

Template of Statutes – FIE member country

CHAPTER I - MISSION

Introduction

Fencing federation of X date of foundation.

Date and occasion of approval of current statutes

1.1: Mission

Federation X is an independent organisation recognised by NOC of country X as sole body governing sport of fencing in country X.

Its statutes and regulations comply with the Olympic Charter, the Statutes, Rules and regulations of the FIE and the anti-doping rules of the FIE and WADA; if any conflict arises between its statutes and regulations and the Statutes and rules of the FIE, those of the FIE take precedence.

1.2.Aims.

Examples; administer sport nationally, manage finances, promote development and spread of sport overall and provide support and advice, promote among children and young people, involvement in education, promote affiliation of clubs, promote safety of and respect for individual, fair play and sportsmanship, promote respect for environment, apply FIE rules for competitions, organise competitions in country, preparation of national teams, participate in international competitions, ensure independent democratic election processes within electoral cycle, etc etc.

Compulsory aims: to ensure that principle of non-discrimination on grounds of gender, race, ethnicity, religion, political opinion, family status or other is respected: To promote and develop fight against doping: To adhere to the FIE's code of Ethics and its Safeguarding Policy.

1.3 Registered office

Location

1.4 Official language

Official language, if relevant working languages, language of communication with other NFs and FIE.

1.5 Financial year

Start and end

1.6 Financial resources

E.g. subscriptions, licences, sponsorship, tv, donations etc.

CHAPTER II - MEMBERSHIP

2.1 Categories of members

The Federation can have three (3) categories of members:

- Club or similar member
 - clubs or legal entities that meets membership conditions appropriate to the country
- Individual member
 - An individual member is an administrator of a corporate member, an athlete, a coach, a referee or an official or any other person who satisfies the membership conditions;
- Honorary member
 - An honorary member is an corporate or individual person who was invited by the Board of directors/Executive Committee and/or a General Meeting/Congress to membership for honorary reasons;

2.2 Membership conditions

2.2.1. Clubs or similar member

Any club or group wishing to become or remain a member of the Federation as a corporate member must, each year, pay the required dues and fill the membership documentation.

The conditions for corporate membership are the following:

- Be a corporation created under the Corporation law (name the precise law applicable to the constitution of corporations in the country) or comply with whatever regulations and requirements the country or other administration applicable requires for the establishment of a sports club, organisation or national federation.
- Have its head office/venue on the territory of (name the country)

2.2.2. Individual member

Any person wishing to become or remain a member of the Federation as an individual member must, each year, pay the required dues and fill the membership documentation.

To become or remain an individual member, the person must be one of the following:

- An administrator of a corporate member

- An athlete
- A coach
- A referee or other official
- A member of the Board/Executive Committee, a committee, commission etc of the Federation or one of its sub-divisions
- Any other entity/person supporting fencing in a category that the Federation desires as members and satisfies the membership conditions

2.2.3. Honourary member

To become an honorary member, a person or moral person must meet the following criteria:

- Has made a highly significant contribution to the Federation;
- Has been accepted by the Board of directors;

2.3 Membership dues

The amount of the dues for each category of membership is set by decision of the Board of directors. The Board of directors/Executive Committee can impose a special additional membership fee for a specific period of time. No paid or owed membership fee is reimbursed in case of resignation, suspension or expulsion of a member.

2.4 Suspension, expulsion, withdrawal and sanctions

The Board of directors/Executive Committee can suspend, expel, or sanction in any other way deemed appropriate, any member who fails to respect the Statutes, Rules and Policies of the Federation or who adopts a conduct prejudicial to the Federation, as provided in chapter XXX (put the chapter number)

The Board's/Executive Committee's decision is final and does not discharge the member of its previous obligations towards the Federation.

A member can resign from membership at any time by sending a written notice to this effect to the Federation's head office. This resignation takes effect on the date mentioned in the notice or, failing such a mention, on the date it was received at the head office.

III THE CONGRESS

3.1.-Definition: paramount governing body of the National Fencing Federation (NF).

3.2.- Meetings:

2.1.- Ordinary Congress. Annual

2.2.- Extraordinary Congress. - Extraordinary Congress. Whenever summoned by the President or requested by over two thirds of the Executive Committee/Board members or by typically 10% of the members (% dependant on total number of members).

