

AGREEMENT ON THE JOINT ACTIVITIES FOR DANCE SPORTS DEVELOPMENT

Kyiv

September __, 2017

THE MINISTRY OF YOUTH AND SPORTS OF UKRAINE (hereinafter referred to as the **Ministry**) *represented by the Minister of Youth and Sports of Ukraine Zhdanov Ihor Oleksandrovych*, acting on the basis of the Regulation on the Ministry of Youth and Sports of Ukraine, approved by the Decree No. 220 of the Cabinet of Ministers of Ukraine dated 02.07.2014 (as amended) on the one hand, and **The All-Ukrainian public organization "All-Ukrainian DanceSport Federation"** (hereinafter referred to as the **National Federation**), *represented by the President of Federation Polyvka Andriy Myronovych*, acting on the basis of the Decision No. 7.3 of the unscheduled Conference of the All-Ukrainian public organization "All-Ukrainian **DanceSport** Federation" (AUPO "AUDSF") dated 13.12.2016 "On the election of President of the AUPO "AUDSF" and Articles of Association of the Federation in the new edition, approved by the Decision No. 8.1 of the unscheduled Conference of the All-Ukrainian public organization "All-Ukrainian DanceSport Federation" (AUPO "AUDSF") dated 13.12.2016 "On approval of the new edition of Articles of Association of the AUPO "AUDSF", on the other hand, hereinafter collectively/separately referred to as the **Parties/Party**, guided by the provisions of §1. "General Provisions on Joint Activity" (Articles 1130-1131) of the Civil Code of Ukraine, Art. 20 of the Law of Ukraine "On Physical Culture and Sports", Clause 13 of the Provision on granting and deprivation of the national status to a sports federation on a competitive basis", approved by the Decree No. 22 of the Cabinet of Ministers of Ukraine dated January 18, 2012, and also taking into account granting to the National Federation of the national sports federation status in the "dance sports" category according to the Ministry's Decree No. 2500 dated June 13, 2017 "On granting of the national status to a sports federation", have entered into the present Agreement on the Joint Activities for Dance Sports Development (hereinafter referred to as the **Agreement**) as follows.

1. SUBJECT OF THE AGREEMENT

1.1. The subject matter of the present Agreement involves conditions of cooperation between the Ministry and the National Federation for the purpose of dance sports development in Ukraine.

1.2. During the period of this Agreement the Parties undertake to act jointly for a certain non-commercial purpose, not contradicting the law, without corporatization and unification of the Parties' contributions.

1.3. Each Party taking part in the joint activities shall not give certain benefits to other one, however, the benefits shall be acquired by the Parties as a result of joint activities, including: increase in the level of population coverage with motor activity, development of a network of modern centers and clubs providing affordable and high-quality physical education and sports services to different groups of population, increase in the status of national sports federations as centers of a certain sport management, enabling the reserve sports development and effective replenishment of the composition of national combined teams on dance sports, preservation of the leading positions of Ukrainian athletes in international competitions of different levels to raise state authority in the world sports community, etc.

1.4. The main goals in pursuing an objective and directions of cooperation are as follows:

1.4.1. Joint popularization of dance sports in Ukraine in the spirit of peace, understanding and fair competition without any discrimination by political affiliation, gender, religion, race or other reasons, securing the growth of level and large-scale involvement of dance sports;

1.4.2. Increase in the role and authority of domestic sports, coaching, judiciary staff in the society and among the foreign and world community;

1.4.3. Organization and holding of all-Ukrainian, regional, international competitions, training camps for all types of dance and other sport events; provision with accommodation, transfer, meals, participants insurance, appropriate resources during such events, if necessary;

1.4.4. Joint provision of a decent representation of dance sports of Ukraine in the international dance community by consolidating and coordinating the efforts of all those interested in raising the national dance sports.

1.5. By establishing partnership relationships, the Parties shall take into account the following:

1.5.1. Dance sports are recognized in accordance with the established procedure in Ukraine, its name was included into the Register of Recognized Sports of Ukraine, Section II "Non-Olympic Sports", Clause II.093. Dance Sports.

