

ANNEX B TO THE AGENDA
FOR THE CASI PLENARY MEETING
11 OCTOBER 2005 IN PARIS

STATUTES AND BY-LAWS, CASI AND SPORTING ASPECTS

This is a copy of Annex B to the agenda of the last CASI Plenary followed by the relevant extract from the SWG report to the FAI General Conference. These are copied here so that Delegates can use this annex on 11 October as a reference for the agenda item on CASI aspects of FAI Statutes and By-laws.

ROYAL AERO CLUB OF THE UNITED KINGDOM
PROPOSALS FOR FAI STATUTES AND BY-LAWS

It is some time since the disbandment of the previous Statutes Committee of which the late Dr Tom Zealley of the UK was chairman for many years. After the formation of the new Statutes Working Group at the Madrid General Conference, the UK has taken the opportunity to review the Statutes and By-laws and would like to put forward the following points. Many involve CASI and Sporting Matters and it is suggested that CASI be given an opportunity to comment where necessary.

STATUTES

Cover page

This says: "approved by the FAI General Conference 28-29 September 2000". There is no amendment page, so the reference to year 2000 does not seem logical. Maybe it should say that it is approved by the last General Conference, such as: "approved by the FAI General Conference, October 2004". Alternatively there could be the usual page with details of amendments since the date of the General Conference approval on the cover page.

Terms and Definitions

Aeronautics and Astronautics. "The earth=s surface" is an inexact datum to use because it varies from below sea level to an altitude of some 9000m. It is suggested that the word "altitude" is used instead; it is also standard aviation terminology. More precise lower altitude datums can then be defined in the Sporting Code General Section. These would include Mean Sea Level (MSL) and the surface of the WGS84 ellipsoid depending on the sensor and altitude scale used. For instance, pressure altitude to the ICAO ISA or GPS altitude above the selected ellipsoid.

FAI Air Sport Commission. There is no provision for CASI in this definition. The following addition is suggested: "
.. or, in the case of the Air Sport General Commission, the General Section of the Sporting Code and other general matters of interest and co-ordination across air sports."

FAI Sporting Code. Presently, this duplicates and could conflict with what follows under "Sporting Code". It is suggested that this is shortened to: "See under "Sporting Code"", to avoid having similar material in two different places.

Good Standing and Obligations to FAI. It is suggested that a definition of "Good Standing" should be included, so that this frequently-used FAI wording is clearly understood. Similarly with "Obligations to FAI". The following is suggested: "Good standing - An FAI member in good standing is one that has fulfilled its obligations to FAI. Obligations are listed in FAI Statute 2.4.2.2."

Plurality vote. This does not read very well. The following is suggested: "In a vote of more than two alternatives, where the decision is in favour of the largest number of votes cast for any of the alternatives. An absolute majority is not necessarily required."

General Conference. This definition does not say what the General Conference is, or give a cross-reference. It is suggested that "See chapter 3" is added.

Add: "Obligations to FAI - these are listed in Statute 2.4.2.2."

Statutes or General Section?

It is suggested that several definitions currently in Statutes would be better placed in the General Section of the Sporting Code. Statutes are the highest part of the FAI Constitution and it is suggested that they should not deal with detail that is covered elsewhere unless high level FAI policy or strategy is involved. This might include the following definitions and subjects currently in Statutes but better covered in the GS: FAI Continental Championship, FAI Event, FAI International Sporting Event, International Appeals Tribunal and Residency.

1.12.3 (A). Should this para number be 1.12.3.1? Numbered paras are the FAI "house style" in the Constitution rather than letters.

1.8.2 Sporting Powers

This gives Sporting Powers to the Executive Board but not to FAI Active Members (NACs), which seems to be an anomaly. The following is suggested: "Sporting Powers are administered worldwide by the FAI Air Sport Commissions for their particular Air Sport and by FAI Active Members (NACs) for all Air Sports in their particular areas of responsibility."

2.4.2.2.6. The word "respective" appears to be redundant.

2.6.2.1 It is suggested that the last words should be: "approved by the Executive Board and confirmed by the next General Conference". This allows for actions between General Conferences.

Statutes Working Group - The SWG Terms of Reference, composition, election and procedures should be added in an appropriate place.

5.5.1.1 and 5.6.1 refer to FAI Air Sport General Commission.

5.6.1.3 It is suggested that "Executive Board" is added before "the General Conference". CASI can presumably make recommendations to the EB as well as direct to the annual General Conference. Where CASI aspects of the FAI Constitution are concerned, this should also apply to the Statutes Working Group.

5.6.1.5 The present wording has rather cumbersome English, and the following is proposed: If an Appeal is made against a decision relating to a sporting dispute, establish an International Appeals Tribunal if there is a possible case for the appeal."

