

Proposals

Opinion

Argentinean Fencing Federation

Proposal

1. In the basic principles:

Add to Article 1.2.2.: "But these must have an independent role in accordance with the principles of the Olympic Charter".

Proposal

Add a sentence to Article 1.6: "Donations and income from its sponsorship contracts".

Proposal

2. Zonal Confederations:

Article 2.3.2: replace the second paragraph which currently states: "The Zonal Confederations are not, themselves, members of the F.I.E." by:

"The Zonal Confederations are members of the FIE for purposes of the inclusion of their President in the Executive Committee and other functions assigned by the Executive Committee."

Opinion of the Legal Commission: in favor, but feels that the language as amended belongs at the beginning of the section dealing with the "Conditions of membership of national federations." The representative of the Argentinean Federation concurred with our modification below.

1. In the basic principles:

Add to Article ~~1.2.2~~ **2.1.1 a):** "~~But these~~ **The National Federation** must have an independent role in accordance with the principles of the Olympic Charter".

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Opinion of the Legal Commission: in favor with the modification noting the placement within the list. The representative of the Argentinean Federation concurred with our modification below.

Add a sentence to Article 1.6: "~~6)~~ Donations and income from its sponsorship contracts". **The current 6) should become 7).**

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Opinion of the Legal Commission: against this proposal. It is duplicative of other sections which already state the same thing. See 5.2.4.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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3. The General Assembly and the Congress: holding meetings for both these two bodies is unnecessary and contrary to association practices. **Our proposal is to stop holding the Assembly and for its functions to be transferred to a Congress which would be held each year**, based on the following reasons:

3.1. The FIE organises three congresses and four general assemblies in each four-year period. It would be sufficient to only organise four congresses that would fulfil the functions of the two bodies.

3.2. This would avoid the costs of two assemblies in the four-year period.

3.3. The assemblies present problems with the quorum, justifying it being reduced to 33%, because those attending already have another function at the junior and cadet world championships. This inconvenience is resolving itself with the participation of the presidents of the national member federations of the FIE in 2009.

3.4. Split the subjects between the congresses: Statutes, Rules, etc.

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Opinion of the Legal Commission: The Legal Commission liked the concept presented by the Argentinean Federation of limiting the number of meetings and after consultation with the CEO and Secretary-Treasurer of the FIE, modified the proposal to call for a change to the fiscal year end to June 30 and 4 Congresses to be held in late November or early December. The timing change will permit the completion of the audit prior to the meeting and the approval of the auditor's report and the budget to take place at the same meeting as the working meeting of the membership. The Congresses would handle all of the business currently handled by the General Assemblies. In addition, the first year after the Olympic cycle would handle proposals regarding the Rules; the second year would handle all open matters relating to the Olympic Games; the third year would handle proposals regarding Statutes; and the Olympic year would handle the elections for the new cycle.

1.4 FINANCIAL YEAR

The financial year is a twelve-month period from July 1 to June 30.

1.5.6 Delete "and General Assemblies"

1.6 Change "General Assembly" to "Congress"

CHAPTER III Delete "GENERAL ASSEMBLY AND".

3.1.1 Delete this paragraph.

3.1.2 Amend 3.1.2 to be 3.1 and read as follows:

a) Congresses are held during the latter part of November or the first part of December in each year.

- j) The Elective Congress is held during the Olympic year.
- ii) The Congress to handle proposals to change the Rules shall occur in the 1st year after the Olympic year.
- iii) The Congress to handle all remaining matters concerning the Olympic Games shall occur in the 2nd year after the Olympic year.
- iv) The Congress to handle proposals to change the Statutes shall occur in the 3rd year after the Olympic year.

3.2 Delete "OF THE GENERAL ASSEMBLY AND"

3.2.1 Change General Assembly to Congress in the first and last sentence of this paragraph.

3.3 Delete all mentions of "General Assembly" in this section.

3.4.4 Delete reference to "General Assemblies"

3.5.1 Delete reference to "General Assembly"

3.5.2 Delete from "The General Assembly can only reach" through "the majority of votes cast being decisive."

5.3.3 Delete reference to "General Assembly."

5.5.2 Delete references to "General Assembly."

5.5.3 Delete "the date of the General Assemblies and," and delete reference to "General Assembly."

5.5.14 Change "General Assembly" to "Congress."

5.5.15 Change "General Assembly" to "Congress."

5.8.1 Change "General Assembly" to "Congress."

9.1.4 Change "General Assembly" to "Congress."

10.2.1 Delete all references to "General Assembly."

The representative of the Argentinean Federation concurred with our modification.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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5. Article 3.2.1., paragraph 4: this states that if the accounts for the financial year that has ended are not approved by the auditors, the President and the Executive Committee are dismissed of their functions. We believe that this sanction is too extreme and depends on professional competence outside of FIE politics. Our proposal:

5.1. For the Assembly (or the Congress if we no longer hold the assemblies) to refuse the accounts.

5.2. Delete para 4.

Opinion of the Legal Commission: against this proposal. Merely refusing accounts is not enough. The current language was just passed by the Congress at its last meeting and it should not be overthrown. The only reason an independent auditor would not approve the accounts (refuse to issue the statements opining that the statements properly reflect the financial condition of the organization at the fiscal year end and/or do not properly reflect the operations of the organization for the period ending at the fiscal year end) is if there were a material violation of accounting principles, which the FIE was not willing to remedy or if the presentation violated law or showed fraud. Auditors making adjusting entries to fix errors or misinterpretation of accounting rules does not equate to the auditors refusing to issue a clean opinion of the accounts. They don't fail to approve the financial statements for issues which are resolvable.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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5.6.2. The President is the legal representative of the International Fencing Federation. If he is unable to attend, he is replaced by the Secretary General.

We aim to give the president powers in case of an emergency.

Opinion of the Executive Committee: in favour.

Opinion of the Legal Commission: in favour.

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Executive Committee

CHAPTER II - MEMBERS OF THE F.I.E.

2.1.2 *Conditions of membership of Members of Honour*

PROPOSAL: to replace the title with «*Members of Honour*»

Opinion of the Legal Commission: in favour.

b) Procedure

Before each Congress, the Central Office may single out one or more persons

PROPOSAL: to insert «to the Congress»

Opinion of the Legal Commission: in favour.

With the intention of proposing their nomination as Members of Honour.

PROPOSAL: to replace «Central Office» by «the Bureau».

Opinion of the Legal Commission: in favour.



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2.3 ZONAL CONFEDERATIONS

In order that a confederation be recognized by the FIE, it is necessary that their statutes provide that the President of the FIE is an ex-officio member of their executive committee. As such, he has the right to vote.

PROPOSAL: to insert a sentence giving the President the right to delegate his vote to the Secretary General of the FIE.

