

**Proposed Statutes and By-Laws modifications discussed by the SWG for proposal to the
FAI GC 2010 in Dublin**

a) **Conditions of eligibility for the award of the Honorary Group Diploma.**

The SWG was tasked with examining BL 11.13.2 dealing with Honorary Group Diplomas and to make recommendations to the GC in 2009. Specific concern was recent cases of possibly inappropriate groups receiving this Diploma in conflict with the intention and definition of the award. At the GC in 2009 a proposal to this effect was presented and subsequently withdrawn by the SWG because proposed vetting and approval procedures (in BL Chapters 10 and 14) could not be adopted by the GC. The proposal was tabled until the GC 2010.

Having reconsidered the proposed wording for the GC 2009, the WG decided, for clarification and historical referencing purposes only, to propose the following name and wording changes to the FAI GC 2010, without any proposed changes to the vetting and approval procedures in BL Chapters 10 and 14:

11.13. THE FAI ~~HONORARY~~ GROUP DIPLOMA OF HONOUR

- 11.13.1. History. ~~These Diplomas were~~ This diploma was established in 1965 by the FAI as the "THE FAI HONORARY GROUP DIPLOMA". In 2010 the FAI General Conference decided to rename this Diploma "THE FAI GROUP DIPLOMA OF HONOUR".
- 11.13.2. Eligibility. ~~They~~ An FAI Group Diploma of Honour may be awarded to a group ~~groups of people~~ (design offices, scientific bodies, aeronautical publications, etc) that ~~have~~ has contributed significantly to the progress of Aeronautics or Astronautics during the previous year or years.
- 11.13.3. Frequency and Number. Each year, an FAI member may submit the names of two candidate groups, one for Aeronautics and one for Astronautics.
- 11.13.4. Nomination and Approval. Procedures shall be as described in Chapter 10.

This proposal is of no negative consequence to Diplomas awarded in the past, and makes it clear who the beneficiaries shall be in the future. The SWG will therefore recommend to the FAI President that the wording above shall be submitted to the GC for adoption.

b) **Proposal by CIMA to change the name of the Commission to “FAI Microlight and Paramotor Commission” (include “paramotor” into Statute 1.1 & 5.2.3.3.7.10, and BL 12.11.2.)**

In 2007 CIMA decided to rename itself “the ***International Microlight and Paramotor Commission***.” This was primarily because Paramotors, although technically a ‘microlight’ had become a distinct entity in form, practice and culture. By 2007 it was evident that participation in both records and championships by paramotor pilots was at least as strong as in ‘classical microlights’, and growing, and therefore the entire activity needed to be acknowledged as an ‘equal partner’ within CIMA. With the growth of paramotoring from the mid 1990’s, classical microlights became known within CIMA as “the classic classes” but there was a variety of ways to refer to paramotors. In place of “Powered Paraglider” or “PPG”, the CIMA Plenary decided in 2007 to adopt the name “Paramotor” to refer to a specific group of aircraft (S10 1.4) and the “classic classes” became distinctly “Microlights”. This is now reflected throughout FAI S10 and also in the way CIMA manages its affairs.

On January 20, 2010 the CIMA President requested the FAI Secretary General to take the necessary steps so that the FAI GC could decide on the CIMA proposal to introduce the word/ concept “paramotor” into Statutes 1.1.4 and 5.2.3.3.7.10, and into By-Law 12.11.1. and 12.11.2.

On April 1st the CIMA President informed the SWG President that he wished the SWG to consider an additional change to By-Law 12.11.1.2 – Eligibility for the Colibri Diploma – to the effect to eliminate contradictory statements in the By-Laws and the Sporting Code Section 10. Where the By-Laws now read in 12.11.1.2:

Eligibility It may be awarded each year to an individual who has made an outstanding contribution to the development of microlight aircraft.

The Sporting Code S10 2.1.1. reads:

This Diploma may be awarded each year by the FAI on a proposal from CIMA to an individual who is considered to have made an outstanding contribution to the development of Microlight flying by his action, work, achievements, initiative or devotion.

The CIMA President is worried that the current By-Laws text could be read to imply that a Colibri Diploma is reserved for aircraft builders/manufacturers only. The Sporting Code S10 however encompasses people who have made a contribution in a more generic sense.