5.6.3 on the Air Sport Commissions

5.6.3.3 on Gliding states: "all matters (except aerobatic competition) relating to gliding." However, this does not seem to allow for Hang Gliding and Paragliding, which are administered by CIVL, not IGC. This has been raised before but the anomaly still exists. The following wording is suggested: "all matters relating to gliding except those administered by other FAI Commissions such as Aerobatic Competitions, Hang Gliding and Paragliding". It is recommended that the view of the Presidents of CIMA, CIVL and IGC should be sought.

5.6.4 Commission Presidents' Group (CPG).

Since CPG membership overlaps with CASI and constitutes 50% of CASI membership, it is suggested that the relationship between the CPG and CASI be discussed and established more closely. For instance, 5.6.4.1.1 and 5.6.4.1.2 on the CPG seem to overlap with CASI responsibilities. It would be desirable if these were allocated more exactly between the CPG and/or CASI. The present wording is: "consider the work and matters of common interest of the various Commissions" and "create areas of common policy on sporting matters for General Conference determination". It is suggested that CASI responsibilities also include "matters of common interest" and "common policy on Sporting matters", and both are reflected in the General Section of the Sporting Code.

5.6.4.2 states that the President of FAI chairs CPG meetings. However, there is no mention of a Secretary, or procedures for the agenda and minutes. The lack of minutes was commented on by the UK Vice President during the Krakow General Conference. It is suggested that administrative procedures for the CPG should be defined and, rather than invent special procedures, the existing Commission procedures should be used. For instance: in 5.6.4.2, add: "and a Secretary shall be elected from within the members. General procedures including the production of agendas and minutes shall follow the same procedures as for the Commissions (By-laws section 5)." The last sentence could be in a separate 5.6.4.3 in order to separate officials from procedures.

BY-LAWS

Cover page. Same comment as for cover page of Statutes.

4.3 Executive Board agendas. The "Presidents of Commissions Group" is mentioned, but not the Air Sport Commissions or FAI Active members. The former should be changed to the "Commission Presidents' Group" to be consistent with the terminology used in Statutes. The following wording is suggested: "It shall include matters referred to the Executive Board by the General Conference, the Commission Presidents' Group, the Air Sport Commissions, Active and Associate Members (see 4.8) as well as ... "

4.7 Executive Board minutes. Except for sensitive or confidential matters, EB minutes should be available to FAI Members and ASCs. It is suggested that this should be spelt out rather than the present wording "as directed by the FAI President" which does not give the impression of "open government".

5.2.3 on CASI Bureau members, says: "Their terms of office shall correspond to the FAI Year ending with the Annual General Conference and without regard to the actual date of their election." With CASI Plenary meetings not in the General Conference period, unless 5.2.3 is changed, the CASI Bureau will cease to exist between the General Conference and the January CASI Plenary. It is suggested that this anomaly be resolved by more flexible wording, such as: "Their terms of office shall start immediately after election and continue until the next election."

5.5.4 This states that this para was deleted in 1993. It is suggested that a failure to close up the numbers for 12 years gives the appearance of bad housekeeping, particularly in these days of word processing and the availability of documents through web pages. There are other examples of blank paras that should also be reviewed.

5.6.3, location of Commission meetings. The larger Commissions do not normally meet at Avenue Mon-Repos 24 as indicated by this para, but at nearby locations normally arranged by the FAI Secretariat such as the Olympic Museum. This has been raised before. The following is suggested: "Commissions shall normally meet at or in the general location of FAI Headquarters, as arranged by the FAI Secretariat".

Chapter 12, awards. Many awards are named after distinguished individuals. The "History" paragraph for some awards has a brief description and dates of the individual's achievement. However, in several cases this is not done and it is suggested that it should be. This is both for reasons of standard presentation and also because an individual famous in one discipline may not be as well known to the general sport aviation community, or to the general public. It is suggested that the ASCs concerned should be asked to draft a few words describing the individual's main achievements and relevant dates, so that these words can be added to the award description.

----- UK Paper ends -----

SWG report to FAI General Conference (extract from Annex 5 to General Conference agenda)

The Stats WG agreed that many of the suggestions made by the UK NAC had merit, or were merely editorial in nature, but no important urgent matters were evident so there was no need for urgent action. The Stats WG considered that it was not a good principle that it should look into matters like this too often. The principal task of the Group was to look into urgent and important matters. If minor changes were made every year, the status of the constitution would be degraded. However, it was important that the extensive and useful work done by the UK should not be lost. The Chairman therefore proposed that these suggested changes (unless editorial in nature, which the Secretariat could action), should be kept in a file entitled AFuture Changes@ , and that the UK be invited in due course to provide specific wording for suggested changes, where this had not already been provided.

----- end of SWG report extract -----