The OCA has been recognized by the International Olympic Committee (IOC) in 1983.

ARTICLE 1. OLYMPIC COUNCIL OF ASIA & CONSTITUTION

1.1 The OCA is the continental association of the National Olympic Committees of Asia and has jurisdiction over all OCA Games, all OCA activities, and the use of all OCA Properties.

1.2 The goal of the OCA is to contribute to building a peaceful and better Asian society, in particular by fighting any kind of abuses and discrimination, and by educating youth through the practice of fair and clean sport, in accordance with Olympism and its values.

1.3 The OCA, an organization belonging to the Olympic Movement, must respect the provisions of the Olympic Charter and the World Anti-Doping Code and must abide by the decisions of the IOC.

1.4 The OCA shall also support and encourage the promotion of sport ethics, gender equality, safe sport, and sustainability, and shall fight against doping and manipulation of sports competitions.

1.5 The OCA Constitution is the codification of the fundamental rules and regulations of OCA that shall always conform to the Olympic Charter. The OCA Constitution governs the organization, action, and operation of the OCA. The Constitution is binding for all OCA Members including member(s) of an OCA Member, any member of a body, a committee or working group of OCA and/or of an OCA Member and/or of a member of an OCA Member, as well as athletes, coaches, and officials in relation to all OCA activities

and/or all OCA Games.

1.6 The OCA, the OCA Members as well as all members of an OCA Member as well as their officials, athletes, coaches, and representatives are bound by the provisions of the Olympic Charter and of this Constitution and shall abide by any final decision of the IOC, the OCA, and the Court of Arbitration for Sport (CAS).

1.7 Unless the context otherwise requires, words importing the masculine gender include the feminine and neuter and vice versa.

ARTICLE 2. FUNDAMENTAL PRINCIPLES OF OLYMPIC COUNCIL OF ASIA

2.1 The fundamental aim of the OCA is to help develop sport, culture, and education in Asia, and to promote, through sports, international respect, friendship, goodwill, peace, and fairness.

2.2 The OCA is committed to ensuring that sport in Asia is governed, organized, developed, and managed in accordance with the principles of democracy, right to equality, transparency, neutrality, good governance, accountability, fair play, inclusion, safe and clean sport, without any discrimination based on race, skin color, gender, religion, sexual orientation, language, political opinion, national or social origin, property, birth, disability, or any other reason.

2.3 Representatives, officials, athletes, coaches, and other members of the OCA or its member organizations shall not be denied access to the country/territory or the city where any official event of the OCA is taking place. Any willful violation or evasion of this principle shall be treated as a fundamental breach of the Constitution and dealt with appropriately by the OCA.

2.4 The OCA will uphold the Olympic principles as defined in the Olympic Charter and comply strictly with the OCA Constitution, any OCA rules and regulations, and any final decision of the IOC, OCA, and CAS.

ARTICLE 3. ROLES, FUNCTIONS, AND OBJECTIVES

3.1 The OCA shall:

3.1.1 Be the sole organisation in overall charge of the OCA Games.

3.1.2 Support the Asian NOCs in the performance of their mission and activities.

3.1.3 Spread Olympism as defined in the Olympic Charter throughout Asia in collaboration with and decisions of the IOC, ANOC, the International Sport Federations, the Asian Sport Confederations, and other Continental Associations of NOCs recognized by the IOC.

3.1.4 Promote the practice of sport, encourage the construction of facilities, and improve the standard of performance in the spirit of fair play within its member's respective jurisdictions.

3.1.5 Encourage interest in sport and physical recreation in Asia.

3.1.6 Co-operate with public authorities and private enterprises in the promotion of sport in Asia without prejudice to the principles of the Olympic Movement.

3.1.7 Ensure that its membership is fully representative of the duly recognised NOCs of Asia as far as practically possible.

3.1.8 Take disciplinary action against any entity or individual for misbehavior or any other undesirable activity which brings discredit to the OCA.

3.1.9 Ensure regular celebration of its competitions and events, in accordance with this Constitution and the applicable OCA rules and regulations and provide fair and equal competition to all eligible competitors of OCA Members.

3.1.10 Promote and develop the Olympic Movement and its esteemed ideals and values in Asia, including Gender Equality and Inclusion, Sport for All, Environmental Sustainability, the Integration of Sport with Culture and Education, Safe and Clean Sport, and the Promotion of Peace through Sports.

3.1.11 Act against any form of discrimination affecting the Olympic Movement in Asia.

3.1.12 Oppose any political, commercial, or otherwise abuse of sport or athletes in Asia.

3.1.13 Encourage and support the effort of sport organisations for the social, professional future and health of athletes in Asia.

3.1.14 Encourage and support the activities of the Asian Olympic Academy and other institutions which dedicate themselves to Olympic education.

3.1.15 Fight against doping and all sorts of prohibited substances, by adopting a pro-active approach in implementing the World Anti-Doping Code.

3.1.16 Assist, guide, encourage and provide necessary assistance, administrative or financial, wherever possible, to the Olympic Movement in Asia to promote sports at grass root levels.

3.1.17 Fight against any form of fraudulent activities aimed at unduly arranging or influencing sporting results and liaison with IOC's Unit for PMC.

3.1.18 Ensure that OCA remains completely autonomous and an independent body and resists all undue political, religious, racial, and commercial pressures.

3.1.19 Promote work ethics within OCA by following good governance best practices principles.

3.1.20 Do all things necessary to fulfil the principles and objectives of the OCA and of the Olympic Movement in Asia.

CHAPTER 2. THE INSTITUTION OF OLYMPIC COUNCIL OF ASIA

ARTICLE 4. NAME

4.1 The OCA is the continental association of the National Olympic Committees of Asia and has jurisdiction over all OCA Games, all OCA activities, and the use of all OCA Properties.

ARTICLE 5. LEGAL STATUS

5.1 The OCA is the continental association of all National Olympic Committees (NOCs) of Asia as recognized by the International Olympic Committee (IOC).

5.2 The OCA is an independent international non-governmental not-for-profit International Asian Sport organization in the form of an association with the status of a legal person of unlimited duration, recognized by the IOC.

5.3 The permanent seat of OCA is in Kuwait City (Kuwait).

5.4 In order to fulfil its mission and carry out its role, the OCA may establish, acquire or otherwise control other legal entities such as subsidiaries, foundations, or corporations.

ARTICLE 6. OCA OFFICIAL LANGUAGE AND NOTIFICATIONS

6.1 The official language of the OCA shall be English. The GA will decide on other languages to be used by the OCA from time to time and in the event of a special occasion.

6.2 Any notification of OCA-to-OCA Members, members of OCA Members, Officials, Athletes, Coaches and other persons subject to this Constitution shall be made by email, unless a different form is considered more appropriate by the OCA President or the OCA Director General.

ARTICLE 7. SYMBOL

7.1 The OCA Symbol is a bright red sun with sixteen (16) rays and a white ring in the middle.

The OCA Symbol shall be the sole property of the OCA and cannot be used without the prior written consent of the OCA.



ARTICLE 8. LOGO

8.1 The OCA logo will be the OCA Symbol encircled by the Asian Dragon and Falcon with the Olympic Rings beneath followed by the text "Olympic Council of Asia."