Having considered the CIMA proposal, the SWG agrees to the proposed changes and will therefore recommend to the FAI President that the Statutes and By-Laws amendments as proposed below shall be submitted to the GC for adoption.

FAI Statutes:

1.1.4 FAI activities include ballooning, power flying, gliding, helicopter flight, parachuting, aeromodelling, aerobatics, hang gliding, microlight **and paramotor** flying, amateur building of aircraft, manpowered aircraft, paragliding and all other aeronautic and astronautic sporting activities. They are conducted under the FAI Sporting Code.

5.2.3.3.7.10. FAI MICROLIGHT **AND PARAMOTOR** COMMISSION
All matters relating to Microlight **and Paramotor** aircraft.

FAI By-Laws:

- 12.11. AWARDS FOR MICROLIGHT **AND PARAMOTOR** AVIATION
(Subject to approval by the FAI Microlight **and Paramotor** Commission)
- 12.11.1.2. Eligibility. It may be awarded each year to an individual who has made an outstanding contribution to the development of microlight **and paramotor** aircraft **flying by his action, work, achievements, initiative or devotion.**
- 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 **and Paramotor** aviation, but also of gliding and hang-gliding. She was instrumental in creating the FAI Microlight Commission (CIMA) and formulating the Microlight **and Paramotor** sporting code. She worked tirelessly for many years in the cause of Microlight **and Paramotor** sport flying.
- 12.11.2.2. Eligibility. The Diploma may be awarded each year to the pilot or crew of a Microlight **or Paramotor** who, in the opinion of CIMA, made the most meritorious flight which resulted in a Microlight **or Paramotor** World record claim ratified in the year in question.
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- c) Conference decision to “authorize the SWG to prepare firm proposals for 2010 on a more rational way for presenting FAI’s constitution, rules and regulations, making clear in each case which body should be responsible for their amendment and implementation”.

Following up on the 2009 FAI General Conference decision to

“authorize the SWG to prepare firm proposals for 2010 on a more rational way for presenting FAI’s constitution, rules and regulations, making clear in each case which body should be responsible for their amendment and implementation”,

the SWG is making the following proposal to amend the FAI Statutes and By-Laws.

Having discussed the EB’s brief and its wish to ask the GC to give responsibility to the EB for amending By-Laws on the basis of a SWG proposed future structure of the Statutes and By-Laws (skeleton), the SWG concluded:

1. The SWG proposal will be based on two documents: FAI Statutes and FAI By-Laws. No third document (Operations Manual) is deemed necessary at this time.
2. Sporting Code General Section dispositions shall not be considered under this effort by this WG, until the strategy for a future CASI has been worked out and adopted by the EB/GC.
3. The SWG will propose Statutes and By-Laws amendments to allow the responsibility for the development and maintenance of the future By-Laws document to be devolved to the EB. However, as the proposed “skeleton” of the future structure of the Statutes and By-Laws shows, the discussion on what should be in the Statutes and what should be in the By-Laws is not yet closed and the SWG is expecting input from the FAI Members in this respect. Therefore it is proposed to the GC to adopt skeleton structure before adopting the proposed Statutes and By-Laws changes and to give a clear mandate to the EB to re-write the Statutes and By-Laws in accordance with its decisions in this respect. It is not recommended that the GC adopt the proposed Statutes and By-Laws changes below without adopting the proposed “skeleton” structure.

The proposed amendments will read as follows:

Statutes Definitions:

Constitution of FAI	old	The body of fundamental laws and principles that prescribe the nature, objectives, functions and limits of FAI. It consists of two parts. The relatively permanent elements of the FAI Constitution are set forth in the FAI Statutes. The procedural and more detailed elements, as well as instructions on awards, are set forth in the FAI By-Laws.
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Constitution of FAI	new	The body of fundamental laws and principles that prescribe the nature, objectives, functions and limits of FAI. It consists of two parts. The relatively permanent elements of the FAI Constitution are set forth in the FAI Statutes <u>and may only be changed by the General Conference</u> . The procedural and more detailed elements, <u>and any other matter necessary for the conduct of FAI business and aeronautical and astronautical activities</u> , are
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set forth in the FAI By-Laws and may be changed by the Executive Board.

