

**PROPOSALS FOR RULES CHANGES OF
STATUTES 2023**

Dear National Federations,

Der MOUs Stakeholders

In the present document you will find 2 sections as follows:

- A. Rules Proposals received from NFs/MOU Stakeholders by 1 March 2023.** In this section you will find each of the Rules Proposals received from NFs/MOU Stakeholders with the relevant feedback from the FEI; and
- B. Rules Proposals put forward by the FEI**

This version of the Memo has been amended and re-published on 6 July 2023 to include 2 rules proposals within Section B agreed by the FEI Board during its in-person meeting on 6 and 7 June 2023: Article 34.1 iv and Article 3.1 of Annex I.



Francisco P. Lima,

Director Governance & Institutional Affairs

A. Rules Proposals received from NFs/MOU Stakeholders by 1 March 2023

Rules Proposal Submitted By
International Dressage Trainers Club
Article No.–Article Name
31.7 – Term of Office Technical Committees
Explanation for Proposed Change
<p>The landscape of international sport and equestrian sport in particular has changed vastly over the past 15 years. A more professional and business-like approach to sport management is required.</p> <p>As a result, the tasks assigned to the various discipline committees has expanded greatly. Responsibilities now include strategic planning, advice on consumer facing aspects of the sport, harmonisation and coordination with other disciplines, modernising/shaping/modifying fundamental aspects of the sport (e.g. judging), to become consistent with increased emphasis on fairness, transparency and welfare; in addition to addressing specific technical aspects of the sport.</p> <p>As a result, the learning curve for new technical committee members is prodigious requiring a significant investment in time and study in order to be an effective committee member. And, the amount of time required to fulfil actual committee duties has also risen substantially.</p> <p>The current statutes limit committee members to one four-year term although a second term can be sought after a 2-year break. This is highly inefficient as just as a member is becoming their most effective the term is over. Allowing a second consecutive term would allow the committee to benefit from the accumulated expertise and productivity of each member. It would also encourage stakeholders to seek membership in a committee as they would have the opportunity to see their initiatives through to fruition.</p>
Proposed Wording
<p><i>31.7 Unless otherwise specified, any member of a Technical Committee who has served one (1) Term may not serve another Term in the same Committee without a break of at least two (2) years, unless the member becomes Chair <u>or there is unanimous support of the Committee for a second consecutive Term</u>. Filling a vacancy for any period of less than three (3) years does not count as a full Term.</i></p>
FEI Feedback
<p>Following a first discussion in June 2022, the FEI Board discussed again this proposal during its in-person meeting on 6-7 June 2023.</p> <p>During this discussion different views were shared by the Chair of the Discipline Committees (concerning mainly continuity Vs newcomers).</p> <p>Based on the discussion the FEI Board agreed not to put forward this proposal for the time being as it entails a significant structural change to the organisation of the FEI.</p> <p>Instead, and based on the objective of having more efficient Committees, the FEI Board mandated the FEI Headquarters to review the Job Descriptions and to organise Induction Meetings with the newly appointed members to provide them with a strong knowledge of the FEI Governance processes that can help their integration and full operation from year 1 of their terms.</p>
FEI Proposed Wording (if applicable)
N/A

Rules Proposal Submitted By

Regional Group III

Article No.–Article Name

Various

Explanation for Proposed Change

Letter by Eurasia Equestrian Association on 24 December 2021:

"As you know during the FEI Regional Group meeting November 2020 was established by the Eurasian Equestrian Association. The organization has passed official registration, has its own symbols, attributes and financial stability. Today, the concept of the Eurasian Equestrian Association has become a stable brand and is confidently perceived by all National Federations of our Regional Group and members of these organizations, as a synonym of the development of equestrian sport in our region. In a short period, various programs have been developed and implemented. With the support of the FEI, the FEI JUMPING NATIONS CUP and the FEI JUMPING WORLD CUP Eurasian League was created. The various FEI international competitions are held under the management of the Eurasian Association, and the main sport product of the Eurasian Association is the Eurasian Championships as well. The Eurasian Association has its own media resources, Maxima TV channel and equestrian magazine "Horse Expert" covering events at the National Federations of our group.