8.2 The Logo of the OCA represents the OCA's personality of a "highly dynamic and challenging person"; a "Universal peaceful citizen" and a "Passionate Champion". The Dragon, found in East & Southeast Asia represents: Good fortune, abundance, success, power, courage, nobility, versatility and

dynamism. The Falcon, found in the mountainous regions of the Himalayas, in South and Central Asia and also in West Asia represents: Precision, grace, strength, loyalty, vision, speed, athletic and endurance.

8.3 The OCA logo, including the Olympic Rings, is subject to prior review and approval by the IOC and shall be used in accordance with the Olympic Charter and the IOC directives relating to the usage of the Olympic rings.

8.4 The Logo is the sole property of the OCA and a registered trademark. The Logo, in full or in part, cannot be used for any purpose without the prior written consent of the OCA.

ARTICLE 9. FLAG

9.1 The OCA shall have its own Flag, which will be designed as a white background with no border, in the center it will have the OCA logo.



9.2 The Flag of the OCA or any part of it is a trademark and cannot be used for any purpose without the prior written consent of the OCA.

ARTICLE 10. MOTTO

10.1 The Motto of the OCA will be “Ever Onward.”



10.2 This shall be the sole property of the OCA and cannot be used without the prior written consent of the OCA.

ARTICLE 11. HYMN

11.1 The Hymn is an amalgamation of all the sounds and cultures of the Asian Continent. The OCA shall have its own Sports Hymn which is the sole property of the OCA and a registered trademark. It cannot be used for any purpose without the prior written consent of the OCA.

ARTICLE 12. JURISDICTION

12.1 The jurisdiction of the OCA is Asia and comprises in particular the territories controlled by the OCA Members. For administration purposes, Asia is divided into five (5) Zones:

A. East Asia.

B. Southeast Asia.

C. South Asia.

D. Central Asia.

E. West Asia.

12.2 The distribution of the NOCs in each Zone is determined by the Executive Board (EB).

ARTICLE 13. MEMBERSHIP

13.1 Membership of the OCA is only open to the National Olympic Committees (NOCs) of Asia which are recognized as NOC by the International Olympic Committee (IOC).

13.1.1 This will have no retrospective effect on the existing membership of OCA. The current composition of the membership of OCA shall remain unchanged.

13.2 APPLICATION FOR MEMBERSHIP:

13.2.1 Any NOC located in Asia recognized by the IOC shall be eligible to become a Member of OCA.

13.2.2 Application for membership shall be submitted to the Executive Board (EB) with all information requested by OCA and with a signed confirmation by the applicant to observe and comply with this Constitution, the Olympic Charter as well as with any final decision of OCA, the IOC, and the Court of Arbitration for Sport (CAS).

13.3 MEMBERSHIP REQUIREMENTS:

13.3.1 Any NOC that wishes to become a member recognized by OCA must be recognized by the IOC.

13.3.2 All OCA Members shall comply with the Olympic Charter and this Constitution.

13.3.3 An OCA Member shall be the official body for all matters relating to the OCA Games and any OCA activity in its own country/territory. All arrangements concerning the country's/territory's participation in the OCA Games and all communication on such matters shall be addressed to the OCA Member.

13.4 MEMBER'S RIGHTS AND OBLIGATIONS:

13.4.1 A Member in good standing shall be entitled to participate and vote in the General Assembly (GA) meetings, to participate in the OCA Games, to benefit from OCA programs, and to enjoy any other rights as per this Constitution.

13.4.2 A Member of the OCA has the right to and obligated to participate in the OCA Games.

13.4.3 Every Member of the OCA, including all its representatives, officials, coaches, athletes, and members shall strictly comply with this Constitution, the Olympic Charter, and with the applicable rules and regulations of OCA, including the OCA Ethics Code, as well as with any decision of the OCA, the IOC, and CAS.

13.4.4 Members of OCA shall conduct their affairs in accordance with this Constitution and the principles of the Olympic Charter and without any undue interference by their respective Governments. Each Member of OCA shall strictly adhere to the principle of the autonomy of sports as per the Olympic Charter and this Constitution.

13.4.5 OCA Members shall provide OCA with the names of their duly elected office bearers including their President and Secretary General along with the contact details of the NOC and notify OCA promptly whenever changes occur.

13.5 MEASURES AND SANCTIONS:

13.5.1 A Member that does not adhere to the fundamental principles and/or the general objectives laid down in this Constitution and/or a decision of the OCA governing bodies and/or is subject to any sanction by the IOC, shall be subject to measures and sanctions by OCA as appropriate, including for instance warning, fine, suspension for a definite period (decisions to be taken by the OCA EB) or exclusion (decision to be taken by the GA).

13.5.2 Athletes from a Member NOC that has been suspended by OCA and/or by the IOC may participate as independent/neutral athletes in the OCA Games under the OCA Flag and Anthem, as decided by the OCA EB and as per the guidelines laid down by the OCA and/or the IOC. Similar measures may apply in case of such a decision of the EB, the IOC, WADA,

or the CAS.

13.5.3 In case a final decision by CAS or another competent court of law is issued against an individual that is a member of any OCA body, and if such decision is issued in respect of an offense which is of serious nature under local/international laws, or is a serious violation of this Constitution, then the respective individual shall resign immediately or otherwise may be suspended by a decision of OCA EB or excluded by a decision of OCA General Assembly.

CHAPTER 3. INSTITUTIONAL GOVERNANCE

ARTICLE 14. GOVERNING BODIES

14.1 The powers of OCA are exercised by its organs, namely:

14.1.1 The General Assembly (GA);

14.1.2 The Executive Board (EB);

14.1.3 The President.

ARTICLE 15. GENERAL ASSEMBLY

15.1 The General Assembly is the meeting of the member NOCs convened in accordance with the provisions of this Constitution. The General Assembly meetings may be Ordinary, Extraordinary and/or Elective.

COMPOSITION OF THE GENERAL ASSEMBLY

15.2 Attendance at the General Assembly: The following may attend the meetings of the GA:

15.2.1 With Vote:

15.2.1.1 The NOCs of Asia recognized as Members of the OCA.

15.2.1.2 Each NOC shall have one (1) vote and may be represented by not more than two (2) delegates, including at least one delegate who is a voting member of the EB of that NOC (if possible the NOC President) and who shall be the one exercising the vote on behalf of the NOC within the GA. The second delegate may be a NOC official/staff of the NOC. The delegates attending the GA on behalf of a NOC shall be nationals of that country/territory.

15.2.1.3 Without Vote:

15.2.1.4 EB Members.

15.2.1.5 Chairs of the statutory Standing Committees of the OCA to present their reports as and when invited.

15.2.1.6 OCA Honourary Life Presidents and the Honourary Life Vice-Presidents.

15.2.1.7 IOC Members in Asia.

15.2.1.8 Chairperson and Secretary-General of the AGOC of the host country/territory allotted the OCA Games.

15.3 Proxies are not allowed. Multiple voting, meaning one (1) person voting in more than one (1) capacity, is not allowed.