FAI By-Laws	old	That portion of the FAI Constitution established by the General Conference and dealing with awards, badges, publications and procedural rules for the various FAI bodies.
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FAI By-Laws	new	That portion of the FAI Constitution established by the General Conference <u>or the Executive Board</u> and dealing with awards, badges, publications, procedural rules for the various FAI bodies <u>and any other matter as necessary for the conduct of FAI business and aeronautical activities.</u>
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Statutes:

1.5. THE FAI BY-LAWS

1.5.1.	old	The FAI By-Laws are formal written rules, established by the General Conference to guide the implementation of the Statutes. They cover procedural rules for the various FAI bodies as well as awards, badges and publications.
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1.5.1.	new	The FAI By-Laws are formal written rules, established by the General Conference <u>or the Executive Board</u> to guide the implementation of the Statutes. <u>They deal with awards, badges, publications, procedural rules for the various FAI bodies and any other matter as necessary for the conduct of FAI business and aeronautical and astronautical activities.</u>
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1.5.2.	old	The By-Laws and changes thereto may be approved and implemented by a majority vote of the General Conference.
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1.5.2.	new	The By-Laws and changes thereto may be approved and implemented by a majority vote of the <u>FAI Executive Board.</u>
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1.5.3.	old	Unless otherwise agreed at the time of decision, changes of the By-laws shall become effective on January 1st following the General Conference that approved them.
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1.5.3.	new	Amendments to the By-laws shall become effective 15 days after the date of publication and notification to the FAI Members.
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3.4.1.8. old - approval of amendments to the Statutes and By-Laws

3.4.1.8. new - approval of amendments to the Statutes

4.2.1. old The Executive Board is the executive body of the FAI, implementing the policies and decisions of the General Conference and exercising those powers of the General Conference that are delegated to it by that body.

4.2.1. new The Executive Board is the executive body of the FAI, implementing the policies and decisions of the General Conference and exercising those powers of the General Conference that are delegated to it by that body.

4.2.1.1. The General Conference has delegated the power to amend the FAI By-Laws to the Executive Board

4. The SWG proposes to develop the structure of the future Statutes and By-Laws along the following guidelines:

Present By-Laws		Future Statutes	Future By-Laws	Remarks
CHAPTER 1	GENERAL PROVISIONS			
1.1	FAI FLAG AND LOGOS		X	1.1.1, 1.1.2, 1.1.3 to be moved into Statutes
1.2	RULES FOR TRANSFER OF RIGHTS TO FAI INTERNATIONAL SPORTING EVENTS		X	To remain in By-Laws
CHAPTER 2	MEMBERSHIP RULES AND PROCEDURES			
2.1	APPLICATION FOR FAI ACTIVE MEMBERSHIP		X	To remain in By-Laws
2.2	ACCEPTANCE OF ACTIVE MEMBER APPLICANTS	X		To be moved into Statutes
2.3	VOTING RIGHTS OF ACTIVE MEMBERS	X		To be moved into Statutes
2.4	APPLICATION FOR ASSOCIATE MEMBERSHIP		X	To remain in By-Laws
2.5	ACCEPTANCE OF ASSOCIATE MEMBER APPLICANTS	X		To be moved into Statutes
2.6	VOTING RIGHTS OF ASSOCIATE MEMBERS	X		To be moved into Statutes
2.7	APPLICATION FOR TEMPORARY MEMBERSHIP		X	To remain in By-Laws
2.8	ACCEPTANCE OF TEMPORARY MEMBER APPLICANTS	X		To be moved into Statutes
2.9	SUBSTANTIATION OF AERONAUTICAL ACTIVITIES	X		To be moved into Statutes
2.10	ACCEPTANCE OF INTERNATIONAL AFFILIATE MEMBERS	X		To be moved into Statutes
CHAPTER 3	GENERAL CONFERENCE RULES AND PROCEDURES			
3.1	COMPOSITION OF DELEGATIONS	X		To be moved into Statutes
3.2	NOTICES AND AGENDA	X		To be moved into Statutes
3.3	VOTING AT THE GENERAL CONFERENCE	X		To be moved into Statutes
3.4	QUORUM	X		To be moved into Statutes
3.5	MAJORITY	X		To be moved into Statutes

