

As accepted by the General Meeting of Europe Air Sports, 14 April 2002, and amended by FAI Executive Board on 13 May 2002, with further updating and amendments proposed by the Board of Europe Air Sports on 25 September 2009 and by the FAI Executive Board on 6 October 2009.

MEMORANDUM OF UNDERSTANDING

[version 4, approved 10 October 2009 by the FAI General Conference and to be approved on 17/18 April 2010 by the Europe Air Sports General Conference]

WHEREAS Europe Air Sports (EAS) is an association of a) European FAI Members and b) European regional specialist associations for the various air sports, is dedicated to safeguarding the interests of air sports and aerial recreation in Europe, in particular in the context of the European Union, the EASA and Eurocontrol and their consultative and regulatory institutions and is registered in the Netherlands according to Dutch law (ref: 40413467 at the Chamber of Commerce in The Hague) with Statutes embodied with notarial deed;

WHEREAS Federation Aeronautique Internationale (FAI) is the sole world body governing all air sports activities and the homologation of aviation and space records, dedicated, inter alia, to safeguarding the interests of its world wide membership with regard to use of air space and protection of the interests of air activities;

WHEREAS regulatory measures in the fields of aviation, environment, health and standardisation, world wide, are seen to impose increasing restrictions on air sports and general aviation both on the ground and in the air, and in view of the trend-setting effect of the ongoing European work on the harmonisation of civil aviation rules and regulations through the institutions of the European Union, the EASA, Eurocontrol and ECAC;

CONSIDERING that the needs of both organisations are essentially parallel with respect to the requirement for monitoring and assessing regulatory proposals and processes, formulating policies, conveying positions and to be represented in regulatory forums, all in their respective fields of operation;

CONSIDERING the importance of concerted action and co-ordinated policies towards all international regulatory institutions to achieve maximum effect in the work of securing optimal operating environments for all air sports;

CONSIDERING the financial constraints under which both organisations and their members operate and the need for optimal use of available resources both in terms of personnel and facilities, and in particular that the membership subscriptions of both organisations are provided by the same members within Europe;

it is hereby RESOLVED that EAS and FAI shall co-operate closely in the field of regulatory activities, with the overall aims of developing and maintaining a cost-effective system for monitoring, analysing and commenting on all proposed regulatory matters affecting air sports and aerial recreation, and establishing and maintaining an effective influence within appropriate international bodies;

also RESOLVED that, subject to mutually agreed exceptions, EAS shall constitute the interface with the European organisations (European Commission, European Parliament, European Council of Ministers and their respective working groups and committees, EASA, ECAC, Eurocontrol, CEN, ETSI etc.), while FAI shall constitute the interface with the world wide organisations (ICAO, IATA,

ICAA, IFALPA, IFATCA, IAOPA. etc.) and the attached Guidelines shall apply to both the external and the internal processes of both organisations.

Signed at Dubrovnik

on this 11th day of October, 2002

Updated September/October 2009 and approved by the FAI General Conference on 10 October 2009
and the General Conference of Europe Air Sports on [] April 2010

On behalf of Europe Air Sports

on behalf of Fédération Aéronautique Internationale

GUIDELINES FOR FAI - EAS CO-OPERATION

(As approved October 15, 1994, changed 11 October 2002, and updated 10 October 2009)

1. EAS RESPONSIBILITIES

1.1 Area of responsibility

EAS is responsible for all matters as detailed in its Statutes, within Europe. In the context of these present Guidelines, Europe is defined as the area that includes all member States of the European Civil Aviation Conference (ECAC). EAS is responsible for monitoring and assessing regulatory developments on the European scale by maintaining channels of communication with the appropriate bodies and through information received from the EAS membership.

1.2 European Union/EASA/Eurocontrol representation

EAS shall maintain and develop all rightfully obtainable presences in all relevant bodies of the European Union including in particular the European Commission, European Parliament, European Council of Ministers and their respective working groups and committees, the European Aviation Safety Agency (EASA) and Eurocontrol with appropriate accreditation to have access to relevant information.

1.3 Expert assistance

EAS shall maintain a system for the selection of experts for its representation in European bodies, and for the provision of assistance to FAI representatives to global bodies, as required, through its present system of Working Parties (WPs) and Technical Officers (TO). EAS shall keep and periodically update a list of experts in various relevant fields, who are qualified and recognized by both organisations as representing the relevant air sport community, and able to serve as representatives to international regulatory bodies.

1.4 Relations with other organisations

EAS will maintain and develop relations with all European consultative and regulatory organisations at such levels and in such forms as are deemed to be in the interest of the EAS membership.

