

## **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, 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
- 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**

Addition of new Articles 13.1 to 13.13:

#### **Appeal against sporting or disciplinary decisions of FIDE organs**

- 13.1. Any final sporting or disciplinary decision made by a FIDE organ, or decisions made by the Electoral Commission (Chapter 8, Art. 3.4 of the Statutes) may be disputed exclusively by way of appeal to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of sports-related arbitration. Only parties directly affected by a decision may appeal to the CAS. The time limit for appeal is twenty-one days from the receipt by the appellant of the decision appealed against or, in the case of a decision by FIDE General Assembly, twenty-one days after the decision has been made. 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. Decisions referred to in Article 13.1 include disciplinary sanctions, such as doping or cheating sanctions, sanctions for infringements of the FIDE Code of Ethics and decisions regarding the venue of FIDE events.
- 13.3. A party may only lodge an appeal to the CAS pursuant to Article 13.1 above if it has exhausted all the internal remedies of FIDE. In this regard, the decisions of the Ethics Commission and the Electoral Commission relating to matters falling within their respective competencies are final.
- 13.4. An appeal lodged pursuant to Article 13.1 shall not have suspensive effect unless expressly granted by the CAS 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.
- 13.5. The CAS shall not have jurisdiction to deal with matters related to the application of a purely sporting rule, such as the Laws of the Game or the technical rules of a competition.
- 13.6. Proceedings before the CAS are governed by FIDE Statutes, regulations and rules and, for the rest, by the Code of sports-related arbitration.
- 13.7. As regards the law applicable to the merits, the CAS shall apply FIDE Statutes, regulations and rules and, subsidiarily, Swiss substantive law.
- 13.8. 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.

#### **Appeal against other decisions**

- 13.9. Any decision other than the decisions referred to in Article 13.1 may be submitted exclusively by way of appeal to the ordinary courts in Lausanne, Switzerland, to the exclusion of CAS or of any other court or arbitral tribunal. Only parties directly affected by a decision may appeal to the courts. The decision shall be appealed within one month of learning thereof.
- 13.10. Decisions within the meaning of Article 13.9 include, among others, decisions regarding the laws of association, amendments of FIDE Statutes, rules and/or regulations, elections of FIDE officials by FIDE General Assembly and/or the electoral process leading to such elections (except for the decisions made by the Electoral Commission; see Chapter 8, Art. 3.4 of the Statutes) and contractual matters between FIDE and member federations, affiliated organisations or third parties.
- 13.11. A party may only lodge an appeal to the ordinary courts in Lausanne, Switzerland pursuant to Article 13.9 above if it has exhausted all the internal remedies of FIDE.

### **Other disputes**

- 13.12. The ordinary courts in Lausanne, Switzerland shall have exclusive jurisdiction to resolve disputes between, on the one hand, FIDE and, on the other hand, a member federation or any of its officials, a player, an organiser, an arbiter, a FIDE official, a candidate to any function as FIDE official within the meaning of Article 3.1 of the Statutes or an affiliated organisation 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.
- 13.13. The ordinary courts in Lausanne shall apply 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.