



INTERNATIONAL FEDERATION OF SPORTS MEDICINE (FIMS)

Meeting of the Council of Delegates

Rio de Janeiro (BRA), 13 September 2018 - h. 14.00

Minutes

1. CALL TO ORDER AND INTRODUCTORY REMARKS - F. Pigozzi

On behalf of FIMS, Prof. Pigozzi welcomed all participating Delegates and expressed his gratitude for the invitation to Rio de Janeiro. The President thanked the Brazilian Society of Exercise and Sports Medicine, especially Prof. Eduardo De Rose and Prof. José Kawazoe Lazzoli, the other Representatives from the Brazilian Federation and the Organizing Committee for the great effort in organizing the 35th World Congress of Sports Medicine and the FIMS Executive Committee Meeting, the Council of Delegates and the CCSM Meeting.

2. ROLL CALL – N. Bachl

The following countries (making up total of 49) were officially represented at the Meeting (listed in alphabetical order) Argentina, Australia, Austria, Barbados, Belgium, Bulgaria (proxy Greece), Brazil, Cameroon (proxy Egypt), Chile, China, Columbia, Cote d'Ivoire, Croatia (proxy Slovenia), Cyprus (proxy Italy), Czech Republic, Egypt, France, Germany, Great Britain, Greece, Guatemala, Hong Kong, Hungary, Italy, Iran, Jamaica, Japan, Latvia, Malaysia, Mexico, Nigeria (proxy Cote d'Ivoire), Oman, Peru, Poland, Portugal, Puerto Rico, Romania, Russia, San Marino, Saudi Arabia, Serbia (proxy Belgium), Slovakia, Slovenia, Spain, Tunisia, Turkey, U.S.A., Ukraine, Uruguay.

3. APPOINTMENT OF THE PARLAMENTARIAN – N. Bachl

G. Neumayr, D. Papadopoulou and M. Kenihan were unanimously appointed as Parliamentarians.

4. APPROVAL OF THE AGENDA – F. Pigozzi

Prof. Pigozzi pointed out, that due to time schedule of the Mexican Delegates, topic 9 “Selection of the Host City for the FIMS World Congress of Sports Medicine 2022” has to be inserted after the topic 5. This was unanimously agreed by the Delegates.

5. APPROVAL OF THE LAST MEETING MINUTES –Ljubljana (SLO), 30 September 2016 – N. Bachl

Prof. Bachl presented the minutes from the last meeting of the Council of Delegates held in Ljubljana (SLO) on 30 September 2016 which were unanimously approved by the Delegates.

6. SELECTION OF THE HOST CITY FOR THE FIMS WORLD CONGRESS OF SPORTS MEDICINE 2022 – N. Bachl

The Secretary General Norbert Bachl reported that FIMS had finally received one bid to host the FIMS World Congress 2020, namely from Guadalajara, Mexico. Together with the President then he welcomed the Representatives of the Sports Medicine Federation Mexico and left them the floor for the presentation concerning the World Congress 2022. After a short music piece from the

“Mariais”, the Representatives presented the Delegates details of the Country, the Host City, the congress venue, the accommodation places as well as the planned congress fees and social program.

After a short discussion Guadalajara was unanimously elected as the host city of the World Congress 2022. Immediately after the voting, the FIMS President, Prof. Pigozzi and the Representative of the Sports Medicine Federation of Mexico signed the relevant contract.

7. REPORT OF THE PRESIDENT – F. Pigozzi

The President briefly reported on his participation in international events and congresses and updated on his activities related to the FIMS Journal, Current Sports Medicine Reports (CSMR). He also highlighted the encouraging developments related to the network of Sports Medicine Collaborating Centers (CCSM) and stated that there are currently 24 CCSMs, another application from Belgium is pending. He then reported on the implementation of the 2014-2018 Strategic Plan, with particular attention to the scientific, educational and financial aspects. The President reported on the activities related to the finalization of the FIMS 90th Anniversary book and warmly thanked the Authors. In terms of the FIMS sponsors, he informed the Board that Pharmanutra was currently the sole FIMS sponsor. In terms of cooperation with international organizations, Prof. Pigozzi reported on his activities within WADA as a member of the Foundation Board and the Health, Medicine and Research Committee and within IOC, GAISF and SportAccord. Finally, the President reported on an important meeting with the ACSM that would take place in Washington DC, USA on May 4, 2018 to consolidate the outcome of a previous meeting held in Indianapolis on July 7, 2017. In both meetings Prof. Pitsiladis also participated. Finally, he informed that in collaboration with the Charman of the Development Commission they started the process of adapting FIMS privacy system to the new legal principles and the new regulatory provisions introduced by the European Data Protection Regulation 679/16. This process will be completed following the issue of the decree of the Swiss Confederation in implementation of the aforementioned European regulatory provisions.

