



CONSTITUTION

ARRANGEMENT OF ARTICLES

PART 1 PRELIMINARY

Article

1. Name
2. Official language
3. Interpretation and Definitions

PART 2 GENERAL PROVISIONS

4. Objectives of the SEARADO
5. Operational independence of the SEARADO
6. Tasks of the SEARADO
7. Structure of the SEARADO
8. Head office of the SEARADO
9. Continued existence of the SEARADO

PART 3 LEGAL PROVISIONS

10. Legal status of the SEARADO
11. Capacity as regards property and contracts
12. Governing law
13. Dispute Resolution

PART 4 COUNTRY MEMBERSHIP

14. Requirements of country membership
15. Accountability of Member Countries
16. Disciplinary Action Against Member Countries, including Suspension or Expulsion
17. Voluntary cessation of country membership

PART 5 THE BOARD

18. Composition of the SEARADO Board
19. Requirements of Board membership
20. Appointment of Member Country Representatives
21. Term of Board membership
22. Board members not to receive any salary or bonus from SEARADO
23. Reimbursement of Board members
24. Liability of Member Country Representatives
25. Appointment of Chairperson
26. Terms of Chairpersonship
27. Duties of the Board
28. Cessation of a Member Country Representative's Board membership

PART 6
THE SECRETARIAT

- 29. Appointment of the Director General
- 30. Duties of the Secretariat
- 31. Director General and Secretariat not to have any voting rights
- 32. Oversight of the Secretariat

PART 7
BOARD MEETINGS

- 33. Convening Board meetings
- 34. Notice
- 35. Quorum
- 36. Attendance at Board meetings
- 37. Observers at Board meetings
- 38. Chairperson of the Board meeting
- 39. Decisions at Board meetings
- 40. Record of deliberation

PART 8
FINANCIAL PROVISIONS

- 41. Capital and Resources
- 42. Fiscal year
- 43. Authorisation for the use of SEARADO funds
- 44. Reporting and auditing
- 45. Accountability Member Country for funds received through SEARADO

PART 9
AMENDMENT AND DISSOLUTION

- 46. Amendments to this Constitution
- 47. Dissolution of the SEARADO

Preamble

The Southeast Asia Regional Anti-Doping Organization (SEARADO) was established by National Olympic Committees and Governments from Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, The Philippines, Singapore, Timor-Leste, Thailand and Vietnam with the assistance of the World Anti-Doping Agency on 30 November 2006 in Doha, Qatar. Initially located in Bangkok Thailand, the SEARADO host office was relocated to Singapore in 2012. SEARADO, as part of WADA's worldwide RADO programme, is responsible for promoting and co-ordinating the fight against doping in sport among the eleven (11) countries in Southeast Asia.

The establishment of the SEARADO is premised on the joint recognition that:

- Sport is a critical component of the social, economic and political development of Southeast Asian regional countries.
- Sport is effective and ethical when practiced free of doping in a spirit of fair play and mutual respect for everybody involved.
- The member countries of Southeast Asian region need to pool resources and expertise in order to combat the scourge of doping in sport more effectively.

Articles

PART 1

PRELIMINARY

Name

1. The organisation shall be known as the Southeast Asia Regional Anti-Doping Organisation (SEARADO).

Official language

2. English shall be the official language to be used at SEARADO meetings, conferences, seminars, webinars and in official documents.

Interpretation and Definitions

3.

(1) In this Constitution, unless it is otherwise provided –

- (a) “Board” means the group of persons whose appointment, terms, duties and other descriptions are identified in Articles 18 through 27 of the Constitution
- (b) “Member Countries” means countries that have been accepted as members of the SEARADO pursuant to Article 14 of the Constitution.
- (c) “Simple Majority” means a threshold of over 50% of eligible votes of a quorum of Member Country Representatives
- (d) “Supermajority” means a threshold of equal to, or greater than, 66.7% of eligible votes either of the SEARADO Board, or a quorum of Member Country Representatives, depending on the particular article or clause for which a supermajority vote applies
- (e) “UNESCO Convention” means the International Convention against Doping in Sport which entered into force on 1 February 2007

(1) All other definitions necessary for the purposes of interpreting this Constitution shall be derived from the World Anti-Doping Code in effect at the material time.

