

# **CHESS FEDERATION OF CANADA GOVERNORS' LETTER FOUR 2004-2005**



**Responses may be mailed, faxed or E-mailed to the Chess Federation of Canada, E-1 2212  
Gladwin Crescent, Ottawa, ON, K1B 5N1, fax: 613-733-5209, E-Mail: [info@chess.ca](mailto:info@chess.ca)**

**ATTENTION ALL GOVERNORS: Anyone with an E-Mail address can have their  
Governors' Letter sent to them via E-Mail and save the CFC paper and postage costs.  
Please E-Mail [info@chess.ca](mailto:info@chess.ca) if interested.**

**Deadline for submissions to GL #5: January 28, 2005**

## KEEPING GOVERNORS INFORMED

### From the President:

The Assembly of Governors can look back on 2004 as a successful year in Canadian Chess. Our Chess organizers offered an impressive number of good tournaments. We offered a full program. We had a national championship and zonal and a women's zonal. Both sexes were represented at their respective world championship tournaments and at the Chess Olympiad.

For me it is important that in 2004 we could offer individuals the opportunity to become GMs, IMs and IAs because of organized Chess activity in Canada. It is my hope that we will build on this success in 2005.

I would like to thank Les Bunning for his work to date on the issues surrounding motion 2005-22 put forward by governors Harper and Feng and now withdrawn. We will publish his formal opinion in the GL when we receive it.

My position is that the Assembly of Governors has the power to amend in any degree the Constitution and By-Laws of the CFC. The motion that governors passed concerning IM Brian Hartman as team captain for the 2004 Olympiad was intended to amend the rule on a one time basis. The merit of the rule in question and other revisions to the Ch 12 Olympiad rules should be studied with more time than was available for the vote in question.

Once the vote was taken, the Assembly of Governors acts as one entity. As loyal governors you support and are bound by the decision of the Assembly of Governors. This applies even if you do not personally agree with the decision and might not have voted for IM Brian Hartman.

The Chair's ruling on 2005-22 is a ruling on a question about which there cannot possibly be two reasonable opinions. The CFC Executive and the Assembly of Governors both voted to appoint IM Brian Hartman. Attributing the decision to the CFC President alone is absurd. An appeal would be dilatory and is not allowed (RONR (10th ed.) p.248 l. 28-30). As Chair I have an obligation to promote administrative fairness but this is tempered with the need to control and organize the meeting of the Assembly of Governors so as to ensure that it proceeds effectively.

I would like to comment on some points on the rules of order applied to appeals brought up by some governors in relation to 2005-22. First, by Robert's Rules of Order, when a ruling is appealed the Chair stays because the decision, not the presiding officer himself, is in question.

Second, where the Chair is faced with entertaining a motion which is personally distasteful, such as a motion for his removal, he must continue to exercise his duties, at risk of being declared legally "absent" [Van Alosty v. Rankin [1952] Que. S.C. 12.]. The CFC has the same terms in its letters patent. CFC Ch2, By-Law Three, s. 4. The President ... shall preside at all meetings of the Assembly of Governors, or of the Board of Directors, when he is personally **present**.

Third, the key question before the Assembly of Governors is to what extent a chairman will be permitted to be interested in the matters before him or her before a conflict arises and he or she should be expected to cede the chair. This issue was specifically addressed by the Supreme Court of Canada (SCC) in 1995 [Blair v. Consolidated Enfield Corp., [1995] 4 S.C.R. 5 CanLII 76 (S.C.C)]. The SCC said: "XLIX. I also take issue with the appellant's statement that the fact that a chairman has an interest in the outcome

to a decision impugns the integrity of the process because the mere appearance of bias. With respect, it is the Enfield shareholders who concluded that it is to be the President of the company (who is allowed to be a director) - a person who invariably is interested in every matter discussed at the shareholders' meetings - who is to act as chairman (Enfield By-Law No 3, s 5.05). In this respect, there is no unacceptable appearance of bias because it was never contemplated that the chairman was to be someone who would appear to be totally disinterested in the first place". This applies with some force to CFC Ch2, By-Law Three, s. 4 which was quoted above. The CFC is like most corporations in Canada in that it is not practical to value the maintenance of prima facie impartiality enough to hire a neutral third party to chair our corporate meetings.

My expectation is that CFC governors be honest and forthright in their dealings with CFC members and with each other. Governors have been peppered with incomplete or misleading representations about the CFC, our standard of governance, and the integrity and reputation of individual governors or groups of governors. This is completely unacceptable conduct. If a governor has any personal prejudices or beliefs that are inconsistent with the CFC's mission and that might interfere with the duties owed to the CFC that governor should resign.

The objects of the CFC (the Corporation) are:

To promote and encourage generally in Canada, the knowledge, study and playing of the game of chess, and to this end, and without restricting the generality of the foregoing.