8. REPORT OF THE TREASURER – J. Kawazoe Lazzoli

a. Approval of the biannual budget 2016 – 2018

Prof. José Kawazoe Lazzoli presented the treasurer’s report highlighting the different funds and balance of FIMS. The Council voted unanimously to approve the Treasurer’s report.

9. ELECTION OF THE NEW EXECUTIVE COMMITTEE – F. Pigozzi

The President gave the floor to the FIMS Legal Advisor, Prof. Geistlinger. He first precised the number of Executive Committee positions for each Continent: 3 Europe, 2 America, 1 Africa, 1 Asia, 1 Oceania. Following this statement, Prof. Geistlinger mentioned that there are 3 nominations from Egypt (Africa), but due to the FIMS Statutes, only one candidate can be nominated, and reported that in principle there were two possibilities, either to reject all three or to allow after a decision of the Council of Delegates the Egypt to nominate one candidate. After a short discussion the Council of Delegates unanimously favoured the proposal that Egypt should nominate one candidate, then the Representative of the UAMS designated Dr. Massoud.

After that, Prof. Geistlinger reported, that for the position of the President, the Secretary General and the Treasurer there were only one nomination each. After a motion and a second from the floor, the Council of Delegates unanimously elected the three candidates by acclamation, Prof. Pigozzi as President, Prof. Bachl as Secretary General and Prof. Kawazoe Lazzoli as Treasurer.

The next election concerned the order of the Vice Presidents.

The Delegates received a form, in which they could fill in the positions for the four Continental Vice Presidents namely for America, Africa, Asia and Europe. The vote count resulted in the following order:

- 1 Vice President: Andre Debruyne, Europe (23)
- 2 Vice President: Guo Ping Li, Asia (14)
- 3 Vice President: Costant Roux, Africa (7)
- 4 Vice President: Rafael Robbles, America (4)

Concerning the elections for the Members of the Executive Committee, the Delegates received voting sheets, in which they should – corresponding to the continental seats number – write down the names of the candidates. After the vote counting, the following candidates were elected FIMS Executive Members:

- Africa: Zahar (31)
- America: Roberts (34), Cintron (31)
- Asia: Yung (38)
- Europe: Natsis (45), Braumann (37), Polyayev (37)
- Oceania: Jowett (40)

The FIMS President congratulated all new office bearers and expressed his appreciation and warm thanks to those who left the board.

10. CHANGE OF THE STATUTES – N. Bachl

After a short introduction, again Prof. Geistlinger took the floor and reported extensively about the intended changes of the Statutes and By-Laws which mostly were spelling errors and text clarifications.

As there were no comments or discussions from the audience, the Council of Delegates voted unanimously for the change of the Statutes and By-Laws (see attachment).

11. NEXT MEETING – N. Bachl

The next Council of Delegates will be held during the World Congress of Sports Medicine in Athens on 24-27 September 2020 and scheduled on the 25 September 2020.

12. MISCELLANEOUS

Nothing to report

13. ADJOURNMENT

Prof. Pigozzi once again thanked the Hosts for the World Congress in Rio de Janeiro and all the participants the Council of Delegates and closed the meeting wishing all Delegates an enjoyable and productive stay in Rio and wished all a safe journey home.