1.5.2. As a type of sport, dance sports are recognized in Ukraine according to Art. 39 of the Law of Ukraine "On Physical Culture and Sport", has the following advantages over:

obtaining of state support for the development of the appropriate type of sport;

opening in accordance with the established procedure of departments of the appropriate type of sport in the children's and youth sports schools, specialized educational institutions of the sports profile, higher schools for sports training, centers of Olympic training, centers of student sport in higher educational institutions;

holding of official sports competitions in the appropriate type of sport;

assignment of sports titles and ranks in accordance with the established procedure, qualification categories of judges in the respective type of sport.

1.5.3. The Ministry of Youth and Sports is the main body in the system of central bodies of executive authorities, ensuring the formation and implementation of state policy in the area of youth, physical education and sports, national and patriotic education.

1.5.4. The Ministry is the subject of counteraction to corruption offenses affecting the results of official sports events.

1.5.5. In accordance with the tasks entrusted, the Ministry shall:

define the prospects and priority directions of development of the field of youth, physical education, sports, national and patriotic education;

provide legal regulation in the field of youth, physical education and sports, national and patriotic education;

promote the development of volunteer activities in the fields of physical education, sports, national and patriotic education, holding the national and international events related to the mass sports events arrangement:

coordinate measures on social and youth development, as well as development of children's, children's and youth sports, reserve sports, mass sports, sports of higher achievements, sports of the disabled, sports of veterans;

together with the executive authorities, take measures for the development of the network of children's and youth sports schools, schools of higher sporting skills, centers of Olympic training, specialized educational institutions of the sports profile, provide organizational and methodological support for their activities;

assert the following:

the provision about a school of higher sporting skills;

the rules of sport competitions in the types of sports, recognized in Ukraine;

the provision on holding all-Ukrainian sporting events;

the procedure for drawing up calendar plans for fitness, health recreation and sporting events, as well as requirements to the content of the regulations (regulations) on the official fitness, health recreation and sporting events;

the unified calendar plan of fitness, health recreation and sporting events of Ukraine, controls its implementation;

regulations on national combined teams of the recognized types of sports in Ukraine; the procedure of awarding qualification categories to sports judges by sports federations;

the Regulations on the Unified Sports Classification of Ukraine, the procedure for assigning a certificate on assigning the appropriate sporting category, approve samples of breastplates indicating the level of sporting and judging qualifications, establish a list of sports awards for winners and record holders of all-Ukrainian sporting competitions;

the list of indicators of the state of physical education and sports development;

define the norms of material, technical and personnel provision of the sphere of physical education and sports;

promote national sports federations of Ukraine in ensuring the development of non-Olympic types of sports, improvement of their material and technical base, provides other support;

organize and holds championships of Ukraine on the recognized types of sports in Ukraine, other national and international sporting events, ensures the participation of national combined teams in international competitions, coordinates the holding of international competitions in Ukraine;

in the established manner, complete the national combined teams of Ukraine in recognized non-Olympic types of sports in Ukraine for the purpose of their participation in international sports competitions;

complete separate official delegations of national combined teams of Ukraine for their participation in certain international sports competitions;

