

# **NAGINATA PORTUGAL**

CURRENT SITUATION (AUGUST 2014)

COMPILED BY EDUARDO BRITO



## Introduction

On 14<sup>th</sup> August 2014 we received an e-mail from the ENF President, Mr. David D'Hose, asking if we would like to bring to the INF Seminar 2014 (Netherlands) the documents detailing the current development status of Naginata in Portugal. The purpose, as stated in the e-mail, is to share these documents with the ENF board, for reviewing, to vote at the next ENF GA for the inclusion of Portugal as a temporary member of the ENF.

We hope that we will be given a chance to review these documents, after this first submission, with suggestions and feedback from the ENF board.

## ENF New member affiliation

Article 5 of the ENF statutes states the following about new member affiliation (verbatim copy):

### **Article 5. AFFILIATION**

*5.1. All applications for membership shall be in writing and include full details of the applying organization (statutes, board of officers, legal status, naginata activity on their soil, etc.). Applications shall also include a letter of recommendation by one of the member countries and/or by the President of ENF.*

*5.2. Applicants must agree in writing to abide by the present Statutes & Bye-laws and any modifications approved by the General Assembly.*

*5.3. After transmittal of the complete application documents, the General Assembly may or may not elect them as "Provisional Members" for one (1) year. After that period, the General Assembly decides either to reject the membership application, or to extend the "Provisional Membership" for one year or to accept the applicant as a "Permanent Member". In case of rejection, the applicant shall be informed of the reasons.*

*5.4. Temporary members are allowed to make an official request to become INF members- only with ENF Board of Director's prior approval. Any INF affiliation is subject to becoming permanent members of ENF first.*

These documents will address point 5.1 of the ENF statutes by providing information on the national association statutes

## Naginata associations in Portugal

In this section we would like to first present the legal distinctions between associations and federations, regarding Portuguese law, as this may be different from other member countries in the ENF, especially regarding the particular case of martial arts.

Although none of our members are lawyers, we have been asking for help to people who are lawyers, accountants and even members from other national budô organizations, all of whom are our acquaintances that have experience with founding and/or maintaining their organizing bodies,

or with helping out with work in similar associations.

So, although this information may not be entirely accurate, because it is not our field of work, it is the most accurate we have been able to gather from the work we have been doing with the association and its legal standing for the past few years.

## ***How sports associations and federations work in Portugal***

Associations and federations, although similar in several ways, from the legal point of view, have some important differences, especially when we are talking about sports associations and federations.

Sports federations are national entities recognized by the IPDJ (National Institute for Sports and Youth) and the CDP (Portuguese Confederation of Sports). To be recognized as a federation there are two things that are essential: 1) to obtain a special status called “Pessoas Colectivas de Utilidade Pública” (Collectives of Public Utility); 2) to be registered in the international governing body for the given sport.

Regarding 1), to obtain that specific status, it must be required by an association with at least 3 years of existence, that oversees their members (in this case, members refers to other associations and not individuals) in the practice of their activities. This in turn means that there should be regulations for the several different coaching levels, obeying some EU-level certifications, and also regular courses for the formation of referees. Due to the size of the Portuguese association and the low grades of its members, this is not feasible for now.

Regarding 2), this would mean that the APNagi would need to be recognized by the ENF and INF before even considering becoming a federation.

As this may be the case for other countries, we would like to note that there is no national sanctioning body for martial arts in Portugal nor any general purpose federation for martial arts. We would also like to take note that it was already discussed in the past a possible affiliation with the Kendo **association** but it was rejected.

Although federations have several benefits, including obtaining financial support and publicity for their activities and being given the right to be the sole representative for a sport in the country, it is too heavy of a burden for a small group.

Alternatively, the most realistic option we have in Portugal, for the time being, is to go for the APD statuses (Association for the Promotion of Sports). This would enable us to have access to contracts with the government for the promotion of our activities and collaboration in national events (for instance, reserving better facilities for seminars). Eventually this will pave way to a future federation, which would be **legally** responsible and recognized as the sole representative of Naginata in Portugal, thus preventing some possible problems in the future as the organization grows bigger.

## ***The Portuguese Naginata Association – APNagi - and its members***

The association responsible for the practice and promotion of Naginata in Portugal is the APNagi – Associação Portuguesa de Naginata. The association was created in 2009 by Charlotte Vandersleyen and Ricardo Macedo, following the introduction of Portugal to the ENF at the GA in 2007, in Brussels. The legal statutes of the association are presented in Annex A (document in Portuguese).

The association is registered as a non-profit association for the promotion and practice of Naginata and events associated with Naginata such as seminars, competitions and demonstrations. It is also the duty of the APNagi to regulate the actions of its members and to oversee that they behave in accordance to what is expected of a Naginata club and to take disciplinary actions if needed to.

The association still has not obtained the status of APD. This will take at least another year (1 year) of work before we are able to be recognized as such.

The current sole member of the association is the KCB – Kendo Clube de Braga. The KCB started practising Naginata on the 15<sup>th</sup> October 2011.