PROPOSAL: to insert paragraph 2.4 as follows:

«2.4 RESPONSIBILITY OF ZONAL CONFEDERATIONS

2.4.1 Zonal Confederations are responsible for the development of fencing in a particular geographical Zone

2.4.2 All responsibilities of Zonal Confederations in regard to the FIE are defined by the Administrative Rules »

3.3.2 When a Member Federation has not fulfilled its financial obligations towards the F.I.E. before the opening day of the Congress or General Assembly, such Member Federation will be prohibited from being represented at the said Congress or General Assembly and from voting, unless exception has been made for a valid reason and accepted by the Executive Committee.

PROPOSAL: to insert «30 days (00:00 hrs Lausanne time)” between « the FIE » and « before the opening day ».

Opinion of the Legal Commission: in favour and has created the wording requested below.

2.3 ZONAL CONFEDERATIONS

In order that a confederation be recognized by the FIE, it is necessary that their statutes provide that the President of the FIE is an ex-officio member of their executive committee. ~~As such, he has the right to vote.~~ With the right to vote, which may be delegated to the Secretary-General of the FIE.

2.4.1 Zonal Confederations ~~are responsible for~~ assist the FIE with the development of fencing in a particular geographical Zone

2.4.2 ~~All responsibilities of~~ This assistance by Zonal Confederations in regard to the FIE are defined by the Administrative Rules »

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Opinion of the Legal Commission: in favour as modified below expressing “calendar days”.

3.3.2 When a Member Federation has not fulfilled its financial obligations towards the F.I.E. 30 calendar days(00:00 hrs Lausanne time) before the opening day of the Congress or General Assembly, such Member Federation will be prohibited from being represented at the said Congress or General Assembly and from voting, unless exception has been made for a valid reason and accepted by the Executive Committee and such reason shall be announced to the Congress.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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3.4 AGENDA

3.4.1 All proposals must reach the administrative office of the F.I.E. eight months before the date established for the next Congress.

Opinion of the Legal Commission: in favour.

PROPOSAL: to replace «administrative office» with «Head office» (hereinafter throughout the document) and 8 months with 6 months deadline.

Consider the following wording: «All the proposals shall reach the FIE's head office no later than 00:00 hrs Lausanne time 6 months before the opening day of the next Congress».

Any proposal reaching the administrative office after this date cannot be put on the agenda.

Opinion of the Legal Commission: in favour.

PROPOSAL: to replace «administrative office» with «Head office».

3.4.5 At the end of the discussion on each item of the agenda, *a member of the F.I.E. Central Office or any other person given the responsibility will either:*

- announce the precise text which will be voted upon;
 - *announce the general sense of the proposal for which the precise text has not been established which is to be voted upon;*
- After the vote, the definitive text, if available, *or the general sense* will be confirmed and recorded.

PROPOSAL: to scratch the lines in italics and underlined and empower the CEO to perform the functions.

Opinion of the Legal Commission: in favour, but notes that the 2nd sentence of 5.5.7, the 2nd sentence of 6.5.1 b) and the 2nd sentence of 6.5.2 b) must be deleted.

~~a member of the F.I.E. Central Office~~ the CEO or any other person given the responsibility will either:

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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3.4.6 The urgent summary of Congress decisions must be *prepared with the help of this recording and* sent to the Member Federations within a month.
This urgent summary must include the final wording of the articles for which the new texts were approved by the Congress.

PROPOSAL: to scratch the lines in italics and underlined and empower the CEO to perform the functions.

3.4.7 *Those new texts for which the final wording was established after the Congress by the Executive Committee must be sent to the Member Federations within a month from the Congress.*

3.4.8 *Every important change to articles of the Rules for Competitions, following a study by the appropriate commission, a Congress debate, and a positive vote, must be tested for a year by the Member Federations and proposed again to the following Congress in order to be finally accepted.*

PROPOSAL: to scratch the lines in italics and underlined

Opinion of the Legal Commission: in favour as modified below.

The urgent summary of Congress decisions must be ~~prepared with the help of this recording and~~ drafted by the CEO, reviewed by the President of the relevant Commission, approved by the President of the FIE and sent to the Member Federations within a month.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Opinion of the Legal Commission: in favour.

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3.5 DECISIONS

3.5.2 *Quorums*

The General Assembly can only reach valid decisions if 33% of all the members of the F.I.E. are present or represented.

If this proportion is not achieved, the administrative office will establish a written ballot, the majority of votes cast being decisive.

The deliberations of the Congress are only valid if more than half of all the members of the F.I.E. are present or represented.

If this proportion is not achieved, the Congress is dissolved and it will be convened again within a period of six months at most. On this occasion it will deliberate validly whatever the number of votes represented.

Opinion of the Legal Commission: in favour.

If the General Assembly is not eliminated , the Legal Commission is against the deletion of the underlined language above because the lack of a quorum would mean that the report of the auditors would not be accepted and the budget approved with no mechanism to have the federations vote to do so and prevent the FIE from being in violation of Swiss law.

PROPOSAL: to scratch the lines in italics and underlined and replace «half» with «50%».

3.6 SPECIAL RULES FOR THE ELECTIVE CONGRESS

3.6.1 The President, the Executive Committee and the members of the permanent commissions are elected at the Elective Congress *which is called at the initiative of the Executive Committee of the F.I.E.* during the Olympic year. They are elected for four years.

Opinion of the Legal Commission: in favour.

PROPOSAL: to scratch the line in italics and underlined

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**CHAPTER IV - PROCESS FOR THE ELECTION OF THE PRESIDENT,
EXECUTIVE COMMITTEE AND THE COMMISSIONS**

4.1 GENERAL RULES

- 4.1.1 The President of the F.I.E., the 15 other elected members of the Executive Committee and the members of the commissions (other than the *Special Rules for World Championships and Olympic Games Commission and the Athletes Commission*) are elected by the Elective Congress.
They are eligible for re-election at the end of their term of office.

PROPOSAL: to scratch the line in italics and underlined

- a candidate for the Executive Committee or for a Commission can only be presented by the Member Federation of the candidate or by a Member of Honour with the agreement of the Federation of the candidate, within the limit of 1 candidate per nationality.

Opinion of the Legal Commission: in favour.

Opinion of the Legal Commission: in favour of clarifying the existing text of 4.1.2.

with ~~in~~ the limit of 1 candidate per nationality for any such position.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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4.1.4 All candidatures for each of the positions for which the candidate wishes to be elected must reach the administrative office of the F.I.E., in writing, at least two months before the Elective Congress.

PROPOSAL: to replace «administrative office» with «head office».

Consider the following wording : «All the candidatures shall reach the FIE head office no later than 00:00 hrs Lausanne time 60 days before the opening day of the Elective Congress».

Opinion of the Legal Commission: in favour of both changes to 4.1.4 as modified below.

Consider the following wording : «All the candidatures shall reach the FIE head office no later than 00:00 hrs Lausanne time ~~60~~ 30 calendar days before the opening day of the Elective Congress».

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

4.2 ELECTION OF THE PRESIDENT

4.2.1 The President of the FIE cannot hold any position within his national federation.

PROPOSAL: In the end of the sentence add the words: «or in any Zonal Confederation»

Opinion of the Legal Commission: in favor of the addition of “or in any Zonal Confederation” at the end of the sentence.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

4.3 ELECTION OF THE EXECUTIVE COMMITTEE

4.3.2 If a candidate for the Executive Committee withdraws before an election only his Member Federation may present another candidate.

