



FIM ASIA

STATUTES AND ARTICLES



Article 1 - GENERAL

1.1 NAME:

An association called FIM ASIA (formerly known as Asian Motorcycle Union or UAM) has been founded by those approving these statutes. Nevertheless, FIM Asia shall continue to reserve the rights and ownership of the names and titles Asian Motorcycle Union, UAM and Union Asiatique de Motocyclisme.

1.2 HEADQUARTERS:

The legal headquarters and executive secretariat of the FIM ASIA shall be located at a place chosen by the General Assembly. The General Assembly has the authority to change the location when necessary.

1.3 DURATION:

The duration of the FIM ASIA shall be unlimited.

1.4 AIM:

The mandate of FIM ASIA shall be to develop and promote all forms of motorcycling activities in Asia and foster cooperation and friendship among its members, notably:

- To address all questions related to the development of motorcycling in Asia.
- To organize at least one Asian Championship motorcycle sport event per year in line with the aforesaid aim.
- To organize camps and seminars for riders, officials, coaches and administrators from the various federations.
- To help in the creation of programs aimed at promoting and developing motorcycle activities in all Asian countries.



- To promote the safe and responsible use of motorcycles in both sporting and non-sporting endeavors in Asian countries.
- To represent the interest of the motorcyclist in Asian nations and notably before the Management Council of the FIM.
- To promote in various media the motorcycle sports and the utility of motorcycles in Asia.
- To advance the goals, objectives and strategic development of the FIM.

1.5 LEGAL STATUS:

FIM ASIA shall be declared a non-profit Asian association and body of the FIM. FIM ASIA shall allow no political, religious or racial discrimination within the organization.

1.6 RESERVATION OF RIGHTS

The Asian CONU declares the reservation of rights in all titles, events, brands, organizations or company names wherever the terms Asia, ASEAN, Middle East and Pacific or any similar terms referring to the Asian CONU's geographical jurisdiction as mentioned; as well as in all television, radio, commercial, internet and digital media such as live streaming, video, telecasts and broadcasts promoting all motorcycle events and activities under the jurisdiction of the FIM; being the continental union who holds the rights to the Continental Championship and, in exercising the rights delegated by the FIM in all two-wheel events that are held within its territorial boundaries.

Article 2 – COMPOSITION AND ADMISSION PROCEDURES

Membership to FIM Asia shall be in accordance to the membership qualification and admission procedures provided in the FIM Statutes and by-laws. (e.g. A new FMN of the FIM becomes an ex officio member of FIM Asia. The fees are collected and paid to the FIM and partially retroceded to the CONU...)



2.1 MEMBERS:

2.1.1 Full members:

FIM ASIA is composed of FIM-affiliated motorcycle federations in the Asian continent. All member federations of FIM ASIA, must abide by these statutes.

2.1.2 Associate and Honorary members:

FIM ASIA may also recognize associate members without voting rights such as federations recognized by their government, organizations with direct links to the motorcycle manufacturers and honorary members.

2.2 ADMISSION OF NEW MEMBERS

Any national motorcycle federation with the intent to become a member of FIM ASIA must send a written application implying such intent and an undertaking to pay the annual membership dues. This however shall be subject to the federation's compliance with all other requirements and regulations prescribed by the FIM.

Admission shall be pronounced at the General Assembly, upon the proposal of the Management Council.

The same procedure applies to associate members except for the clause concerning FIM membership.

2.3 LOSS OF MEMBERSHIP

The membership is lost either by resignation, addressed to FIM ASIA by registered post at least 60 days prior to the date of the next General Assembly; or by expulsion. Expulsion is automatic when the member loses its FIM membership, or when it has been negligent in the payment/settlement of its dues/liabilities to FIM ASIA for two (2) consecutive years.



An FIM Asia member may also be expelled by the General Assembly upon the proposal of the Management Council for any serious reason or neglect in their payment of membership dues, but not before being given due process to be heard and present their reasons/defense.

2.4 REPRESENTATION OF MEMBERS:

Each member of FIM ASIA with no outstanding/unpaid liabilities and who have expressed their prior intent to participate by nominating their delegates to the General Assembly shall be represented in the said meeting.

2.5 OFFICIAL LANGUAGE

The official language of FIM ASIA is English. All documents and publications must be published in English.

Article 3 – BODIES OF FIM ASIA

3.1 FIM ASIA BODIES

The FIM ASIA bodies are the following:

- The General Assembly
- The Management Council
- The Commissions
- The Auditors
- The Disciplinary Bodies



3.2 GENERAL ASSEMBLY

3.2.1 Composition

The General Assembly shall consist of one representative from each member country.

