

FAI Statutes Working Group

**Proposed Amendments
to Statutes and By-Laws**

(Agenda Item # 7)

100th FAI Annual General Conference, Santiago, 2006

Proposals for Amendments to Statutes and By Laws as presented in the 2006 FAI General Conference Agenda.

Proposal # 1: Austrian Proposal

Proposals for changes to the composition and methods of election for the FAI Executive Board and for meetings of FAI Vice Presidents have been made by the President of the Austrian Aero Club, Dr. Alois Roppert (see Annex 5 and Appendix 1 to Annex 5 - 2006 FAI General Conference Agenda).

For want of the annual Council Meetings of former times and with the new Board Directors management structure, it has for some years been our observation and experience that weaknesses in the FAI-System and its overall image have become obvious. No doubt the influence of the NAC Presidents/Vice Presidents, and with it their ability to identify with the FAI, have been weakened since the days when they used to serve as delegates and members of the Council Meeting.

The President's leadership role that is necessary in an organisation as big as the Fédération Aéronautique Internationale has been broken down by the Board-System. Putting control and guidance measures into effect has become very difficult, despite the fact that overall responsibility for the work of the FAI has remained with the President. Taking all these things into account, the ÖAeC recommends more robust leadership from the Head of the FAI and requests the following recommendations should be passed on to the Statutes Commission, and then that the outcome of their consultation should be referred to the delegates of the General Conference of 2006.

- 1) That the number of Board Directors should be reduced to a maximum of 4 (four).*
- 2) That all posts be elected. Candidates should be nominated by three proposers and nominations should be forwarded to the President of the FAI.*
- 3) That Council Meetings should be re-established, on a biennial basis. It would be desirable for these meetings to be held in member states not represented by a Board Director.*

The Statutes Working Group's comments:

- 1) The WG took note of the promoter's wish to task this WG with the elaboration of a recommendation to the 2006 GC.*
- 2) The WG considers this proposal a highly political and complex issue, affecting the structure of the FAI, with many important implications for the FAI Members, ASPs, and FAI bodies. As there was however no specific wording proposed, and due to this WG's limited scope (Terms of Reference), the WG finds it impossible to accept the task as presented.*

The SWG therefore:

- Does not recommend adoption of the proposal as presented.*
- Does recommend that the GC should, if it so wishes, recommend to the Austrian NAC to present a full proposal with final wording for inclusion in the GC Agenda.*

Proposal # 2: Ann Welch Diploma

At the November 2005 FAI Microlight Commission (CIMA) meeting, it was agreed that a new Diploma called "The Ann Welch Diploma" should be created, to be awarded each year to the pilot or crew of a microlight who, in the opinion of CIMA, had made the most meritorious flight resulting in a Microlight World record claim ratified in the previous 12 months (see Annex 5 - 2006 FAI General Conference Agenda).

12.11.2. THE ANN WELCH DIPLOMA

- 12.11.2.1. 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 aviation, but also of gliding and hang-gliding. She was instrumental in creating the FAI Microlight Commission (CIMA) and formulating the Microlight sporting code. She worked tirelessly for many years in the cause of Microlight sport flying.
- 12.11.2.2. Eligibility. The Diploma may be awarded each year to the pilot or crew of a Microlight who, in the opinion of CIMA, made the most meritorious flight which resulted in a Microlight World record claim ratified in the 12 months immediately preceding the CIMA meeting.
- 12.11.2.3. Frequency and Number. Only one Diploma shall be awarded annually.
- 12.11.2.4. Nomination and Approval. Procedures for nomination and approval shall be as described in Chapter 10, except that, notwithstanding the provisions of 10.1.2.2. above, the Diploma may be awarded to the same individual or crew more than once."

The Statutes Working Group's comments:

The SWG suggests to amend 12.11.2.2. Eligibility as follows:

- 12.11.2.2. *The Diploma may be awarded each year to the pilot or crew of a Microlight who made the most meritorious flight which resulted in a Microlight World record claim ratified in the calendar year preceding the CIMA meeting.*

Reasons:

- 1. Procedures for nomination and approval are described in Chapter 10 and the Diploma is awarded by decision of the Commission. Obviously this decision must reflect the opinion of the Commission.*
- 2. Although nothing prevents the Commission to propose its own deadlines and periods for consideration, it would be easier for ASP if the period was defined as a fixed period of time and not a variable one between two meetings with flexible dates.*

The SWG therefore:

- Does recommend adoption of the proposal as modified above.*

Proposal # 3: FAI Silver Medal

The FAI President, with full support from FAI Vice Presidents and the FAI Executive Board submits a proposal for the creation of a FAI Silver Medal (see Annex 5 - 2006 FAI General Conference Agenda).