PROPOSAL: after the words «before the election» scratch the line in italics and underlined and modify as follows: «such candidature is not replaced».

Opinion of the Legal Commission: in favour as modified below.

only his Member Federation may present another candidate before the deadline in 4.1.4.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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4.3.3 For the election to the Executive Committee the 15 members who have obtained the most votes are elected, provided they are of different nationalities.

Opinion of the Legal Commission: in favour.

4.3.4 *As about 20% of the elected members must be women, if the 15 members who have obtained the most votes do not include 3 women, the Executive Committee will consist of the first 12 members elected and the 3 women candidates for the Executive Committee who have obtained the greatest number of votes.*

If one or several of the women selected is of the same nationality as one of the first 12 men elected, she (or they) will be stood down in favour of the next woman of a nationality not already represented.

PROPOSAL: replace “about 20%” by “at least 20%” and scratch the lines in italics and underlined

If a candidate for a permanent Commission withdraws before an election, *only his Member Federation may present another candidate.*

PROPOSAL: after the words «before the election» scratch the line in italics and underlined and modify as follows: «such candidature is not replaced».

Opinion of the Legal Commission: in favour of the proposal as modified below.

If a candidate for a permanent Commission withdraws before an election, *only his Member Federation may present another candidate* **before the deadline in 4.1.4.**

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

4.4.4 If the 10 first members elected do not include 2 women, the Commission will consist of the first 8 members elected and the 2 women candidates for the commission who have obtained the greatest number of votes.

If one or several of the women so elected is of the same nationality as one of the first 8 men elected, she (they) will be stood down in favour of the next woman of a nationality not already represented.

PROPOSAL: scratch the lines in italics and underlined

Opinion of the Legal Commission: in favour.

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CHAPITRE V – LE COMITE EXECUTIF

5.5 EXECUTIVE COMMITTEE FUNCTIONS

5.5.3 The Executive Committee prepares the work of the Commissions and the Congresses. To this end, it has to gather information by every possible means on the views, tendencies, and desires of the affiliated groups.

PROPOSAL: replace «prepares» with «defines», after the words «Commissions and» insert «prepares the work of the Congresses».

5.5.4 The Executive Committee will delegate one of its members to be responsible to control and liaise with each commission *except the Special Rules for World Championships and Olympic Games Commission.*

PROPOSAL: after the words «responsible to» insert: «monitor and liaise with each commission». Scratch the line in italics and underlined.

5.5.7 The Executive Committee is responsible for planning, modifying and drafting the text of the Administrative Rules. It approves the drafting of the texts prepared by the Rules Commission, the Legal Commission *and the Special Rules for World Championships and Olympic Games Commission.* either for submission to the Congress or in their final version in the case of proposals modified by the Congress without approving a precise text.

PROPOSAL: scratch the line in italics and underlined

Opinion of the Legal Commission: against the language proposed and suggests other language below. The Statutes define the duties and responsibilities of the Commissions.

The Executive Committee prepares outlines the work of the Commissions and the Congresses.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Opinion of the Legal Commission: in favour of the modified language noted below.

The Executive Committee will delegate one of its members to be responsible to control coordinate and liaise with each commission except the Special Rules for World Championships and Olympic Games Commission.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Opinion of the Legal Commission: approves and conforms to proposal made with respect to 3.4.5. We have to remove all areas that call for approving without a precise text.

5.5.7 The Executive Committee is responsible for planning, modifying and drafting the text of the Administrative Rules. It approves the drafting of the texts prepared by the Rules Commission and the Legal Commission and the Special Rules for World Championships and Olympic Games Commission. either for submission to the Congress or in their final version in the case of proposals modified by the Congress without approving a precise text.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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5.5.12 The Executive Committee approves the calendar of F.I.E. official competitions which has been finalised at the calendar meeting held at the Junior World Championships.

Opinion of the Legal Commission: in favour.

PROPOSAL: consider replacing the sentence with: "The Executive Committee approves the final version of the FIE official calendar."

5.6.4 The President has the power to open and operate an account in a banking establishment on his sole signature, and to carry out current transactions.
The President may give the Secretary General or Secretary-Treasurer power of attorney for these current transactions.
The President is allowed to carry out on this account, jointly with the Secretary-Treasurer, any investments, which will be reported to the Executive Committee.

Opinion of the Legal Commission: approved the revised text provided by Peter Jacobs, M.H., Secretary-Treasurer of the FIE:

"The President is authorized to open and maintain current and deposit accounts with any bank at his discretion, having the right to sign all requisite documents and perform current transactions, as well as to conduct investment transactions on these accounts about which the Executive Committee will be informed.
The President may issue a power of attorney to the Secretary General, Secretary-Treasurer or Chief Executive Officer for these current transactions, and to the Secretary-Treasurer for these investment transactions."

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

PROPOSAL: consider replacing with: «The President is authorized to open and maintain an account with any bank at his discretion, having the right to sign all requisite documents and perform current transactions. For the performance of such transactions the President may issue a power of attorney for the Secretary General, Chief Executive Officer or Secretary-Treasurer.
The President is authorized to perform investment transactions on this account about which the Executive Committee will be informed.».

5.6.5 The President may also give a power of attorney to the Administrative and Financial Director for dealing below an upper limit which the Executive Committee will establish.

PROPOSAL: replace "Administrative and Financial Director" by "CEO".

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5.7 RESPONSIBILITIES OF THE CENTRAL OFFICE (BUREAU)

PROPOSAL: add the following sentence: «The Bureau may make decisions on all urgent and routine/current issues of FIE activities with the Executive Committee's subsequent approval ».

Opinion of the Legal Commission: in favour of the language as modified (see below). If it can handle all current issues, that would include urgent and routine. The legal Commission notes that we must delete 5.6.1 since we would otherwise have two bodies each having concurrent power to do the same acts. When 5.6.1 is deleted the other paragraphs in 5.6 shall each move up one number.

PROPOSAL: add the following sentence: «The Bureau may make decisions on ~~all urgent and routine~~ current issues of FIE activities with the Executive Committee's subsequent approval ».

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

5.8 BUDGETARY RESPONSIBILITIES OF THE TREASURER

d) A 'management' account, meant for the payment of current and recurring expenses, is operated under the sole signature of the President, the Treasurer or the Secretary General (see point e).

PROPOSAL: introduce the following wording: «The CEO receives a power of attorney from the President to perform current financial transactions.»

PROPOSAL: in **paragraph 5.9 introduce the position of Chief Executive Officer (CEO)**
The functional duties of CEO are defined in the Administrative Rules.

Opinion of the Legal Commission: in favour of adding the CEO to all 3 sentences of 5.8.1 d), as an additional party in the 1st and 3rd sentences and in place of the “Administrative and Finance Director” in the 2nd sentence, but also feels the CEO should be added to 5.8.1 e). In addition 5.8.1 f) should be deleted because no accounts fall under the rules stated therein. 5.8 g) shall become 5.8 f).