3.2.2 Powers

By virtue of their appointment as the duly authorized representative of their FMN, the General Assembly, upon the proposal of the FMNs, the Commissions, and/or the Board of Directors shall have the following powers:

- Defines the general policies of FIM ASIA
- Approves the annual report presented by the Management Council
- Determines the sums of dues and different fees
- Approves the accounts of the previous year
- Fixes the budget for the following year
- Elects the President
- Elects the members of the Management Council
- Elect Auditors
- Creates and dissolves all FIM ASIA agencies
- Pronounces itself on all matters related to the goals of the association and not dealt with by another authority



3.2.3 Meetings

General Assembly shall meet at least once a year on a chosen/agreed date. However, an extraordinary meeting of the General Assembly may take place any time with the presence of at least two-thirds (2/3) of the total number of member federations of the CONU.

The venue and date of the General Assembly will be decided in the preceding General Assembly. The country where the FIM ASIA Secretariat is located shall be the venue of the next General Assembly when no motions or intent for hosting are manifested by any of the FMNs during a General Assembly.

Electronic Meetings/Decisions - In order to address pressing matters in FIM Asia's sporting and non-sporting endeavors, FIM Asia electronic means (teleconference and video conference meetings, voting by email) shall be accepted in resolving pending issues and concerns and in disseminating information. Such decisions, whenever applicable, shall take effect immediately and will formally be ratified in the next General Assembly.

3.3 VOTING RIGHTS

Each country member is entitled to only one vote. These votes will be expressed by the respective federation's voting members or representative.

3.3.1 Convening Notice and Quorum

The General Assembly shall convene on issues presented by the President and circulated to the parties concerned at least thirty (30) days before the scheduled date of the voting.

The General Assembly shall convene upon the written request of at least one-third (1/3) of the member countries.

All useful documents must be enclosed with the convening notice.



The convening notice must indicate the place, date and time of the General Assembly as well as the agenda drawn up by the Management Council.

The General Assembly can only take decisions when at least one-third (1/3) of the CONU's total members are present.

3.3.2 Agenda

The agenda shall include:

- Approval of the minutes of the last General Assembly
- Approval of the President report presented in the name of the Management Council
- The Auditor's report
- Approval of the previous year's accounts
- Approval of the provisional budget of the coming year
- A member has the right to submit a proposal to be included in the agenda. The proposal must be made in writing and sent by registered mail at least thirty (30) days before the date of the General Assembly.

3.3.3 Voting

Decisions to resolve issues/concerns will be made on the basis of a simple majority vote unless decided otherwise by the General Assembly in the event of requests to carry out the voting by secret ballot.

For the election of persons, voting shall only be by secret ballot, with the absolute majority of two ballots. After the second ballot, the candidate who had obtained the highest number of votes, notwithstanding that such is not the absolute majority, shall be elected into office.



3.3.4 Procedures of Voting

Independent tellers shall be appointed by the General Assembly to supervise the running of the elections and to count the ballot papers.

Ballot papers shall only be deemed valid if they do not contain more names than the number of positions to be filled, nor names other than those of the official candidates.

Blank or void ballot papers or any other form of abstention shall not be taken into account when counting the total number of votes cast.

To be elected, a candidate needs an absolute majority of the votes cast (50% of the votes cast + 1 vote, rounded up to the next highest whole number). If there are fewer vacancies to be filled than there are elected candidates, the post shall be filled by those candidates having received the highest number of votes.

If all the vacancies have not been filled after the first round of voting, the following procedure shall apply:

If the number of remaining candidates is higher than the number of vacant position(s) after the first round, the number of candidates allowed to participate in the second round shall be selected according to the highest number of votes they have obtained and by applying the following formula:

Number of vacant position(s) plus one

If the number of candidates is equal or less than the vacant positions after the first round, all candidates shall take part in the second round.

In both cases, only the candidate(s) who has/have obtained the absolute majority (50% of the votes cast + 1 vote, rounded up to the next highest whole number) shall be elected. If there are less vacancies to be filled than there are elected candidates, the posts shall be filled by those candidates having received the highest number of votes.



There shall be no third round of voting and the remaining position(s) shall remain vacant.

Any position which falls vacant before a period of office has ended or which remains vacant from a previous election shall be filled at the following Congress or Biennial Session. A position prematurely vacated shall be filled for the remainder of the period of office. Candidates will be elected and posts will be awarded according to the rules laid down in paragraphs 5-8. However, if posts with different period of office are to be filled, the allocation of posts shall be in descending order of votes received.