2.3.- Elective Congress. To elect the President and, where appropriate, the Executive Committee of the NF. Normally every 4 years, coinciding with the Olympic year.

2.4 – whether meetings by zoom etc are allowed?

3.3.- Role - Functions

Adoption of agreements on:

- Annual accounts
- Budgets
- Acquisitions or assignments of real estate
- Loans
- Competition calendar
- Modification of Statutes
- Dissolution
- Election of President and, where appropriate, Executive Committee/Board.

3.4.- Composition and representation

- Members (athletes, clubs, referees, technicians, Territorial Federations).
- Right to vote
- Representation (powers)
- Limitations of the right to vote, if applicable (current license)

3.5. Agenda

- Who determines it (President)
- Who can present proposals (members)
- Deadline for submission of proposals
- Interventions during the congress

3.6.- Decisions

- Quorum (50% members present or represented)
- Adoption of agreements
 - Simple majority assumptions
 - Assumptions that require a qualified majority (modification of statutes, dissolution)
- Secret ballot (mandatory in elections or at the request of the president or 10% of the members or when concerning an individual)

3.7.- Elective Congress

- Every 4 years
- Presentation of candidacies
- Secret vote
- Voting order

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CHAPTER IV – PROCESS FOR THE ELECTION OF THE OFFICERS, EXECUTIVE COMMITTEE AND ELECTION OR SELECTION OF ANY COMMISSIONS NEEDED TO FULFILL THE WORK OF THE FEDERATION

4.1 Election of President

Who may nominate candidates for President? Members?

Criteria for nominees for President?

When do nominations have to be made? At the Congress? A period of time before the Congress? How announced?

What is the term of the President? Term limits?

How do you deal with tie votes? Multiple voting system? Youngest elected? Oldest elected? Coin flip

4.2 Election of Officers

Who may nominate candidates for officers other than the President? Members? Executive Committee/ Board?

Criteria for nominees for officers?

When do nominations have to be made? At the Congress? A period of time before the Congress? How announced?

Who votes for the officers? Members? Executive Committee/Board?

What is the term of each officer? Term limits?

How do you deal with tie votes? Multiple voting system? Youngest elected? Oldest elected? Coin flip?

4.3 Election of Executive Committee/Board

Who may nominate? Members? Officers? How announced?

Criteria for members of Executive Committee/Board? Gender (Minimum quotas for less represented gender, etc).

Will the officers who are elected become the Executive Committee/Board or members of it? Are they chosen from among the members of the Executive Committee/Board?

Term of office? Term limits?

4.4 Election/Selection of Commissions/Committees/Councils

Which Commissions/Committees/Councils will your federation need? Refereeing? Athletes? (look at FIE and Confederation lists and select those you feel are required to get the federation's work done, Any others?)

Who may nominate? Members? Executive Committee/Board? Can persons self-nominate?
How announced?

Will your Congress (members) elect the members of the commissions? Will your Executive Committee/ Board select the members of the Commissions? Will the athletes select some or all of the members of the Athletes Commission? Criteria for election/selection generally and specific to particular ones (Minimum quotas for less represented gender, etc).

4.5 Discipline

Will you have a separate independent disciplinary panel (commission)?

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CHAPTER V – EXECUTIVE COMMITTEE/BOARD

Executive Committee/Board (“EC”) (needed if National Federation (“NF”) needs a smaller body to manage the NF between its Congresses.)

5.1 Structure:

President chairs. Is President technically a member? Will all officers be part of the EC? Will there be at-large members or ex-officio members – how chosen?

5.2 Tenure:

What is term of each of the members? Staggered terms?

Term limits?

How to replace if president/other member dies, is incapacitated or resigns?

5.3 Meetings and Decisions

How often?

How much notice?

In-person or by phone or video?

Majority vote for decisions? 2/3 for certain matters?

5.4 EC Functions

Management between Congresses. List functions.

Relationship to Commissions/Councils. Conflicts of interest (separating roles)

Hire Staff.

Establish competition calendar?