on a competitive basis forms a full-time team of national combined teams of Ukraine for non-Olympic types of sports;
conclude labor agreements (contracts) with athletes and specialists of the full-time team of national combined teams of Ukraine in the field of non-Olympic types of sports;
provide the development of sports medicine, conducts activities related to the prevention of doping's in sports;
establish the procedure for coaches and sports judges' attestation;
make decisions on granting or refusal to grant the national status to a public organization oriented on physical education and sports;
determine the procedure for recognition the types of sports in Ukraine, their inclusion to the corresponding register and the procedure for its keeping;
issue certificate on the appropriate sports title assignment;
prepare proposals on the appointment of state scholarships, scholarships of the Cabinet of Ministers of Ukraine for athletes, trainers, prominent figures and veterans of physical education and sports;
promote activity of all-Ukrainian societies of sports and physical education, grant them financial support in accordance with the law and at the expense of the state budget funds;
organize control over the quality of services in the field of physical education and sports;
in accordance with the law, provide administrative data collection and statistical observations in order to obtain information on physical education and sports;
during the development and approval of regulations on the organization and holding of official sports events, take into account conflict of interests of athletes and other persons who carry out activities in the field of sports as a prerequisite for the influence of corrupt offenses on the results of competitions, prevent organizational and normative prerequisites of such influence and eliminate them, establish liability and sanctions for corruption offenses;
in case of detecting the fact of influence of corrupt offense on the results of an official sporting event or receiving information on such corruption offense on the part of athlete, a person authorized to conduct an official sporting event or a person belonging to auxiliary sports personnel, take measures on the offense cessation and shall immediately inform about its commitment the corresponding officials engaged in the field of sports, and, where necessary, law enforcement agencies;
in cases stipulated by law, dismiss from participation in official sports competitions and dismiss from preparation of athletes, persons authorized to conduct an official sporting event, persons of auxiliary sports personnel in accordance with the procedure established by law and/or regulations of competent sporting organizations;
exercise other powers, determined by law.

1.5.6. For the purposes of implementation of the tasks assigned, the Ministry shall have the right:
to chargelessly receive information, documents and materials required to perform the tasks assigned from the citizens and their associations;
to check the facts of the impact of the corruption offense on the results of the official sports competition or to receive information about corruption offense, on its own initiative to verify the specified facts of violations, to form respective commissions for this purpose;
to receive written explanations on the facts of corruption offenses influencing the results of official sports competitions from the athletes, persons authorized to conduct an official sporting event, members of auxiliary sports personnel;
to involve members of the public and specialists in the relevant field into verification of corruption offenses influencing the results of official sports competitions or information about such offenses;
to request information necessary for the proper performance of duties determined by law from the subjects conducting activities in the field of sports;
to take binding decisions based on the results of inspections, determined by law;
to cooperate on preventing the impact of corruption offenses on the results of official sports competitions with the relevant international and national sports organizations.

1.5.7. Orders of the Ministry, issued within the limits of powers provided for by law, shall be mandatory for implementation by central executive authorities, territorial bodies, local state administrations, authorities of the Autonomous Republic of Crimea, local self-government bodies, enterprises, institutions and organizations of all forms of ownership and citizens.

1.5.8. The National Federation acts on the basis of voluntariness, self-government, lack of property interests of its members, equal rights of its members, equality before the law, legality, transparency, openness, publicity, democratic centralism and free choice of territory and directions of its activity.

1.5.9. The National Federation is a non-business and a non-profit organization, whose primary purpose is not profit making for its subsequent distribution among members of the National Federation.

1.6. The Parties shall build relations on the principles of equality, constructive cooperation, mutual respect and common interests.

1.7. The Parties in their legal relations shall be guided by the current legislation of Ukraine and the present Agreement.

1.8. The present Agreement is not intended to restrict the activities of the Parties or create unfavorable (competitive) or favorable (noncompetitive) conditions for the activities of individual subjects in the field of physical education and sports in dancing.

1.9. The Parties shall refer to the mechanisms of cooperation, stipulated by the present Agreement, any actions of the Parties, taken within the limits of the current legislation, shall be aimed at achievement the stated purpose of the present Agreement, including those not specified in the present Agreement, for example, attraction of charitable aid, conducting of sports, informational, representative, educational events, etc.

2. COORDINATION OF JOINT ACTIONS

2.1. The Ministry shall grant to the National Federation:

2.1.1. The powers specified in this Agreement regarding the dance sports development in Ukraine;

2.1.2. The exclusive right to represent dance sports in relevant international sports organizations and international sports competitions;

2.1.3. The exclusive right to organize and conduct official international competitions in the territory of Ukraine, the national competitions and all-Ukrainian sporting events in dance sports.