1. TO promote the formation and development of a Provincial Association, in each Province of Canada, where such Association does not presently exist, and to this end, to cooperate with existing clubs and leagues within such Province;
2. TO cooperate with existing Provincial Associations, in all matters pertaining to the development of organized chess within their Province, and to this end to encourage matches, tournaments, competitions, correspondence or telegraphic or radio matches, at all levels in Canada, and simultaneous, blindfold or other displays by chess masters;
3. TO maintain appropriate affiliation with the international chess organization, known as the Fédération Internationale des Echecs, hereinafter referred to as FIDE;
4. TO publish and maintain the Laws of Chess in Canada, consonant with any decisions in such matters published by FIDE, and the Rules and Regulations (excepting local Rules and Regulations not in conflict with them) governing chess competitions held under the auspices of the Federation, or any of its affiliates, or its authorized appointees;
5. TO protect and foster the interests of Canadian Chess players, as far as possible, in the field of national and international chess competition;
6. TO encourage with all means within its power, and at its discretion, the publication of a medium from which chess players may learn of the progress of chess in Canada, and which will be the official organ of the Federation for the publication of its decisions;
7. TO raise funds in such a manner and to such an extent as it may deem necessary or desirable, to enable it to carry out its objectives;
8. TO expend any funds in its possession or under its control, in any manner or degree, in its entire discretion, for the furtherance of the general objectives of the Federation;
9. TO establish and maintain, in co-operation with its membership, a rating system, which shall constitute an official record from time to time, of relative chess ability throughout Canada.

My expectation is that CFC governors have full allegiance to our mission and that they further the objectives of the CFC as set out in our Constitution and By-Laws.

In 2005 we have to continue our fundraising efforts for the 2004 Olympiad. Our last two Olympiads were sponsored by the Belzburgs and their support is missed. Without sponsorship the Olympiad is very costly

to the CFC and will drive us into a deficit. The Olympiad donations are at \$15,925 and our expenses are about \$24,000. Look for a full report by Eric Van Dusen in a future GL.

The 2004 WYCC and other costs of international participation are at \$81,100 and entry fees are at about \$9,000. This will be covered in detail by Eric Van Dusen in a future GL. Donations are at about \$78,000. The CFC incurred significant expenses for the WYCC and other international programs in 2004. The CFC has after all these expenses over \$55,000 in the bank.

Fundraising for our WYCC participants in 2004 was on the whole successful. It is important work for governors and Provincial Chess Associations to help our participants raise funds to enable them to compete in these events. I urge governors to make the **sports charity** status of the CFC known and to use it to raise funds for our junior national team.

When I became CFC President I changed the way the CFC fundraises and handles donations. Donations through the CFC this year are at about \$78,000. Donations put through the CFC in 2004 were \$48,178 vs. \$16,310 in 2003. This represents funds that went to chess players representing Canada in some capacity internationally or to promoting chess in Canada.

In 2005 the CYCC is in Victoria at the end of March. The WYCC is in mid-July in Paris, France. This new schedule for these events presents an important challenge for our Provincial Chess Associations to organize qualifiers and fundraising for their participants in the CYCC. I am hopeful that we can continue to send a large delegation to the WYCC in 2005.

I wish you all a successful year in chess!

Halldor P. Palsson  
President  
Chess Federation of Canada

### **From the Vice-President:**

First off, I'd like to thank the Governors for their overwhelming support on motion 2004-09. I think this will be a big step toward speeding up and thus improving the way the CFC is run.

I'd also like to thank the Governors for keeping the entire recent controversy in email rather than going to public message boards - it was a welcome change, whatever the end result of the actual issue may be.

The discussion board is up and running, [www.chess.ca/forum](http://www.chess.ca/forum) should forward you there. You will be forwarded to another site (soon to be called chessforum.ca) which hosts the forum. To answer the question of a couple of governors, this site is controlled by the CFC (designstedding is the hosting company).

If you are familiar with this type of advanced discussion board software, feel free to jump right in. If you are not familiar or comfortable with it, please go to [www.chess.ca/forum/help.html](http://www.chess.ca/forum/help.html) for the help file which will walk you through the basics of the forum.

Within 24 hours of registering you will gain access to the Private forums, until then it will say you do not have permission. This is normal as an Administrator has to approve each member individually and thus increases security.

Christopher Mallon

CFC Vice-President

### **From the Youth Coordinator:**

Greetings and Happy New Year to all!

Things have been quite busy for me in my portfolio as Youth Coordinator so far this year (CFC year).

I would like to ask that all Governors support and encourage the youth in their region to attend the CYCC in Victoria March 24-27. The organizing committee is doing a LOT of work to make this a very successful event. We still need the support of the youth of Canada!

I would like to see representation from all regions of Canada this year. Many of our youth will need support to be able to come to the event this year, especially those from Eastern Canada. I would implore the Governors to ask clubs and other organizations to try to hold benefit events to help sponsor their youth chess players to come to Victoria. I have noticed some seat sales sporadically coming up with various carriers including JetsGo and WestJet. The latter is offering a 10% discount to those that are attending the CYCC this year. The organizing committee has also negotiated an amazing rate at the events hotel – The Grand Pacific Hotel. \$89.00 per room for the duration of the event is an amazing rate for this top rated hotel right downtown by the Harbour! For more information about the CYCC, visit the official web site at: <http://members.shaw.ca/cycc2005/> (Also linked from the CFC site.)

