

Summary of By-Laws amendments agreed by the Executive Board during 2011

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I – AMENDMENTS ALREADY IMPLEMENTED

This section deals with By-Laws amendments that have already been agreed on and implemented in the actual version of the FAI By-Laws.

1. By-Law 3.2.12 - Eligibility for position of ASC Secretary

In 2010, there has been a number of cases where the terms “by the Member concerned” in By-Law 5.4.12. had raised interpretation problems. FAI Secretary General consulted with the SWG Chairman and proposed to align this requirement with FAI’s rights of representation. It is pointed out that a Commission still had the possibility of appointing experts or technical secretaries as non-voting members of their Bureau.

Having considered the issue, the Executive Board approved amending By-Law 5.4.12 as following

FAI By-Laws:

- 3.2.12. The Secretary may be chosen from outside the Commission, subject to agreement by the Member ~~concerned~~ **who would be responsible to deliver a Sporting License to the concerned person as per FAI’s Rights of representation (Sporting Code General Section 8.1.3.6)**
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2. By-Law 3.4.3 – ASC Meetings outside of Lausanne

Originally, when ASC wanted to hold their annual meeting in another place than in the vicinity of FAI Headquarters there was a requirement of a two-thirds majority vote. Over the years, a number of ASCs had asked for deleting this requirement, but no consensus was actually found.

Following a request by one of the ASC President, the Executive Board debated over the potential pros and cons of the request: Deleting this requirement would provide more freedom to the Commissions – The required majority could be aligned with the 50% majority required to decide on the location of the FAI General Conference - In some cases, meeting outside of Lausanne would be less expensive for Delegates and might bring political support for the development of sport in host countries - On the other hand, hosting ASC meetings in Lausanne would be consistent with the newly adopted FAI Strategy, would contribute to strengthen the link with FAI Staff and reinforce identification with FAI in general.

Having considered the issue, the Executive Board approved amending By-Law 3.4.3 as following

FAI By-Laws:

- 3.4.3. Commissions shall normally meet at, or in the vicinity of, the FAI Headquarters. When meeting elsewhere is under consideration, freedom of entry to the country concerned shall be a determinant factor. A Commission that has voted by ~~a two thirds~~ **an absolute majority (>50%)** to meet in another place shall inform the FAI Secretary General and consult with him about fixing a suitable date. **In any case, Commissions should meet in the vicinity of FAI Headquarters at least once every third year. In addition** the host organisation shall pay all costs, including suitable travel from FAI Headquarters to the meeting place, hotel accommodation, and

administrative expenses of the FAI Secretary General and/or his authorized representatives. The host organisation may charge a registration fee for the range of services and events offered in connection with meetings held elsewhere than at FAI Headquarters. However, no approved delegate to a Commission shall be refused entry to Commission plenary or sub-committee working sessions on the ground that he has not registered.

II – AMENDMENTS TO BE IMPLEMENTED IN NEXT VERSION OF FAI BY-LAWS

This section deals with By-Laws amendments that have already been agreed on and discussed by the Executive board and which will be implemented in next version of the FAI By-Laws (to be published after the General Conference)

1. By-Law 3.5.1 – Length of Term of ASC Subcommittee Presidents

Considering that FAI Statutes 5.1.2.8 allowed ASCs to decide whether their Bureau would be elected for one-year or two-year terms, it was proposed aligning FAI Statutes and By-Laws by amending By-Laws 3.5.1

Having considered the issue, the Executive Board approved amending By-Law 3.5.1 as following

FAI By-Laws:

- 3.5.1. The presidency of subcommittees and working groups shall usually be held by Delegates to the Commission which created the subcommittee or working group. **Depending on the term of office chosen by the Commission (according to Statutes 5.1.2.8),** Presidents shall be elected ~~annually~~ **for one-year or two-year terms** by the parent body and may be re-elected.
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2. By-Law 3.2.12 - Eligibility for position of ASC Secretary

During their meeting in May, the SWG reviewed the previous change to this By-Law implemented in the January version of the By-Laws and proposed to rephrase this paragraph.

Having considered the issue, the Executive Board approved the SWG suggestion and to further amend By-Laws 3.2.12 as following

FAI By-Laws:

- 3.2.12. The Secretary may be chosen from outside the Commission, subject to agreement by the Member concerned who would be responsible to ~~deliver~~ **for issuing** a Sporting License to the **person** concerned ~~person~~ as per FAI's Rights of representation (Sporting Code General Section 8.1.3.6)
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3. By-Law 3.4.3 – ASC Meetings outside of Lausanne

During their meeting in May, the SWG reviewed the previous change to this By-Law implemented in the January version of the By-Laws and proposed to rephrase this paragraph.