PART 2
GENERAL PROVISIONS

Objectives of the SEARADO

4. The objectives of SEARADO are as follows:
 - (1) To promote doping-free sport throughout the Southeast Asian region through the coordination of anti-doping programmes including education, testing, communication and implementation of the guidelines for combating doping in sport.
 - (2) To execute the roles and responsibilities of Regional Anti-Doping Organizations as specified in the World Anti-Doping Code that is in effect

Operational independence of the SEARADO

5. SEARADO's anti-doping programs and operations are independently determined by its Board and executed through the Director General.

Tasks of the SEARADO

6. In pursuit of the Objectives stated in Article 4, the SEARADO shall:
 - (1) Facilitate all anti-doping programs with stakeholders in compliance with the World Anti-Doping Code, International Standards and the UNESCO Convention among member countries.
 - (2) Ensure that all programs are aligned with WADA's RADO Program Strategy and SEARADO's Strategic Plan.
 - (3) Take all reasonable measures to ensure the sustainability and viability of the SEARADO.

Structure of SEARADO

7. The SEARADO comprises the following structure:
 - (1) The Board, comprised of the duly authorised Member Country Representatives from SEARADO's Member Countries;
 - (2) The Secretariat, headed by the Director General
 - (3) Sub-Committees, as appointed by the Chairman with inputs from Member Country Representatives where relevant. (e.g. Therapeutic Use Exemption

(TUE), Doping Control Officer (DCO), Education, and others as deemed necessary from time to time.)

Head office of the SEARADO

8. The Head Office of the SEARADO –
 - (1) Shall reside in a Member Country whose government has agreed to host it, subject to the agreement of a supermajority of the SEARADO Board and WADA; and,
 - (2) May be transferred to any other Southeast Asian member country, with the agreement of a supermajority of the SEARADO Board, the new host country, and WADA.

Continued Existence of the SEARADO

9. The continued existence of the SEARADO will be determined by the SEARADO Board and WADA.

PART 3 LEGAL PROVISIONS

Legal status of the SEARADO

10. The SEARADO is a regional entity designated by Member Countries of Southeast Asia.
 - (1) The SEARADO office adopts the legal status of its hosting organisation.
 - (2) Until or unless otherwise reconstituted, the SEARADO, in itself, is not an independent legal entity.

Capacity as regards property and contracts

11.
 - (1) As the SEARADO is not an independent legal entity, it has no capacity to enter into, negotiate or conclude any contract, to acquire and transfer, free or against payment, all rights, all movable and any real estate of whatever nature.
 - (2) Clause (1) does not prevent –

- (a) the host organisation from entering into such contracts on behalf of the SEARADO
- (b) the SEARADO from entering into memoranda of understanding that are not legally binding.

Governing Law

12. The governing law of the SEARADO shall be that of the host country in which the head office of SEARADO is situated, except in matters falling within the scope of the World Anti-Doping Code

Dispute Resolution

13. All disputes arising in connection with this Constitution shall be referred to and resolved by:
- (1) Mediation, administered by a neutral mediator whom both parties must agree to.
 - (2) If no agreement is reached through mediation, SEARADO shall appoint a neutral Arbitration panel, the members of whom both parties must agree to.
 - (3) In case no settlement can be reached, the parties hereto agree to submit all such disputes to the Asian International Arbitration Centre

PART 4

COUNTRY MEMBERSHIP

Requirements for country membership

14. Any country within the Southeast Asian region may become a member of the SEARADO subject to clauses (1) and (2).
- (1) The country meets the following requirements:
 - (a) acceptance and compliance of the World Anti-Doping Code
 - (b) ratification of and adherence to the UNESCO Convention
 - (c) paid dues to WADA; and
 - (d) support and commitment to the RADO.
 - (2) The majority of the SEARADO Board approves of that country becoming a member of SEARADO.