On behalf of the members of the Eurasian Association, the National Federations of the FEI Regional Group III, we kindly ask you to allow us to use the name of the Association of the National Federations of the FEI Group III used by us in the official sources of the FEI, by analogy with the European Equestrian Federation (Group I and Group II)."

Proposed Wording

N/A

FEI Feedback

At the in-person Board meeting on 21 and 22 June 2022 the Board discussed the request of the Regional Group III to rename it "Eurasia Equestrian Association".

Given the impact of this request on other FEI Regional Groups (namely EEF Regional Group, VII and VIII) the Board requested the Chairs of these Regional Groups to provide their input on this re-naming request.

None of these FEI Regional Groups had raised any objections to the renaming; the Asian Equestrian Federation neither.

For the avoidance of any doubts this proposal does not have any impact whatsoever on the Statutory provisions regarding election of Regional Group III Chair.

FEI Proposed Wording (if applicable)

References to Regional Group III in the FEI Statutes to be replaced by Eurasian Equestrian Association (EEA) Regional Group.

B. Rules Proposals put forward by the FEI

Article No.–Article Name

8.5 – Suspension and Exclusion form Membership

Explanation for Proposed Change

Given the two-membership categories as per Article 5 (Full Member and Associate Member) and the different rights associated to them, Article 8.5 needs to be amended accordingly.

Proposed Wording

"Upon expiry of any defined period of Suspension or upon full payment of any outstanding Financial Charges (including late payment penalties and interest), ~~the suspension will be automatically lifted and the relevant membership rights will be restored~~ ~~the suspended National Federation is automatically restored to full membership rights.~~"

Article No.–Article Name

8.8 – Suspension and Exclusion form Membership

Explanation for Proposed Change

Because it is the right of the Board to suspend or exclude a National Federation for persistent violations of the Statutes, a Decision of the General Assembly, or any FEI Rules and Regulations, the Board, and not the FEI Tribunal, shall have the right to hear the National Federation.

A National Federation suspended or excluded by the Board as per Article 8.8 shall have the right to appeal to the FEI Tribunal as per the FEI General Regulations.

Proposed Wording

"The Board may suspend or exclude a National Federation for persistent violations of the Statutes, a Decision of the General Assembly, or any FEI Rules and Regulations. In cases other than Suspensions for non-payment of Financial Charges, an opportunity to be heard by the ~~FEI Tribunal~~Board shall be afforded to the relevant National Federation, and any Exclusion shall only become effective upon ratification by the General Assembly."

Article No.–Article Name

9.3 – (General Assembly) Composition

Explanation for Proposed Change

There is no reference in the Internal Regulations to the possibility of the Board to invite third parties to attend the General Assembly as observers or presenters therefore this article can be amended accordingly.

Proposed Wording

"~~To the extent permitted in the Internal Regulations of the FEI,~~ the Board has the right to invite third parties to attend the General Assembly as observers or presenters."

Article No.–Article Name

12 – (General Assembly) Quorum

Explanation for Proposed Change

This article must refer to Full Members with voting rights and not to all National Federations (which include Associate Members that have no voting rights).

Proposed Wording

"For any General Assembly to be validly convened and pass Resolutions, an Absolute Majority of all the Full Members National Federations must be present or represented. If such Quorum is not reached, the Board may convene another General Assembly with the same Agenda within thirty (30) days, in the same location or in Lausanne, Switzerland. Such General Assembly will be validly convened even if no Quorum is then reached."

Article No.–Article Name

14.1 – (General Assembly) Voting Rights

Explanation for Proposed Change

Wording suggested for clarification purposes.

Proposed Wording

"Each National Federation that is a Full Member shall have one (1) vote. Each National Federation may also represent other National Federations within the limits set forth at Article 9.2 through a Power of Attorney. FEI Board Members do not have a vote and may not represent a National Federation."