11.8. THE FAI SILVER MEDAL

- 11.8.1. History. This Medal was established by the FAI in 2006.
- 11.8.2. Eligibility. The Medal is reserved for persons who have occupied high office in FAI or in an aeronautical organisation in one of its member countries, and in the discharge of their duties have shown exceptional powers of leadership and influence, to the benefit of the whole international air sport community.
- 11.8.3. Frequency and Number. Only one Silver Medal may be awarded annually.
- 11.8.4. Nomination and Approval Process. Procedures for nomination and approval shall be as laid down in Chapter 10. Proposals may cover any period of time up to 31st of December of the preceding year.

The following rationale is given by the EB:

In the early years of the FAI, the FAI Gold Medal had been awarded to renowned aviation pioneers. More recently, it had gone to high-public-profile World Record holders, comparable to the earlier heroes in terms of their aeronautical achievements, and also to highly deserving FAI officials, who were well-known within the FAI community.

The FAI Bronze Medal was intended to be awarded to persons doing outstanding administrative work; sometimes relatively anonymous. These people formed the backbone of FAI by giving their time and energy to serve the cause of FAI and air sports.

Between these two categories of people, there might be scope for recognition of a third category : people who shown remarkable leadership and dedication to the international aviation community, most frequently but not necessarily as high FAI office-holders of one sort or another. This gap might be filled with a FAI Silver Medal, which would be

“reserved for persons who have occupied high office in FAI or in an aeronautical organisation in one of its member countries, and in the discharge of their duties have shown exceptional powers of leadership and influence, to the benefit of the whole international air sport community.”

The SWG therefore:

- *Does recommend adoption of the proposal.*

Proposal # 4: Two-year Terms for Commission Officials

Item withdrawn by the proposer, tabled until next GC

Proposal # 5: Discharge of the Executive Board by the General Conference

Having been so tasked by the 2005 General Conference in Paris (Minute 16.2.3.4.), the Statutes Working Group is considering the following proposal for Statute amendments aimed at clarifying the role of the General Conference with respect to releasing the Executive Board from responsibility (see Annex 5 - 2006 FAI General Conference Agenda):

The SWG therefore:

- *Does recommend adoption of the following proposal:*

Changed statute:

3.4.1.3 - *approval of the FAI accounts ~~and the actions of the Executive Board~~, and of the financial statements prepared by the Auditor;*

New Statute:

3.4.1.17 - *approval of the actions of the Executive Board and release of responsibility for those actions*

Proposal # 6: FAI Gold Space Medal

The Minutes of the 2006 ICARE meeting record as follows:

"The US delegate, Mr Collins, noting that the FAI Gold Space Medal was deemed to be of equal status and prestige as the FAI Gold Air Medal, proposed that the final decision on the award of the Gold Space Medal be made by the assembly of FAI Vice Presidents, on the basis of a recommendation made by ICARE.

He felt that the perceived value of the Medal could be undermined if the final decision was made by ICARE. Although Vice Presidents did not all have expert knowledge of astronautics, most took a general interest in space, and would in any case be very likely to follow advice given by ICARE. The FAI Secretary General pointed out that this proposal, if adopted, would necessitate a small modification to FAI By Laws, which could be achieved in at least two ways: by transferring the By Law concerning the Gold Space Medal from Chapter 12 (awards made by Commissions) to Chapter 11 (awards subject to the approval of Vice Presidents); or by amending the existing By Law to contain a provision that Vice Presidents' approval was needed.

The US delegate stated that he was content to allow the Statutes Working Group to recommend how this change should best be implemented." (see Annex 5 - 2006 FAI General Conference Agenda).

The Statutes Working Group comments:

As the 2005 GC decided that the WG should present its full recommendations to the GC once ICARE's views were known, and as the basic condition, that any changes to the rules for the FAI Awards described in Chapters 10-12 of the By-Laws must be approved by the appropriate Commission (By-Law 10.1.7), has now been met, the proposed modifications may now be presented to the GC for decision.

The SWG recommendation is based on the following reasons:

The FAI Gold Air Medal (aeronautics/aviation) and the FAI Gold Space Medal (astronautics/space) are of equal status and should both come under BL Chapter 11 – Medals. The elevation to higher status, from Chapter 12 to Chapter 11 award, does however entail ICARE's agreement which is given above.

The FAI Gold Space Medal will therefore no longer be a Chapter 12 Award for individual disciplines and will no longer come under the responsibility of ICARE. Chapter 11 – FAI General Awards are not subject to prior screening by Commissions (BL 11.1), thus making it impossible for the Commission to decide on the Award, and consequently to seek ratification from the FAI VPs. Nominations for the award may however still come from ICARE, but the decision will rest entirely with the FAI Vice-Presidents.