Having considered the issue, the Executive Board approved the SWG suggestion and to further amend By-Laws 3.4.3 as following

FAI By-Laws:

- 3.4.3. Commissions shall normally meet at, or in the vicinity of, the FAI Headquarters. When meeting elsewhere is under consideration, freedom of entry to the country concerned shall be a determinant factor. A Commission that has voted by an absolute majority (>50%) to meet in another place shall inform the FAI Secretary General and consult with him about fixing a suitable date. In any case, Commissions ~~should~~ **shall** meet in the vicinity of FAI Headquarters at least once every third year. In addition the host organisation shall pay all costs, including suitable travel from FAI Headquarters to the meeting place, hotel accommodation, and administrative expenses of the FAI Secretary General and/or his authorized representatives. The host organisation may charge a registration fee for the range of services and events offered in connection with meetings held elsewhere than at FAI Headquarters. However, no approved delegate to a Commission shall be refused entry to Commission plenary or sub-committee working sessions on the ground that he has not registered.

III – AMENDMENTS PENDING APPROVAL OF STATUTES CHANGES BY GC

This section deals with By-Laws amendments that have already been agreed on by the Executive Board, but are pending the approval by GC of a change of statutes. The two issues related are

- Changes required by CIMA to include “paramotor” – related to Statutes 1.1 & 5.2.3.3.7.10
- Changes required by EB for Awards Procedures – related to Statutes 9.1.3.3

Once GC has approved the related Statutes changes, the EB will officially include these amendments into a new version of the FAI By-Laws and notify the Members according to the procedure set in Statutes 1.5.3.

1. By-Law 7.11 – Inclusion of “paramotor” in CIMA name

As per SWG recommendation, the Executive Board approved amending By-Law 7.11 as following

FAI By-Laws:

- 7.11. AWARDS FOR MICROLIGHT **AND PARAMOTOR** AVIATION
(Subject to approval by the FAI Microlight **and paramotor** Commission)
- 7.11.1.2. Eligibility. It may be awarded each year to an individual who has made an outstanding contribution to the development of microlight **or paramotor** aircraft.
- 7.11.2.1. History. This Diploma was established by the FAI in 2006, on a proposal by the FAI Microlight Commission. Ann Welch, for many years FAI Vice President and Editor of the FAI Bulletin, played leading international roles in the development not only of Microlight **and Paramotor** aviation, but also of gliding and hang-gliding. She was instrumental in creating the FAI Microlight Commission (CIMA) and formulating the Microlight **and Paramotor** sporting code. She worked tirelessly for many years in the cause of Microlight **and Paramotor** sport flying.
- 7.11.2.2. Eligibility. The Diploma may be awarded each year to the pilot or crew of a Microlight **or Paramotor** who, in the opinion of CIMA, made the most meritorious flight which resulted in a Microlight **or Paramotor** World record claim ratified in the year in question.

2. By-Law 7.1.2 – General Procedure for FAI Individual Awards

Following requests from various ASCs to have specific Nomination Procedures (deadlines, and eligibility) for their individual awards, as per Chapter 7 of the FAI By-Laws, the Executive Board has suggested that Statutes 9.1.3.3 would need to be reworded to only refer to procedures for FAI General Award (which are set in the Statutes), and to allow ASCs to modify the procedures for the FAI individual Awards (which are set in the By-Laws) as they need, within the appropriate By-Laws and without needing a Statutes change. ☐

The EB has therefore consulted with the SWG to look at the issue as a whole and to propose wording which would allow:☐

- Statutes Chapter 9 to set the appropriate level of overall policies and procedure for Awards

- but to allow procedures for Individual Awards (by discipline) to be managed rather at the By- Law level..." ?

The SWG discussed this question at length and decided that it was a straightforward matter to achieve that, and suggested to amend Statute 9.1.3.3. (see SWG Report), to move to By-Laws the provisions contained in the second half of the paragraph, by adding a new By-Law item 7.1.2.

As per SWG recommendation, the Executive Board approved amending the FAI By-Laws by adding a 7.1.2 article, which will read as following

FAI By-Laws:

7.1.2. *The nominating authority (Statute 9.1.3.) shall send nominations for all FAI awards for individual disciplines to the FAI Secretariat, together with citations not exceeding 250 words and any other supporting information required.*

Subject to specific procedures set out elsewhere in FAI By-Laws Chapter 7.2 to 7.13, nominations are to arrive no later than two months before the FAI Commission meeting concerned.

3. By-Law 7.2 to 7.13 – Specific Procedure for FAI Individual Awards by discipline.

Parachuting

During its 2011 Commission Meeting the FAI Parachuting Commission has decided to implement new condition of eligibility for the Leonardo Da Vinci Parachuting Diploma. The subsequent chapter 7.6.2.2 of the FAI By-Laws needs to be modified accordingly.

Also, chapter 7.6.2.4.1 and 7.6.3.4.1 were not in accordance with the new chapter 7.1.2, therefore these paragraphs had to be amended to mention that nomination had to be sent to FAI Secretariat.