15.4 The EB shall issue the applicable Rules and Guidelines for the participation and the organisation of GAs.

15.5 The GA of the OCA shall meet in principle every year, at a time and place to be decided by the OCA President or by the Executive Board. These meetings shall be called ordinary meetings for which sixty (60) days written notice together with the agenda for the meeting shall be established and circulated upon the directions of the OCA President to all Members by the OCA Director General.

AGENDA OF THE GENERAL ASSEMBLY:

15.6 Depending on the nature of the GA meeting (Ordinary, Extraordinary and/or Elective), the following items shall be included in the agenda:

15.6.1 Roll Call

15.6.2 Welcome Address by OCA President

15.6.3 Report by OCA President

15.6.4 Report by the Zonal Vice Presidents

15.6.5 Reports by the Chairpersons of the Standing Committees

15.6.6 Report by the AGOC

15.6.7 Report by AWGOC

15.6.8 Report by AIMAGOC

15.6.9 Report by ABGOC

15.6.10 Report by AYGOC

15.6.11 Approval of Audited Statement of Accounts audited by the External Auditors, and of the report(s) by the Audit and Risk Management Committee

15.6.12 Appointment of the Certified International Auditing Firm as OCA auditors

15.6.13 Election of the EB members every four (4) years within eighteen (18)

months after the conclusion of the Asian Games, at an Elective General Assembly

15.6.14 Election of the Ethics Committee members upon proposal by the President OCA

15.6.15 Election of the Host City of any AG, if needed

15.6.16 Decision on the next Meeting date and venue

15.6.17 Any other items.

15.7 The Documentation of the GA will be distributed to the OCA Members at least fifteen (15) days prior to the date of the meeting.

15.8 An amendment of the agenda of a GA during the GA meeting requires a two-thirds (2/3) majority of the valid votes cast. Abstentions and invalid votes shall not be counted.

15.9 Unless otherwise stated in this Constitution, the quorum for a meeting of the GA shall be more than 50% of the OCA Members. Unless otherwise stated in this Constitution, decisions of the GA are taken by a simple majority of the votes cast. Abstentions and invalid votes are not counted.

15.10 Extraordinary meetings of the General Assembly (GA) may be convened at any time by the OCA President at his or her discretion. An extraordinary meeting shall also be convened upon the written request of not less than fifty percent (50%) of the voting members of the OCA EB or not less than fifty percent (50%) of the OCA Members.

Such meeting shall be held no later than thirty (30) days following receipt of the written request.

Written notice of the extraordinary meeting, specifying the place, date, and agenda, shall be issued under the direction of the OCA President and circulated to all member NOCs at least fifteen (15) days prior to the meeting.

The quorum for an extraordinary meeting of the GA shall be more than fifty percent (50%) of the OCA Members.

15.11 The notice for the election of the Executive Board will be issued at least sixty (60) days before the date of Elective General Assembly. The date of the Elective General Assembly will be decided by the Executive Board. No General Assembly shall be held during the Asian Games.

15.12 The OCA President or in his/her absence the First Vice-President or, in the

absence of the latter, the most senior Vice-President (by age), shall be the Chair of the GA. The Chairperson shall decide all points of order and his/her decision shall be final.

15.13 A GA may be held in person, by teleconference, by videoconference or by another means of communication. Voting by correspondence (including email) and/or online is permitted.

15.14 Outside of and independently from a General Assembly (GA), a resolution or decision of the OCA may be adopted by the OCA Members by vote by correspondence, including by email, videoconference, or any other appropriate electronic means, as determined by the OCA President or the EB.

The majorities required under this Constitution shall apply to such resolutions and decisions. Abstentions and invalid votes shall not be counted.

15.15 A secret ballot will be applied for the election of the EB and the Host City of the OCA Games. Abstentions and invalid votes are not counted. In the event of tie, the vote shall be repeated between the candidates concerned until the tie is resolved.

15.16 A secret ballot may be taken on any other matters if the Chairperson of the meeting decides or if a simple majority of votes will be in favor of a secret ballot. Abstentions and invalid votes are not counted.

15.17 Except as otherwise provided in this Constitution, a simple majority of votes will decide all matters. Abstentions and invalid votes are not counted. If votes are equal, the Chairperson of the meeting may exercise his/her casting vote, except for elections.

15.18 All matters of procedures at meetings of the GA, not provided for in this Constitution, shall be decided by the Chairperson of the meeting.

15.19 Members can duly propose other items to be added to the agenda circulated by the OCA President or Director General, by submitting such proposals to the OCA President at least ten (10) days before the GA. All the agenda proposed by Members shall be dealt with at the GA. The OCA President or the OCA Director General shall circulate the additional agenda items to all Members not later than seven (7) days before the GA.

15.20 Members shall register the names of their delegates to the GA as instructed by the EB and as indicated in the notice of the meeting. Any issue relating to the registration or eligibility of delegates which cannot be solved amicably prior to the GA shall be ultimately decided by the GA at the beginning of the meeting.

15.21 Elections shall be held according to the applicable OCA rules and regulations. Any matter of procedure concerning the GA and votes, which are not covered by this Constitution nor by any applicable OCA rules and regulations, are determined by the OCA President and EB.

15.22 Any decision of the GA, including the adoption of amendments to the OCA Constitution, shall come into effect immediately unless otherwise decided by the GA.

15.23 Minutes and decisions of all meetings and other proceedings of the GA will be published on the OCA website and circulated to members for confirmation before the next GA.

15.24 No motion other than those included in the agenda shall be moved at an extraordinary meeting.

15.25 At the time appointed for a meeting of the GA, the Director General shall take note whether a quorum is present. If a quorum is not present within sixty (60) minutes, the meeting shall be adjourned. For an adjourned meeting to be held on the same day no quorum is necessary. The decisions taken at such an adjourned meeting shall be circulated to all OCA Members by fax, electronic mail, or post for their acceptance or rejection. If and when a simple majority acceptance is received, the decision shall be deemed to be ratified; otherwise, it shall be null and void. Invalid votes and abstentions are not counted.

POWERS AND ROLES OF GENERAL ASSEMBLY

15.26 The GA, within the framework of this Constitution, is the highest authority on all matters concerning the OCA. In particular, matters within the power of the GA shall be:

15.26.1 Election of EB Members.

15.26.2 Adoption of audited statements of accounts and the financial estimates for the ensuing years.

15.26.3 Selection of the host [CITY] for the OCA Games.

15.26.4 Admission of new member NOCs to the OCA.

15.26.5 Expulsion of member NOCs or removal or expulsion of any individual member of an OCA governing body, a decision that shall be passed if supported by two-thirds or more of the OCA Members present at the GA.

15.26.6 Ratification of the OCA representatives on the ANOC Executive Council, as per the recommendation of the OCA EB;

15.26.7 Appointment, renewal, and change of the Certified International Auditing Firm as OCA auditors, as per the recommendation of the OCA EB.

15.26.8 Adoption of any amendment to this Constitution, as per Article 33 of this Constitution.

ARTICLE 16. EXECUTIVE BOARD

16.1 The Executive Board (EB) is a representative body of the GA, constituted for the strategic planning and the overall coordination and implementation of the policies and objectives of OCA.

COMPOSITION OF THE EXECUTIVE BOARD

16.2 The EB shall consist of the following:

16.2.1 (1) The OCA President should be elected for a term of 8 years renewable once for 4 years (Total12 years).

