

## FIS Election Qualification Criteria

Based on Article 10.10.1.1 and 15.2.5.2 of the FIS Statutes, the Nomination and Remuneration Committee (NRC) shall issue and oversee the Election Qualification Criteria for the election of the President and the Council Members, and will be required to decide on any matter in relation to Eligibility and/or any campaign conduct issues of a candidate.

The NRC therefore issues the following Election Qualification Criteria, which have been reviewed by the Council, as at 25 March 2024 (EQC) which apply to elected and appointed positions:

### 1. Definitions

In addition to the Definitions as set out in the Statutes, the following apply:

**“Application”** means an application for appointment, or as a candidate for election, to a position as an Official.

**“Applicant”** means any person who submits an Application.

**“Candidate Application Process”** means the FIS Candidate Application Process (as amended), a copy of which is at Annex 1.

**“Conflict of Interest”** means a situation in which an Applicant or Existing Official has or is involved with multiple interests, which may include both personal Interests and Interests arising from the person’s duties or positions as a representative of an organisation, and where benefiting one or more of these Interests may affect the outcome in respect to the Interest of FIS.

**“Declaration of Interests”** means the listing of all Significant Interests held by an Applicant or Existing Official. This Statement is to be included as a subset of the Application. If appointed, this statement should be updated by any Official whilst remaining in office such that it always reflects up to date information.

**“Eligible”** and **“Eligibility”** means that the NRC has decided that the person is eligible as set out in these Rules.

**“Eligibility Questionnaire”** means the FIS questionnaire to be included as a subset of the Application.

**“Existing Official”** means a person appointed or elected for the offices of the President or the Council.

**“Assessment of Eligibility”** means the assessment by the NRC of all available relevant information concerning the person, including but not limited to information provided:

- (a) on the Eligibility Questionnaire; and
- (b) on the Declaration of Interests; and
- (c) for existing Officials, by disclosures made to comply with the duties of disclosure for Officials.

**"Official"** means a person elected or appointed to carry out the roles and functions within or for FIS as defined in Rule 3 and the Statutes.

**"Significant Interests"** means

- any position as a partner, executive or non-executive director, management committee member or executive officer (including for example a chief executive officer or other member of senior management) of any business entity or professional organisation, as well as of any Member Association;
- any financial investment as a shareholder, member or partner amounting to 5% or more of the shares, capital or control (as the case may be) of any business entity or professional organisation connected to (i) FIS; (ii) any Member Association; any (iii) Local Organising Committee; or (iv) the sport of skiing and snowboarding;
- any other position or financial investment amounting to a Material Influence over any business entity or professional organisation;
- any interest of whatever nature or level which may present an actual or potential Conflict of Interest with an individual's duties to FIS, including in any business venture (of whatever type) having or seeking to have a contractual relationship with FIS as a supplier of goods or services, a sponsor, or as the host of, or part of a group hosting, any FIS Events; and
- any paid employment or executive function within a Local Organising Committee which, for the avoidance of doubt, must be indicated on the Applicant's Declaration of Interests.

**"Vetting", "Vetting Process" and "to vet"** means the assessment by the NRC as to whether an Applicant or an Existing Official is Eligible or not for the offices of the President or the Council.

## **2. NRC - Role, Powers, Duties and Procedure**

- 2.1 Subject to the Statutes and these Rules, the NRC shall have all powers and authorities necessary to fulfil its role and carry out its duties in a reasonable and appropriate manner.
- 2.2 In this specific context, the role of the NRC shall be to assess whether an Applicant or Existing Official is Eligible to be, or remain in office as, an Official in accordance with these Rules. In the case of an Existing Official becoming ineligible whilst in office, the NRC will refer the matter to the independent FIS Ethics Committee for further assessment.
- 2.3 In carrying out its role, the NRC shall operate in accordance with its Terms of Reference.

### 3. Scope of Application

These EQC apply to all persons applying for or carrying out the following functions and positions, altogether defined as "Officials":

- (1) The FIS President;
- (2) The FIS Secretary General; and
- (3) Members of the FIS Council

### 4. Eligibility

4.1 A person seeking election or applying to be an Official (Applicant), or to remain in office as an Official (Existing Official), must be Eligible.

