

Proposed Amendments to Sporting Code, GS 2013 CASI Meeting.

2.2.1 GENERAL DEFINITIONS

AIRCRAFT: A vehicle that can be sustained in the atmosphere by forces exerted on it by the air. **There are two types of Aircraft:**

- AERODYNE: A heavier-than-air aircraft which derives its lift in flight mainly from aerodynamic forces.
- AEROSTAT: An aircraft lighter than air.

Reason – This clarification results from some confusion in the Secretariat about the definition of a « Parachute Jump » in Section 5, referring to aircraft, aeroplane and spacecraft.

3.4 REGISTRATION OF INTERNATIONAL SPORTING EVENTS. The FAI maintains and publishes an International Sporting Calendar. In order to be recognised, an International Sporting Event must be registered in the FAI Sporting Calendar by the NAC(s) **authorising or** organizing it **or by the relevant ASC**. Such registration must be received by the FAI Secretariat a minimum of thirty days before the starting date of the event.

Reason – the amended wording reflects the current practice of the FAI Secretariat

From CIAM (Antonis Papadopoulos)

3.5.3.1 First Category Events. A minimum of 4 NACs **or such higher number of NACs as determined by the relevant ASC** shall have entered by the end of the official registration period, as defined in the local Regulations, with entry fees paid. If there are less than **the required minimum of NACs so** entered, the **relevant** Air Sport Commission shall decide whether the event will take place and shall also decide whether or not the title of Champion will be awarded.

3.12.3 Delete **'or telex'** **Reason – now not in use**

3.15.1.1 Delete since the text was deleted in 2004

4.3.1.2 An International Official may hold only one of the above offices in an event. He may not be a competitor, nor ~~hold any operational position in the organisation~~ **be an Operational Official (see 4.3.4)**

Reason – improved wording referring to subsequent text defining the term

- 4.3.4.1.3 The Event Director shall publish the officially accepted entry list prior to the start of the event, issue daily results and the article on the event from the event Public Relations Officer and send the final entry list, full results and details of protests to his NAC and to FAI within the specified time limits.

Proposed text

The Event Director shall publish the officially accepted entry list prior to the start of the event, issue daily results and the article on the event from the event Public Relations Officer and send the final entry list, full results and details of protests to his **the hosting** NAC and to FAI within the specified time limits.

Reason – This reflects the fact that the Event Director may not be from the hosting/organising NAC

Proposed Amendments to GS Chapter 9.

Current Text:

Chapter 9

APPEALS TO THE FAI

- 9.1 **RIGHT OF APPEAL.** The right of appeal to FAI rests with the NAC concerned, except for matters under 3.11.2 for which the person concerned has a right of appeal. The FAI Air Sport General Commission (CASI) is responsible for the treatment of appeals. (AL10)
- 9.2 **NOTICE OF APPEAL.** Notice of Appeal to FAI must be made in writing in English or French and addressed to the FAI Secretary General by the authorized representative of the NAC concerned. It shall be accompanied by all necessary documents and a deposit. The amount of the deposit shall be fixed each year by FAI.
- 9.3 **TIME LIMIT.** An appeal to FAI must be received at FAI Headquarters within 90 days from the announcement of the decision leading to the appeal. This time may, in special circumstances, be extended by the President of CASI.
- 9.4 **TREATMENT OF APPEALS.** If CASI decides that an appeal made in accordance with 9.2 and 9.3 should proceed, it will organize an International

Appeals Tribunal. The Tribunal will consist of at least three members appointed by CASI, none of them being from the parties involved.

- 9.4.1 HEARING. All relevant involved parties may be present at the hearing. They must be given notice of the appeal in good time, and shall have the right to call witnesses. Their absence from the hearing shall not hold up proceedings.
- 9.4.2 FINALITY OF DECISION. The International Appeals Tribunal may set aside any decision against which an appeal is lodged and, according to the circumstances, may reduce or increase any penalty. It shall however not have the right to order a competition to be run again. It has the right to alter the results of an international sporting event, and to reclaim medals or withdraw the title of champion. It may also re-award medals and titles. In giving judgement on an appeal, the International Appeals Tribunal shall decide on the question of the refund of any of the deposit and the apportionment of the costs of the appeal. Tribunal decisions are final unless an appeal is filed within 21 days of the International Appeals Tribunal's judgement to the Court of Arbitration for Sport (CAS) in Lausanne, or major new factual issues, which could have affected the judgement, are revealed after the judgement, in which case CASI shall decide on further action. (AL10)
- 9.5 PUBLICATION OF DECISION. The FAI has the right to publish the judgement and give the names of the persons concerned. These persons may not use the publication of the judgement in order to institute proceedings against the FAI or against any person who made the publication.

Text accepted at 2012 CASI Meeting:

9.4 TREATMENT OF APPEALS. If CASI decides that an appeal made in accordance with 9.2 and 9.3 should proceed, it will appoint an International Appeals Tribunal of three members, one of whom shall be appointed Tribunal Chairman. The members, who shall be independent of the parties involved, will be appointed by the CASI Bureau, upon recommendation from the CASI President.

9.4.1 The International Appeals Tribunal will work in accordance with the provisions of the FAI International Appeals Tribunal Manual .

9.4.2 International Appeals Tribunal decisions are final unless an appeal is filed to the Court of Arbitration for Sport (CAS) in Lausanne within 21 days of the publication date of the International Appeals Tribunal's judgement.

Proposed 2013 Text for 9.4

9.4 TREATMENT OF APPEALS.;

9.4.1. If directed by the FAI Executive Board, in the case of an Appeal concerning international sporting events and record attempts (Statute 5.2.3.2.4), CASI will act as the FAI Final Court of Appeal

9.4.1.1 In this case CASI will work in accordance with the principles of the FAI International Appeals Tribunal Manual in the same manner as the International Appeals Tribunal

9.4.1.2 Decisions of CASI acting as the FAI Final Court of Appeal are final unless an appeal is filed within 21 days of the publication date of CASI's decision to the Court of Arbitration for Sport (CAS) in Lausanne, or unless major new factual issues which could have affected the decision are revealed after the decision, in which case CASI shall decide on further action.

9.4.2 In the case of an Appeal concerning disputes of a sporting nature (Statute 5.2.3.2.5), if CASI decides that an appeal made in accordance with 9.2 and 9.3 should proceed, it will establish an International Appeals Tribunal of three members, one of whom shall be appointed Tribunal Chairperson. The members, who shall be independent of the parties involved, will be appointed by the CASI Bureau, upon recommendation from the CASI President, who shall also designate the Tribunal Chairperson

9.4.2.1 The International Appeals Tribunal will work in accordance with the provisions of the FAI International Appeals Tribunal Manual .

9.4.2.2 Decisions of the International Appeals Tribunal are final unless an appeal is filed within 21 days of the publication date of the Tribunal's decision to the Court of Arbitration for Sport (CAS) in Lausanne, or unless major new factual issues which could have affected the decision are revealed after the decision, in which case CASI shall decide on further action.

Reason – recognises that there are two different Appeals (Statute 5.2.3.2.4 and 5.2.3.2.5) with different treatment and the Tribunal Manual

- 10.2 Amendments to the Sporting Code, General Section shall come into force on the date **agreed by the Air Sport General Commission (in French, CASI, see the Glossary). The appropriate Air Sport Commission shall determine the** regular date for annual amendments to the Sporting Code(s) for which they are responsible (table, 1.4). Amendments that have safety implications may have immediate effect.

Reason – the added text was missing and needed adding to make sense.