3.4 MANAGEMENT COUNCIL

3.4.1 Composition

The Management Council shall be composed of a President and four (4) Vice Presidents, each of different nationalities, elected by the General Assembly.

Secretary

The Secretary shall be appointed by the Management Council. The Secretary shall assist the President to take care of the daily work of the FIM ASIA Secretariat. The Secretary may attend the Management Council Meeting but without voting right.

Upon the President's request, the qualified persons may attend the Management Council Meeting as observers.

3.4.2 Meetings

The Management Council shall meet at least once a year but the FIM ASIA President may call an extraordinary Management Council meeting when necessary.

3.4.3 Powers

The Management Council has overall responsibility for the management of FIM Asia. The Management Council shall be entrusted with all the powers which, according to the Statutes and regulations of the FIM, are attributed to FIM Asia. (Art 14.2.2 of the FIM Statutes)



The Management Council shall represent FIM ASIA in all legal actions as defendant or petitioner.

3.4.4 Creation of Commission

The Management Council shall create and dissolve the specialized commissions responsible for the management and organization of different events.

Each commission shall be chaired by a member appointed by the Management Council.

The commission shall consist of at least 3 members appointed by the Management Council for a duration of two (2) years.

The Management Council shall propose the creation of another article about Commission's composition, rights and President's authority.

3.5 President and Vice Presidents

General Assembly will elect a President and four (4) Vice-presidents during the regular elections. The President and Vice Presidents are volunteers, and as such, no monthly wages will be paid by the FIM Asia to them except allowances during official FIM ASIA business trips.

3.5.1 The duties of the President are:

- To represent FIM ASIA in all circumstances
- To attend the FIM BD meetings.
- To chair the General Assembly and the Management Council in meetings
- To ensure the decisions of the General Assembly and Management Council are implemented
- To ensure the smooth and efficient functioning of the FIM ASIA at all times
- To ensure that FIM ASIA operates in a manner that allows its aims and objectives to be achieved in compliance with the FIM ASIA statutes and ensuring that such statutes are upheld.



- To enhance the development of FIM ASIA and promote motorcycle activities in the Asian continent.
- The President is the legal representative of FIM Asia and shall represent it before the law, as well as before all external organizations or companies.
- The President may delegate powers to other members of the Management Council. In the event that the President is indisposed, the Management Council shall elect an official to chair the meeting.
- The President may attend any meeting of commissions or working groups of FIM ASIA but he shall be without any voting rights.

3.5.2 Duties of Vice-Presidents:

The duties of the Vice-Presidents are:

- To support the FIM ASIA President to fulfill his duty
- To act as liaison between Commissions and Management Council.
- In the absence of the President during meetings, one of Vice-Presidents shall be appointed as the acting President.

Vice-Presidents may attend any meeting of commission, working group of the FIM ASIA but he shall not have any voting rights.

3.5.3 Candidature

To be eligible for candidature, candidates:

- must have knowledge and experience in motorcycling activities
- must be nominated by the FMN concerned
- has the option to orally deliver a speech in the English language to introduce himself and explain his electoral platform (proposed plans and contributions to FIM Asia, etc.) without any electronic assistance
- Upon election to the FIM ASIA Board of Directors, or the Executive Body, the said individual shall not be elected to any FIM executive body. (Art 14.1.205 Paragraph 4 FIM Statutes).



- The FIM Asia President shall be eligible to run for/ hold office up to a maximum of three (3) four-year terms or a maximum of twelve years as provided and in accordance with the Presidency term stated in the FIM statutes.
- must be the President or member of his FMN's executive council

3.5.4 Term of the President

The President's term commences during the Congress right after he is announced the winner of the Presidential elections. It ends during the next Presidential elections.

3.5.5 Release from Presidency/Vice Presidency

The President/Vice President may be relieved from office by the General Assembly on the grounds of impropriety and dereliction of his duties that result to financial losses for FIM Asia. They may also be relieved from office on the following grounds:

- acquiring personal gains through his influence and position in FIM Asia
- advocating and allowing racial discrimination within FIM Asia
- inability to perform his functions due to absence for than six (6) months due to illness or for any other reasons

This release can be made any time during his term of office with a 2/3 vote by the General Assembly.

3.6 AUDITORS

An auditor shall be elected by the General Assembly for a period of two years. An additional auditor is appointed by the FIM.

The auditors shall be responsible for checking the execution of the budget as well as auditing the accounts and the annual financial report.