A new Chapter 5.9A (5.9bis) STAFF OFFICERS should introduce the position of the CEO and shall, as with all other officers of the FIE contain her/his duties and responsibilities.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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CHAPTER VI - COMMISSIONS

6.1 THE COMMISSIONS

- 6.1.1 The permanent commissions of the F.I.E. are the following:
- Legal Commission
 - Rules Commission
 - Refereeing Commission
 - Disciplinary Commission
 - Electronic Signalling Equipment and Installations Commission (S.E.M.I.)
 - Promotion and Marketing Commission
 - Medical Commission
 - *Special Rules for World Championships and Olympic Games Commission*
 - The Advisory Commission of Athletes (Athletes Commission)

Opinion of the Legal Commission: in favour.

PROPOSAL: ~~scratch the line in italics and underlined~~

6.2 STRUCTURE OF THE COMMISSIONS

- 6.2.1 Permanent commissions, *except the Special Rules for World Championships and Olympic Games Commission and the Athletes Commission.*

Opinion of the Legal Commission: in favour.

- a) Each permanent commission except the *Special Rules for World Championships and Olympic Games Commission and the Athletes Commission* is made up of ten voting members elected by the Congress.

PROPOSAL: ~~scratch the line in italics and underlined~~

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b) When, among the ten elected Members of a commission, there is not included a national from every geographic zone, that commission will co-opt the national, if any, of each geographic zone not represented who obtained the largest number of votes among the candidates for that commission; the latter sit on the Commission in a non-voting advisory capacity.

Opinion of the Legal Commission: in favour.

PROPOSAL: scratch para b).

6.2.3 The Executive Committee will delegate one of its members to be responsible to liaise with each commission (cf. 5.5.7).

Opinion of the Legal Commission: in favour of the proposal as modified. Please also see comments to proposal relating to 5.5.4.

6.2.3 The Executive Committee will delegate one of its members to be responsible to ~~liaise-coordinate~~ with each commission (cf. 5.5.7).

PROPOSAL: after the words «each commission» insert: «and ~~monitor~~ coordinate the work of the commissions».

PROPOSAL: insert: «The President may, as agreed with the Executive Committee and after consultation with the President of the Commission, have relevant experts involved in the commissions' work.».

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

PROPOSAL: after the words «each commission» insert: «and monitor the work of the commissions».

PROPOSAL: insert: «The President may, as agreed with the Executive Committee, have relevant experts involved in the commissions' work».

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6.2.4 *The Special Rules for World Championships and Olympic Games Commission.*

Opinion of the Legal Commission: in favour.

The Special Rules for World Championships and the Olympic Games Commission is designated after the other permanent Commissions have been elected. It consists of two members of the Legal Commission, two members of the Rules Commission and two members of the Propaganda Commission, each designated by their respective Commissions.

It is presided over by the President of the FIE.

PROPOSAL: ~~scratch para 6.2.4~~

6.3 DURATION OF MANDATES

6.3.1 Members of each permanent commission, except *the Special Rules for World Championships and Olympic Games Commission* and the Athletes Commission are elected for the duration of the Olympiad.

Opinion of the Legal Commission: in favour.

PROPOSAL: ~~scratch the line in italics and underlined~~

6.3.2 Members of the Special Rules for World Championships and Olympic Games Commission are appointed for the duration of the Olympiad.

Opinion of the Legal Commission: in favour.

PROPOSAL: ~~scratch para 6.3.2.~~

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6.5 FUNCTIONS OF THE COMMISSIONS

6.5.8 *The Special Rules for World Championships and Olympic Games Commission*

a) This Commission is responsible for examining and co-ordinating the texts of proposals submitted to the Legal Commission, the Rules Commission and the Promotion, Publicity and Marketing Commission relating to the organisation and running of World Championships and the Olympic Games. It presents a written report on these proposals to the Congress.

b) This Commission may prepare the texts of all proposals concerning the organisation and running of World Championships and the Olympic Games, either for the approval of the Executive Committee before submission to the Congress or, if the Congress modifies a proposal without approving a precise text, for the definitive approval of the Executive Committee.

PROPOSAL: scratch article 6.5.8.

PROPOSAL: add para 6.5.10 «*Woman and Fencing Commission*»:

This commission is appointed by the Executive Committee and performs the following functions:

- Increase the number of initiatives to encourage more women to participate in fencing, both as fencers and in the management of the sport
 - Encourage the organisation of training courses for women in the different areas of sport (leadership, management, supervisory staff, training, refereeing...)
 - Ensure equal opportunities in the management and participation of women and their representation in sport
 - Encourage women to work and contribute to the development of fencing throughout the world at all levels.
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Opinion of the Legal Commission: in favour.

Opinion of the Legal Commission: in favor as modified below to show that Councils are created by the EC and are differentiated from Commissions which are created and elected by member federations at the Congress.

PROPOSAL: Add new Chapter VI-A(VI bis) COUNCILS add para ~~6.5.10~~ 6A.1 «*Woman and Fencing Commission Council*»:

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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PROPOSAL: add para 6.5.11 «Veterans Commission»:
 This commission is appointed by the Executive Committee. It gives its advice to the latter on all issues related to veteran fencing.

Opinion of the Legal Commission: in favor as modified below to show that Councils are created by the EC and are differentiated from Commissions which are created and elected by member federations at the Congress.

PROPOSAL: add para 6.5.11 6A.2 «Veterans ~~Commission~~ Council»:

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

PROPOSAL: add para 6.6 «Responsibility of Commission Presidents»:

- 6.6.1 Commission operations management.
- 6.6.2 Preparation of the Commissions' work plans and control over their implementation shall be done under the guidance of Executive Committee members.
- 6.6.3 Provision of minutes of meetings and reports on Commission activities for Executive Committee members.

Opinion of the Legal Commission: in favour as modified below. Commission are creations of the Board.

6.6.1 ~~Commission operations management~~ Management of the operations of the Commissions

6.6.2 Preparation of the Commissions' work plans and control over their implementation shall be done ~~under the guidance of~~ in coordination with the Executive Committee ~~members~~ delegate to the Commission.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

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CHAPTER IX - LICENCES

9.1 LICENCES

9.1.8 A referee can obtain from the FIE, through the intermediary of his national Federation or the national Federation of the country where he has been residing for more than three years, an international licence, which will specify the nationality of the referee.

PROPOSAL: consider replacing with: A referee who has been residing for more than three years in a country other than that of his nationality can obtain from the FIE a licence carrying the attribution "FIE" in place of that of his nationality.

Opinion of the Refereeing Commission: in favour.
Opinion of the Legal Commission: in agreement with the concept put forth by the Executive Committee but feels the modified language accomplishes the result sought in clearer language below. The referee having the license with the designation FIE has two nationalities for whom s/he cannot referee and this designation will put the organizing committee on notice of such issue.