Present By-Laws		Future Statutes	Future By-Laws	Remarks
3.6	LANGUAGES	X		To be moved into Statutes
3.7	ADMINISTRATION OF AN EXTRAORDINARY GENERAL CONFERENCE	X		To be moved into Statutes
CHAPTER 4	EXECUTIVE BOARD RULES AND PROCEDURES	X		To be moved to Statutes.
CHAPTER 5	COMMISSION RULES AND PROCEDURES			
5.1	ESTABLISHMENT AND DISESTABLISHMENT	X		To be moved into Statutes
5.2	THE FAI AIR SPORT GENERAL COMMISSION	X		To be moved into Statutes
5.3	REPRESENTATION AT MEETINGS OF FAI COMMISSIONS		X	To remain in By-Laws
5.4	OFFICIALS OF FAI AIR SPORT COMMISSIONS AND TECHNICAL COMMISSIONS		X	To remain in By-Laws
5.5	COMMISSION VOTING RULES		X	To remain in By-Laws
5.6	GENERAL PROCEDURES FOR COMMISSIONS		X	To remain in By-Laws
5.7	RULES FOR COMMISSION SUBCOMMITTEES AND WORKING GROUPS		X	To remain in By-Laws
CHAPTER 6	FAI ENFORCEMENT PROCEDURES			
6.1	GENERAL	X		To be moved into Statutes
6.2	VIOLATION BY INDIVIDUAL MEMBERS OF FAI MEMBER ORGANISATIONS	X		To be moved into Statutes
6.3	VIOLATIONS BY AN FAI MEMBER ORGANISATION	X		To be moved into Statutes
6.4	NON-COMPLIANCE BY MEMBER ORGANISATION	X		To be moved into Statutes
Chapter 7	THE SECRETARY GENERAL AND THE FAI SECRETARIAT			
7.1	GENERAL		X	To remain in By-Laws
7.2	SPECIFIC RESPONSIBILITIES		X	To remain in By-Laws
7.3	FAI WORKING LANGUAGES		X	To remain in By-Laws
Chapter 8	FAI BUSINESS ACTIVITIES			
8.1	FAI POLICIES		X	To remain in By-Laws
8.2	DISTRIBUTION OF REVENUES		X	To remain in By-Laws
Chapter 9	FAI COMMUNICATIONS			
9.1	GENERAL		X	To remain in By-Laws
Chapter 10	POLICIES AND PROCEDURES FOR FAI AWARDS	X		To be moved into Statutes.
Chapter 11	FAI GENERAL AWARDS			
11.1	(Nominating and awarding)	X		To be moved into Statutes
11.2	THE FAI GOLD AIR MEDAL	X		To be moved into Statutes
11.3	THE FAI GOLD SPACE MEDAL	X		To be moved into Statutes
11.4	THE FAI BRONZE MEDAL	X		To be moved into Statutes
11.5	THE FAI DE LA VAULX MEDAL	X		To be moved into Statutes
11.6	THE LOUIS BLEROT MEDAL	X		To be moved into Statutes