4.2 To be Eligible, every Applicant and Existing Official shall be approved by the NRC as having:

- a. satisfied the NRC requirements in these Rules, including having satisfied all applicable disclosure obligations as required and specified in the Statutes, Rules and Regulations;
- b. satisfied the criteria set out in 6.1.9 below taking into account the matters set out at 6.1.10 below; and
- c. not failed an Eligibility assessment on the basis of any of the following grounds:
  - i. **Bankruptcy:** the person has been declared by a Relevant Authority to be an undischarged bankrupt, or is subject to a condition not yet fulfilled or any order under insolvency laws;
  - ii. **Conviction:** the person has been convicted by a Relevant Authority of any offence punishable by a term of imprisonment of two (2) or more years (whether or not a term of imprisonment was imposed) unless that person has obtained a pardon or has served the full term of the sentence imposed on them so that their conviction is spent;
  - iii. **Disqualified Director:** the person is prohibited by a Relevant Authority from being a director or promoter of or being concerned or taking part in the management of a company for breach or non-compliance with any relevant law applicable to that person;
  - iv. **Property Order:** the person is subject to an order by a Relevant Authority that the person is lacking in competence to manage their own affairs;
  - v. **Majority:** the person is a minor by law under the laws of Switzerland;
  - vi. **Full Civil Rights:** the person is deprived of their civil rights by proper application of the law;
  - vii. **Breach of FIS Code of Ethics:** the person has been found by Congress or the FIS Ethics Committee to have breached the FIS Code of Ethics;

- viii. **Anti-Doping Rule Violation:** the person is found by a Relevant Authority to have committed any anti-doping rule violation at any time;
- ix. **Removal:** the person was removed from office by Congress, in accordance with the Statutes, the Rules or Regulations;
- x. **Other:** the person is otherwise prohibited from holding such position, or any similar position, under any other circumstances as provided by regulation or law.

4.3 Where a conflict of interest arises within the NRC deliberations, for example if an NRC member is standing for Council election, the approval of that individual's application or continued role shall be made by appropriate NRC personnel who are not standing for election and therefore deemed not conflicted or, in the absence of such persons, by independent persons appointed by Council.

## 5. Applicability of Vetting

5.1 All Officials are subject to Vetting. Deputies will also be subject to Vetting, including those who exercise the role of a deputy whether formally designated or not.

5.1.1 The election or appointment process for each position will include a requirement for each Applicant to provide their written consent (including any Applicant who is an Existing Official) to be subject to Vetting:

- a. as a condition to proceeding with the proposed candidacy or appointment; and
- b. on an on-going basis throughout their term as an Official.

5.1.2 Such written consent is included in the Eligibility Questionnaire and includes:

- a. consents to the use of personal data (in accordance with applicable data protection and privacy laws and regulations) as required for purposes of carrying out the Vetting; and
- b. an acknowledgement by the Applicant (and reiteration by any Existing Official) that, in pursuing the proposed candidacy or appointment, the Applicant agrees to be bound by the FIS Rules and Regulations; and agrees to submit for review by the NRC an accurate and complete Assessment Form in a timely manner.

5.1.3 The Officials or bodies responsible for managing an election process for Applicants must refer all candidates proposing to stand for election to the NRC for determination of Eligibility before their candidacy can be accepted.

## 6. Vetting Process

- 6.1 The NRC shall carry out the Vetting Process, consistent with the following general framework and the Candidate Application Process.
  - 6.1.1 Every person who is an Applicant agrees to be Vetted by timely submission of the Application in accordance with the Candidate Application Process, and is subject to a decision by the NRC that the person is Eligible.
  - 6.1.2 Upon making an Application in accordance with the applicable deadlines, the Applicant (including any Applicant who is an Existing Official) will be notified that their Application has been received and will be referred to the NRC for a decision on Eligibility before proceeding with their appointment or candidacy.
  - 6.1.3 Every Existing Official is obliged to regularly review their own Application to ensure it is complete and accurate at all times and to promptly notify the NRC if they are, or are likely to become, no longer Eligible.
  - 6.1.4 The NRC will regularly review publicly available information sources, or other sources of information, such that oversight of the Eligibility of all Applicants or Existing Officials is maintained.
  - 6.1.5 Upon notification pursuant to Rule 6.1.3, or upon becoming aware that an Applicant or an Existing Official may no longer be Eligible, the NRC will determine whether any further information or assessment is necessary and if so will, in the case of an Applicant or Existing Official, seek such information or carry out such an assessment.
  - 6.1.6 In relation to an Applicant or an Existing Official, the NRC may proceed to refer the Candidate to an external vetting agency.
  - 6.1.7 The NRC may either:
    - a. make a decision that the Applicant or the Existing Official is Eligible; or
    - b. conduct further checks or supply further information; or
    - c. make a preliminary finding that the Applicant or Existing Official may not be Eligible.
  - 6.1.8 The NRC will carry out its assessment in a reasonable and proportionate manner based on the level of authority and influence to be exercised by the relevant position as an Official.