1.5 FAI Membership

EAS shall be an International Affiliate Member of FAI in accordance with its Statutes Art. 2., and as such EAS shall assume the obligation to take no action or policy position that is at variance with the FAI Statutes, By Laws and Sporting Code.

1.6 European policy review and co-ordination

On the basis of the above representation and information and through its European specialist associations, EAS will analyse and disseminate information on trends and changes in the European aviation regulatory environment, and review strategies and formulate appropriate actions to protect the interests of its membership. In order to co-ordinate this process with FAI, EAS will share its European information and regularly confer with FAI with the aim of achieving consensus on such strategies and actions.

2 FAI RESPONSIBILITIES

2.1 Area of responsibility

FAI is responsible for all matters as described in its Statutes and Bylaws, world wide. In the context of these Guidelines, FAI is responsible for monitoring and assessing regulatory developments on the global scale by maintaining channels of communication with the appropriate bodies and through information received from the FAI membership.

2.2 ICAO representation

FAI shall try to develop and maintain a presence at ICAO headquarters in Montreal, Canada, with appropriate accreditation to have access to relevant information and to the regulatory bodies concerned.

2.3 EASA and other representation

In consultation with EAS, FAI will pursue representation in relevant European regulatory and other relevant bodies referred to in clause 1.2 to the extent that it is possible/feasible to have dual representation with EAS and/or in any forum which might not be accessible to EAS representation.

2.4 Relations with other international organisations

FAI will maintain relations with such representative international organisations at such levels and in such forms as deemed to be in the interest of the FAI membership.

FAI may delegate representation at a European institution (other than maintained according 1.2) to EAS on a case by case basis where considered effective and efficient.

2.5 Global policy review and co-ordination

On the basis of the above representation and information and through its own policy-making institutions, FAI will analyse and disseminate information on trends and changes in the global aviation regulatory environment, and develop and review global strategies and actions to protect the interests of its membership. In order to co-ordinate this process with EAS, FAI will share its global information with EAS and regularly confer with EAS with the aim of achieving consensus on such strategies and actions.

3. PROCEDURES

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3.1 Operations

The EAS Secretary General is responsible for the implementation of the policy guidelines laid down by EAS in accordance with the relevant strategies and action plans as agreed between EAS and FAI under 1.6 and 2.5 above. He will provide information, guidance and advice to EAS's WP's and TO's, and assist with presentations and representation as required.

3.2 Communication

FAI undertakes, whenever practical, to arrange for, the copying and distribution to EAS membership of any information material issued by the EAS Secretary General and the WPs. FAI will provide to EAS access and use of the FAI server for its communication.

3.3 Policy review

A review meeting between FAI and EAS shall be held periodically, preferably at the EAS General Conference, to examine the results of the past years' regulatory work, the status of key issues, and the adequacy and/or suitability of the existing strategies and actions, and to develop recommendations to the policy-making institutions of FAI / EAS.

4. FINANCES

4.1. FAI responsibility

FAI will provide EAS with an administrative service for the invoicing and collection of EAS membership subscriptions. Beyond its normal debt collection reminders FAI is not responsible for any additional debt collection actions in relation to EAS membership subscriptions nor for any bad debts incurred by EAS. EAS will advise FAI on a timely basis of any subscriptions paid directly to the EAS account by members. The FAI acknowledges that any monies collected by FAI on behalf of EAS are the property of EAS. FAI shall have no responsibility whatever for any financial obligations incurred by EAS.

4.2 Expense reimbursement for representation activities

On a case by case basis, FAI may agree to share the out of pocket travel and related expenses of EAS's representatives where there is a specific need for the FAI to be separately accredited and where this serves the mutual interests of both FAI and EAS.

4.3 EAS membership fees structure

When setting its membership fees EAS shall take into account the FAI subscriptions paid by different membership classes.

5 REVIEW, APPROVAL AND TERMINATION

5.1 Issuing authority

This MoU and the Guidelines were issued under the joint authority of the EAS General Meeting and the FAI General Conference. The EAS Board and the FAI Executive Board are authorised by their respective organisations to implement the Guidelines.

5.2 Review of the Guidelines

The implementing authorities shall conduct a review of these Guidelines no later than 30 September 2013 to determine their adequacy and/or suitability considering the results of the achievements, including the status of key issues, and, if required, recommend changes.

5.3 Approval of changes

Changes to the Guidelines can be made by mutual agreement of the implementing authorities. Changes to the MoU proper can be made only by the issuing authorities in agreement.

5.4 Period of validity and termination of the MoU

This MoU is valid until terminated for whatever reason by one or both parties. Such termination shall be by 6 months notice in writing, by any one of the issuing authorities as per 5.1 above.