



EUROPEAIRSPORTS

Information and Explanation of EUROPE AIR SPORTS STATUTES

Europe Air Sports General Conference

23/24. March 2019

Lisboa, Portugal

Introduction

EAS was founded 1988 as an independent self governing organisation to follow, monitor and actively influence since 2002 the growing regulatory system in Europe which affects the free and indiscriminated access to airspace, increases the bureaucratic requirements in all fields of airports aviation and reduces the individual freedom of aviators and their quality of life.

The objective of the association according to Article 2 is to influence the European regulatory system to create rules and regulation which allow airports and recreational aviation as part of General Aviation to exercise at least the rights and privileges which were possible previously under National rules, without a considerable increase of the cost.

This will be achieved best by simple European rules taking in account the expertise of the stakeholder representatives delivering that knowledge to the different levels and addressees of the political command and control system of the European regulatory institutions and authorities. In addition, Europe Air Sports is seeking a harmonious relationship with the Federation Aeronautique Internationale.

Statutes

The statutes of Europe Air Sports were discussed and agreed during the first General Meeting in October 1991 in Berlin. The two authors Fredrick Marsh and Tom Zealey had developed statutes which served perfectly the purpose of establishing rules for the association, only one minor amendment had to be tabled and accepted by the GC in 2006.

The board of Europe Air Sports again reviewed the statutes after the Bordeaux GC 2016 and arrived at the conclusion that at present no changes to the statutes need to be developed but recommended a document which should explain the backgrounds and further clarify some articles which could be interpreted differently.

If necessary this document of explanation could be installed in accordance with Article 21 as By-laws to the statutes forming the EAS constitution without a need to go through a long lasting and costly process of a formal change of the statutes.

Changes and amendments to this document require the (agreement) majority of two thirds of the votes cast with more than 50 % of the total votes present at the meeting.

Detailed information and explanations of procedures

Article 4 Membership

Three kinds of membership are possible, Full, associate and supporting membership. The board will recommend the admission and kind of membership to the General Conference for deciding.

Full members criteria:

National air-sports organizations, normally representing a country, (like the Royal Aero Club) which are members of FAI and whose countries are members of ECAC and European organisations (like EGU) representing air-sports organisations in ECAC member states.

All members must adhere to the objectives as listed in Article 2 and described above.

Associate members criteria:

Organizations concerned with air-sports but not in full compliance with full membership conditions, e.g. not from an ECAC member state.

Supporting Members criteria:

Organizations which are supportive to air-sports not fulfilling full or associate criteria but sympathetic to our aviation and providing support of any kind.

In accordance with Dutch Civil law only full and associate members have voting rights as described in Article 15

Article 9,4 President's Neutrality

When elected, the President must be neutral and cannot represent a full member, e.g. a national air-sports or a European organization. Another representative may be appointed. This restriction also applies to proxies.

Article 9,5 Nominations

Only full and associate members can nominate individuals as candidates to be elected as board members. The statutes allow the board to nominate a candidate for election but it has agreed to give priority to the members and will exercise this clause only in case of urgency.

Potential candidates shall be announced to all members with the convening notice for the meeting. Once the convening notice is formally distributed 28 days in advance with the list of names, no more candidates can be nominated. Only in case no candidates are formally nominated with the convening notice the GC is free in its choice, e.g. asking for nominations during the GC.

Article 14 Members' Right to attend

All representatives of the three memberships have the right to access the General Meeting, address the GM and make proposals. Normally, members send one delegate and one alternate. It is within the competence of the GM to limit the time of verbal contributions.

The Meeting will decide at the start on granting access to persons not representing a member, like guests or external experts.

Article 15 Number of votes

The number of votes assigned to the full members follows the FAI classification scheme with one vote for members representing less than 1000 air-sports persons and 8 votes for members representing more than 100 000 air-sports persons. 8 votes is the maximum number of votes an organization can be assigned.

An associate member has one vote, supporting members have no votes in accordance with the Dutch law.

A full or associate member which will not attend the GM can authorize a full or associate member representative to cast its votes on its behalf. A representative may hold only one such authorization.

The number of votes present at the General meeting will be determined and confirmed by a roll call during the beginning of the meeting.

Article 17 Majority

Europe Air Sports follows the principle that all resolution and elections will be passed by the majority of votes cast. In democratic terms this means to win a resolution or election the General Meeting must decide positively with more than half of the valid votes cast, abstention and blanks do not count.

Presidents election

In the case of elections for the position of the President of the association a single closed ballot should be held. In case of multiple candidates the person achieving more than half of the votes cast will win.

One vacancy one candidate

An open ballot with the votes cast orally should be held unless the President or a delegate request a casting of votes in writing. In order to become elected the candidate must achieve more than half of the votes cast. In case of tied vote the proposal is rejected.

Equal number of vacancies and candidates

If the number of nominated candidates is equal to the number of vacancies in the board basically two kinds of elections procedures are possible.

First, if the meeting agrees to verbally cast the votes a list of all candidates will be presented to the GM which will decide per acclamation. Yes, NO and abstentions which do not count as votes cast.

Alternatively, if the meeting agrees – on initiative of the President or a delegate – to cast the votes in writing in a closed ballot, the delegates will express their choice on the ballot paper on the list of candidates with either Yes, No or abstention, again, abstention do not count as votes cast.