(2) President should be elected one year before the election of the Executive Board Members but not during the Asian Games.

(3) No election shall be held during the Asian Games for both President and Executive Board Members.

16.2.2 Five (5) Vice-Presidents, one from each of the five Zones, nominated by their respective NOC and elected by the GA, with a term of office of four (4) years, renewable not more than twice (i.e., a maximum of three terms of four years or 12 years), irrespective of any previous term served as an EB member. Terms are calculated cumulatively, irrespective of interruption of service.

16.2.3 Five (5) Members, one from each of the five Zones and from the opposite

gender than the Vice-President of his/her Zone, nominated by their respective NOC and elected by the GA. If the Vice-President from the Zone is a male, then the Member from that same Zone shall automatically be a female, and vice versa. The term of office for these Members is four (4) years, renewable not more than twice (i.e., a maximum of three terms of four years or 12 years). Terms are calculated cumulatively, irrespective of interruption of service.

16.2.4 Two representatives (one male and one female) of the OCA Athletes Committee, elected by and within the Athletes Committee.

16.2.5 The Director General, without voting right and not accounted as quorum.

16.2.6 The Chairs of the statutory Standing Committees of the OCA, except the Chairs of the Audit & Risk Committee, of the Ethics Committee and of the Election Committees, shall serve as Voting Members of the EB.

16.3 The EB shall not include more than one (1) voting Member from a certain NOC, except for the members appointed by the Athletes Committee who may be from the same NOC of another EB member.

16.4 The President of the NOC of the host country/territory of the upcoming edition of any genre of Asian Games shall be invited to attend the EB meetings, without voting rights, if they are not already EB members.

16.5 In case of any vacancy in the office of the OCA President and/or if the OCA President is permanently or temporarily prevented from performing official functions, the First Vice- President shall assume the powers and responsibilities of the President, for the remainder of the term until the election of a new OCA President at the next GA. If the First Vice- President is prevented from assuming the powers and responsibilities of the President, the most senior Vice-President by age will take on the role. Any reduced term of office served by a First Vice-President or by a Vice-President filling a vacancy does not count as part of the full term of office as per this Constitution.

16.6 Wherein an EB member has been absent from two (2) consecutive EB meetings, within one (1) term, without valid reasons, the EB shall have the right to declare that such a member has forfeited his/her EB membership.

The EB may then fill the vacancy in accordance with this Constitution.

16.7 Any vacancy in the office of the First Vice-President shall be filled by one of the Vice- Presidents proposed by the President and approved by the EB for the remainder of the term, subject to ratification at the next GA. Any vacancy in the position of the five Vice - Presidents or any other vacancy in the EB shall be filled as per the process provided in this Constitution, and ratified at the next GA, for the remainder of the term. Any vacancy in the two positions of Athletes' representatives shall be filled by the OCA Athletes' Committee as provided in this Constitution, for the remainder of the term.

16.8 EB meetings shall be held on a regular basis, at least twice a year. For a meeting of the EB, a minimum of three (3) days' notice by letter, fax, telex, or email will be circulated by the OCA President or the OCA Director General to all EB Members. Meetings of the EB can take place in person, by phone, by videoconference, or any other appropriate means. Emergent meetings of the EB may be convened by the President or the Director General OCA on a notice of two clear days including agenda at any time, if necessary.

16.9 A quorum of more than 50% of the EB voting members applies for EB meetings. If a quorum is not present after sixty (60) minutes, the meeting would be adjourned to a later time. No quorum would be required for an adjourned meeting.

16.10 An EB member cannot appoint a third-party to represent him or her at a meeting. Each EB voting member has one (1) vote in the EB meetings. EB decisions are taken by a simple majority of the votes cast. Abstentions and invalid votes are not counted. If votes are equal, the Chairperson of the meeting may exercise his/her casting vote.

16.11 The Agenda of the EB meeting will be distributed to the members along with the notice of the meeting.

16.12 The Documentation for the EB will be distributed to the members 48 hours prior to the start of the meeting.

POWERS AND ROLES OF EXECUTIVE BOARD

16.13 The EB shall have the power to:

16.13.1 Adopt and amend rules, regulations, policy(s) and guidelines and make

decisions on all matters which have been assigned to the EB as well as on all those matters that do not fall within the legal or statutory jurisdiction of the GA or of another body of OCA.

16.13.2 Monitor OCA Games, as per the applicable rules.

16.13.3 Decide on all OCA Games Marketing, sales of TV and Broadcasting rights, and other commercial issues.

16.13.4 Withdraw any OCA Games from an AGOC in the event of non-compliance with the OCA Constitution, Host City Contract, Guidelines, and other rules, regulations, or instructions of the OCA.

16.13.5 Propose the appointment of one certified International Auditing Firm as the OCA Auditors to the GA for approval.

16.13.6 Nominate the representatives of the OCA on the ANOC, continental, international, and other sports bodies.

16.13.7 The EB is authorized to delegate management, either fully or partly, to the OCA President, to one or more of the EB members and/or to the OCA Administration.

16.13.8 Upon his/her election, every EB member undertakes to act faithfully, loyally, and independently, in the best interests of OCA and for the good of the Olympic Movement, sport in Asia, and in the World. EB members are not personally liable for the debts and obligations of OCA, unless this happens by or through their failure to exercise the powers and to discharge the duties of their office honestly and in good faith with a view to the best interests of the OCA.

ROLES AND RESPONSIBILITIES OF OFFICE BEARERS

ARTICLE 17. THE PRESIDENT

17.1 The OCA President shall:

17.1.1 Preside over the EB and the GA meetings.

17.1.2 Represent the OCA at continental and international sports meetings for Asia or name a representative on his/her behalf, if this is permitted.

17.1.3 Delegate all or part of his/her powers to a Vice President, an Honorary

Life President or the Director General as considered necessary.

17.1.4 Establish minutes of all meetings and other proceedings and sign the decisions of the GA and the EB.

17.1.5 Ensure and supervise all the work of all the Committees formed by the OCA.

17.1.6 Approve and sign any agreement, contract, or bank transaction in accordance with the OCA Financial Policy.

17.1.7 Co-ordinate between the programmes of sports associations and bodies in Asia, as well as outside Asia.

17.1.8 Establish permanent or ad hoc Committees, Commissions and Working Groups whenever it appears necessary, and establish their term of reference.

17.1.9 Convene the meeting of all Standing Committees, ad hoc commissions and working groups and preside the meetings during his/her attendance;

17.1.10 Do all other things as may be required for the fulfilment of the objectives of the OCA and the directives of the EB.

ARTICLE 18. FIRST VICE PRESIDENT

18.1 The most senior Vice President serving in the EB shall act as the First Vice President, in accordance with this constitution.

18.2 He shall fill vacancies and/or absences of the OCA President, in accordance with this constitution.

ARTICLE 19. ZONAL VICE PRESIDENT(S)

19.1 The Vice President(s) shall:

19.1.1 Discharge duties and functions as assigned to them by the OCA GA, EB and / or President as per this Constitution.

19.1.2 All the activities of each Zone are under the supervision of the respective OCA Vice President.

19.1.3 Each Zone Vice-President must hold meetings with the NOCs in his/her respective Zone at the time of the GA or during the zonal games to strengthen sports relations.