9.1.8 ~~A referee can obtain from the FIE, through the intermediary of his national Federation or the national Federation of the country where he has been residing for more than three years, an international licence, which will specify the nationality of the referee.~~

PROPOSAL: ~~Consider replacing with: A referee who has been residing for more than three years in a country other than that of his nationality can obtain from the FIE a licence carrying the attribution "FIE" in place of that of his nationality.~~

a) A National Federation can obtain a license for a referee who is a citizen of the such country and whose license will specify the nationality of the referee.

b) A National Federation can obtain a license for a referee who is not a citizen of such country, but who has been a resident in such country for more than three (3) years and whose license will specify the nationality of the referee as FIE.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Proposals

Opinion

CHAPTER X - COMPETITIONS**10.2 WORLD CHAMPIONSHIPS, ALL CATEGORIES**10.2.1 *Candidatures for a World Championship*

a) Each year, requests to undertake the organisation of the World Championships for the following years, accompanied by a file describing the technical and financial circumstances of the candidature, must reach the administrative office of the F.I.E. three years before the organising of the competition. These requests are to be placed on the agenda of the Congress or General Assembly and must arrive within the time limit laid down by the F.I.E. Statutes for inclusion thereon.

Opinion of the Legal Commission: in favour.

PROPOSAL: replace “the administrative office” with “the Head office”.

10.3 THE OPEN WORLD CHAMPIONSHIPS

10.3.4 The rules of the I.O.C. with regard to defining the Olympic athlete and to the prohibition of political, racial or religious discrimination must be enforced at the Olympic Games.

Opinion of the Legal Commission: in favour.

PROPOSAL: insert the phrase at the beginning of article 10.3.4 and in the end add the words: “and all FIE official competitions.”

CHAPTER XI - HONORARY AWARDS OF THE F.I.E.

PROPOSAL: rename the chapter into “Titles and Awards Conferred by the Congress”

Opinion of the Legal Commission: in favour.

PROPOSAL: to delete Articles 11.2.1, 11.3 and 11.4 from this chapter and include in the Federation’s Administrative Rules.

Proposals

Opinion

Hungarian Fencing Federation

Proposal 1

Clause proposed to be modified	Proposed Modification of the Hungarian Fencing Federation	Motivation
<p>1.5.9. “Presiding will always be conducted in French.”</p>	<p>“Presiding will always be conducted in French or English.”</p>	<p>Since English – being also a working language of the FIE - is the most popular common language spoken among the FIE members we propose to modify this clause.</p>

Opinion of the Legal Commission: against.

Opinion of the Executive Committee: not in favour.

Proposal 2

<p>3.3.3. “Proxies and Mandates a) The right to vote at General Assembly or Congress can be delegated to another federation or Member of Honour...”</p>	<p>We propose to delete 3.3.3. and by this amendment of the Statutes not allowing the right to vote to be delegated to another federation or to a Member of Honour.</p>	<p>We propose to allow voting only for member federations who are effectively represented at General Assemblies or Congresses in order to give the decision making power to the member federations who are indeed committed towards our sport's matters and also to avoid manipulating the decision making procedure by using the “ghost” federations.</p>
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Opinion of the Legal Commission: against.

Opinion of the Executive Committee: not in favour.

Proposals

Opinion

Italian Fencing Federation

Note: Changes are highlighted in yellow.

Proposal

Current Text	Proposed Text
<p>1.6 FINANCIAL RESOURCES</p> <p>The financial resources of the F.I.E. consists of:</p> <ol style="list-style-type: none"> 1) Federations’ subscriptions 2) Licence fees 3) Entry fees for the World Championships 4) Fees for the organisation of competitions 5)Television rights 6) Such other resources as may be developed <p>The amounts of the fees above (items 1 to 4) are determined by the Executive Committee and approved by the General Assembly for the following season.</p>	<p>ADD</p> <p>1.7 REGULATING LAW AND PLACE OF JUSTICE</p> <p>The substantial regulating law is determined where the FIE has its official headquarters.</p> <p>Each Member Federation agrees to entrust the ruling of controversies arising between the Federations or against the FIE and regarding associate life to an Arbitration Commission, unless they fall within the specific remit of another legal body in the Rules.</p> <p>Three arbitrators will be nominated, one for each party and the third by common agreement between both parties or, in case of a disagreement, by the President of the IOC upon the appeal of the interested party.</p> <p>The seat of Arbitration shall be in Lausanne.</p> <p>The Arbitrators will decide fairly.</p>

Opinion of the Legal Commission: against. CAS is appropriate legal body. Other issues alluded to by proposal will be handled by revised Disciplinary Code. The Legal Commission will analyse in a working group the possibility of submitting to Arbitration different issues in addition to disciplinary matters.

Opinion of the Executive Committee: not in favour, because the statutory appeals body is the CAS.

Motivation: Clarification

Proposals

Opinion

Proposal

2.2 RIGHTS AND DUTIES OF MEMBERS	2.2 RIGHTS AND DUTIES OF MEMBERS
<p><i>2.2.1 Rights and duties of member Federations</i></p>	<p><i>2.2.1 Rights and duties of member Federations</i></p>
<p>a) Each member Federation has the right to vote in the General Assemblies and Congresses of the F.I.E.</p> <p>b) Each member Federation has the right to present its candidates for the different bodies of the F.I.E. (see chapter 4). They also have the right to draw up proposals which may be submitted to the Congress (see chapter 3).</p> <p>c) The Presidents of all the member federations are recognised as delegates of the F.I.E. in their respective countries. They represent the President of the F.I.E. in all international events of their respective federation every time that the President himself or his delegate is unable to attend.</p> <p>d) Each member federation is under an obligation to ensure on its territory respect for the rules of the F.I.E. when events are organised under its auspices.</p>	<p>a) Each Member Federation is granted the right to vote after being affiliated to the FIE for at least a full calendar year on the date of the celebration of the General Assembly or the Congress and having participated over the previous 24 months with at least two athletes in a competition recognized by the FIE in the Senior, Junior, Cadet and Veteran categories, and more precisely in the:</p> <ul style="list-style-type: none"> - Olympic Games - World Championships - Continental Championships - Continental Zonal Championships officially recognized by the FIE <p>b) Each member Federation has the right to vote in the General Assemblies and Congresses of the F.I.E.</p> <p>c) Each member Federation has the right to present its candidates for the different bodies of the F.I.E. (see chapter 4). They also have the right to draw up proposals which may be submitted to the Congress (see chapter 3).</p> <p>d) The Presidents of all the member federations are recognised as delegates of the F.I.E. in their respective countries. They represent the President of the F.I.E. in all international events of their respective federation every time that the President himself or his delegate is unable to attend.</p>

Opinion of the Legal Commission: against. This rule would discriminate against new, poor, developmental federations or federations that had significant visa issues.

Opinion of the Executive Committee: not in favour.