Rotorcraft

During its 2010 Commission Meeting the FAI Rotorcraft Commission has decided to implement new condition of nominations for the FAI Gold Rotorcraft medal. The subsequent chapter 7.5.1.4 of the FAI By-Laws needs to be modified accordingly.

Microlight and Paramotor

Conditions of eligibility / nomination for the Ann Welch Diploma are not consistent with the Sporting Code Section 10. The subsequent chapter 7.11.2.4 needs to be modified

FAI By-Laws:

Parachuting

7.6.2.2. Eligibility. One Diploma a year may be awarded to **a person** who has **achieved one of the following criteria:**

7.6.2.2.1. - **been at least twice an Individual Champion or a Member of a Champion Team at a First Category Event** ~~obtained at least three times consecutively the title of National Parachuting Champion; or~~

- ~~7.6.2.2.2.~~ — ~~obtained at least once the title of Absolute Parachuting Champion and at least twice the title of Combined Champion at an international parachuting competition ; or~~
- 7.6.2.2.3~~2.~~ - *been* at least ~~twice~~ *three times an FAI Official (Chief Judge, FAI Parachuting Judge, FAI Controller, International Jury Member or any combination thereof)* successfully fulfilled the function of Chief Judge at least twice at an International competition *a First Category Event* and at least once at a World Parachuting Championship; or
- ~~7.6.2.2.4.~~ — ~~fulfilled at least three times consecutively the function of International Judge at a World Parachuting Championship ; or~~
- 7.6.2.2.5~~3.~~ - established at least three World Parachuting records ; or
- 7.6.2.2.6~~4.~~ - fulfilled at least ~~twice~~ *three times* the function of Competition Director at *a First Category Event* an International Parachuting Contest, and at least once at a World Parachuting Championship; or
- 7.6.2.2.7~~5.~~ - ~~been appointed President of Honour of the FAI Parachuting Commission; or served for at least six ten consecutive years and is still serving as, national delegate to the FAI Parachuting Commission~~ *the Chair of an IPC Committee or an IPC Bureau Member or any combination thereof .*
- 7.6.2.4.1. Nominations, with accompanying dossiers, shall reach the FAI Parachuting Commission *FAI Secretariat* by the date of the meeting previous to the meeting at which the award is voted.
- 7.6.3.4.1. Nominations, with accompanying dossiers, shall reach the FAI Parachuting Commission *FAI Secretariat* by the date of the meeting previous to the meeting at which the award is voted.

Rotorcraft

- 7.5.1.4. Nomination and Approval. *Nominations must arrive at the FAI Secretariat by November 30 of each year. In other respects,* Procedures shall be as described in Chapter 9 of the Statutes.

Microlight and Paramotor

- 7.11.2.4. Nomination and Approval. *The Ann Welch Diploma being dedicated to pilots or crew holding a Microlight or Paramotor World Record ratified during the previous year, nominations will be considered by Commission Delegates based on a list of eligible candidate from the official FAI World Record database. This list will be distributed with the supporting documents of the Commission Annual Meeting.*
- In other respects,* procedures for nomination and approval shall be as described in Chapter 9 of the Statutes, except that, notwithstanding the provisions of *Statutes* 9.1.2.2. ~~above~~, the Diploma may be awarded to the same individual or crew more than once.

IV – AMENDMENTS TO BE DISCUSSED AT NEXT EB MEETINGS

As it was mentioned in the Minutes of several EB Meetings, during 2011, the EB has identified a number of potential issues that would need to be addressed and debated over the next EB Meetings.

These issues will be discussed with various stakeholders over the next few months, including with General Conference's delegates (during the Open Forum, GC Agenda Item 15), and with ASC Presidents.

Such potential subjects are, but not limited to:

- By-Laws 3.1ff: Procedure for nomination of delegates, and in particular for potential replacement during the year. Indeed, during the period of 2010 - 2011, some of these "during the year" replacements have prevented Commissions from working efficiently.
- By-Laws 3.1ff: Designation, roles and voting power of delegates. There is some confusion amongst Members about what are the rights and duties of NAC representatives depending on their status: designated delegate, acting delegate, voting representative, etc ...
- By-Laws 3.2ff: Harmonization of Commissions Officials. Over the years, each Commission has created various type of position (Reporting Secretary, Acting Secretary, Advisor, ...) which do not relate to existing Officials as per By-Laws. This creates some confusion, and difficulties in managing the FAI Database.
- By-Laws 3.2ff: Status of Commissions Officials. A Commission Official is an elected person with duties towards the FAI and its commission, and should therefore act in the sole interest of the community. Yet, except the Commission president, other Commission Officials continue to represent their country. This has 2 potential impacts :
 - i. a Commission Official could be removed during his terms of election, which is detrimental to the operation of the Commission
 - ii. there might be potential conflict of interest between the Commission's Operation and the Member's interest