- 6.1.8 In reaching its decision, the NRC must decide, on the balance of probabilities, and after considering all relevant information available to it, that the person:
- is able to meet the standards of conduct and integrity required of an Official or Specified Staff Member; and
  - is of good character and reputation; and
  - is fit to perform the role being sought or the position they hold; and
  - has fully disclosed all Significant Interests.
- 6.1.9 In assessing whether or not an Applicant or Existing Official satisfies the criteria specified in Rule 6.1.9 the NRC shall take into account whether the person
- has been the subject of an investigation or disciplinary action (whether or not in any sporting context) resulting in adverse findings about the person's credibility, integrity, honesty or reputation; and/or
  - has at any time been found guilty of a material breach of the criminal law as set out at Rule 4.2.(c) ii above; and/or
  - is unable to provide solutions to resolve any potential Conflict of Interest.
- 6.1.11 The NRC shall carry out a Vetting assessment on all parties applying for the offices of the President, the Secretary General or the Council.
- 6.1.12 The NRC may conduct an in-person interview with Applicants or Existing Officials in the course of its assessment.
- 6.1.13 Following a preliminary finding that an Applicant or an Existing Official is or may not be Eligible, the NRC shall notify the Applicant or Existing Official in writing of its preliminary finding and the reasons for it (which shall be confidential), and give the person at least 5 working days to make any submissions on such preliminary finding and provide any evidence in support of those submissions to the NRC.
- 6.1.14 The NRC shall then consider any such further submissions and evidence, and make any additional enquiries as it deems appropriate, before making a final decision on whether the Applicant or Existing Official is Eligible.
- 6.1.15 Once a final decision is made by the NRC under Rule 6, the Applicant or Existing Official will be notified of its decision in writing, and if the NRC decides the person is not Eligible it shall include a statement of the reasons for that decision.

6.2 For the purposes of implementing the Vetting assessment in a timely and efficient manner:

6.2.1 The NRC must make a preliminary finding as to Eligibility or non Eligibility (in the case of Applicants and Existing Officials) within 20 working days of receiving the Application. If further information is requested by the NRC under Rule 6.1.7 (b) the Applicant will be informed and a further reasonable period of time will be applied.

6.2.2 In extraordinary circumstances, which are not easily envisaged, it may be necessary to extend the time required to complete the Vetting Process, but in all cases the Vetting Process shall be completed in time to meet any applicable deadlines for appointment or election, and in any event no extension or series of extensions will exceed a period of one month in total.

6.2.3 An Applicant may withdraw their Application to be an Official at any time prior to a final decision by the NRC.

## **7. Appeal to CAS**

A decision that an Applicant is not Eligible by the NRC shall be final, subject to a right of appeal to the Congress in accordance with Article 10.2.2 of the FIS Statutes and finally to the Court of Arbitration for Sport (CAS) Appeals Arbitration Division, in accordance with the CAS Code of sports-related arbitration. Any appeal of a decision of non Eligibility by the Congress under these Rules must be filed with the CAS within twenty-one (21) days of the Applicant or the Existing Official receiving the written decision of the NRC.

A decision that an Existing Official is or may have become no longer Eligible will, in the first instance, be referred to the FIS Ethics Committee for further assessment (see 2.2 above).

## **FIS Council – Candidate Application Process**

### **1 The International Ski and Snowboard Federation**

The International Ski and Snowboard Federation (FIS) is the world's highest governing body for international winter sports and it is responsible for the Olympic disciplines of Alpine skiing, Cross-Country Skiing, Ski Jumping, Nordic Combined, Freestyle Skiing/FreeSki and Snowboarding, the Paralympic disciplines Para Alpine, Para Snowboard and Para Nordic as well as for the non-Olympic disciplines as Telemark, Speed Skiing, Grass Skiing and Masters. The FIS is also responsible for setting the international competition rules. The organisation presently has a membership of 135 National Ski Associations and is based in Oberhofen am Thunersee, Switzerland.