Proposals

Opinion

<p>e) Furthermore each member federation must ensure that its own Statutes do not clash with the Fundamental Rules in these Statutes (cf.2.1.1). <i>2.2.2 Rights and duties of Members of Honour</i> a) The Members of Honour of the F.I.E. are present by right at the Congresses and General Assemblies of the F.I.E. If they are not delegated by their national federations, they can make proposals, but they only have an advisory (non-voting) role. b) They also have the right to be present at the meetings of all the Commissions of the F.I.E., but in an advisory capacity only. <i>2.2.3 Rights and duties of Patrons.</i> This title is purely honorary.</p>	<p>e) Each member federation is under an obligation to ensure on its territory respect for the rules of the F.I.E. when events are organised under its auspices. f) Furthermore each member federation must ensure that its own Statutes do not clash with the Fundamental Rules in these Statutes (cf.2.1.1). <i>2.2.2 Rights and duties of Members of Honour</i> a) The Members of Honour of the F.I.E. are present by right at the Congresses and General Assemblies of the F.I.E. If they are not delegated by their national federations, they can make proposals, but they only have an advisory (non-voting) role. b) They also have the right to be present at the meetings of all the Commissions of the F.I.E., but in an advisory capacity only. <i>2.2.3 Rights and duties of Patrons.</i> This title is purely honorary.</p>
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Motivation: To restrict the right to vote to the federations which are really active.



Proposals

Opinion

Proposal

<p>2.3 ZONAL CONFEDERATIONS</p> <p>In order that a confederation be recognized by the FIE, it is necessary that their statutes provide that the President of the FIE is an ex-officio member of their executive committee. <i>As such, he has the right to vote.</i></p> <p>2.3.1 The F.I.E. will allow some member federations to group themselves according to geographic areas into "Confederations" in order to control relationships which they think they can usefully establish among themselves (1) Footnote: Zonal Confederations as in 1999.</p> <p>2.3.2 These Zonal Confederations may only include member federations. The Zonal Confederations are not, themselves, members of the F.I.E.</p> <p>2.3.3 They may have no rules or statutes contrary to those of the F.I.E. In the case of disagreement in the interpretation of the Statutes and Rules of the F.I.E. and those of a Zonal Confederation, those of the F.I.E. have priority.</p> <p>2.3.4 They may ask to be recognized by the first F.I.E. Congress that follows their formation, after submission of their Statutes.</p>	<p>2.3 CONTINENTAL AND ZONAL CONFEDERATIONS</p> <p>2.3.1 The FIE will allow some member federations to group themselves into "Continental Confederations" in order to control relationships which they think they can usefully establish among themselves.</p> <p>2.3.2 The FIE will moreover allow Member Federations connected by their nature, culture, history or geographic area to group into "Continental Zonal Confederations".</p> <p>2.3.3 Zonal Confederations and Continental Zonal Confederations may ask to be recognized by the first F.I.E. Congress that follows their formation, after submission of their Statutes.</p> <p>2.3.4 In order that a Confederation be recognized by the FIE, it is necessary that their statutes provide that the President of the FIE is an ex-officio member of their executive committee. <i>As such, he has the right to vote.</i></p>
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Opinion of the Legal Commission: against. This would lead to chaos, with countries belonging to multiple confederations. The President of the FIE would be requested to be at a multitude of meetings. There is no benefit shown to have these confederations recognized by the FIE.

Opinion of the Executive Committee: not in favour.

Proposals

Opinion

<p>2.3.5 Zonal Confederations may choose whatever language they like as official language for their internal relations.</p>	<p>2.3.5 All the CONFEDERATIONS have their own Statutes and Rules, but they may have no rules or statutes contrary to those of the F.I.E. In the case of disagreement in the interpretation of the Statutes and Rules of the F.I.E. and those of a Confederation, those of the F.I.E. have priority.</p> <p>2.3.6 The Member Federations of the FIE with headquarters on each continent can be grouped into 5 Continental Confederations: Europe, Asia, America, Africa and Oceania.</p> <p>2.3.7 The President of the FIE is an ex-officio member of the Executive Committees of each of the five Continental Confederations and, as such, he has the right to vote.</p> <p>2.3.8 The Presidents of the five Continental Zonal Confederations are ex-officio members of the Executive Committee of the FIE and, as such, they have the right to vote.</p> <p>2.3.9 The Continental Zonal Confederations may choose whatever language they like as official language for their internal relations. Official documents sent to the FIE will be written in French.</p>
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Motivation: For ease of reading after the modifications of the last Assembly and to distinguish between the different levels of Confederations.

Proposals

Opinion

Proposal

3.1 MEETINGS	3.1 MEETINGS
<p>3.1.1 The General Assemblies of the F.I.E are held at the venue of the World Junior Championships on date(s) decided by the F.I.E. Executive Committee.</p> <p>3.1.2</p> <p>a) Congresses, for their part, are held in the last four months of the odd-numbered years.</p> <p>b) The Elective Congress is held during the Olympic year.</p> <p>c) An extraordinary Congress may be convened if the Executive Committee so proposes, or at the request of at least 50 % of member Federations. The expenses incurred by the organisation of this Congress are paid by the FIE.</p> <p>d) The place and the date of a congress is established by the Executive Committee in a city offering convenient air and rail links as well as lodging opportunities.</p>	<p>3.1.1 The General Assemblies of the F.I.E are held at the venue of the World Junior Championships on the date(s) decided by the F.I.E. Executive Committee.</p> <p>3.1.2</p> <p>a) The Congress is held during the second year after the Olympic year.</p> <p>b) The Elective Congress is held within six months from the end of the Olympic Games.</p> <p>c) An extraordinary Congress may be convened if the Executive Committee so proposes, or at the request of at least 50% of member Federations. The expenses incurred by the organisation of this Congress are paid by the FIE.</p> <p>d) The place and the date of a congress is established by the Executive Committee in a city offering convenient air and rail links as well as lodging opportunities.</p>

Opinion of the Legal Commission: against this proposal and in favour the Argentina's proposal number 3 as amended by the Legal Commission.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Proposals