The auditors shall present their report to the General Assembly before the vote on the financial report.



The FIM ASIA financial report shall be circulated to the FMNs for their perusal and comments at least thirty (30) days prior to the General Assembly. Only questions or queries submitted in writing within thirty (30) days after the circulation shall be entertained during the General Assembly.

3.7 DISCIPLINARY COMMISSION AND APPEALS COURT

The Disciplinary Commission shall consist of three members and one of whom shall be a lawyer. The Appeals Court is the Appeals Courts of the CDI (FIM International Disciplinary Court), of the FIM.

Article 4 – CALL FOR NOMINATIONS AND DURATION OF OFFICE

The FMNs shall be notified of the open positions for candidature in the convening notice for the General Assembly meeting.

The Term of Office shall be:

- President – four (4) years
- Four (4) Vice Presidents – four (4) years

In the case of elections held between the regular four (4) year terms to fill in a casual vacancy, the term of the elected candidate shall be concurrent with the term of the President.

A country may withdraw the mandate given to its delegate. This withdrawal must be made in writing, signed by the President concerned and sent by registered post.

The delegate whose mandate is withdrawn shall cease to host his elected position effective on the date of the written notice.



Article 5 - RESOURCES

The following are the sources of FIM ASIA's revenues:

- Annual fee of its members
- FIM subsidies
- Grants from Asian institutions
- Gifts from the industry
- Profit from sponsorship or sale of rights
- Any income legally acquired

Article 6 – MOTION OF CENSURE AND WITHDRAWAL OF MANDATE

Any member of an FIM ASIA agency that shall not correctly fulfill his duty can be subject to a motion of censure. Similarly, any member that shall not comply with the rules of the FIM ASIA when carrying out his duties for FIM ASIA may be dismissed of his mandate. Such a person may also be subject to sanctions laid out in the Disciplinary and Arbitration Code.

Article 7 – ALTERATIONS TO THE STATUTES

The Statutes may only be altered by a resolution of the General Assembly Obtained with a two-thirds (2/3) majority vote by the voting delegates.

Alterations to statutes shall take effect immediately after the General Assembly of the current year.

Article 8 – STANDING ORDER

The standing orders shall define the duties of the members of the FIM ASIA bodies and the rules and procedures necessary for the administration of FIM ASIA. They shall be approved by the General Assembly.



Article 9 – INTERPRETATION ACT

If there is no such provision in the FIM Asia rules and regulations, the FIM regulation shall apply by analogy.

Article 10 – DISSOLUTION

The dissolution of the FIM ASIA shall be decided by an Extraordinary General Assembly wherein at least two-thirds (2/3) of the members are present. The decision shall only be valid if carried-out by three-quarters (3/4) of the votes of members present or represented.

In case the quorum shall not be reached during this General Assembly, a second Extraordinary General Assembly shall be convened thirty days later during which no quorum is necessary but the decision to dissolve the FIM shall only be valid if carried-out by three-quarters of the votes of members present or represented.

In case of dissolution of FIM ASIA, the available assets at the date of dissolution shall be distributed according to the decision taken by the General Assembly.

Article 11 – SPORTING CODE

11.1 Unauthorized Meetings

The organization or staging of any motorcycle sports activity wherein speed is a determining factor and whose rules and regulations do not conform with FIM Asia's and/or its member FMN's national Safety & Sporting Code, its Appendices or the Regulations and as such are not inscribed in the FIM Asia's and/or its member FMN's national Calendar will not be recognized by the FIM Asia and/or its member FMNs. Such unauthorized meetings are not insured by any policy entered in by FIM Asia and/or its FMNs, and riders participating in such unauthorized meetings are not covered by any insurance for accident, death, invalidity and repatriation.



Article 12 – License

All FIM Asia members nations passport holders and whom are Competitors who wish to take part in a competition organized abroad ie: National or international higher levels, can only do so with the approval of their own FMN and organizers must be in possession of that approval before the competitor is allowed to compete.

- 12.1 Competitors and riders who wish to take part in a National Competition Organized abroad can only do so with the prior approval of their own FMN.
 - 12.2 Should an Organizer accept the Entry of a foreign Competitor and/or Rider who has no prior authorization from the FMN which issued them with or without their license or licenses, that Organizer would be committing an infringement which, when brought to the attention of the FMN authorizing the National Competition concerned, shall be punished by a fine, and sanctions to the said rider for the infringement , the amount of which shall be left to the discretion of the FMN that authorizes the National Competition concerned.
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