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**Proposals for the 2021 Congress  
Modifications of the Statutes**

The text below are applicable on January 1<sup>st</sup>, 2022.

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**Article:** 3.1; 3.6.2; 5.4.2; 5.5.3; 6.4.2; 6.9.4; 6A.4.2;

**Proposal from:** Legal Commission

P. 1

**Motivation:** Rationale: It was determined during the recent pandemic emergency that the FIE Statutes should be more definitive regarding the holding of meetings and voting in situations when the particular Committee, Commission, Council or Congress is unable to meet in person by reason of force majeure (including, but not limited to health risk, governmental regulations regarding ability to hold in-person meetings, travel bans, armed conflict or natural catastrophe) or because of significant budgetary issues. It is also important to permit the Congress, the Executive Committee and Commissions to discuss and make decisions regarding urgent matters that cannot effectively be made by written consultations.

It is necessary to achieve a balance between the need for in-person interaction, the need to make rapid, informed decisions, which online consultations would facilitate and the budgetary realities of the FIE. The FIE is cognizant of the benefits that exist in having in-person meeting such as sensitivity to body language, facial expression, etc. at the physical meeting as well as the creative process of side meetings between members of different commissions, councils and committees, informal chats and other interactions outside of the formal meetings of such groups. At the same time, it is necessary to be aware of the significant income loss to the FIE due to the lost year of competitions and the likely reduction in funds coming from the IOC due to the altered state of the Tokyo Olympics.

In preparing the new texts we used the changes in the IOC Bylaws as a model.

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**Proposal:**

3.1 MEETINGS

- a) Congresses are held during the latter part of November or the first part of December each year.
- i) The Elective Congress is held during the Olympic year.

The following Congresses will handle the specific matters stated below:

- ii) The Congress to handle proposals to change the Rules and Olympic Games issues shall occur in the 1<sup>st</sup> year after the Olympic year.
- iii) The Congress to handle proposals to change the Statutes and remaining matters concerning the Olympic Games shall occur in the 2<sup>nd</sup> year after the Olympic year.
- iv) The Congress to handle all other matters shall occur in the 3<sup>rd</sup> year after the Olympic year.

As an exceptional derogation to ii) or iii), urgent proposals that need immediate attention can be handled during any of the Congresses mentioned above, if the Executive Committee so decides, after having received a motivated advice on the matter by the Legal Commission (for Statute modification proposals) or the Rules Commission (for Rule modification proposals).

b) 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.

c) 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.

3.1 (d) In case of a force majeure event or significant budgetary issues of the FIE, the Congress may hold meetings and take decisions via teleconference, videoconference or any other appropriate electronic means.

3.1 (e) In a matter of urgency a resolution or decision may be submitted to a vote by correspondence, including by fax and/or electronic mail or by any other appropriate electronic means, of the members of the FIE by the President or the Executive Committee. The required majorities set forth in the Statutes shall apply to these resolutions and decisions.

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3.6.2 The voting for the President, the Executive Committee and the Commissions is conducted by secret ballot, which shall include, but not be limited to, votes submitted by appropriate electronic communication.

The Executive Committee may decide that the vote be conducted by electronic ballot, in which case it will inform the member federations.

If the vote is not conducted by electronic ballot, it must take place in a separate polling booth, to which the delegates of the federations go one after another to complete their voting slips, which should be a different colour for each Commission, and place them in one or more closed ballot-boxes.

If the number of candidates for an election does not exceed the number of persons to be elected, the candidate(s) is(are) deemed elected by acclamation without a formal election process.

**Legal Commission**: Re: Section 3.6.2

The Commission would like to add to the end of the first sentence of Section 3.6.2 the following:

“, as determined by the FIE CEO.”

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5.4.2 The Executive Committee can only deliberate if more than one half of its members are present. In case of a force majeure event or significant budgetary issues of the FIE, the Executive Committee may hold its regular meetings and take decisions via teleconference, videoconference or any other appropriate electronic means. It may also call special online meetings to discuss and make decision relating to upon urgent matters.