Respectfully submitted by the Secretary General, Prof. Dr. Norbert Bachl

Enclosure

| Current Version of Statutes and Bylaws | Draft Amendments | Reasons |
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| <p>STATUTES OF THE FEDERATION INTERNATIONALE DE MEDECINE DU SPORT (FIMS)</p> | <p>STATUTES OF THE FEDERATION INTERNATIONALE DE MEDECINE DU SPORT (FIMS)</p> | |
| <p>Article 02: FIMS has a permanent legal status. It is governed by Swiss Law, in particular by articles 60 and following of the Swiss Civil Code. Membership is not contingent on an individual's sex or race, or any political or philosophical belief or practice.</p> | <p>Article 02: FIMS <u>is an association</u> governed by Swiss Law, in particular by articles 60 and following Swiss Civil Code. Membership is not contingent on an individual's sex, <u>race, color, nation, language, religion,</u> or any political or philosophical belief or practice, <u>social origin, property, birth or other status.</u></p> | <p>In order to be precise as to Swiss law and in line with the relevant universal document (art 2 para 1 International Covenant on Civil and Political Rights which reads as follows: "<i>Article 2</i> 1. <i>Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</i>"</p> |
| <p>Article 03: The headquarters and official address of FIMS shall be in Lausanne, Switzerland.</p> | <p>Article 03: The headquarters of FIMS shall be in Lausanne, Switzerland.</p> | <p>The official address is ruled by Article 0.3 By-Laws.</p> |
| <p>Article 09: National Associations of Sports Medicine. 09.02. Where two or more organizations in any country claim recognition as the National Association of that country, it shall be at the absolute discretion of the Council of Delegates to determine, after due consideration, based on the documentation and other</p> | <p>Article 09: National Associations of Sports Medicine. 09.02. Where two or more organizations in any country claim recognition as the National Association of that country, it shall be at the discretion of the Council of Delegates to determine, after due consideration, based on the documentation and other information available, which, if any, shall be recognized.</p> | <p>Since there are general legal requirements as to the exercise of discretion (eg. not discriminatory, proportional use), the word "absolute" might give rise to legal disputes and shall better be avoided</p> |

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| <p>information available, which, if any, shall be recognized</p> | | |
| <p>Article 16: The Council of Delegates 16.08. The deliberations of the Council of Delegates shall be recorded in the form of minutes in a ledger kept for this purpose. These minutes shall be circulated to the Member National Associations.</p> | <p>Article 16: The Council of Delegates 16.08. The deliberations of the Council of Delegates shall be recorded in the form of minutes in a ledger kept for this purpose. These minutes shall be circulated to the Member National Associations <u>together with the agenda for the next Council meeting.</u></p> | <p>In order to avoid misunderstandings and codify the standing practice within FIMS.</p> |
| <p>Article 17: The Executive Committee 17.02. Elections of the Executive Committee: 2. Candidates shall be nominated only by their Member National Associations. No Member National Association may nominate more than one candidate for member of the Executive Committee. Nominations will be presented to the FIMS Secretary General, with a copy sent to the Secretary General of the respective Continental Association. Nominations must be received by the FIMS Secretary General at least one month before the meeting of the Council of Delegates.</p> | <p>Article 17: The Executive Committee 17.02. Elections of the Executive Committee: 2. Candidates shall be nominated only by their Member National Associations. No Member National Association may nominate more than one candidate for member of the Executive Committee. Nominations will be presented to the FIMS Secretary General, with a copy sent to the Secretary General of the respective Continental Association.</p> | <p>For consistency with Article 17.02.12 Statutes.</p> |
| <p>17.02. Elections of the Executive Committee 7.A list of Member National Associations eligible to participate in and vote at a meeting of the Council of Delegates must be made available to each Delegate of a FIMS Member National Association prior to the meeting at which an election will be held.</p> | <p>17.02. Elections of the Executive Committee 7.A list of Member National Associations eligible to participate in and vote at a meeting of the Council of Delegates must be made available to each Delegate of a FIMS Member National Association <u>at the beginning of</u> the meeting at which an election will be held.</p> | <p>For reasons of logics: The list cannot be made earlier than the Member National Associations in good standing are known.</p> |

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| <p>17.02. Election of the Executive Committee 9.The designated Delegate of an eligible Member National Association is the only person permitted to vote on behalf of that Member National Association, except as below in Article 17.02 k) and l.</p> | <p>17.02. Election of the Executive Committee 9.The designated Delegate of an eligible Member National Association is the only person permitted to vote on behalf of that Member National Association, except as below in Article <u>17.02.11</u> and <u>17.02.12.</u></p> | <p>Adjustment of reference to numbering.</p> |
| <p>17.02. Election of the Executive Committee 11.To grant proxy, a Member National Association must submit to the Secretary General an official FIMS Proxy Form signed by its President or Secretary General, if applicable. On the form, the specified Member National Association to receive the proxy must be identified. Only the accredited Delegate of the Member National Association receiving the proxy may use this proxy vote. A proxy form will be included with each announcement of a meeting of the Council of Delegates as distributed to all Member National Associations by the Secretary General. (As stated in the statutes, an accredited Delegate is entitled to use only one proxy vote in addition to the vote of the Delegate's own Member National Association).</p> | <p>17.02. Election of the Executive Committee 11.To grant proxy, a Member National Association must submit to the Secretary General an official FIMS Proxy Form signed by its President or Secretary General, if applicable. On the form, the specified Member National Association to receive the proxy must be identified. Only the accredited Delegate of the Member National Association receiving the proxy may use this proxy vote. A proxy form will be included with each announcement of a meeting of the Council of Delegates as distributed to all Member National Associations by the Secretary General. <u>An accredited Delegate is entitled to use only one proxy vote in addition to the vote of the Delegate's own Member National Association.</u></p> | <p>For the sake of clarity.</p> |
| <p>17.09. The two Auditors or an auditing office recognized by Swiss law will review the financial account presented to them by the Treasurer and give a report of their review to the Executive Committee and the Council of Delegates.</p> | <p>17.09. The two Auditors <u>and/or</u> an auditing office recognized by Swiss law will review the financial account presented to them by the Treasurer and give a report of their review to the Executive Committee and the Council of Delegates. <u>This auditing office will organize the Declaration form for the tax office. It will</u></p> | <p>In order to comply with Swiss law.</p> |