Present By-Laws		Future Statutes	Future By-Laws	Remarks
11.7	THE FAI AIR SPORT MEDAL	X		To be moved into Statutes
11.8	THE SABIHA GÖKCEN MEDAL	X		To be moved into Statutes
11.9	THE FAI SILVER MEDAL	X		To be moved into Statutes
11.10	THE DIPLOMA FOR OUTSTANDING AIRMANSHIP	X		To be moved into Statutes
11.11	THE PAUL TISSANDIER DIPLOMA	X		To be moved into Statutes
1.12	PAST PRESIDENTS DIPLOMA	X		To be moved into Statutes
11.13	THE FAI GROUP DIPLOMA OF HONOUR	X		To be moved into Statutes
Chapter 12	FAI AWARDS FOR INDIVIDUAL DISCIPLINES			
12.1	(Nominating and awarding)		X	To remain in By-Laws
12.2	AWARDS FOR BALLOONING		X	To remain in By-Laws
12.3	AWARDS FOR GENERAL AVIATION		X	To remain in By-Laws
12.4	AWARDS FOR GLIDING		X	To remain in By-Laws
12.5	AWARDS FOR ROTORCRAFT		X	To remain in By-Laws
12.6	AWARDS FOR PARAHUTING		X	To remain in By-Laws
12.7	AWARDS FOR AEROMODELLING		X	To remain in By-Laws
12.8	AWARDS FOR AEROBATICS		X	To remain in By-Laws
12.9	AWARDS FOR ASTRONAUTICS		X	To remain in By-Laws
12.10	AWARDS FOR HANG-GLIDING AND PARA-GLIDING		X	To remain in By-Laws
12.11	AWARDS FOR MICROLIGHT AND PARAMOTOR AVIATION		X	To remain in By-Laws
12.12	AWARDS FOR AVIATION AND SPACE EDUCATION		X	To remain in By-Laws
12.13	AWARDS FOR AMATEUR-BUILT AIRCRAFT		X	To remain in By-Laws
Chapter 13	FAI BADGES			
13.1	SPORTING BADGES		X	To remain in By-Laws
13.2	FAI GENERAL BADGES		X	To remain in By-Laws
13.3	COMPANION OF HONOUR BADGES		X	To remain in By-Laws
13.4	PAST PRESIDENT'S DISTINCTION		X	To remain in By-Laws
Chapter 14	FAI COMPANIONS OF HONOUR			
14.1	APPOINTMENT		X	To remain in By-Laws
14.2	PRIVILEGES		X	To remain in By-Laws
14.3	FUNCTIONS		X	To remain in By-Laws
14.4	CANCELLATION	X		To be moved into Statutes
Chapter 15	RECOMMENDED MUSEUMS			anchor in Statute 3.4
15.1	GENERAL		X	To remain in By-Laws
15.2	CRITERIA		X	To remain in By-Laws
15.3	PROCEDURES		X	To remain in By-Laws

Present By-Laws		Future Statutes	Future By-Laws	Remarks
Chapter 16	CORPORATE PATRONS OF FAI			
16.1	GENERAL		X	To remain in By-Laws
16.2	APPLICATION		X	To remain in By-Laws
16.3	PRIVILEGES		X	To remain in By-Laws
16.4	SUPPORT FEES		X	To remain in By-Laws
16.5	RESIGNATIONS AND CANCELLATIONS		X	To remain in By-Laws

Present Statutes		Future Statutes	Future By-Laws	Remarks
PREAMBLE	TERMS AND DEFINITIONS	X		
Chapter 1		X		
Chapter 2		X		
Chapter 3		X		
Chapter 4		X		
Chapter 5		X		
Chapter 6		X		
Chapter 7		X		
Chapter 8			X	8.1. to remain in Statutes

d) **Proposal by IPC to adapt BL 12.6.1.4 to the same standard as BL 12.6.2.4 and BL 12.6.3.4.**

In view of the recent IPC Internal Regulations changes adopted by the IPC (IPC 2010 Plenary Minutes items #18.4 and # 21.3) directly affecting By-Laws

- 12.6.1. THE FAI GOLD PARACHUTING MEDAL
- 12.6.2. THE LEONARDO DA VINCI PARACHUTING DIPLOMA
- 12.6.3. FAUST VRANCIC MEDAL

and introducing the major change that awards will henceforth be made in the same year as the nominations are approved (thus eliminating the 1 year delay which heretofore was the rule), SWG President contacted the IPC President Graeme Windsor on February 27 to inquire about the proposed changes and to learn what the IPC's intentions were in this respect. On March 3 the IPC President replied to SWG President that he would get back to the SWG President with proposed rewording in due course.

To adapt the wording in BL 12.6.1. to the same conditions as in 12.6.2. and 12.6.3. the following wording was initially proposed by the SWG:

- 12.6.1.4. Nomination and approval: Procedures shall be as described in Chapter 10, subject to the following additional condition:
 - 12.6.1.4.1 Nominations, with accompanying dossiers, shall reach the FAI

Parachuting Commission by the date of the meeting previous to the meeting at which the award is voted.

This wording now being irrelevant, the SWG therefore decided to table this issue until further notice from the IPC President.

Final Note:

The By-Laws modifications proposed in this document may come under the responsibility of the Executive Board, if item c) above is adopted by the General Conference. It is therefore suggested that item c) above be proposed as the first item under Statutes & By-Laws on the FAI GC agenda.

SWG

July 31 2010