5.5 Responsibilities of Officers

5.6 Responsibility of Staff

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CHAPTER VI – COMMISSIONS AND COUNCILS

The establishment of the commissions and councils is not compulsory. Based on the size and activity of the federation, you may choose to establish one or more permanent and/or ad-hoc commissions. You may not wish to use the title 'Council' for any such group, but only 'Commission' or 'Committee'.

Please see Chapter VI/VIA of the FIE Statutes as an example

6.1. List of the permanent Commissions (e.g. refereeing commission, coach's commissions, athletes commission, disciplinary commission, ethical commission, organising commission - *there may be others appropriate to your federation*).

1. List of ad-hoc Commissions if any
2. List of Councils, if any

6.2 Regarding each of the Commissions/ Councils:

- 1 Function of the Commissions/Councils overall and individually
- 2 Structure of the Commissions/Councils
 - (a) Number of the members
 - (b) (Election procedures of the members,) duration of their mandate. Replacement process in case of resignation, incapacity, death.
 - (c) Election, function and responsibility of the President of the Commissions/Councils

6.3....Meetings, decision making procedures of the Commissions/Councils

CHAPTER VII – DISCIPLINE

Preamble: Does/will your federation have its own body applying its disciplinary procedures (a commission, the Executive Committee/Board, etc) or will it make use of a juridical body available from its NOC, sports arbitration board, governmental body or similar? Parts of the following are not relevant if an outside body is to be used.

Look at Chapter VII of the FIE Statutes for example and also the requirements of your local legal jurisdiction.

7.1 Disciplinary Code.

- 1) Jurisdiction. Set a criterion to select the body which has the jurisdiction.
- 2) assure there is a body (usually the executive committee) that execute or control the respect of the decisions;
- 3) List the person subject to disciplinary rules;
- 4) Set the penalties that can be granted (i.e. suspension, expulsion, fines etc.);
- 5) Identify the offences;
- 6) Specify different cases such as, i.e. multiple offences, complicity;
- 7) Set the rules for the proof of the guilt or innocence.

7.2 Disciplinary Procedure;

The Complaint

- 1) set up the complaint rules, i.e., identify persons that can make a complaint, identify the persons who can be the object of a complaint (the defendants) and spell out the categories of offences that are subject to the disciplinary process (and those that are not).
- 2) Fix the mandatory content of a complaint (i.e. name, date summary, signature etc.) and a deadline to address such a complaint to the body that holds the jurisdiction;
- 3) Set the composition criteria of the Tribunal and the powers and obligations (Please note that a conflict of interest rule must be applied in fulfilling the composition criteria).

Procedure before the Tribunal

- 1) identification of the parties;
- 2) fix deadline for providing documents and proof (i.e. list of testimonies etc) for both parties
- 3) set the notification rules (i.e. certified mail etc.) and deadlines.

Hearings

- 1) Place of the hearings;
- 2) Attendance (shouldn't be mandatory for the parties);
- 3) Witnesses' proceedings rules (In person, in writing, by phone);
- 4) Decision and notification of decision rule.

Appeal;

- 1) Establish the body in charge for the appeal;
- 2) Deadline of the appeal and form of the application;
- 3) Proceedings (if external body in accordance with the body rule if internal needs to be established a proceeding or the appeal);
- 4) Decision and notification rule.

Emergency;

Establish a body in charge for the urgent decisions (i.e. suspension until the end of proceedings) and rules.

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CHAPTER VIII – LICENCES

Preamble: Note some possible duplication with Chapter II, „Membership“; seek to avoid any contradictions between Chapters II and VIII.

Who is licensed – competitors? Referees? Coaches? Members of EC, Commissions and Councils? Clubs? Other officials at competitions? Other federation members?

Different levels of licence for different categories?

Annual Fee(s)?

Who may have NF licence? NF passport? Permanent resident? Anyone residing in country? Anyone competing in country? National citizens residing abroad?

CHAPTER IX – COMPETITION

Preamble: You may wish to include some of these topics in the Statutes

National federation – organized competitions. Which? how held? who is eligible to take part, etc?

What other competitions are allowed? How controlled/licenced?

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CHAPTER X – ETHICAL CODE AND SAFEGUARDING POLICY

Agree to abide by principles laid out in Chapters XII and XIII of FIE Statutes