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### 5.5.3

The Executive Committee outlines the work of the Commissions and the Congresses. For this purpose, it can use all means of communication to gather relevant information.

It decides the date and the place of the meetings of Congresses, commissions and councils. In case of a force majeure event or significant budgetary issues of the FIE, such meetings may be designated to be held via teleconference, videoconference or any other appropriate electronic means.

It may convene an Extraordinary Congress.

It establishes the agenda of the Congress.

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### 6.4.2

A Commission's meeting is valid only when the majority of members are present. In case of a force majeure event or significant budgetary issues of the FIE, a Commission may hold meetings and take decisions via teleconference, videoconference or any other appropriate electronic means.

When the meeting is held via teleconference, videoconference or any other appropriate electronic means, the identity of the participants must be verified.

Each member of the commission is entitled to participate in any in-person meeting, by telephone or video conference, provided that both of the following conditions are fulfilled:

- (i) the President of the commission is able to ascertain the identity of each person attending the meeting;
- and
- (ii) all the participants are able to take part in real time in the discussion and simultaneously vote on the items of the meeting agenda.

Otherwise, the proposals taken will be submitted by correspondence to absent members who must express their opinion within 8 days; if they fail to do this, their silence will be interpreted as an agreement with the submitted proposal.

The Meeting is considered to be held in the location where the President is attending the meeting.

Each member who wants to participate by telephone or video conference, pursuant to the above, shall submit the request to the President, at least ~~40~~ 20 days before the meeting. However, no such ~~40~~ 20 - day notice is required if a member of the commission cannot attend the meeting in person on account of a force majeure event including, but not limited to, illness or injury preventing a person from coming to the meeting or travel interruption due to delays preventing the person from arriving in time for the meeting.

For certain matters the President, following each meeting deliberation, may ask for a confirmation to be addressed by e-mail within 10 days from the date the meeting is held.

Participation by telephone or video is not permitted when a secret ballot is required. However, balloting through the use of appropriate electronic means that assure secrecy are permitted.

In addition to the above:

(i) in a matter of urgency, a resolution or decision may be submitted to a vote by correspondence, including by fax and/or electronic mail or by any other appropriate electronic means, of the members of the Commission by its President;

(ii) special online meetings may be called to discuss and make decisions related to urgent matters; and

(iii) regular meetings, at which there are no significant issues to be decided, may be held online with the approval of a majority of the members of the Commission.

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#### 6.9.4

The functions of the Ethics Committee are defined in Chapter XII of these Statutes, section 5.

In case of a force majeure event or significant budgetary issues of the FIE, the Ethics Committee may hold meetings and take decisions via teleconference, videoconference or any other appropriate electronic means. In a matter of urgency, a resolution or decision may be submitted to a vote by correspondence, including by fax and/or electronic mail or by any other appropriate electronic means, of the members of the Committee by its President.

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#### 6.A.4.2

A Council's meeting has a quorum if the majority of members are present. Otherwise, the proposals taken at the meeting of the Council will be submitted by correspondence from the FIE Office to absent members within 5 days as of the meeting held, who shall express their opinion within 8 days following the receipt of the proposals. In the case that a member does not express his/her opinion within this 8-day deadline, it shall be deemed that the affected member of the Council has agreed with the proposal.

In case of a force majeure event or significant budgetary issues of the FIE, a Council may hold meetings and take decisions via teleconference, videoconference or any other appropriate electronic means.

In addition to the above:

(i) in a matter of urgency, a resolution or decision may be submitted to a vote by correspondence, including by fax and/or electronic mail or by any other appropriate electronic means, of the members of the Council by its President;

(ii) special online meetings may be called to discuss and make decisions related to urgent matters; and

(iii) regular meetings, at which there are no significant issues to be decided, may be held online with the approval of a majority of the members of the Council.