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| | <u>be signed by the Treasurer and the President.</u> | |
| Article 24. Liability. 24.01. FIMS shall recognize and acknowledge its responsibility towards third parties only by documents signed jointly by the President and the Secretary General. | Article 24. Liability. 24.01. FIMS shall recognize and acknowledge its responsibility towards third parties only by documents signed jointly by the President and the Secretary General <u>or in financial matters the Treasurer.</u> | For consistency with Article 17.05.3 Statutes. |
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| BY-LAWS of FIMS | BY-LAWS of FIMS | |
| Article 16. The Council of Delegates. 16.01. The business of the Council of Delegates shall be conducted under Roberts Rules of Order. | Article 16. The Council of Delegates. 16.01. The business of the Council of Delegates shall be conducted <u>under procedural principles and rules of Swiss Law.</u> | Consequence of legal seat of FIMS in Switzerland. |
| Article 17. The Executive Committee. 17.01. Decisions of the Executive Committee shall be valid, if at least 50 % of the voting members are present. Any voting member of the Executive Committee may propose a motion. If it is seconded by another voting member, a vote will be taken following discussion to accept or reject the motion. A simple majority will decide the result. If two-thirds or more of the voting members present agree to request it, the voting shall be by secret ballot. | Article 17. The Executive Committee. 17.01. Decisions of the Executive Committee shall be valid, if at least 50 % of the voting members are present. Any voting member of the Executive Committee may propose a motion. If it is seconded by another voting member, a vote will be taken following discussion to accept or reject the motion. A simple majority will decide the result. If <u>one third</u> or more of the voting members present agree to request it, the voting shall be by secret ballot. | The requirement of two-thirds for a secret vote is very high and unusual for International Federations. It is advisable to go down to one third. |
| Article 17. The Executive Committee. 17.02. The meetings of the Executive Committee are private. Other interested persons may be present as observers or consultants for a portion of these meetings with | Article 17. The Executive Committee. 17.02. The meetings of the Executive Committee are private. <u>Experts, advisors, and/or</u> other interested persons may be present as observers or consultants <u>for</u> | In order to allow for more flexibility. |

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| <p>the approval of the Executive Committee and may participate in the discussions if invited to do so. They may be asked to withdraw if the majority of the Executive Committee votes that the subsequent proceedings shall be private.</p> | <p><u>the whole</u> or a portion of these meetings with the approval of the Executive Committee and may participate in the discussions if invited to do so. They may be asked to withdraw if the majority of the Executive Committee votes that the subsequent proceedings shall be private.</p> | |
| <p>Article 19: The World Congress of Sports Medicine 19.05. The President and Treasurer on behalf of the Executive Committee sign a contract with the Congress organizing Member National Association specifying the details and obligations of the organizing Member National Association.</p> | <p>Article 19: The World Congress of Sports Medicine 19.05. The President and <u>the Secretary General</u> on behalf of the Executive Committee sign a contract with the Congress organizing Member National Association specifying the details and obligations of the organizing Member National Association.</p> | <p>For consistency with Article 19.05 Statutes.</p> |
| <p>Article 23. FIMS Awards. 23.03. The Awards Committee shall be elected by the Executive Committee from among its members, and chaired by the designated Vice-President.</p> | <p>Article 23. FIMS Awards. 23.03. The Awards Committee shall be elected by the Executive Committee from among its members.</p> | <p>For avoidance of duplication of Article 23.03 Statutes. Vice-President is rules there.</p> |