

FIDE Statutes

Chapter 04: The General Assembly

Amendment of Article 4.1:

- 4.1 “The General Assembly, being the highest authority of FIDE, exercises the legislative and - unless otherwise defined below - also the executive power. It supervises the activities of the Executive Board, the Presidential Board, the FIDE President and also the other FIDE officials and organs. It approves the FIDE budget, elects the Presidential Board, Ethics Commission, Verification Commission and Constitutional Commission and determines the schedule of FIDE activities.

Unless otherwise provided by the Statutes or Regulations (e.g. in the case of the Ethics Commission and the Electoral Commission), the General Assembly will be the internal appellate organ for all decisions of FIDE organs and officials.

When the General Assembly is not in session its powers are transferred to the Executive Board. However, the Executive Board cannot take decisions on the following:

- election of officials
- final admittance and permanent exclusion of member federations
- changes in Statutes
- changes to regulations of Rules and Tournaments Commission
- changes to regulations of Qualification Commission
- changes in the Electoral Regulations

All decisions taken by the Executive Board may be reviewed by the following General Assembly. A directly aggrieved party may appeal directly to CAS against a decision by the Executive Board if, and only if, that party would suffer irreparable harm by having to wait until the next General Assembly for a final decision.”

Chapter 13: Final settlement of disputes

Appeals against FIDE decisions

- 13.1 Notwithstanding any provisions to the contrary in these Statutes, any final decision taken by a FIDE organ (including the Ethics Commission), and any decision made by the Electoral Commission (Chapter 8, Art. 3.4 of the Statutes) may be challenged exclusively by way of appeal before the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, which will resolve the dispute in a final and binding manner in accordance with the Code of Sports-related Arbitration. Only parties directly aggrieved by a decision may appeal to the CAS. The time limit for appeal is twenty-one days from receipt by the appellant of the decision appealed against or, in the case of a decision by FIDE General Assembly, twenty-one days

from the close of the General Assembly. The time-limit for appeal against decisions of the Electoral Commission is laid down in Chapter 8, Art. 3.4 of the Statutes.

- 13.2 An appeal before the CAS may only be brought after FIDE's internal procedures and remedies have been exhausted (subject to the exception set forth in Article 4.1 *in fine*). The decisions of the Ethics Commission, Electoral Commission and General Assembly relating to matters falling within their respective competencies are final.
- 13.3 An appeal does not suspend the execution of the decision, unless the CAS so decides upon request of the appellant. The CAS shall not take into account facts or evidence which the appellant could have submitted to an internal FIDE body by acting with reasonable diligence required under the circumstances, but failed or chose not to do so. The CAS shall decide the dispute according to the FIDE Statutes, regulations and rules as well as according to Swiss law. The seat of the arbitration shall be Lausanne. The language of the arbitration shall be English. The decision of the CAS shall be final and binding on the parties.
- 13.4 Neither CAS nor any ordinary courts shall have jurisdiction to deal with matters related to the application of a purely sporting rule, such as the Laws of Chess, or the technical rules of a competition (e.g. FIDE Swiss Rules, FIDE Competition Rules).

Other disputes

- 13.5 The ordinary courts in Lausanne, Switzerland shall have exclusive jurisdiction to resolve any dispute between FIDE and third parties, including but not limited to member federations or any of their officials, players, organisers, arbiters, FIDE officials, candidates to any function as FIDE officials within the meaning of Article 3.1 of the Statutes, or affiliated organisations, in respect of a matter arising out of or in connection with the FIDE Statutes, Regulations and Rules, or agreements between FIDE and these persons and/or entities.
- 13.6 The ordinary courts in Lausanne shall apply the FIDE Statutes, Regulations and Rules as well as the substantive law specifically chosen by the parties to govern the merits of the dispute or, in the absence of such a choice, Swiss substantive law, excluding the conflict-of-laws rules.