Article No.–Article Name

17.4 – Amendments to the Statutes, General Regulations and Sport Rules

Explanation for Proposed Change

To adapt this Article to the current reality we propose adding the possibility of the Boar to propose amendments to the Sport Rules.

If this proposal is approved by the General Assembly, Article 20.1 vi. will ned to be adapted accordingly.

Proposed Wording

"Amendments to the Sport Rules are proposed by:

- FEI Headquarters with the Support of the relevant Technical Committee through the Chair; and/or*
- A National Federation; and/or*
- The Board.*

Article No.–Article Name

20.1 X – (Board) Functions & Powers

Explanation for Proposed Change

Currently all Technical Committees Chairs are elected by the General Assembly therefore the last sentence must be deleted.

Proposed Wording

"To appoint eligible Candidates as members of the Technical Committees, further to recommendation by the Nominations Committee ~~including Chairs who are not elected by the General Assembly~~";

Article No.–Article Name

31.7 – Standing Committees

Explanation for Proposed Change

This Article needs to be amended because all Technical Chairs are Board members therefore Article 19.6 of the FEI Statutes applies.

Proposed Wording

"[...] ~~Any Chair of a Technical Committee who has served two (2) Terms (respectively three (3) Terms for Technical Chairs who are Board Members) may not serve another Term in the same Committee without a break of at least four (4) years.~~"

Article No.–Article Name

31.13 – Standing Committees

Explanation for Proposed Change

This Article was approved by the General Assembly 2021. To make it workable it needs to be slightly modified. Currently, the Board shall have the right to apply staggered Terms only when all Members of a Standing Committee are outgoing and/or eligible in the same year; therefore, it cannot be applied if for example one single member is neither outgoing nor re-eligible.

Proposed Wording

"The FEI Board shall have the right to apply staggered Terms in cases where ~~all the majority of the~~ Members of a Standing Committee are outgoing and/or re-eligible in the same year. The applicable Terms will be determined by a draw overseen by the Nominations Committee Chair."

Article No.–Article Name

34.1 iv – Technical Committees

Explanation for Proposed Change

To align the Statutes with the changes made in the Internal Regulations of the FEI in 2022 and to the current Education System. This change was not submitted in 2022 because no Statutory changes are proposed during President election year.

Proposed Wording

The Technical Committees shall advise Headquarters on the following matters:

- i. Amendments to the relevant Sport Rules;
- ii. Management of International Events in their respective Discipline(s);
- iii. Development of their respective Discipline(s);
- iv. Appointment, ~~promotion~~ and education system of FEI Officials;
- v. For Olympic Disciplines, the development of Olympic Solidarity programs;
- vi. Any advice requested by Headquarters.

Article No.–Article Name

36 – Other Committees and Subcommittees

Explanation for Proposed Change

To be amended for practical purposes so there is more flexibility as to the composition of other Committees and Subcommittees for the sake of efficiency when fulfilling its purposes and responsibilities.

Proposed Wording

"36.1. The Board may establish temporary Committees for particular purposes. The Board shall appoint the Chair and members, define the terms of reference and decide the date when any such Committee shall make its report. ~~Any such Committee shall consist of not more than five (5) and not less than three (3) members, including the Chair. A Board member who is appointed to any such Committee shall automatically become the Chair of such Committee.~~

36.2. The Board may appoint Sub-Committees for the purpose of assisting any of the Standing Committees. ~~Sub-Committees shall be composed of a Chair and two (2) to four (4) other members.~~"

Article No.–Article Name

38.2 – FEI Tribunal

Explanation for Proposed Change

Following FEI's external Swiss lawyers' advice, it is suggested to remove art. 38.2 altogether, as it weakens the arbitral clauses (in favor of the FEI Tribunal and in favor of the CAS) contained in the FEI Statutes.