The SWG therefore:

- *Does recommend adoption of the following proposal:*

11.3 THE FAI GOLD SPACE MEDAL

- 11.3.1. *History. The Gold Space Medal was established by the FAI in 1963 and is of equal status as the FAI Gold Air Medal.*
- 11.3.2. *Eligibility. The FAI Gold Space Medal is reserved for those who have contributed greatly to the development of Astronautics by their activities, work, achievements, initiative or devotion to the cause of Space.*
- 11.3.3. *Proposals may cover any period of time up to 31st of December of the preceding calendar year.*
- 11.3.4. *Frequency and Number. Only one Gold Space Medal may be awarded annually.*
- 11.3.5. *Nomination and Approval Process. Procedures for nomination and approval shall be as laid down in Chapter 10, with the following additional conditions:*
 - 11.3.5.1. *An absolute majority is required to determine the recipient of the Medal.*
 - 11.3.5.2. *If, after the first ballot, no candidate has obtained an absolute majority, a new ballot shall be conducted between the two candidates who have polled the greatest number of votes. If the second ballot leads to no decisive result, a third ballot shall be conducted in the same way. If an absolute majority is still not obtained, no Medal shall be awarded in that year.*

Present By-Laws 11.3 to 11.11 to be renumbered 11.4 to 11.12

Proposal # 7: Procedures Concerning Deadline for FAI Awards Nominations

(see Annex 5 - 2006 FAI General Conference Agenda).

By Law 10.1.3.3. reads as follows:

"Nominations for all FAI awards shall be sent to the FAI Secretariat together with citations not exceeding 100 words, and other supporting information required in these By-Laws, to arrive no later than two months before the FAI Commission meeting concerned (by 15 November each year for CIAM Medals and Diplomas) or **four months before the General Conference** in the case of the General Awards shown in Chapter 11."

In the case of the General Awards (which relate to achievements in the previous calendar year), this 4-month deadline has proven to be inadequate. The FAI Secretariat needs to obtain Vice Presidents' approval, have the medals struck and engraved, and advise NACs so that the award winners can make plans in good time to travel to the Conference to receive the award.

It is therefore proposed to delete "...**four months before the General Conference**..." and to substitute "...**by 31 May each year**...".

The SWG therefore:

- *Does recommend adoption of the following proposed statute:*

10.1.3.3. Nominations for all FAI awards shall be sent to the FAI Secretariat together with citations not exceeding 100 words, and other supporting information required in these By-Laws, to arrive no later than two months before the FAI Commission meeting concerned (by 15 November each year for CIAM Medals and Diplomas), or by 31 May each year in the case of the General Awards shown in Chapter 11.

Proposal # 8: Corporate Patrons

(see Annex 5 - 2006 FAI General Conference Agenda).

The Corporate Patrons scheme has so far produced no Patrons, despite all efforts made by Commission Presidents, Board Members and staff. The Executive Board has reached the following conclusions:

- The requirement for an annual subscription (eliminating the possibility of a one-off payment) is unnecessarily restrictive.
- FAI needs to have the option of offering Corporate Patron status to a company that helps FAI in some way (eg in kind), even if they do not take the initiative to apply for such a status.
- It is unnecessarily restrictive if the privileges of being a Patron are described extensively in By Laws. These should instead be listed in a separate document, to be approved by Conference and displayed on the FAI web-site. Subsequent changes to this document should be decided by the Executive Board in the light of experience, under authority delegated by Conference.
- The Board should have the flexibility to decide on a case-by-case basis which category to allocate a Patron to, and for how long, depending on what financial support he is prepared to offer.
- A third ("Silver") category is probably necessary at a lower cost than the present Gold and Platinum Patrons.
- The Board should have the power to accept a Corporate Patron with finality. Having to wait for the next General Conference for approval could mean that a promising Patron is lost. In the light of these conclusions, the amendments as presented in Annex 5 to 2006 FAI General Conference Agenda are proposed to Chapter 16 of By Laws.

The SWG comments:

The SWG believes that the proposed modifications will allow a more flexible approach and provide the FAI with a better tool to recruit corporate patrons. Having identified no negative implications,

the SWG therefore:

- Does recommend adoption of the following proposed statute:

16.1. GENERAL

- 16.1.1.** FAI may give recognition to companies and other institutions, such as research institutes, ~~active in the fields of aeronautics and/or astronautics~~ that wish to support FAI and the federation's aims and objectives, as detailed in Statute 1.2., by appointing them as "Silver", "Gold" or "Platinum" Corporate Patrons of FAI.
- 16.1.2.** The procedures for application, and the privileges and benefits offered to Corporate Patrons of FAI are set forth below.