2.2. For the purposes of joint actions coordination the Ministry shall:

2.2.1. Accept from the National Federation a report on the status of implementation of the Cooperation Agreement within the timeframe established by the law;

2.2.2. Upon the submission of the National Federation, approve the conditions and procedure for conduction of all-Ukrainian sporting events in accordance with the Unified Calendar Plan for fitness, health recreation and sporting events of Ukraine;

2.2.3. Conduct consultations with the National Federation concerning international contracts and agreements regarding dance sports concluded on behalf of Ukraine.

2.3. Decisions of the Ministry concerning dance sports, adopted within the powers envisaged by law, shall be obligatory for implementation by the National Federation.

2.4. For the purposes of joint actions coordination, the National Federation shall:

2.4.1. Agree the conduction of international sports competitions in Ukraine with the Ministry, other executive authorities and local self-government bodies;

2.4.2. Inform the Ministry about the intentions of conduction all sporting events and the rating of athletes based on the results of competition.

2.5. The powers hereunder provided to the Ministry concerning the development of dance sports in Ukraine, shall not be subject to transfer by the National Federation to the third parties.

3. RIGHTS AND OBLIGATIONS OF THE PARTIES

3.1. The Ministry shall:

3.1.1. Within the limits of competence and available opportunities, the Ministry shall provide the participation of the national combined team of Ukraine in dance sports in international competitions and their inclusion to the Unified Calendar Plan for fitness, health recreation and sporting events of Ukraine;

3.1.2. Decide on conducting international sports competitions on dance sports in the territory of Ukraine taking into account the proposals of the National Federation, relevant local state administrations and bodies of local self-government, in the territory of which the conduction of these competitions is planned, and their inclusion to the Unified Calendar Plan for fitness, health recreation and sporting events of Ukraine;

3.1.3. Complete in the established order the national combined team of Ukraine on dance sports to prepare it for participation in the international sports competitions;

3.1.4. Complete a separate official delegation of the national combined team of Ukraine on dance sports for participation in the certain international sports competitions;

3.1.5. Form on a competitive basis the full-time team of the national team of Ukraine on dance sports, taking into account the proposals of the National Federation;

3.1.6. Conclude labor agreements (contracts) with athletes and specialists of the full-time team of the national combined team of Ukraine on dance sports;

- 3.1.7. Develop norms and requirements to the Unified Sports Classification of Ukraine taking into account the proposals of the National Federation;
- 3.1.8. Accept a report on the status of the present Agreement execution from the National Federation on an annual basis until November 30.
- 3.1.9. Approve the Provisions (Regulations) for conducting all-Ukrainian sports competitions in dance sports by submission and taking into account the proposals of the National Federation;
- 3.1.10. Provide the National Federation with organizational, methodological and advisory assistance.
- 3.1.11. Promote informing of the relevant local executive authorities and local governments regarding conclusion of the present Agreement, terms of cooperation regarding the development of dance sports in Ukraine, and promotes establishment of the said cooperation in the regions: both on its own and on the requests of the National Federation for the achievement of the goal specified by the present Agreement;
- 3.1.12. Delegate its representative, if necessary, to participate in the reporting and election conferences of the National Federation as an observer;
- 3.1.13. Establish, together with the National Federation, the planned task regarding sporting results in international sports competitions of different levels and development of sport infrastructure in accordance with the results of sports seasons;
- 3.1.14. Agree the issue of transition of the athletes of the national combined team of Ukraine to national federations (sports clubs) of other countries and material reimbursement by athletes for budget funds spent by the state for their preparation;
- 3.1.15. Provide coverage of the joint activities under the present Agreement with all available means and methods;
- 3.1.16. Involve the National Federation in discussing and resolving issues related to legal regulation in the fields of youth, physical education and sports, national and patriotic education;
- 3.1.17. Provide the use of its other own powers to facilitate cooperation with the National Federation for the purposes specified in the present Agreement.
- 3.2. The National Federation shall:
 - 3.2.1. Ensure organization of the cooperation of its separate subdivisions (local branches) with the relevant structural subdivisions on physical education and sports of the local executive authorities and self-government bodies concerning the development of dance sports in Ukraine in order to achieve the goal specified in the present Agreement;
 - 3.2.2. Timely inform the Ministry about:
 - the results of performances of Ukrainian athletes at international sports competitions on dance sports and rating of athletes following the results of competitions within five working days from the end of competitions;
 - decisions made with regard to the National Federation or athletes related to the National Federation or changes to international rules of competitions in dance sports made by international sports federation the National Federation is a member of, within five working days from the date of receipt the official notification of the decision made;
 - intentions to conduct Sporting Events of regional and All-Ukrainian status by the National Federation.
 - 3.2.3. Organize and conduct sporting events on dance sports in Ukraine within the competence and in accordance with the unified calendar plan of fitness, health recreation and sporting events of Ukraine;
 - 3.2.4. Provide the Ministry's proposals agreed with the relevant local executive authorities and local self-government bodies for conducting international sports competitions in the field of dance sports in the territory of Ukraine for submission of applications on their inclusion into calendar plans of the relevant international sports organizations in accordance with the procedure established by the current legislation of Ukraine;
 - 3.2.5. Provide the Ministry with proposals to the Unified calendar plan of fitness, health recreation and sporting events of Ukraine with regard to:
 - participation of official sports delegations on dance sports in the international competitions and their quantitative composition;
 - conduct of all-Ukrainian sporting competitions in dance sports in Ukraine;
 - conduct of training sessions and other sporting events on dance sports.
 - 3.2.6. Provide the Ministry with proposals with regard to the formation in the established manner of the national combined team of Ukraine in dance sports for the purposes of its preparation for participation in international sports competitions;
 - a separate official delegation of the national combined team of Ukraine on dance sports for participation in certain international sports competitions;
 - a full-time team of the national combined team of Ukraine on dance sports.