Opinion

Proposal

<p>3.2 ROLE OF THE GENERAL ASSEMBLY AND OF THE CONGRESS</p> <p>3.2.1 Each year the General Assembly receives the reports on the management of the Executive Committee and on the operational and financial situation of the Federation, the report on the accounts for the financial year that has ended and thereport of the auditors. It approves the amounts of the fees listed in article 1.6, items 1) to 4) determined by theExecutive Committee for the following season. It votes on the provisional budget. It approves the report of the auditors. Should the accounts for the financial year that has ended not be approved by the auditors, the President and the Executive Committee are dismissed from their positions. The General Assembly appoints professional auditors as auditors for a period of one year, which can be renewed</p>	<p>3.2 ROLE OF THE GENERAL ASSEMBLY AND OF THE CONGRESS</p> <p>3.2.1. Each year the General Assembly approves the reports on the management of the Executive Committee and on the operational and financial situation of the Federation, the report on the accounts for the financial year that has ended and the report of the auditors. A failed approval entails the resignation of the Executive Committee. It approves the amounts of the fees listed in article 1.6, items 1) to 4) determined by the Executive Committee for the following season. It votes on the provisional budget. It approves the report of the auditors. Should the accounts for the financial year that has ended not be approved by the auditors, the President and the Executive Committee are dismissed from their positions. The General Assembly appoints professional auditors as auditors for a period of one year, which can be renewed.</p>
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<p>Opinion of the Legal Commission: in favour of the Italian proposal as modified below. The failure of the Congress or General Assembly to approve the financial report could be politically motivated and should not require the Executive Committee to resign. The failure of the auditors to approve the accounts is already grounds for the Executive Committee to resign. A working group of the Legal Commission will study the possibility of a political reprobation (“impeachment” or “Censure Motion”) for improper behaviors of officers and members of the Executive Commission or the Commissions.</p> <p>3.2 ROLE OF THE GENERAL ASSEMBLY AND OF THE CONGRESS</p> <p>3.2.1. Each year the General Assembly <u>or Congress (if the Argentinean modified proposal gains acceptance)</u> approves the reports on the management of the Executive Committee and on the operational and financial situation of the Federation, the report on the accounts for the financial year that has ended and the report of the auditors. A failed approval entails the resignation of the Executive Committee. It approves the amounts of the fees listed in article 1.6, items 1) to 4) determined by the Executive Committee for the following season. It votes on the provisional budget. It approves the <u>positive</u> report of the auditors.</p> <p>Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.</p>
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Motivation: Logical

Proposals

Opinion

Proposal

<p>3.2.2 The Congress alone is competent to rule on acquisitions, exchanges and sale of real estate, on undertaking mortgages, long term leases (more than 9 years) and loans which are intended to underwrite the F.I.E.</p> <p>3.2.3 The Congress establishes, controls and steers the general policy of the F.I.E. It determines the modifications to be made to the Statutes, the Rules for the competitions. It has the power to pronounce the dissolution of the F.I.E.</p>	<p>3.2.2. The Congress:</p> <ul style="list-style-type: none"> a) establishes, controls and steers the general policy of the F.I.E.; b) determines the modifications to be made to the Statutes; c) decides the admission of new Federations to the FIE; d) recognises the formation of Continental Zonal Confederations; e) confers the title of Member of Honour and Patron of the FIE; f) alone is competent to rule on acquisitions, exchanges and sale of real estate, on undertaking mortgages, long term leases (more than 9 years) and loans which are intended to underwrite the FIE; g) has the power to pronounce the dissolution of the F.I.E. <p>3.2.3 The Elective Congress elects the President of the FIE, the members of the Executive Committee and the members of the permanent Commissions.</p>
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Opinion of the Legal Commission: against the proposal. It does not feel it clarifies the existing language, it omits important items currently in existence and duplicates items contained in other sections. The Legal Commission is not in favour of a limiting listing of the Congresses competences only a reference to categories. The Congress is the supreme body of the FIE and can, within the rules of due process and the IOC dictates, control the operation of the FIE.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Motivation : Clarification



Proposals

Opinion

Proposal

<p>3.3.2 When a Member Federation has not fulfilled its financial obligations towards the F.I.E. one month before the opening day of the Congress or General Assembly, such Member Federation will be prohibited from being represented at the said Congress or General Assembly and from voting, unless exception has been made for a valid reason and accepted by the Executive Committee.</p>	<p>3.3.2 When a Member Federation has not fulfilled its financial obligations towards the F.I.E. 30 days (documenting the payment made) before the opening day of the Congress or General Assembly, such Member Federation will be prohibited from being represented at the said Congress or General Assembly and from voting, except for cases of 'force majeure' duly justified and accepted by the Executive Committee.</p>
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Opinion of the Legal Commission: in favor of the Executive Committee proposal as modified.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Motivation: Set amount of time and precision.

Proposal

<p>3.3.3 Proxies and mandates a) The right to vote at a General Assembly or Congress can be delegated to another federation or a Member of Honour. This proxy must be signed by the President of the member federation, and the mandate can be imperative for all statutory modifications. In no instance may a proxy agent have more than one mandate for another member federation.</p>	<p>3.3.3 Proxies and mandates a) The right to vote at a General Assembly or Congress can be delegated to another federation or a Member of Honour. The right to vote cannot be delegated to the President of the FIE and the Members of the Executive Committee. This proxy must be signed by the President of the member federation, and the mandate can be imperative for all statutory modifications. In no instance may a proxy agent have more than one mandate for another member federation.</p>
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Opinion of the Legal Commission: against the proposal.

Opinion of the Executive Committee: not in favour.

Proposals

Opinion

Proposal

<p>3.4.1 All proposals must reach the administrative office of the F.I.E. eight months before the date established for the next Congress. Any proposal reaching the administrative office after this date cannot be put on the agenda.</p>	<p>3.4.1 All proposals must reach the administrative office of the F.I.E. six months before the date established for the next Congress. Any proposal reaching the administrative office after this date cannot be put on the agenda.</p>
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<p><u>Opinion of the Legal Commission:</u> in favor of the Executive Committee proposal.</p> <p><u>Opinion of the Executive Committee:</u> in favour of the opinion of the Legal Commission.</p>
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Proposal

<p>4.3.1 To be candidate to the Executive Committee a person must hold a licence from his Member Federation except for Members of Honour, be at least 21 years of age on the date of the elections and enjoy the full civic rights of the country to which he belongs. Besides, a candidate to the Executive Committee must be able to understand and speak one of the three working languages of the FIE and it is desirable that he should be able to understand and speak one of the two other working languages. A member of the Executive Committee, elected as such, cannot be president of a zonal confederation or member of a commission. Being a member of the Executive Committee is incompatible with the national roles of technical director, referee, chief of delegation and team captain.</p>	<p>4.3.1 To be candidate to the Executive Committee a person must hold a licence from his Member Federation except for Members of Honour, be at least 21 years of age on the date of the elections and enjoy the full civic rights of the country to which he belongs. Besides, a candidate to the Executive Committee must be able to understand and speak one of the three working languages of the FIE and it is desirable that he should be able to understand and speak one of the two other working languages. A member of the Executive Committee, elected as such, cannot be president of a Continental confederation or member of a commission.</p>
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<p><u>Opinion of the Legal Commission:</u> against this proposal. Unless the Italian proposal to change 2.3 is passed, the Continental confederation will remain as the Zonal confederation. And that appears to be the only proposed change.</p> <p><u>Opinion of the Executive Committee:</u> in favour of the opinion of the Legal Commission.</p>