## **Activities of the APNagi and KCB**

KCB, as the sole member of the APNagi, has been in charge of organizing all the activities in Portugal up until now. As the APNagi grows, we expect to channel this efforts also onto other clubs, establishing a balance between all the members of the APNagi. For now, however, this is a non-issue as there is only one member in the APNagi.

### ***Teaching and promotion of Naginata in Portugal***

The KCB promotes the practice of Naginata at 2 affiliated dojos in Braga: the first one is located at the University of Minho, for its visibility with the student population (Braga is by far and large an university city, where a large part of its population are students). The other dojo is located at the town hall.



*University (2013)*



*Town Hall (2014)*

Starting in September, we will be having classes for teenagers only (ages 11+) besides our regular practices. This opportunity was given to us from the activities we have been developing with several ATL (free time activities for children and teens) during the summer for the past 2 years (2013 and 2014). This year (2014) we had the chance to work with 2 new ATLs (A Nossa Casa; APEE CE S.Frutoso e EB1 Real). Both of these ATLs have partnerships with schools and town halls and both of them have shown interest in maintaining a partnership for teaching their students Naginata. The first classes will start with A Nossa Casa.

Besides these participations with kids ATLs, we have also performed demonstrations at several



places, including museums and anime conventions. We participated in 2013 and 2014 at a local (Braga) anime convention and we have also participated on the biggest anime convention of Portugal for 2 years in a row, being 2014 our third consecutive year.



*Só Cenas ATL (2013)*



*Só Cenas (2013)*



*AONime 2 (2014)*



*AONime 2 (2014)*

## **Steps towards learning Naginata**

The technical director for Naginata in Portugal is Charlotte Vandersleyen, 4Dan, Belgium. In 2011 we still had Charlotte-sensei for some months before she left Portugal. Since that time, in 2012, 2013 and 2014 we have had at least 4 seminars each year, besides some extra practices when we can meet with sensei during trips and/or meeting at non-Naginata seminars.

Because it is impossible to do keiko regularly with sensei, we film our keiko and send it to sensei so that we can have feedback on what we are doing during practice and what we can/should improve. Video has its limitations, surely, but with periodic feedback and seminars we can keep receiving feedback from our regular classes. We hold at least 3 classes a week, between 1h30m and 2h30m, depending on the availability of everyone.

## ***International representation***

Besides regular practice and seminars with sensei, Portugal has been represented at the following Naginata events:

- INF Seminar 2012;
- BNA National Seminar 2013;
- NNR Spring Seminar 2013;
- ENF Seminar 2013;
- Isabelle D'Hose Cup 2013;
- Tokunaga, Simone Charton, Jacques Mercier Coupes 2014;
- NNR Spring Seminar 2014;
- INF Seminar 2014;

And we will be participating at the Goodwill Tournament in the UK at the ENC 2014.



*INF Seminar (2012)*



*BNA Seminar (2013)*



*NNR Spring Seminar (2013)*



*ENF Seminar (2013)*





*Isabelle D'Hose Cup (2013)*



*Tokunaga, Simone Charton, Jacques Mercier (2014)*



*NNR Spring Seminar (2014)*

## Future work

In this section we would like to present a very brief overview of our plans to improve our association and the overall practice of Naginata in Portugal.

As stated before, we believe we can improve the association by working on promoting it to an APD. This will take some time still but when we achieve it, it will bring many benefits to the APNagi and will allow for further investment in the formation of new dojo, equipment and seminars.

We also plan to promote local seminars at different cities, other than Braga and Porto, to try and captivate new students to come to Naginata.



## Conclusion

We believe that our national association and our dojo, although still having a lot to improve, has made some significant advances in the practice and promotion of Naginata since its start in 2011.

Our associations, APNagi and KCB, are both in good legal standing.

We have been promoting through several demonstrations, ATLs, experimental classes and seminars, with a wide range of groups of people and we have now secured a teens class and we have been hinted at the possibility of having more classes at other public schools with kids and teenagers, and at town halls with adults, during the next school year. We also have plans to expand to other cities, besides Braga, in a near future. We hope this will increase the number of people trying out Naginata in Portugal and possibly increasing the core number of practitioners in Portugal.

Furthermore, we have been trying to have Portugal representatives at several international events each year, especially at European events. This is part of our approach to improving the skill and knowledge level of the people practicing Naginata in Portugal.

Finally, we hope we have been able to show how the development of Naginata in Portugal is progressing and that this is all taken into consideration when deciding whether or not to include Portugal as a temporary member of the ENF.