19.1.4 Present reports of their respective Zones to the GA, EB and/or the President.

ARTICLE 20. MEMBER(S) EXECUTIVE BOARD

20.1 There shall be five "members of the Executive Board" as per Article 16.2.4 who shall discharge duties and functions as assigned to them by the OCA GA, EB, President, and / or respective Zonal Vice President as per this Constitution.

ARTICLE 21. DIRECTOR GENERAL

21.1 The OCA Director General is appointed by the GA on the recommendation of the President as per the contract concluded with the DG. The DG shall remain in his/her office until the end of the contract.

21.2 The DG shall be responsible for running the day-to-day administration and managing the financial affairs of the OCA HQ, as per the decisions of the GA, the EB, the Finance Committee and the OCA Financial Guidelines.

21.3 The DG shall sanction any expenditures in accordance with the OCA Financial Guidelines and/or as approved by different OCA bodies..

21.4 The DG shall appoint and dismiss the OCA HQ Staff.

21.5 The DG shall ensure that the financial accounts of the OCA are kept in an appropriate manner and audited by an internationally certified auditor every year, and are submitted to the Audit & Risk Committee and to the EB.

21.6 The DG shall execute initiatives as per OCA constitution, rules and guidelines and assist the EB in performing their duties.

21.7 The DG shall assume any responsibility related to the OCA decided by the OCA President, the EB or the GA.

21.8 The DG shall sign agreements on behalf of the OCA, with individuals, companies, consultants or legal counsel as per the OCA Financial Guidelines.

21.9 The DG shall establish and circulate the agenda of the GA and EB to all concerned parties and finalize the minutes of the meeting for distribution to all concerned parties.

21.10 The DG shall establish and circulate the agenda of the Standing Committees in consultation with Chairman.

ARTICLE 22. QUALIFICATION (ELIGIBILITY) OF EB MEMBERS

22.1 The candidates who can stand or be elected for any of the following offices within the EB must satisfy the following conditions:

GENERAL

22.1.1 Applicable to all candidates in addition to the criteria provided in the Constitution, for specified posts:

22.1.1.1 Must file with the OCA all required submissions and provide, in good faith, all requested information in accordance with the OCA Electoral Regulations.

22.1.1.2 Must have successfully passed an eligibility check carried out by the OCA Ethics Committee in accordance with the OCA Electoral Regulations.

22.1.1.3 Shall not be subject to any criminal sanction or any disciplinary sanction that would prevent the candidate to perform the respective office.

22.1.1.4 No candidate shall be eligible if, within a period of sixty (60) days prior to the election date, he/she has been an employee of OCA HQ, to prevent and mitigate any potential occurrence of conflict of interest.

22.1.1.5 Shall speak the official language of OCA.

PRESIDENT

22.1.2 In addition to 22.1.1. the following will be applicable for the post of President:

22.1.2.1 Must have been the President of his/her NOC for at least eight (8) years or;

22.1.2.2 A Member of the EB for at least eight (08) years and;

22.1.2.3 Nominated by two (2) member NOCs of OCA including parent NOC.

22.1.2.4 An NOC cannot nominate more than one candidate for the post of the President.

ZONAL VICE PRESIDENT(S) AND MEMBER(S)

22.1.3 In addition to 22.1.1. the following will be applicable to the Five Zone Vice-Presidents and Five Zone Members:

22.1.3.1 Must be nominated by their respective NOCs from among the current members of the NOC executive body.

ARTICLE 23. HONORARY LIFE PRESIDENT(S) AND HONORARY VICE PRESIDENT(S)

23.1 Any person that has served as OCA President is entitled to become Honorary Life President of OCA upon decision of the EB ratified by the GA.

23.2 Any person that has served as First Vice-President or as Vice-President for three terms or more, are entitled to become Honorary Vice-Presidents of the OCA upon decision of the EB ratified by the GA.

All Honorary Life Presidents, Honorary Life First Vice Presidents and Honorary Vice- Presidents may be invited by the OCA President to attend the GA and other meetings without voting rights.

ARTICLE 24. STANDING COMMITTEES

24.1 The OCA Standing Committee(s) may be created for the purpose of advising the GA, the EB or the OCA President as the case may be.

24.2 OCA shall have the following permanent statutory Standing Committees with a permanent ongoing role:

24.2.1 Athletes Committee.

24.2.2 Ethics Committee.

24.2.3 Finance Committee.

24.2.4 Audit & Risk Management Committee.

24.2.5 Sports Committee.

24.2.6 Gender Equality Committee.

24.2.7 Legal Committee.

24.2.8 Election Committee.

24.3 The President may create other Committees including but not limited to Advisory, Culture, Coordination, Education, Esports and Martial Arts, Entourage, Information and Statistics, International Relations, Media, Medical, Peace Through Sports, Sports for All, and Sports and Environment Committees, where these Committees shall report to and perform assigned tasks on the directions of the President.

24.4 Appointment and Tenure of Committee Members

24.4.1 Unless otherwise expressly provided for by this Constitution, all Chairs of the OCA Committees shall be proposed by the President and approved by EB.

24.4.1.1 Nominations for the Chair(s) and members of each Committee shall be solicited by the President from the member NOCs of OCA.

24.4.1.2 Subsequent to the nomination process, the President shall evaluate the nominees based on their qualifications, experience, geographical representation, gender diversity, and requisite expertise for the Committee's specified tasks. Thereafter, the President shall propose suitable candidates, for the post of the Chair, to the EB for approval, and appoint the other members of the Committees Him/herself.

24.4.1.3 The appointed Chairs and members may serve up to three (3) successive terms for each position, with each term comprising four (4) years. Terms served are calculated cumulatively, irrespective of any interruption of the service.

24.4.1.4 The EB can terminate and replace any Committee Member and/or fill any vacancy for an appointed Committee Member at any time.

24.4.2 **ETHICS COMMITTEE**

24.4.2.1 The OCA Ethics Committee is charged with defining and updating a

framework of ethical principles, including an Ethics Code, based upon the values and principles enshrined in the Olympic Charter and in this Constitution. In addition, the OCA Ethics Committee investigates complaints raised in relation to the non-respect of such ethical principles, including breaches of the OCA Ethics Code and, if necessary, proposes sanctions to the EB.

24.4.2.2 The Ethics committee is an independent body, The Chair and the members of the OCA Ethics Committee are proposed by the OCA EB and elected by the GA one year after the election of the EB.

24.4.3 **ELECTION COMMITTEE**

24.4.3.1 Subject to the direction of the EB, the OCA Election Committee is charged with preparing profiles and proposing candidates in order to achieve a diverse and balanced membership of the respective OCA bodies. To this end, the OCA Election Committee is to examine and evaluate all candidatures for election to membership in the relevant OCA bodies in accordance with this Constitution and the applicable rules and, for each candidature, provide a written report to the EB within the deadline set to that effect by the President.

24.4.3.2 The OCA Election Committee gathers all useful information on the candidates, including career and sports activities; the Election Committee may ask the candidate to provide references from personalities from whom the Committee may obtain information, and source information and advice from other personalities and organisations; the Election Committee may also invite a candidate for an interview.