Proposals

Opinion

Proposal

<p>4.3.2 If a candidate for the Executive Committee withdraws before an election, only his Member Federation may present another candidate.</p>	<p>4.3.2 If a candidate for the Executive Committee withdraws before an election, only his Member Federation may present another candidate.</p>
<p>4.3.3 For the election to the Executive Committee the 15 members who have obtained the most votes are elected, provided they are of different nationalities.</p>	<p>4.3.3 For the election to the Executive Committee the 15 members who have obtained the most votes are elected, provided they are of different nationalities.</p>
<p>4.3.4 As about 20% of the elected members must be women, if the 15 members who have obtained the most votes do not include 3 women, the Executive Committee will consist of the first 12 members elected and the 3 women candidates for the Executive Committee who have obtained the greatest number of votes. If one or several of the women selected is of the same nationality as one of the first 12 men elected, she (or they) will be stood down in favour of the next woman of a nationality not already represented. If no woman has offered herself as candidate, or if the woman or women identified in accordance with the above process are of the same nationality as the 12 men of different nationalities with the greatest number of votes, the 15 men of different nationalities with the greatest number of votes are elected.</p>	<p>4.3.4 As women are entitled to represent about 20% of the elected members, if the 15 members who have obtained the most votes do not include 3 women, the Executive Committee will consist of the first 12 members elected and the 3 women candidates for the Executive Committee who have obtained the greatest number of votes. If one or several of the women selected is of the same nationality as one of the first 12 men elected, she (or they) will be stood down in favour of the next woman of a nationality not already represented. If no woman has offered herself as candidate, or if the woman or women identified in accordance with the above process are of the same nationality as the 12 men of different nationalities with the greatest number of votes, the 15 men of different nationalities with the greatest number of votes are elected.</p>

Opinion of the Legal Commission: in favor of the Executive Committee proposal as modified. The term “entitle to represent about” is limiting. The proper language should be “must represent at least”, thereby allowing more than that percentage to be elected if the Congress so wishes.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Proposals

Opinion

Proposal

<p>4.4.3 For the elections to the permanent commissions, the 10 candidates with the most votes are elected subject to the fact that they must be of different nationalities.</p>	<p>4.4.3 For the elections to the permanent commissions, the 10 candidates with the most votes are elected subject to the fact that they must be of different nationalities. The Continental Confederations made up of at least 10 Federations will be entitled to at least two places in each Commission, according to the candidatures presented.</p>
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Opinion of the Legal Commission: against this proposal. The Commission is against the Continental Confederations and even if that proposal were to pass, this proposal is unworkable since there could be more confederations entitled to places on the Commissions than there are spaces on the Commissions.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Proposal

<p>5.2.4 In addition, the President in office of each of the five geographic zones is an ex-officio member with full rights of the Executive Committee of the FIE. As such, he has the right to vote. The five zones are the following: Africa, America, Asia, Europe and Oceania.</p>	<p>delete</p>
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Opinion of the Legal Commission: against this proposal, because it is against the proposal of the Italian Federation to 2.3. There is no current 2.39. It is only created by the Italian proposal.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Motivation: Repetition (see Art. 2.39)

Proposals

Opinion

Proposal

<p>7.1.4 Penalties g) Accessory penalties. Accessory penalties can be pronounced in addition to the principal penalty. This can be: - prohibition of presenting oneself in certain places for a defined term; - ineligibility in national and international authorities; or - loss of a title or award. The penalties will be published on the FIE website and in the official magazine of the FIE.</p>	<p>7.1.4 Sanctions g) Accessory penalties. Accessory penalties can be pronounced in addition to the principal penalty . This can be: - prohibition of presenting oneself in certain places for a defined term; - ineligibility in national and international authorities; or - loss of a title or award. The penalties will be published on the FIE website in the official magazine of the FIE.</p>
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Opinion of the Legal Commission: against this proposal. Charges should not be published but penalties must be published. How else will other federations know if someone is to be excluded from a competition?

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Motivation: Privacy

Ukrainian Fencing Federation

Proposal 1

1.4 FINANCIAL YEAR
 The financial year is a twelve month period from October 1st to September 30th.

Change for:

1.4 FINANCIAL YEAR
 The financial year is a twelve month period from January 1st to December 31th.

Motivation: to synchronize the financial year with calendar year.

Opinion of the Legal Commission: against this proposal and in favour the Argentina’s proposal number 3 as amended by the Legal Commission.

Opinion of the Executive Committee: in favour of the opinion of the Legal Commission.

Proposals

Opinion

Dates of the World Championships

Executive Committee

A working group has been created for the study of the proposals regarding the dates of the World Championships and the modification of the calendar.

10.3.1 *General Rules*

The official championships called "Open World Championships" are held annually, in principle between the 1st of October and the 15th of November under the auspices of the F.I.E.

PROPOSAL: to consider the organisation of senior WC in Autumn (in principal 15 September – 15 November)

Opinion of the Legal Commission: has no opinion. The establishment of dates for the World Championships is not within the competence of this Commission.

10.4 JUNIOR AND CADET WORLD CHAMPIONSHIPS

10.4.1 *General Rules*

The Junior and Cadet World Championships are held every year, during the first two weeks of April, under the auspices of the FIE.

PROPOSAL: the organisation of cadet and junior WC remains in April

Opinion of the Legal Commission: has no opinion. The establishment of dates for the World Championships is not within the competence of this Commission.

France

Junior World Championships: at the beginning of April

Cancellation of the cadet World Championships.

Senior World Championships: mid-October.

Opinion of the Legal Commission: has no opinion. The establishment of dates for the World Championships is not within the competence of this Commission.

Opinion of the Executive Committee: in favour of its own proposal.

Proposals

Opinion

Germany

World Championships:

Implementation at an earlier date (august)

Reason:

The Championships are the high point at the end of the actual season. Longer period for preparation after the world championships respectively a longer period for implementation of worldcup tournaments.

Cadets World Championships

Cancelling of this event

Reason:

Taking into consideration that the development of fencers lasts a long period of time, the competition highest point for cadet fencers should be in their continents

Opinion of the Legal Commission: has no opinion. The establishment of dates for the World Championships is not within the competence of this Commission.

Opinion of the Executive Committee: in favour of its own proposal.

Hungary

“General Rules

The official championships called “Open World Championships” are held annually, in principle between the 15th of June and the 31st of July under the auspices of the FIE.”

Motivation.

Fencing is on the Agenda of the Summer Games, the WC has been organised for decades during the Summer. It has been changed in order to draw more attention but obviously this modification has not changed anything.

We propose to schedule the WC during the summer also taken into consideration the school season.

Opinion of the Legal Commission: has no opinion. The establishment of dates for the World Championships is not within the competence of this Commission.

Opinion of the Executive Committee: in favour of its own proposal.

Proposals

Opinion

Russia

1. Dates of World Championship 1 – 10 August.

Opinion of the Legal Commission: has no opinion. The establishment of dates for the World Championships is not within the competence of this Commission.

Opinion of the Executive Committee: in favour of its own proposal.

Ukraine

Proposition II

10.3.1 General Rules

The official championships called "Open World Championships" are held annually, in principle between the 1st of October and the 15th of November under the auspices of the F.I.E.

Change for:

10.3.1 General Rules

The official championships called "Open World Championships" are held annually, in principle between the 1st of September and the 20th of September under the auspices of the F.I.E.

Motivation: in order not to have a long break between competitions in July-september.

Opinion of the Legal Commission: has no opinion. The establishment of dates for the World Championships is not within the competence of this Commission.

Opinion of the Executive Committee: in favour of its own proposal.

F I E