In both ballots all candidates will therefore achieve the same result, whether positive or negative, to win a majority of more than half of the votes cast must be achieved.

Second, if a closed ballot in writing on each individual candidate is decided by the meeting the same procedure of the next para will be applied.

Less vacancies and multiple candidates

For the elections of the president or other vacancies in the board it is open to the members to nominate more than one candidate for the position available. This democratic competition requires a fair and transparent process of election procedures which can be calculated and followed by the meeting.

Whenever there are more candidates for a vacant position competing in an election, a ballot in writing will be conducted about every single position. This may result in a time consuming process because for each decision two rounds of casting votes on unsigned ballot papers might be necessary.

In the case of four candidates for one vacant position in the board in the first round the delegates shall indicate only one name of the four candidates on an unsigned ballot paper which will be collected by a team of helpers not representing a member. Should one candidate achieve more than half of the votes cast in the first he is the winner of this election round. The meeting would be open to continue with the agenda.

In case no candidate achieves a majority of more than half of the votes in the first round, a second round between the two candidates with the highest numbers of votes will be conducted, one candidate automatically will achieve more than 50% thus winning the vacant position in the board, leaving 3 candidates not reaching a position. They can compete again in the next round.

If there are two or more vacancies but a higher number of candidates competing this process needs to be repeated in turn for each single vacancy, the last vacancy possibly requiring finally two rounds. In principle, unless a candidate achieves in the first round more than half of the votes cast, two rounds for each vacancy are necessary to complete the board elections.

Article 19 Statutes and Explanation document amendments

For a change of the Statutes it is required that at least 50 % of the total number of full and associate members are represented and pass the change with at least two-thirds of the votes cast. The same majority is required for a change of the By-Laws.

Article 21

The General Meeting will establish on the recommendation of the board By-Laws which shall not be contrary to the Statutes.

All Europe Air Sports members, officers and board members are to respect the Statutes and By-Laws.

Annex I to the Explanatory Document

Glossary and Definitions

Acclamation

Open voting procedure expressing agreement - yes, disagreement - no or abstentions.

Ballot

“Open ballot system” is used to describe votes in which participant’s choices are not confidential.

Open ballots shall be used as much as possible unless a delegate asks for a secret ballot.

“Secret ballot system” is used to describe votes in which participant’s choices are kept confidential, normally done in writing.

Secret ballots must be used

- > when a delegate demands a confidential process or
- > in case of election of the President of the association or
- > in case there are more candidates applying for a board position than vacancies .

Candidate

An applicant for a position in the board of the association. A candidate must be supported and nominated by a full or associated member of the association.

Convening Notice

The Convening Notice must be send 28 days before the General Conference, it should contain the detailed Agenda and the names and CVs of candidates for the board. Only in case no list of candidates is provided, the meeting is free to accept nominations during the meeting.

Delegate

Delegates are persons authorized by the member to vote on behalf of the members in an election or for a resolution.

Elections, direct

An election is a democratic procedure through which one or more persons are chosen as executives in the board, voters have to be present at the

polling place in order to participate. If not present a voter can give a proxy to a voter present who may hold one proxy only.

Direct elections are those in which the electorate cast their votes directly for a single candidate , the voter can usually vote (YES), (NO) or (ABSTAIN) or with multiple candidates, the voter can vote one candidate by name.

Majority Vote

A majority vote means that a candidate is elected only when a majority of eligible voters have voted for them. The same term applies when a resolution is passed based on the support of a majority of eligible voters.

The term "majority" simply means "more than half." As it relates to a vote, a majority vote is more than half of the votes cast. Abstentions or blanks are excluded in calculating a majority vote. Also, the totals do not include votes cast by someone not entitled to vote or improper multiple votes by a single member.

Majority, relative (or simple)

Relative majority (also known as a "plurality") - a candidate simply needs to win the most votes – not necessarily more than half of the votes - in order to win the position.

(This is also known as “first past the post”, which is used in the Anglo-Saxon countries)

Europe Air Sports does not apply this principle of a relative majority.

Majority, absolute

Absolute majority - a candidate must obtain more than half of the votes cast. This is the main principle applied by Europe Air Sports in elections and deciding on resolutions. (Article 17,1)

Majority, qualified

Qualified majority - a candidate or a resolution must gain more than just an absolute majority, normally determined by the statutes to change the statutes or dissolve an association, often two thirds or three quarters of the total number of votes.

Member

Member, full – national or European air-sports organization with full compliance to Article 2. Full voting rights

Member, associate – not full compliance with Article 2. One vote.

Member, supporting - no voting right

Nomination

The process of expressing support for a person to stand as candidate as a member of the board and to formally inform the association in writing. Normally, a member should restrict itself to nominate one candidate. It is assumed that the nominated person has agreed to become a candidate.

Qorum

A quorum is a threshold of votes which has to be crossed in order to have a valid vote, election or resolution

Resolution

A resolution is a decision the association makes to take a particular course of action.

Votes

Europe Air Sports national members report their number of air-sports persons to FAI. On this basis members will be assigned the number of votes.

Voting Proxy

Filling out a voting proxy form is necessary in order to transfer the voting power of a non- participating member to a member present, voting on behalf of the non-participating member. Only one proxy per member is allowed.