24.4.3.3 The OCA Election Committee verifies the eligibility, origin and admissibility of each candidature and, if necessary, the candidate's status as an active athlete or the function to which the candidature is linked.

24.4.3.4 The OCA Election Committee must include at least one representative of the OCA Ethics Committee and one representative of the OCA Athletes' Committee. The election committee is appointed by the OCA EB for 4 years and renewable for maximum 3 terms. The New EB after its election appoint the election committee members.

24.5 Mandates of the other Statutory Standing Committees

24.5.1 Athletes Committee: The Athletes Committee advocates the athlete's interests in Asia, participate in the OCA decisions to safeguard their rights.

24.5.2 Finance Committee: The Finance Committee shall be vested with the responsibility for overseeing the financial planning and budgeting processes, evaluating and authorizing major expenditures, ensuring the financial independence of the OCA, and ratifying audited financial statements.

24.5.3 Audit and Risk Management Committee: The Audit and Risk Management Committee (ARC) is an independent body composed of three (3) members who are experts in the field of financial audit and financial risk management, and who shall be appointed by the newly elected Executive Board (EB) after its election for a period of four (4) years.

The ARC reports and findings shall be submitted to the Finance Committee. The Finance Committee shall review the same and, as appropriate, report or make recommendations thereon to the Executive Board (EB).

The ARC, as applicable, has the authority and responsibility to conduct any audit it deems necessary, and such other duties may be assigned to it by the Finance Committee.

The ARC supervises the internal and external auditors and periodically reports to the Finance Committee regarding the functioning of the OCA auditors.

24.5.4 Sports Committee: The Sports Committee is charged with the duty of conducting research aimed at enhancing sports standards within Asia, liaising with international sports organizations, developing innovative sports programs, taking measures for ensuring safe- sports and sports-for-all, and supervising the operational planning of the OCA Games.

24.5.5 Gender Equality Committee: The Gender Equality Committee is mandated to foster the development of sports among all gender's initiatives at the OCA Games, advocate for the importance of women's participation in sports, engage in partnerships with existent sports organizations, and promote the values of sports among women and all genders.

24.5.6 Legal Committee: The Legal Committee is charged to review and interpret this Constitution, its Rules and By-Laws on the directions of the GA, the EB or the President.

24.6 The EB shall review from time to time, but at least once every four (4) years, the composition of all appointed Committees and either reconfirm their

existing members and/or appoint new members, upon proposal of the President. Following a proposal of the President, the EB may appoint to the Committees additional members who are experts in the area for which the committee has been established, irrespective of the foregoing rule.

24.7 The majority of Committee members (more than 50%) shall form a quorum at any meeting.

The Committees shall meet at least quarterly and whenever there is business to be dealt with, all meetings being subject to the prior approval of the President. Meetings of the Committees can take place in person, by phone, by videoconference or any other appropriate means.

24.8 The EB is to issue specific by-laws or regulations for the composition, duties, and powers of the OCA Committees, in line with this Constitution.

ARTICLE 25. OCA HEADQUARTERS

25.1 The GA shall decide the location of the permanent HQ of the OCA subject to the following conditions being fulfilled:

25.1.1 The country/territory where the permanent HQ of the OCA is located shall be an Asian country/territory, which has an NOC recognised by the IOC.

25.1.2 The OCA shall cover all necessary running costs for management, operation and administration of the HQ.

25.1.3 The OCA may have five zonal offices in the five Zones of OCA.

25.1.4 The OCA shall make arrangements for ensuring access to personnel of IOC, Asian NOCs, EB, OCA Employees and other organizations at OCA HQ and Zonal Offices.

25.1.5 Any decision regarding the change of the HQ requires a two third (2/3rd) majority of the valid votes cast at the GA. Abstentions and invalid votes shall not be counted.

ARTICLE 26. ELECTIONS

26.1 The elections of the President, Vice President(s) and the members of the

OCA Executive Board shall be held at the Elective General Assembly convened under the provisions of this Constitution ensuring that:

26.1.1 Elective General Assembly will be convened within eighteen (18) months after the conclusion of the Asian Games.

26.1.2 Elections shall be conducted by the Election Committee in a democratic, transparent manner, without any undue interference and in full respect of this Constitution.

26.1.3 The elections shall be conducted in line with this Constitution and the applicable electoral rules and regulations.

26.1.4 Online voting, through a secured platform which allows voting by secret ballot, is permitted during the Elective General Assembly provided the voting delegate is attending the meeting virtually.

26.1.5 Elections shall be conducted by secret ballot.

26.1.6 Any candidate who obtains a simple majority (more than 50%) of the votes cast shall be declared elected. If none of the candidates obtains more than 50% of the votes cast in the first round, the candidate obtaining the least number of votes shall be eliminated and a further ballot, or further ballots, shall be conducted between the remaining candidates until one candidate obtains more than 50% of the votes cast. In the event of a tie, the vote is repeated between the candidates concerned until the tie is resolved. Abstentions and invalid votes shall not be counted.

26.1.7 Elections rules in line with this Constitution, modalities for candidatures as well as any related matter shall be determined in the OCA Electoral Regulations established by the OCA Election Committee, approved by the EB, and circulated to all member NOCs prior to the elections.

ARTICLE 27. VOTING

27.1 When the Chair of the GA puts a question to the vote, he/she shall request first those in favour of the motion, those against the motion and then those who abstain to raise their hands. Abstentions and invalid votes are not counted. After the counting of the votes, the Chair shall declare whether the

motion is adopted or rejected.

27.2 The voting for the election of EB Members as well as the Host City for the OCA Games will always be by secret ballot.

ARTICLE 28. POSTAL, FAX, CABLE OR EMAIL VOTE

28.1 The OCA President may, if he/she considers this to be appropriate, and/or if the EB so decides, submit to the member NOCs a resolution for vote by post, fax, cable or e-mail. If a majority of member NOCs vote in favour of the resolution, it shall be deemed to be carried out and shall be effective as a resolution passed at a duly convened GA, provided that more than 50% of the member NOCs participate. Only votes received within the dates of voting prescribed by the OCA President shall be deemed valid. Abstentions and invalid votes are not counted. The result of every such vote shall be communicated to all the member NOCs and be reported to the GA at its next meeting.

ARTICLE 29. CONTRIBUTIONS AND ACCOUNTS

29.1 For each financial year, the Director General shall prepare “Statement of Accounts.”

29.2 The Annual Statement of Account shall be audited by the Internationally Certified Auditor appointed by the GA.

29.3 The Director General will be responsible for responding to any queries from the Finance Committee, the EB, or the GA, as well as to provide financial records requested by the External, Internal and IOC designated Audit Teams.

29.4 The financial year of the OCA commences on 1st January and ends on 31st December of the same year.

ARTICLE 30. CONFIDENTIALITY/NON-DISCLOSURE AGREEMENT(S)/COMPLAINTS

30.1 All OCA Members, President, EB Members, Director General, Committee

Members, Staff, Employees are obliged not to disclose, use or disseminate OCA-Owned information, documents etc., until ten (10) years after leaving the OCA, subject to the decision of the OCA bodies and courts of law which specifically ask for the release of such information.