Accountability of Member Countries

15. The Member Countries shall be held accountable to the SEARADO office for executing any strategic plans and programs they have agreed to undertake through processes of accountability determined by the SEARADO office and/or funding agencies which may require such accountability.

Disciplinary Action Against Member Countries, including Suspension or Expulsion

16. The SEARADO Board, through a vote in which the Member Country in question is ineligible, shall have the power to take disciplinary action, including to suspend or expel from membership of SEARADO, any Member Country–

- (1) whose conduct is detrimental to the spirit, integrity and interests of SEARADO or is calculated to bring disrepute to SEARADO's standing and reputation; or
- (2) whose suspension or expulsion has been recommended by WADA based on a declaration of non-compliance of the Code or any other reason; or
- (3) whose conduct, with reference to this Constitution warrants disciplinary action; or
- (4) whose actions display a clear lack of commitment to comply with the regulations, technical and operational aspects of SEARADO's mission and objectives, including but not limited to accountabilities described in article 15.
- (5) in accordance with the Procedure for Disciplinary Action Against a Member Country agreed upon by the SEARADO Board, contained in Annex A

Voluntary cessation of country membership

17. A Member Country of SEARADO may voluntarily cease its membership of SEARADO by providing official written notice by the NADO in the case of countries with a NADO, or by the NOC and Government in the case of countries without a NADO, to the office of SEARADO.

PART 5

THE BOARD

Composition of the SEARADO Board

18. The SEARADO Board is composed of Member Country Representatives, to be nominated and removed only in accordance with the procedure laid down in this Constitution.

Requirements of Board membership

19. A Member Country Representative must be a citizen or permanent resident of his respective Member Country and in full possession of his civil and political rights.

Appointment of Member Country Representatives

20. Subject to article 20 clause (2), a Member Country Representative shall be appointed as follows.

(1) In the case of –

(a) a Member Country that has a NADO, a person who is part of the NADO's leadership or an executive representative shall be that country's Member Country Representative.

(b) In the case of a Member Country without a NADO, the Member Country Representative shall be jointly nominated by their respective National Olympic Committee and Government.

(2) The SEARADO in consultation with WADA, has the right to refuse a member country's Member Country Representative nomination should he/she not meet the requirements of the RADO.

Term of Board membership

21. Appointees to the SEARADO Board (Member Country Representatives) shall serve a four-year term, before the end of which the SEARADO Director General shall officially notify member countries to appoint, or re-appoint, their Member Country Representative in accordance with the terms of Article 20, notwithstanding any cessation of an individual's board membership (Article 28) or termination of voluntary cessation of a country's membership (Articles 16 and 17 respectively).

Board members not to receive any salary or bonus from SEARADO

22. Member Country Representatives shall not –

(1) accept any salary, allowance, remuneration or bonus of any kind from SEARADO in consideration of the performance of their functions; nor

- (2) use their position in SEARADO for commercial purposes or gains.

Reimbursement of Board members

23. Article 22 does not prevent Member Country Representatives from being reimbursed by SEARADO, WADA or any other funding body for their travelling and accommodation costs and other reasonably incurred expenses in the carrying out of their functions.

Liability of Member Country Representatives

24. Member Country Representatives shall not be personally responsible for the debts of the SEARADO unless they are personally at fault through gross or wilful negligence.

Appointment of Chairperson

25. The Chairperson of the SEARADO Board shall be appointed by a simple majority vote of the Board so constituted at an election held during the Annual Board meeting in which he or she shall abstain from voting.

Term of Chairpersonship

26. The Chairperson shall –
 - (1) serve a four-year term, which may be renewed following the same procedure in Article 25.
 - (2) if there is a period of time between the end of the Chairperson's 4-year term and the next Board meeting, remain in the role of Chairperson until the next Board meeting takes place.