Under Swiss Law the de facto forum to bring legal action against an association is at the place where such association is headquartered (i.e., Lausanne in our case). However, in order for the FEI to object to the State Court's jurisdiction, the FEI would be in a better position without art. 38.2

If this amendment is approved by the General Assembly, provisions referring to art. 38.2 (e.g., art. 38.1) should be amended accordingly.

Proposed Wording

~~"Civil actions against the FEI shall be brought before the courts of competent jurisdiction in Lausanne, Switzerland, subject to the matters which shall be referred to arbitration under the Statutes."~~

Article No.–Article Name

38.1 – FEI Tribunal

Explanation for Proposed Change

Remove the reference to Appeal Committee as it does not exist anymore.

If this amendment is approved references to Appeal Committee must be removed from Articles 42.1, 43.3 and in the Definitions Section.

Proposed Wording

"Subject to Articles 38.2 and 38.4, the FEI Tribunal shall decide all cases submitted to it by or through the Secretary General, whether Appeals from or matters not otherwise under the jurisdiction of the Ground Jury ~~or Appeal Committee.~~ These cases may be: [...]"

Article No.–Article Name

38.3 – FEI Tribunal

Explanation for Proposed Change

Following FEI's external Swiss lawyers', it is suggested to amend this Article as shown below.

Proposed Wording

"All disputes shall be settled in accordance with these Statutes and other regulations of the FEI and, additionally, Swiss law."

Article No.–Article Name

51.2 and 51.3– Transitory Provisions

Explanation for Proposed Change

To be removed. Not applicable anymore.

Proposed Wording

~~"51.2. For the Term 2019–2020, the Board shall appoint the Chairs of the Vaulting and the Medical Committees during the FEI Board meeting immediately after the General Assembly 2019. The current Term of the Chair of Para-Equestrian remain unchanged. For the Terms 2020–2024, the Chairs of Vaulting, Para-Equestrian and Medical Committees, shall be elected by the General Assembly in 2020 according to the process set out in Article 24 and Annex I of the FEI Statutes.~~

~~51.3. At the General Assembly 2019 a Chair and 7 Members of the FEI Tribunal shall be elected as follows:~~

- ~~–Chair for the Term 2019–2023~~
- ~~–3 Members for the Term 2019–2023~~
- ~~–2 Members for the Term 2019–2022~~
- ~~–2 Member for the Term 2019–2021~~

~~A draw shall be held during the General Assembly 2019 to allocate the relevant Terms."~~

Article No.–Article Name

Annex I – Procedural Regulations of a General Assembly

Article 3.1

Explanation for Proposed Change

Clarify in the Statutes that National Federations belonging to Financial Level 1 may be represented by 3 Delegates and to introduce gender representation for National Federations that are represented by more than 2 Delegates.

Proposed Wording

Each National Federation may be represented by two (2) delegates. Financial Level 1 National Federations may be represented by three (3) delegates. ~~–but e~~Each delegation has only one (1) vote.

If a National Federation is represented by more than two (2) delegates, delegates cannot be all of the same gender.

Article No.–Article Name

Annex I – Procedural Regulations of a General Assembly

New Article 9

Explanation for Proposed Change

As per Article 19.2 of the FEI Statutes, excluding the President, the Chair of the Athletes' Committee, and non-voting members, there may not be more than 2 members from the same National Federation.

In order to be prepared for potential scenarios where National Federations endorse candidatures that could have an impact on the number of Board Members from the same country, it is proposed to define in the Statutes the order of the elections.

At its in-person meeting on 6 and 7 June 2023 the FEI Board agreed on the order of elections proposed below, which follows the order of points defined in the Agenda of the General Assemblies.

Proposed Wording

Board Members shall be elected in the following order:

- *First. Election of Regional Groups Chairs in the following order: EEF Regional Group, Eurasian Equestrian Association (EEA) Regional Group, Group IV, Group V, Group VI, Group VII, Group VIII and Group IX.*
- *Second: Election of Technical Chairs in the following order: Jumping, Dressage, Para Dressage, Eventing, Endurance, Driving, Vaulting, Veterinary and Medical."*