- 3.2.7. Maintain accounting of sports activities and assigns qualification categories to sports judges in accordance with the procedure established by law;
- 3.2.8. Assists in the preparation of athletes of the national team and ensuring their participation in official international sports competitions on dance sports;
- 3.2.9. Develop and submit the draft regulations of sports competitions in dance sports to the Ministry, taking into account the regulations of sports competitions of the relevant international sports federation on dance sports in accordance with the procedure established by law: within 30 working days from the moment of the present Agreement;
- 3.2.10. Develop and submit the Provisions (Regulations) on conducting the relevant all-Ukrainian sports competitions in dance sports for the Ministry's approval;
- 3.2.11. Provide participation of the separate branches (local branches) of the National Federation in conducting selection competitions in dance sports, participation in official all-Ukrainian competitions involving the strongest sportsmen in the region – representatives of public associations of physical education and sports orientation, which, according to their statutory documents, contribute to dance sports development in the region;
- 3.2.12. Organize holding of official All-Ukrainian and international competitions on dance sports in the territory of Ukraine at a high organizational level, with the provision of qualified and objective judging;
- 3.2.13. Develop and submit the training programs on dance sports for children's and youth sports schools, schools of higher sporting skills, specialized educational institutions of sports profile, other physical education and sports institutions for the Ministry's approval in accordance with the established procedure;
- 3.2.14. Provide methodological assistance in organizing of the training process in physical education and sports institutions in the field of dance sports.
- In cooperation with the local executive authorities and local self-government bodies, fitness and sports associations, promote the creation of new sports clubs, branches of physical education and sport, sections on dance sports, specialized classes on dance sports in general education institutions, etc.;
- 3.2.15. Assist members of the National Federation in proper preparation, retraining and advanced training in the accredited educational institutions engaged in preparation of fitness and sports specialists for pedagogical, educational, training and health promotion work in the field of physical education and sports, conduct judicial seminars;
- 3.2.16. Provide reporting on the use of budget funds in case of financial support of the National Federation received from the state budget for the development of dance sports, organization and conduct of sporting events, in the order established by the current legislation of Ukraine;
- 3.2.17. Carry out measures on social protection of athletes, trainers, other specialists – members of the National Federation, caring for veterans of sport, including application for appropriate rewards to be appointed to athletes, coaches, and other specialists;
- 3.2.18. On an annual basis, send to the Ministry the information on the state of the present Agreement fulfillment in the current year until November 30;
- 3.2.19. Agree the conclusion of contracts and granting permits with the Ministry for performance of athletes of the national combined team of Ukraine on dance sports for national federations (sports clubs, etc.) of foreign countries;
- 3.2.20. Announce in advance to the Ministry about the holding of reporting and election conferences for delegation of the relevant representative to participate in the reporting and election conferences of the National Federation as an observer and inform on the decisions taken by such conferences of the National Federation;
- 3.2.21. Be obliged to comply with the requirements of the relevant international federation for the development of dance sports in Ukraine;
- 3.2.22. Provide the Ministry with information on violation of anti-doping legislation by athletes and coaches within five business days from the date of such information receipt;
- 3.2.23. Ensure fulfillment of the provisions of the Laws of Ukraine "On Public Associations", "On Physical Education and Sport", other relevant normative and legal acts and provisions of the present Agreement by the National Federation and its members;
- 3.2.24. Ensure preservation of documents accumulated during its activity until examination of their value in accordance with the procedure established by the Law of Ukraine "On the National Archival Fund and Archival Institutions".