Duties of the Board

27. The SEARADO Board shall undertake to fulfil the following duties
 - (1) Promoting SEARADO's objectives stated in Article 4 of the Constitution
 - (2) Assisting in development of long-term strategies for SEARADO
 - (3) Approving the Annual Operation Plan of SEARADO activities
 - (4) Ensuring the sustainability and viability of the SEARADO
 - (5) Exercising other competencies where possible to assist in the fight against doping

- (6) Facilitating cooperation and coordination of respective member countries' involvement in SEARADO programs, including the countries' relevant public and non-governmental agencies where necessary
- (7) Any other duties that are deemed necessary by the Board to achieve its objectives

Cessation of a Member Country Representative's Board membership

28. The membership of an individual Member Country Representative shall cease upon:

- (1) his or her resignation from the Country's NADO Leadership or equivalent where applicable
- (2) his or her resignation from the SEARADO Board
- (3) his or her death or incapacitation through illness or injury
- (4) the suspension or cessation of RADO membership of that Member Country Representative's country
- (5) the loss of citizenship or Permanent Residence of the Member Country Representative in his or her country or of civil and political rights or residency in that Member Country
- (6) his or her conviction of any criminal offence involving fraud or dishonesty
- (7) his or her replacement by the Member Country
- (8) his or her expulsion from the Board for
 - (a) conduct detrimental to the spirit, integrity and interests of SEARADO or calculated to bring disrepute to SEARADO's standing and reputation; or
 - (b) conduct, with reference to this Constitution that warrants expulsion from the SEARADO Board.
 - (c) in accordance with the Procedure for Disciplinary Action Against and Individual Country Representative agreed upon by the SEARADO Board contained in Annex B.

PART 6 THE SECRETARIAT

Appointment of Director General

29. The Director General shall be appointed by the host organisation in consultation with the host country's Member Country Representative.

Duties of the Secretariat

30. The Secretariat is headed by the SEARADO Director General, who shall undertake the activities outlined in his/her job description and/or contract, including but not limited to the following:

- (1) preparing and organizing the meetings of the SEARADO Board, and serving as secretary during board meetings
- (2) overseeing the creation of the strategic plan and the annual operational plan for the SEARADO to be approved by the SEARADO Board
- (3) supervising the execution of the approved strategic plan and the annual operational plan
- (4) exercising its discretion in allocating resources and funds for the maximum benefit of SEARADO within the scope of the approved strategic plan, the annual operation plan and approved activities
- (5) formulating budget proposals for activities supported by the Board to be approved by the relevant funding agencies or authorities
- (6) reporting annual RADO finances to the SEARADO Board, and to ensure that all financial reporting and accountability requirements of funding agencies are adhered to
- (7) rendering support for the implementation of anti-doping programs in the region
- (8) assisting each Member Country with the establishment and development of its national anti-doping structure, and the implementation of its anti-doping programs; and
- (9) assisting in any other activities deemed necessary by the SEARADO Board or Chairperson and approved by members.

Director General or Secretariat not to have any voting rights

31. The SEARADO Director General or secretariat shall not be a Member Country Representative nor possess any voting rights.

Oversight of the Secretariat

32. The Chairperson shall be responsible for overseeing the carrying out of the duties and functions of the Secretariat, including the Director General pursuant to Article 30.

PART 7 BOARD MEETINGS

Convening Board meetings

33. The SEARADO Board meetings shall be convened –
- (1) in the case of annual Board meetings, by the Chairperson at least once a year at a venue to be decided by the Board;
 - (2) in the case of special or emergency meetings, by the Chairperson in consultation with the Member Country Representatives
- either in person or by any other means deemed fit by the Chairperson.

Notice of Board Meetings

34. At least twenty-one (21) days' notice shall be given to Member Country Representatives of an annual Board meeting. However, in the case of special or emergency meetings, the Chairperson may call for such meetings by giving seven (7) days' notice.
- (1) The notice shall be exclusive of the day on which it is served and of the day for which it is given.
 - (2) Notice of the Board meeting shall contain the following information and shall be sent by the Secretary to all Member Country Representatives:
 - (a) the date, time and place of meeting; and
 - (b) the particulars of the agenda for the Board meeting.
 - (c) Resolutions requiring voting by Member Country Representatives, including any necessary background information relevant towards such a vote.
 - (3) The accidental omission to give notice to, and the non-receipt of such notice by a member shall not invalidate the proceedings at any meeting.