30.2 The documents, data, archive and all other materials that belong to OCA are the sole property of OCA and shall not be used by any person for any purpose without a prior written authorization from OCA. OCA has the right to sue in any court of law any person or entity that uses such documents, data, archive or any other materials that belong to OCA without prior written authorization. Any entity or person that violates OCA's rights and interests in OCA's Internet activities and presence is subject to disciplinary sanctions and any other legal remedy available to OCA.

ARTICLE 31. RESOURCES

31.1 OCA is the continental association of the National Olympic Committees of Asia and has jurisdiction over all OCA Games, all OCA activities, and the use of all OCA Properties.

ARTICLE 32. RECORD RETENTION

32.1 The OCA Headquarters shall retain the financial and administrative records pertaining to all official working and transactions for a duration of five (5) years.

CHAPTER 4. MISCELLANEOUS

ARTICLE 33. AMENDMENTS AND ALTERATION OF CONSTITUTION AND RULES

33.1 The GA is the only body of OCA that has the authority to amend the present Constitution.

The EB has the authority to issue and amend other rules and regulations of OCA, unless otherwise provided in this Constitution.

33.2 Any proposal of amendment to the present Constitution can only be received from member NOCs, from the OCA President or the EB. The proposed amendments shall be forwarded to the Legal Committee for its consideration and issuance of a recommendation for the EB that shall make final recommendations for the consideration and approval of GA as per Article 33.3.

33.3 An amendment of this Constitution requires a two-thirds (2/3) majority of OCA Members attending the GA and a two-thirds (2/3) majority of the valid votes cast. Abstentions and invalid votes shall not be counted.

33.4 The OCA Constitution shall, at all times, comply with the Olympic Charter. If there is any doubt as to the signification or interpretation of this Constitution, or if there is a contradiction between this Constitution and the Olympic Charter, the latter takes precedence.

33.5 The OCA Constitution, and any subsequent change or amendment to the present Constitution, must be submitted to the IOC for approval.

ARTICLE 34. SETTLEMENT OF DISPUTES/COMPLAINTS BETWEEN CA/NOC/AF

34.1 Provided that all internal legal remedies have been exhausted, any appeal against a final decision of the OCA shall be submitted exclusively to the jurisdiction of the CAS within twenty-one (21) days from the date of notification of the decision being appealed.

Unless otherwise specified in the applicable rules and regulations of the OCA, an appeal shall not have suspensive effect. Subject to any decision to the contrary by the CAS, the decision being

appealed shall therefore remain in full force and effect.

34.2 OCA recognizes the Court of Arbitration for Sport (CAS), with seat in Lausanne, Switzerland, as the final court to resolve any kind of sports-related or institutional, governance or disciplinary disputes relating to OCA. The CAS shall resolve any dispute in accordance with the Code of Sports-related Arbitration (the "CAS Code"), this Constitution, and the applicable rules and regulations of OCA.

34.3 Disputes relating to the interpretation and implementation of this Constitution and/or any other rule and regulation of OCA shall be resolved by a final and binding decision of OCA EB or GA. This also applies to any kind of disputes between OCA, any NOC member of OCA, any members of any member NOC, any AFs, any bodies or individuals, athletes, delegates, officials, and any person or organization subject to this Constitution and/or any rule or regulation of OCA, including any member of a body, a committee, or working group of OCA and/or of a member NOC.

34.4 Disputes between the OCA and any of its Member NOCs or AFs, or individual members of Member NOCs or AFs, as well as disputes between Member NOCs or AFs themselves or between individual members of the OCA, may be resolved by a committee formed by the EB, provided that all parties to the dispute request mediation by the EB.

34.5 Matters related to the Code of Ethics, within the functioning of OCA, shall be referred to the OCA Ethics Committee in accordance with the OCA Code of Ethics.

34.6 A Decision of the Court of Arbitration for Sport (CAS) shall be final and binding on the parties.

34.7 Member NOCs as well as any members of member NOCs, any AFs, any bodies or individuals, athletes, delegates, officials, and any person or organization subject to this Constitution and/or any rule or regulation of OCA, including any member of a body, a committee, or working group of OCA and/or of a member NOC shall recognize CAS as an independent judicial authority and comply with CAS decisions.

34.8 Notwithstanding the above, any contractual dispute between OCA and any contractor, broadcaster, commercial partner, or sponsor shall be resolved by a decision of the competent tribunal set out in the respective agreement, taking into due consideration the interests of OCA.

ARTICLE 35. DISCIPLINARY POWERS, PRINCIPLES AND SANCTIONS

35.1 In the context of the OCA and/or any OCA Games in which they participate, OCA, any NOC member of OCA, any members of any member NOC, any AFs, any bodies or individuals, athletes, delegates, officials of OCA and/or of a member NOC or an AF, and any person or organisation subject to this Constitution and/or any rule or regulation of OCA, including any member of a body, a committee or working group of OCA and/or of a member NOC as well as Athletes, Athlete Support Personnel, Coaches, Agents and Officials shall respect this Constitution, the rules and regulations of OCA, the Olympic Charter, the rules and regulations of the IOC as well as any final decision of an OCA or an IOC body or of CAS, as the case may be.

35.2 In the context of the OCA and/or any OCA Games in which they participate, any Member NOC, member of a Member NOC, or individual member of a Member NOC, any AF as well as any legal entity and any individual subject to this Constitution and/or the rules and regulations of OCA, including Athletes, Athlete Support Personnel, Coaches, Agents and Officials, may be sanctioned:

35.2.1 if duties and obligations to OCA are not fulfilled; or

35.2.2 if any final decision of an OCA or an IOC body or of CAS are not respected or not enforced; or

35.2.3 in case of violation of this Constitution and/or any of the rules and regulations of OCA; or

35.2.4 for any unsportsmanlike conduct; or

35.2.5 for bringing OCA or the Olympic Movement into disrepute,

35.3 Sanctions include, but are not limited to:

35.3.1 Warning or reprimand (by the EB);

35.3.2 Fine (by the EB);

35.3.3 Suspension (by the EB);

35.3.4 Expulsion (by the GA);

35.3.5 Disqualification from OCA Games, competitions or events (by the EB);

35.3.6 Cancellation of results at OCA Games, competitions or events (by the EB);

35.3.7 Withdrawal of titles, return of awards, medals, prizes, etc. at OCA Games, competitions or events (by the EB);

35.4 Disciplinary measures and sanctions may be imposed provisionally or finally and cumulatively, i.e. in combination with further measures and sanctions.

35.5 Further disciplinary measures and sanctions may be defined in this Constitution or in other rules and regulations or decisions issued by the IOC or otherwise applicable to the Olympic Movement.

35.6 Sanctions shall be imposed by the competent body of OCA, in accordance with this Constitution and other rules and regulations of OCA.

35.7 Any sanction or measure imposed by OCA shall be recognised and enforced by all Member NOCs.

35.8 Before any Member NOC or individual is sanctioned, the individual or a representative of the Member NOC must be given an opportunity to exercise a right to be heard, either orally or in writing. In urgent matters, appropriate measures may be taken.