16.2. APPLICATION

- 16.2.1.** To obtain the status of Corporate Patron of FAI, the applicant company or institution shall forward to the FAI Secretariat a letter of application appropriately signed by one or more duly authorised signatories. This application shall be accompanied by :
- 16.2.1.1.** the company's latest annual report,
16.2.1.2. the names and contact details of the primary Contact Person(s) to whom all correspondence will be addressed,
16.2.1.3. the address of its headquarters,
16.2.1.4. a reply to the FAI Corporate Patron questionnaire,
16.2.1.5. the payment for the ~~first year's~~ support fees for the category in which the application is made. If the application is not accepted, the payment shall be returned in full. If the application is referred to a different category than the one requested, and the applicant agrees to this, the balance of dues shall be paid by the applicant or refunded by the FAI as the case may be.
- 16.2.2.** *Acceptance of these applications shall be decided by the FAI Executive Board.*
- 16.2.3.** *FAI may also initiate the designation of a company as a Corporate Patron for a defined period of time, in recognition of services rendered.*

16.3. PRIVILEGES

- 16.3.1.** Each Corporate Patron of FAI shall enjoy ~~the following~~ Platinum, Gold, or Silver privileges ~~as defined by the General Conference and published on the FAI website, for a period of time proportional to the support fees paid. The General Conference shall normally delegate to the Executive Board the power to modify these privileges in the light of developing circumstances.~~
- ~~**16.3.1.1.** to have FAI approved world records which were sponsored and/or organised by the Patron, and/or flown using equipment manufactured or developed by the Patron ratified also in the name of the Patron, three per year free of charge;~~
- ~~**16.3.1.2.** to be able to use the FAI logo and name at discount rates;~~

FAI GC

- ~~16.3.1.3. to send a delegation of up to three individuals to attend General Conferences of FAI as observers;~~
- ~~16.3.1.4. to be invited to the annual FAI Awards Ceremony at which special corporate recognition will be given to Patrons;~~
- ~~16.3.1.5. to benefit from VIP reception facilities at designated FAI Championships;~~
- ~~16.3.1.6. to have opportunities for exclusive sponsorship of FAI Events;~~
- ~~16.3.1.7. to be duly credited and presented on the FAI web site;~~
- ~~16.3.1.8. to receive a regular newsletter about FAI World Record Activities.~~
- ~~16.3.2. Corporate Patrons which support FAI at the 'Platinum' support fee level will enjoy the following additional benefits:~~
- ~~16.3.2.1. to have a set of web pages on the FAI web site, co-branded with FAI, presenting the history of world records ratified, and of championship achievements set by aircraft manufactured or developed by the Corporate Patron, or of any other projects carried out in support of the aims and objectives of FAI;~~
- ~~16.3.2.2. to have the opportunity to organise company/product presentations, and set up booths at FAI General Conferences and other FAI designated events;~~
- ~~16.3.2.3. to have the opportunity to submit feedback and suggestions to FAI and the relevant FAI Commissions on rules governing World Records. These feedback and suggestions will be channelled through a Patron representative nominated for that purpose to an FAI 'World Records Advisory Forum'.~~

16.4. SUPPORT FEES

- 16.4.1. The support fees payable by each category of Corporate Patrons of FAI shall be established by the General Conference ~~and paid by March 31 of each year~~
- 16.4.2. Only Corporate Patrons of FAI that have satisfied all their financial obligations to the FAI will be able to enjoy the privileges listed in 16.3.

16.5. RESIGNATIONS AND CANCELLATIONS

- 16.5.1. Submittal by Corporate Patron
- 16.5.1.1. Resignation may be submitted to the FAI Secretariat not later than the last day of December of any year by registered letter signed by the authorised signing officials of the resigning Corporate Patron. ~~For those paying annually~~, the support fees for the current year, if not paid yet, shall be due. If resignations are received after the first day of January, support fees for the following year shall be payable.
- 16.5.2. Cancellation by FAI
- 16.5.2.1. General Conference may cancel the appointment of a Corporate Patron if the Patron has failed to satisfy its financial obligations to the FAI, or has opposed the ideals, concepts or Statutes of FAI.

Proposal # 9: Duties of FAI Air Sport Commissions

(see Annex 5 - 2006 FAI General Conference Agenda).

In Statute 5.6.2.2, which lays down requirements for the content of specialised sections of FAI Sporting Codes, the word “security” is used where the writers of the Statute probably intended “safety”.

The word “security” in English in the context of sporting events means control of entry, crowd restraint, checking of identity etc, not ensuring safe operations of aircraft. It is therefore proposed to substitute “safety” for “security” as follows:

5.6.2.2 - establish and keep current their respective sections of the Sporting Code which shall include rules and criteria for FAI air activities and records, FAI badges, **safety** at world sporting events, and technical standards ;

SWG comments:

*The proposer's recommendation is supported as presented, especially since Statute 5.6.2.3. states (that the ASCs shall) - deal with all technical problems that concern **flight safety**, training, air space, equipment, records and sporting events ;*

The SWG therefore:

- *Does recommend adoption of the proposed modification.*