Quorum

35. No decision shall be made at any Board meeting unless a quorum of Member Country Representatives are present at the meeting.

- (1) Except as otherwise provided in this Constitution, more than half of the Member Country Representatives of SEARADO shall constitute a quorum
- (2) For the purposes of constituting a quorum, a Member Country is deemed to be represented if the conditions in Article 36 are satisfied.

Attendance at Board meetings

36. Member Country Representatives shall –

- (1) Attend Board meetings in person; or
- (2) If the Member Country Representative is for any reason unable to attend a Board meeting he or she may, at not later than two weeks leading up an annual Board meeting, and not later than four days leading up to a special or emergency board meeting, either:
 - (a) Nominate in writing to the SEARADO Office, a suitably qualified representative from his or her country to attend the Board meeting on his or her behalf, subject to the following conditions:
 - (i) The attendance of the nominee shall be subject to approval by the Chairperson.
 - (ii) The Chairperson shall also decide whether the nominee is afforded full Member Country Representative rights, or attends as an observer with no voting rights
 - (iii) Only a nominated representative afforded full Member Country Representative rights shall count towards constituting a meeting quorum.
 - (a) Or, nominate in writing to the SEARADO Office, another SEARADO Member Country Representative as his or her proxy, stating whether full or limited voting rights have been assigned to the proxy.
 - (i) The nominated proxy shall provide in writing to the SEARADO office, his or her written agreement to serve as proxy for the absent Member Country Representative, and whether full or limited voting rights have been assigned.

- (ii) For the purposes of constituting a meeting quorum, a Member Country Representative who has assigned either limited or full voting rights to a proxy shall be deemed to be present.

Observers at Board meetings

37. Member Country Representatives may nominate observers to attend Board meetings subject to the approval of the Chairperson and the SEARADO office.
- (1) Observers are not allowed to participate in the Board meeting proceedings unless specifically called upon by the Chairperson.
 - (2) The attendance of observers shall be subject to any terms and conditions to be determined by the SEARADO office.

Chairperson of the Board meeting

38. The Chairperson of the Board meeting shall be –
- (1) The person that the SEARADO Board has appointed as chairperson amongst the Member Country Representatives in accordance with Article 25, or
 - (2) where the Chairperson is for any reason unable to attend the Board meeting, the Member Country Representative elected by simple majority by the eligible Member Country Representatives present, for the purpose of being the Chairperson of that Board meeting.

Decisions at Board meetings

39. Except as otherwise provided in this Constitution, decisions of the Board shall be made by a simple majority vote with each eligible Member Country Representative holding one vote. In the event of a tied vote, the Chairperson of the Board meeting shall have the deciding or casting vote.

Record of deliberations

40. The minutes approved by the SEARADO Board and signed by the Chairperson shall constitute the record of deliberations.

PART 8
FINANCIAL PROVISIONS

Capital and Resources

41. The resources of the SEARADO shall include, but are not limited to:
- (1) the provision of office space, phone, internet, manpower and human resource support by the country hosting the office;
 - (2) any allocations, grants, donations, sponsorships, legacies and other forms of allowances, subsidies or other contributions from all natural or legal persons and all inter-governmental organisations, governments, public authorities and other public and private bodies; and
 - (3) the revenues from user pay (contract) testing, educational seminars, outreach programmes; or
 - (4) any other services conducted by the SEARADO and approved by the Board.

Fiscal year

42. The fiscal year of the SEARADO shall start on the 1st of April and end on the 31st of March of the following calendar year.

Authorisation of the use of the SEARADO funds

43. All expenditures of the SEARADO shall be –
- (1) authorised by, and compliant with, the internal finance procedures of the legal entity hosting the Secretariat; and
 - (2) authorised by, and compliant with, the finance procedures of the funding agency where relevant; and
 - (3) where necessary, authorised by the Chairperson and the Board.