**Legal Commission:** Unanimously in favour of the proposal.

**Executive Committee:** In favour.

**Article: Chapter XII, art. 5.1**

**Proposal from: Legal Commission**

**Motivation:** ASOIF provided the FIE with the following comment in response to the good governance questionnaire that was submitted to them:

“The comment about staff responsibility not being identified refers to liaison with the Ethics Committee. It is understood that the Code of Ethics does indeed apply to staff, as to the rest of the FIE. IFs generally have a member of staff identified who co-ordinates with the Ethics Committee when there is a case. This may be an individual with other responsibility for governance, legal affairs etc. It is clearly an important role because cases that arise are likely to be sensitive.”

Could the Legal commission, please, prepare a proposal in this sense? Currently is the CEO dealing with it, but alternatives can be presented, if you deem so.”

The following change notes that the CEO or his/her delegee will be the staff liaison with the Ethics Committee.

**Proposal:**

Chapter XII

**5.- ETHICS COMMITTEE:**

1. The Ethics Committee is formed in order that the FIE Family shall ensure the observance of the principles and rules of the Olympic Charter and of this Code. [The CEO, or her/his delegee shall be the liaison with the Ethics Committee and shall provide the administrative support for the Committee.](#)

**Legal Commission:** Unanimously in favour of the proposal.

No comments or corrections.

**Ethics Committee:** Unanimously in favour.

**Executive Committee:** In favour.

**Article: 9.1.9 (new article)**

**Proposal from: Legal Commission**

**Motivation:** Rationale: To clarify the means of securing a coaches license for both those coaches who carry of passport from the country for whom they are coaching and those who carry a passport from another country.

**Proposal:**

- a) A National Federation can obtain a license for a coach who is a citizen of the country of such National Federation and whose license will specify the nationality of the coach.
- b) A National Federation can obtain a license for a coach who is not a citizen of the country of that National Federation, but which National Federation is intending to send the coach to an official competition of the FIE as a member of the delegation of such National Federation. The license for such coach will specify:
  - i. the nationality of the coach's passport; and
  - ii. the nationality of the country of National Federation the coach is representing at the competition.
- c) If a coach changes the country s/he is to represent at a future competition, the coach shall inform the FIE of the change and the FIE will note such change on the coach's license. The coach will not need to secure a new license.
- d) A coach needs only one license, even though s/he may represent more than one country at official competitions of the FIE.
- e) A coach needs a license as a coach, even though such person has another license as a fencer, referee, official at the World Championships or Olympic Games or member of the Executive Committee, a Commission, a Council or Ethics Committee.

**Legal Commission:** Unanimously in favour of the proposal.

No comments or corrections on the English version.

With regard to the French translation, it was suggested that Section 9.1.9 should read:

Une fédération nationale peut obtenir une licence pour un entraîneur qui n'est pas citoyen du pays de cette fédération nationale, mais **que** cette fédération nationale envisage d'envoyer (...) à une compétition officielle de la FIE en tant que membre de sa délégation.

**Coaches Council:** In favour.

These are some of the comments and questions raised by the Council members during the discussion:

- Can anybody register as a coach, or is proof of qualification required?
- Will the coach lose his/her license if the coach is unable to pay for the following year?
- It is more important to register people who have qualifications and education.
- "Supporters" must not be registered as licensed FIE coaches.
- It would be better to create a name – " Support staff "
- It is not clearly stated why and how a coach should inform the FIE when relocating to a different country.

The Coaching Council's opinion is that it would be better to register all coaches in the world.

**Executive Committee:** The coaches' qualifications are not determined by the FIE, but by the national federations. The proposal only deals with the process of ordering a licence as coach on the FIE website for national federations.

**In favour of the proposal, with the following modification:**

- c) If a coach changes the country s/he is to represent at a future competition, the coach **or the National Federation s/he will be representing** shall inform the FIE of the change and the FIE will note such change on the coach's license. The coach will not need to secure a new license.