FIS was founded on 18<sup>th</sup> February, 1910 when 22 delegates from 10 countries joined together to form the International Skiing Commission in Christiania (NOR) and served from 1910 to 1924. The body became formally known as the International Ski Federation (FIS) on 2<sup>nd</sup> February 1924 during the first Olympic Winter Games in Chamonix, France with 14 member nations.

### **2 The Council (Art. 11 FIS Statutes)**

The Council with 22 Members is the supreme authority of FIS between the Congresses meetings and takes all necessary decisions, provided such decisions do not fall within the exclusive competence of the Congress. The Council represents FIS and takes care of relations with other international sports federations and organisations. The Council is responsible for the overall conduct of business.

The Council has the following responsibilities (Art. 11.3.3 FIS Statutes).

- to take decisions on the provisional application of new Member Associations, to provisionally suspend Member Associations and to recommend to the Congress to expel Member Associations which do not meet the Eligibility Criteria or the obligations of Member Associations set out in these Statutes;
- to establish and amend the FIS Rules and Regulations, including the International Competition Rules (ICR);
- to issue and review the Terms of Reference for all Committees;
- to review, approve or reject proposals of the Committees;
- to supervise the preparation of the Congress;
- to submit proposals to the Congress;
- to approve the annual budget and present it to the Congress;
- to prepare an annual report to the Congress;
- to supervise the execution of the decisions taken by the Congress;
- to award the FIS World Championships;
- to award the FIS World Cup competitions and to decide on all matters concerning the FIS World Cup rights;
- to confirm and amend the FIS Calendar;
- to determine the distribution of fees received from candidates and organisers of FIS World Championships in favour of small and developing Member Associations;



- to take corrective actions in case of non-compliant use by a Member Association of financial distributions received from FIS;
- to ensure that the Statutes, the FIS Rules and Regulations and the decisions of the Council are observed;
- to resolve and determine any matters of dispute for which an alternative resolution mechanism is not provided in the Statutes or the FIS Rules and Regulations.

The Council may delegate some of its duties to the President and/or to the Secretary-General. Current affairs are taken care of by the President and/or the Secretary-General in accordance with their terms of reference.

The Council consists of (Art. 11.1.1 FIS Statutes):

- President
- Eighteen (18) Members of the Council
- Three (3) Members of the Council who are representatives of the Athletes' Commission, one of which must be the athlete representing Para Snowsport

Minimum requirements for the composition of the Council (Art. 11.2 FIS Statutes):

- The President, and the other Members of the Council must belong to different Member Associations with the exception of the representatives of the Athletes Commission.
- Male and female genders must be represented by at least three (3) members.
- One (1) Council Member shall be nominated by a Member Association with one (1) vote.
- One (1) Council Member shall be nominated by a Member Association with two (2) votes.

### **3 Elections of the FIS Council (Art. 10.10.3 FIS Statutes)**

10.10.3-1 Eighteen (18) of the twenty-two (22) Council Members shall be elected in one single voting round.

10.10.3.2 The Congress shall be required to confirm the three (3) representatives, from different genders, which have been elected by the Athletes Commission according to the Rules for the Athletes Commission, by a separate vote.

10.10.3.3 Delegates shall enter the names of the Candidates of their choice in an electronic Ballot.

10.10.3.4 The Ballots must contain as many different names as there are Candidates to elect in compliance with the requirements in article 11.2. In particular, they must contain at least three (3) Candidates of both genders and at least one (1) Candidate from a Member Association with one (1) vote and at least one (1) Candidate from a Member Association with two (2) votes. Ballots with too many or too few names or Ballots, which do not contain the minimum requirements set out shall be invalid.