35.9 Sanctions shall be in force immediately upon the decision being made unless the deciding body rules otherwise.

35.10 Subject to specific provisions of this Constitution or other rules and regulations of OCA, OCA may no longer engage proceedings in respect to violations of any rule of OCA when such action is not initiated within ten (10) years of the event to which it relates. This statute of limitation does not apply to cases of sexual misconduct, bribery or corruption.

35.11 Unless otherwise provided in this Constitution or in the rules and regulations of OCA, a final decision of OCA imposing a disciplinary sanction or measure

can be appealed within twenty-one (21) Days from the date of the decision to the Court of Arbitration for Sport (CAS). Recourse to other tribunals or courts for sports-related or institutional, governance, or disciplinary disputes relating to OCA is excluded. Any appeal to CAS shall not have any suspensive effect unless the appealed decision states otherwise. The CAS shall also have exclusive jurisdiction over interlocutory orders and interim measures for sports-related or institutional, governance, or disciplinary disputes relating to OCA and no other court or tribunal shall have authority to issue interlocutory orders or interim measures relating to matters before the CAS.

ARTICLE 36. MATTERS NOT COVERED IN THIS CONSTITUTION

36.1 The EB and the GA have the power to decide on all matters not covered in this Constitution, with decisions made in accordance with the principles of the Olympic Charter, this Constitution, and fairness and justice.

ARTICLE 37. OCA GAMES

37.1 The OCA Games are competitions between athletes in individual or team Sport disciplines, organised by OCA. The OCA Members have the sole responsibility to select, register and ensure the participation in the OCA Games of athletes, coaches and the officials of their respective country/territory, subject to the final approval of OCA based on this Constitution and the applicable OCA rules and regulations. OCA competitions will be conducted under the IF's technical rules. In the event that there is no IF, OCA competitions will be held under the rules of the competent AF subject to the supervision and authority of the OCA. The OCA decision is final.

37.2 The OCA Games include the following celebrations:

37.2.1 The Asian Games (AG) which are numbered consecutively, in principle every four years (4) from the first Asian Games celebrated in New Delhi, India in 1951.

37.2.2 The Asian Winter Games (AWG) which are numbered consecutively, in principle every four years (4) from the 1st Asian Winter Games celebrated in

Sapporo, Japan in 1986.

37.2.3 The Asian Indoor and Martial Arts Games (AIMAG) which are numbered consecutively, in principle every four years (4) from the 1st Asian Indoor Games celebrated in Bangkok, Thailand in 2005.

37.2.4 The Asian Youth Games (AYG) which are numbered consecutively, in principle every four (4) years from the 1st AYG celebrated in Singapore in 2009.

37.2.5 The Asian Beach Games (ABG) which are numbered consecutively, in principle every two (2) years from the 1st Asian Beach Games celebrated in Bali, Indonesia in 2008.

37.3 The EB may propose the General Assembly to adopt any new genre of Asian level Games.

37.4 The authority of last resort on any question concerning the OCA Games rests with the EB. In particular, the EB may decide to create new competitions and new events to be organised by OCA.

37.5 All OCA Games are the exclusive property of the OCA. OCA shall own all rights and data relating thereto, in particular, and without limitation, all rights relating to their organisation, exploitation, broadcasting, recording, promotion, representation, reproduction, access, archiving and dissemination in any form and by any means or mechanism whatsoever, whether now, existing or developed in the future. The OCA shall determine the conditions of access to and the conditions of any use of data relating to the OCA Games and sporting performances delivered at the OCA Games.

37.6 The OCA marks (symbol, logo, flag, motto, hymn, identifications, etc.) including but not limited to any OCA GAMES marks (emblems, mascot, medals, commemorative medals, flame, torches, etc.), shall be collectively or individually referred to as “OCA Properties”. All the rights to OCA Properties including the use (for commercial, profit making or advertising) thereof, belong exclusively to the OCA. The OCA may license all or part of its rights on terms and conditions set forth by the EB. The OCA Properties must be protected by the AGOC according to OCA directives.

37.7 The OCA may take all appropriate steps to obtain the legal protection for

itself, on both a national and international basis, of the rights over the OCA Games and over any OCA property.

37.8 Where a national law or a trademark registration or other form of legal instrument grants legal protection to an NOC for the OCA symbol or other Games Properties, such NOC may only use the ensuing rights in compliance with this Constitution, any OCA rules and regulations and with any instructions received from OCA.

37.9 The AGOC and the NOC of the host city and country/territory of any OCA Games event shall ensure that the procedure for designation of the OCA as owner of the copyright on any ceremonial, cultural and musical works specifically commissioned in connection with the OCA Games. AGOC/NOC cannot use such materials before, during or after the OCA Games without prior written approval of the OCA.

Article 38. ENTRY INTO FORCE

38.1 This Constitution has been adopted in the OCA General Assembly convened on 11 May 2024 at Bangkok.

38.2 Any amendment of the Constitution shall become effective immediately unless otherwise determined at the time of such decision and in the transitory provisions of this Constitution.

ARTICLE 39. PROVISIONS RELATED TO THE EXISTING CONSTITUTIONAL RULES, REGULATIONS AND BY-LAWS

RULES OF OCA GAMES AND EVENTS

The rules and regulations pertaining to the OCA Games, contained in the earlier Constitution of OCA [that has now been amended] are hereby converted into the Rules of OCA Games amendable by the OCA EB in line with this Constitution.

OCA AWARDS REGULATIONS

The rules and regulations pertaining to the OCA Awards, contained in the earlier Constitution of OCA [that has now been amended] are hereby converted into the

OCA Award Regulations amendable by the OCA EB in line with this Constitution.

OCA CODE OF ETHICS

The OCA Code of Ethics contained in the earlier Constitution of OCA [that has now been amended] is hereby converted into the Code of Ethics amendable by the OCA EB in line with IOC Code of Ethics, Olympic Charter and this Constitution.

OCA ELECTION RULES

The rules and regulations pertaining to the Elections of OCA EB Members, are converted into the Election Rules to be adopted and amendable by the OCA EB in line with IOC Code of Ethics, Olympic Charter and this Constitution.

OCA FINANCIAL RULES

The rules and regulations, pertaining to the financial operations and amenities for the functioning of the OCA Members, EB Members, and other related personnel including OCA Staff contained in this Constitution [that has now been amended] are converted into Financial Rules to be adopted and amended by the OCA EB.

TRANSITORY PROVISIONS

1. Notwithstanding the entry into force of this Constitution, the following transitory provisions shall apply:
    a. The new composition of the EB as set out in this Constitution shall come into effect as from the Elective General Assembly which will follow the adoption of this Constitution. Until then the current EB shall continue to exercise the powers of the EB provided in this Constitution.
    b. For all members of the EB, all terms of office served partially subsequent to the invalid General Elections of July 2023 and before the Elective General Assembly which will follow the adoption of this Constitution shall not be considered for the purposes of the term limits set out in this Constitution.

c. By-laws, rules, and regulations, as given in the earlier Constitution of OCA [that has now been amended] shall remain in effect until such time as they are updated or amended and duly notified by the Executive Board. In the event of any conflict, the Constitution of the OCA, approved on 11 May 2024, shall prevail.