## **ANNEXES**





## ANNEX A

### Constituição de Associação

Primeiro: Ricardo Jorge Amaral Macedo, solteiro, maior, natural da freguesia de Santo Ildefonso, concelho de Porto, residente em Rua 20, Número 522, 2.º, Espinho, contribuinte nº 178711462. \_\_\_\_\_

Segundo: Charlotte Lucie Corine Vandersleyen, solteiro, maior, de nacionalidade Belga, natural de Bélgica, residente em Rua do Bonjardim, Número 687, 2.º, Santo Ildefonso, Porto, contribuinte nº 261516841. \_\_\_\_\_

Que constituem uma Associação que se regerá pelo disposto nos artigos seguintes: \_\_\_\_\_

#### Artigo 1.º

##### Denominação, sede e duração

1. A associação, sem fins lucrativos, adopta a denominação APNAGI - ASSOCIAÇÃO PORTUGUESA DE NAGINATA, e tem a sede na Rua Pedro Hispano, Número 1376, Porto, freguesia de Cedofeita, concelho de Porto e constitui-se por tempo indeterminado. \_\_\_\_\_
2. A associação tem o número de pessoa colectiva 508961874 e o número de identificação na segurança social 25089618741. \_\_\_\_\_

#### Artigo 2.º

##### Fim

A associação tem como fim: Promoção da prática da arte marcial japonesa naginata e a organização de eventos a ela associados, tais como estágios, competições e demonstrações. \_\_\_\_\_

**Artigo 3.º**

Receitas

Constituem receitas da associação, designadamente: \_\_\_\_\_

- a) a jóia inicial paga pelos sócios; \_\_\_\_\_
- b) o produto das quotizações fixadas pela assembleia geral; \_\_\_\_\_
- c) os rendimentos dos bens próprios da associação e as receitas das actividades sociais; \_\_\_\_\_
- d) as liberalidades aceites pela associação; \_\_\_\_\_
- e) os subsídios que lhe sejam atribuídos. \_\_\_\_\_

**Artigo 4.º**

Órgãos

- 1. São órgãos da associação a assembleia geral, a direcção e o conselho fiscal.
- 2. O mandato dos titulares dos órgãos sociais é de 3 ano(s). \_\_\_\_\_

**Artigo 5.º**

Assembleia geral

- 1. A assembleia geral é constituída por todos os associados no pleno gozo dos seus direitos. \_\_\_\_\_
- 2. A competência da assembleia geral e a forma do seu funcionamento são os estabelecidos no Código Civil, designadamente no artigo 170º, e nos artigos 172º a 179º. \_\_\_\_\_

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3. A mesa da assembleia geral é composta por três associados, um presidente e dois secretários, competindo-lhes dirigir as reuniões da assembleia e lavrar as respectivas actas.

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### **Artigo 6.º**

#### **Direcção**

1. A direcção, eleita em assembleia geral, é composta por 3 associados. \_\_\_\_
2. À direcção compete a gerência social, administrativa e financeira da associação, representar a associação em juízo e fora dele. \_\_\_\_
3. A forma do seu funcionamento é a estabelecida no artigo 171º do Código Civil.
4. A associação obriga-se com a intervenção de dois membros da Direcção. \_\_\_\_

### **Artigo 7.º**

#### **Conselho Fiscal**

1. O conselho fiscal, eleito em assembleia geral, é composto por 3 associados.
2. Ao conselho fiscal compete fiscalizar os actos administrativos e financeiros da direcção, fiscalizar as suas contas e relatórios, e dar parecer sobre os actos que impliquem aumento das despesas ou diminuição das receitas. \_\_\_\_
3. A forma do seu funcionamento é a estabelecida no artigo 171º do Código Civil.

### **Artigo 8.º**

#### **Admissão e exclusão**

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As condições de admissão e exclusão dos associados, suas categorias, direitos e obrigações, constarão de regulamento a aprovar pela assembleia geral. \_\_\_\_\_

### Artigo 9.º

#### Extinção. Destino dos bens.

Extinta a associação, o destino dos bens que integram o património social, que não estejam afectados a fim determinado e que não lhe tenham sido doados ou deixados com algum encargo, será objecto de deliberação dos associados. \_\_\_\_\_

Os associados declaram ter sido informados de que devem proceder à entrega da declaração de início de actividade para efeitos fiscais, no prazo legal de 90 dias.

Aos 24 dias do mês de Abril de 2009 \_\_\_\_\_

*Ricardo Jorge A. Macedo*  
*Charlotte Lucie Corine Vandersleyen*

Reconheço as assinaturas supra de Ricardo Jorge Amarel Macedo, portador do Cartão do Cidadão n.º 11037049-0ZZ6, emitido pela República Portuguesa, válido até 28/01/2014 e de Charlotte Lucie Corine Vandersleyen, portadora do Cartão de Identidade 590-1265004-53, emitido em 25-07-2005 e válido até 25-07-2010, pela entidade competente da Bélgica em Hoeilaart, feitas pelos próprios na minha presença, pessoas cuja identidade verifiquei por exibição dos referidos documentos de identificação. \_\_\_\_\_

Foi consultado o certificado de admissibilidade n.º 2009029082, com o código 6605-1084-5137, emitido hoje pelo RNPC. \_\_\_\_\_

Imposto de selo liquidado hoje no montante de 25,00 € (verba 15.8 da T.G.I.S.)



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Conservatória do Registo Comercial do Porto, em 24/04/2009.

A Ajudante,

  
(Maria Salomé Alves Ferreira Pinto Lopes)