4. PUBLICITY

4.1. The fact of providing financial support or other support to the National Federation from the Ministry shall be indicated in any printed materials prepared in connection with the implementation of the provisions hereof.

4.2. In all acceptable cases the National Federation shall agree to mention financial support, provided by the Ministry from the state budget, in all printed materials, public speeches, press releases or any similar materials.

4.3. The Ministry shall publish information on the present Agreement on its official website.

5. SPECIAL CONDITIONS

5.1. The Parties recognize and agree that the requirements of the National Federation for the fulfillment of international obligations and Statutory provisions of the international sports organization, including those governing the conditions for athletes participation in international competitions, shall be mandatory for athletes and coaches of the national teams of Ukraine.

6. LIABILITY OF THE PARTIES

6.1. The Parties shall be held liable for non-fulfillment or improper fulfillment of the obligations stipulated by the present Agreement, in accordance with the current legislation of Ukraine.

6.2. In the event of systematic (four or more times) violations (non-fulfillment) by the National Federation of the conditions of the present Agreement, the Ministry may initiate deprivation of the status of national sports federation.

6.3. The Parties shall resolve disputes concerning the fulfillment (non-fulfillment) of the obligations specified in this Agreement through negotiations, consultations, by mutual agreement of the Parties.

6.4. In the event of failure to reach an agreement by negotiation, the Party concerned shall have the right to transfer controversial issues to the court for their resolution in accordance with the procedure established by the current legislation of Ukraine.

7. VALIDITY PERIOD, AMENDMENTS AND TERMINATION OF THE AGREEMENT, MISCELLANEOUS

7.1. The present Agreement shall enter into force from the moment of its conclusion and shall be valid within the validity period of the national sports federation status, granted to the National Sports Federation.

7.2. The Agreement shall be amended in case of adoption of the regulatory acts requiring changes in the nature of relations between the Parties, as well as on the initiative of the Party concerned by mutual consent of the Parties upon conclusion of the respective agreement on the amendments.

7.3. In the event of systematic violation (non-fulfillment) of the terms of this Agreement by one of the Parties, the other Party may initiate termination of the present Agreement.

7.4. The Party decided to terminate the present Agreement shall notify the other Party in writing no later than 20 (twenty) calendar days prior to such termination.

7.5. The present Agreement has been concluded in 2 (two) copies: one copy for each of the Parties having equal legal force.

DETAILS AND SIGNATURES OF THE PARTIES

MINISTRY OF YOUTH AND SPORTS OF UKRAINE

Identification code: 38649881

Location:

42 ESPLANADNA STREET, KYIV, 01601

Minister of Youth and Sports of Ukraine

I.O. Zhdanov

All-Ukrainian public organization "All- Ukrainian DanceSport Federation"

Identification code: 36291688

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SLAVUTYCH, KYIV REGION, 07101

Current account No. 26009014038550 with the
branch of Ukreximbank JSC in the city of Kyiv,
MFO (Bank Branch Location Code): 380333

President of the AUPO "AUDSF"

A.M. Polyvka