Reporting and auditing

44. The funds of the SEARADO shall be accounted for in the following manner:
- (1) The Secretariat shall be responsible for the accounting of the funds of SEARADO to the standards required by either the relevant funding agencies or the host organization, whichever is applicable.

- (2) SEARADO's accounts shall be audited every year by a reputable firm of auditors appointed by the hosting organization of SEARADO.
- (3) The SEARADO finances shall be reported to the RADO's Board at the Annual Board meeting.

Accountability of Member Country for funds received through SEARADO

45. Member Countries receiving funds through SEARADO shall be accountable for the funds to the SEARADO office in adherence to the standards set by the SEARADO office.

PART 9 AMENDMENTS AND DISSOLUTION

Amendments to this Constitution

46. The articles of this Constitution may be amended by the SEARADO Board at an annual Board meeting or at a meeting convened specifically for that purpose in accordance with Part 7 (Board Meetings), subject to the following conditions:
 - (1) A quorum of Member Country Representatives as defined in article 35 is present at such a meeting; and
 - (2) The amendment is approved by a supermajority of votes cast by the eligible Member Country Representatives at the Board meeting including votes cast by proxy.
 - (3) In the absence of the quorum required by clause (1), the Constitution may be amended in the following manner:
 - (a) a second Board meeting shall be convened at least 21 days after the previous session through any suitable means decided by the Chairperson; and
 - (b) the amendment is approved by a supermajority of votes cast by the Member Country Representatives present at that second Board meeting, irrespective of their number




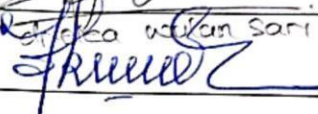


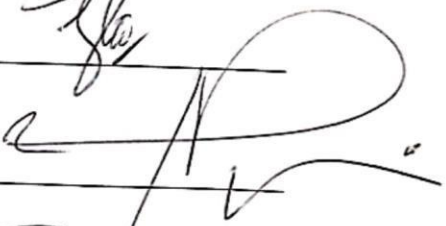


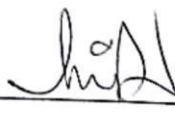
Dissolution of the SEARADO

47. The dissolution of SEARADO may be decided by the SEARADO Board at an annual Board meeting or at a meeting convened specifically for that purpose in accordance with Part 7 (Board Meetings), subject to the following conditions:

- (1) A quorum of Member Country Representatives as defined in article 35 is present at such a meeting; and
- (2) the dissolution is approved by a supermajority of votes cast by the eligible Member Country Representatives of the full SEARADO Board including votes cast by proxy.
- (3) In the absence of the quorum required by clause (1), the dissolution of SEARADO may be decided by the SEARADO Board in the following manner:
 - (a) a second Board meeting shall be convened at least 21 days after the previous session through any suitable means decided by the Chairperson; and
 - (b) the decision is approved by a supermajority of votes cast by the Member Country Representatives present at that second Board meeting, irrespective of their number

This revised Constitution (Version 1.32) revokes and replaces all previous versions and was adopted by the SEARADO Board based on the deliberations at the SEARADO Board Meeting held on 4th April 2023 and shall take effect from 4th April 2023

We, representing our respective National Anti-Doping Organisations, having duly considered the contents of this Constitution (version 1.32), fully and unequivocally accept and accede to this Constitution which was deliberated on 4th April 2023 in Phnom Penh, Cambodia.

COUNTRY	NAME	SIGNATURE/DATE
Brunei Darussalam	Sulekarna ICAAD	
Cambodia	SARUN SOU	
Indonesia	GATOT S Dewa Broto	
Laos	DR SILIN THONG	 Kanyka Nayan Sari
Malaysia	Ms Azura Abidin	
Myanmar	Dr. HTET WAI	
Philippines	DR. ALEJANDRO V. PINEDA JR	
Timor-Leste	Mr FERNANDO DA LOTA	
Singapore	Dr-PAUL GEORGE DEAN	
Thailand	DR HILARY INWOOD.	
Vietnam	DR NGUYEN VAN PHU	