

MINUTES FIR EGM 2018

Saturday 24th November 2018, 08:30 – 09:00

Vienna Sporthotel, 1030 Vienna, Austria

Chairs:

FIR Executive President Duncan Stahl

FIR Vice-President Graham King

15 Countries present or delegated their voting power with a total of 52 votes:

1. Austria (6), Marcel Weigl
2. Belgium (6), represented by Malta
3. Czech Republic (3), Svata Rejthars, Michal Horacek,
4. Denmark (4), Stine Krogsoe
5. France (3), Jean Michot
6. Germany (6), Chrsitian Borner
7. Great Britain (6), Richard Middleton
8. Latvia (2), Zigmars Puikevics
9. Malta (1), Duncan Stahl
10. Netherlands (1), represented by Germany
11. Romania (1), Radu Ionescu
12. Sweden (6), Anna-Klara Ahlmer
13. Switzerland (5), Graham King
14. Turkey (1), represented by Austria
15. USA (1), represented by Denmark

52 out of 84 possible votes were present at the EGM 2018, which is 62 % of the total number of votes and more than 50% needed for quorum. The EGM was thus able to take final decisions on all points on the Agenda. For the normal majority (50%) a minimum of 27 votes were needed..

27 Countries not present with a total of 32 votes

1. Armenia (1)
2. Australia (1)
3. Brazil (1)
4. Bulgaria (1)
5. Canada (3)
6. Croatia (1)
7. Estonia (1)
8. F.Y.R of Macedonia (1)

9. Finland (4)
10. Ghana (1)
11. Greece (1)
12. Hong-Kong, China (1)
13. Hungary (2)
14. India (1)
15. Iraq (1)
16. Ireland (1)
17. Israel (1)
18. Italy (1)
19. Liechtenstein (1)
20. Malaysia (1)
21. New Zealand (1)
22. Poland (1)
23. Russia (1)
24. Singapore (1)
25. Slovakia (1)
26. Slovenia (1)
27. South Africa (1)

Final Agenda

- 1) Welcome note to members
- 2) Confirmation of minutes of AGM 2018 (published on www.racketlon.net)
- 3) FIR seat of registration
 - a. Vote on the dissolution of FIR
 - b. Vote by FIR members on changing the official FIR seat of registration from Austria to Switzerland

1) Welcome note to members

FIR president Duncan Stahl opened the EGM at 08:25, took over as chair, welcomed all representatives and presented the agenda. Graham King was unanimously elected as Meeting Secretary to record the minutes of the meeting in German.

Duncan Stahl stated that the EGM agenda had been changed, given the recently acquired information that a transfer of the seat of registration from Austria to Switzerland is not allowed by Austrian law, and that the necessary conditions for dissolution of FIR are not met. Instead, he proposed closing the EGM after explaining the issues to FIR members, and then immediately afterwards holding a Founding Assembly for a new FIR based in Switzerland.

The Assembly agreed to the change of the agenda unanimously.

2) Confirmation of Minutes of AGM 2018

The minutes of the AGM 2018 held on Saturday 25th August 2018 at Hotel Sommerau-Ticino, 8953 Zurich, published on www.racketlon.net, were confirmed by the EGM unanimously.

3) FIR Seat of Registration

- a) Duncan Stahl explained the background around the reasons FIR needs to move its seat of registration away from Austria and why Switzerland is the favoured location for the new seat of registration. He also explained that Austrian law forbids an association from simply moving its seat of registration to another country, but requires dissolving the association in Austria and founding a new one elsewhere, and that the Austrian authorities had communicated this to FIR both on the telephone and in writing. As dissolution of FIR in Austria is a very formal process, it was decided to postpone this proposal from this EGM to a subsequent EGM in the near future, when everything is ready
- b) Duncan Stahl stated that FIR had taken legal advice and that preparations for founding FIR in Switzerland, with identical characteristics to the FIR with its seat in Austria (same statutes, Council, auditors, Board of Arbitration, rules, website, tournament calendar etc.) are well advanced and could be put in place soon after approval at this meeting.

Radu Ionescu (Romania) stated he felt it was a bad idea to dissolve FIR, and he challenged the legality of the Austrian authorities on forbidding FIR to move its seat of registration from Austria to Switzerland. He felt having two associations with the name of FIR at the same time would be a problem and result in loss of members and confusion amongst stakeholders. He requested the Assembly to neither vote to dissolve FIR, nor to found a new FIR based in Switzerland without first proving that a transfer between Austria and Switzerland is definitively not possible.

Zigmars Puivevics (Latvia) inquired whether any other federations in other sports had done the same thing. No information was available on this subject.

Graham King disputed the claim that having two FIR's for a brief period would cause any real issues, or would lead to loss of any real members, or cause serious issues with our stakeholders. Duncan Stahl stated that almost all active members had sent him an email confirming their intention to become members of any new FIR based in Switzerland. Graham King did, however, agree that someone with better connections to the Austrian authorities might be able to extract more information from them, possibly with a different outcome.

Marcel Weigl (Austria) offered to pursue within a short timescale such inquiries with the Austrian authorities as to whether there exists a way allowing a transfer. He requested documentation of the correspondence with them, which Graham King, who had carried out most of the communications with the Austrian authorities, agreed to provide. Graham King stated the need for clear and measurable criteria on which any decision to proceed with dissolving FIR could be based. The Assembly unanimously agreed that the next FIR EGM

would be the cleanest means to assess the results of Marcel Weigl's inquiries and vote on either dissolution of FIR in Austria, or its transfer to Switzerland.

Jean Michot (France), inquired as to the planned schedule for the transition. Duncan Stahl replied that ideally, the transition would be made per 1.1.2019, and if this was not possible, the goal would be as soon as possible thereafter.

Michael Horacek (Czech Republic) inquired whether the regulations of any newly founded FIR would include changes approved at the last AGM. Graham King responded that this topic would best be covered in the Founding Assembly following this EGM, but the general principle was to change as little of substance as possible during any transition, adding that the changes approved at the last AGM would certainly be included in the next FIR regulations, irrespective of its seat of registration.

With no other items on the agenda, the Assembly agreed unanimously to close the EGM at 08:50

Duncan Stahl
(President)

Graham King
(Vice-President)