10.10.3.5 The eighteen (18) Candidates with the most votes are elected as Council Members, subject to the following conditions:

- a) there must be at least three (3) Council Members of each gender. Accordingly, the three (3) Candidates of each gender with the most votes are

deemed to be elected, irrespective of whether they are placed among the eighteen (18) Candidates with the most votes;

- b) there must be one (1) Council Member from a Member Association with one (1) vote and one (1) Council Member from a Member association with two (2) votes. Accordingly, the best placed Candidates from a Member Association with one (1) and two (2) votes are deemed to be elected, irrespective of whether they are placed among the eighteen (18) Candidates with the most votes; and
- c) if the election of Council Members pursuant to a) and b) above would lead to an increase of the maximum seats of the Council, the lowest placed Candidates who do not meet the criteria of a) or b) shall be deemed not to have been elected.

10.10.3.6 If there is a tie between Candidates for the last open seat, there will be an additional voting round between those who tied to determine the Candidate for the last open seat only. In case of two (2) further ties, the winner will be determined by way of a draw.

10.10.3.7 The Ballots for the election of the Council Members shall be published after the voting, unless the Congress decides by a majority of all votes cast, at the request of a Delegate or a Council Member, that the voting Ballots shall remain secret.

## **4. Application System**

### **4.1 General**

Candidatures and electoral campaigns shall be carried out by the candidates for the Council according to the FIS regulations in a fair and reputable manner and, more generally, in fully compliance with fundamental ethical principles. Furthermore, candidates shall conduct all campaigns with dignity and moderation and with respect for any other candidate(s), as well as for FIS and its member associations.

### **4.2 Applications**

Candidates for the FIS Council must be proposed by their National Ski Association by the deadline specified in art. 10.10.1.1 of the FIS Statutes, through the submission of a written proposal signed by the National Ski Association, addressed to the FIS Secretary General. In addition to the written proposal the candidate will need to send the following documents:

- Biography
- Current Passport (ID "Check")
- [FIS Eligibility Questionnaire](#)
- [FIS Declaration of Interest](#)
- [FIS Conflict of Interest Acknowledgment Form](#)
- [FIS Code of Ethics Acknowledgment Form](#)

Candidates for the Council must be proposed by their National Association not later than sixty (60) days before the opening of the Congress.

The list of proposed candidates shall be sent to the Member Associations not later than twenty-one (21) days before the opening of the Congress.

#### **4.3 Election**

Each Member Association has a defined number of votes at the FIS Congress (in accordance with the Statutes and distributed list of votes included with the Agenda of the Congress) for the election of the Council Members.

Before the voting is opened, the candidates for the FIS Council shall each have the opportunity to present their programme to the Congress for a maximum of 5 minutes

#### **4.4 Promotional Campaign**

The candidates may produce a double-sided A4 document with details of their programme to distribute after the closure of the candidacies, namely from 21 days before the opening of the FIS Congress,

Candidates and their National Associations may not organise receptions, such as cocktail parties, buffets, breakfasts, lunches, dinners or other banquets of whatever kind on the occasion of FIS Meetings, including the FIS Congress at which the election will take place.

### **5 Eligibility Questionnaire**

Candidates for official positions in FIS bodies who are subject to eligibility checks are obliged to collaborate in establishing relevant facts. In particular, they shall comply with requests for any documents, information or any other material of any nature held by them, upon reasonable notice. In addition, they shall comply with the procurement and provision of documents, information or any other material of any nature not held by them but which they are entitled to obtain.

In the context of carrying out eligibility checks, in principle, it shall be deemed as not passed if the individual concerned is found by the Congress or the FIS Ethics Committee to have been in breach of the FIS Code of Ethics.

Subject to the relevant provisions regarding disclosure and forwarding of the information and related data in accordance with the Eligibility Questionnaire, all such information and all related data must be treated as strictly confidential by FIS. Incomplete or false information submitted in the context of eligibility checks is subject to cancellation of the application.

The evaluation of the Eligibility Questionnaire will be conducted by the FIS Nomination and Remuneration Committee.

## **6 Conflicts of interest Policy**

The Conflicts of Interest Policy sets out the procedures for identifying and managing conflicts and potential conflicts of interests or duty (called “Conflicts” in this Policy) affecting all persons involved in the elected, appointed and professional administration and running of International Ski Federation (who are called “Parties” in the Policy).

Parties have an obligation to act in the best interests of the International Ski and Snowboard Federation (FIS) and in accordance with the FIS Statutes and Regulations. They are expected to act impartially and objectively and to actively take steps to avoid Conflicts.