The Canadian Junior is going to be held at a later time this year too. Brantford is hosting the Canadian Junior at the Holiday Inn in Brantford, Ontario at the end of April (spilling over into May.). More details are sure to come on this premier event. Please keep checking the CFC web site for the information.

I am also introducing a motion in this GL (Seconded by VP Chris Mallon) that the CFC investigates the possibility of an agreement with the Chess 'n Math Association. As many of you know, I have been active with both organizations for quite some time now. It has always struck me as somewhat cumbersome to have the youth of Canada maintain two ratings. This also only seems to be the youth that have CFC tournaments that they can enter in their region and that is only when their attention is brought to them.

There has also been some talk about the inequities of the youths ratings. (Many adults complain that the youths are too often under-rated.) While this is often just a function of the rapid improvement that youth go through, it is also because they do not have enough rated tournaments (CFC rated) to play in. One part of a potential agreement would be that all Canadian tournaments be rated CFC - even those that the Chess 'n Math Association runs. This can have many advantages: We will be introduced to the Youth at an earlier point in their chess "career" which should translate into more memberships in the future. We will be rating MANY more tournaments which translate into income. We will gain the support of an organization that does a good job with their organization of tournaments and other events.

I am sure that you will think of many more benefits to this sort of an agreement. I am looking forward to a good discussion on this proposal online on the Governors discussion board.

Thank You,  
Patrick McDonald  
Youth Coordinator, Chess Federation of Canada

### **From the Treasurer:**

CFC 2005 Interim Financial Report: May 2004-Dec 2004

REVENUE

Sales of books, equipment, software	\$92,659.00
Shipping and handling	\$1,914.00
Membership fees	\$49,174.00
Rating fees	\$19,656.00
Publication sales and advertising	\$978.00
Donations	\$76,776.00
Other revenue	\$4,531.00
	<b>\$245,688.00</b>

EXPENDITURE

Cost of Sales	<b>\$60,339.00</b>
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General & Administrative

Salaries, benefits	\$39,091.00
Building and equipment expenses	\$4,692.00
Bad debt	0
Office	\$19,354.00
Other executive and administration	\$1,391.00
	<b>\$64,528.00</b>

Programs

Publications	\$23,662.00
International	\$111,536.00
Contributions to clubs, provincial affiliates	\$4,860.00
Canadian Tournament Expenses	\$3,463.00
	<b>\$143,521.00</b>
	\$268,388.00

NET DEFICIT FOR THIS PERIOD	<b>-\$22,700.00</b>
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The executive director has reported that while sales of books and software remain steady in comparison to previous years, equipment sales are way off this year.

While donations appears to be an impressive figure, much of it does not truly represent real revenue to the CFC. Almost all donations are earmarked for a particular event expenses: the Olympiad, the WYCC, or prize money for a Canadian chess tournament.

**From the Secretary:**

Just a friendly reminder to all Governors that GL distribution is handled by the Business Office and thus it is important that you notify the Office of any changes of address (either e-mail or snail mail) to ensure you don't miss GLs or other documents you should be receiving.

As an experiment which I hope will improve readability of the GL, I have moved the full text of motions 2005-17 and 2005-18 to Appendix 1. Both of these are long and technical motions where in the original draft of the GL it was not immediately obvious where the motion began and ended. Please let me know if you like this change. If the desire is to keep the full text of motions in the main body of the GL I could put

motion text in a different typeface. The intent is to clearly delineate where the Governor comments begin and end.

In light of the passage of Motion 2005-09 (see below) discussions are taking place at the CFC Executive level concerning how best to implement this decision. More on this matter in GL#5!

Several Governors have e-mailed me concerning the desirability of the Governors' Letter being either in one column or two column format. Accordingly I am asking for a Straw Vote on the subject. (2005-24)

**Change of Governors:** Mr. Jamin Gluckie (SK) has resigned as Governor and been replaced by Mr. Waldemar Friesen (171 Green Meadow Rd., Regina, SK S4V 0A7 [WFRIESEN@regina.ca](mailto:WFRIESEN@regina.ca)). Welcome aboard!

## **Results of Votes:**

### **2005-08: Governors' Motions**

Moved by Barry Thorvardson, Seconded by Mark Dutton

To change the operation and priorities of the CFC Governors Letters to focus on Executive Direction, Major activities in Chess, Sponsorships and Corporate Decision Making. To start this process, only the CFC President, a majority of the CFC Executive, or a direction by 25% of CFC Governors, can authorize a Motion to be included, and voted on in by Governors Letter. Secondly to setup and use Internet Discussion Boards and Email for discussions and procedural development, and/or special committees, so that only supported, well written motions are brought to any meeting, or Governors Letter.

***Hal Bond:*** Motion 2005-08: This may not be the right language but I like the idea of upgrading the process for presenting motions. We used to have straw vote topics which could blossom into motions for vote.

***Maurice Smith:*** I agree with the intent of the motion which is to try and limit the type of poorly thought out and time wasting motions we have recently had. However, the method chosen goes against most parliamentary and organizational procedure. So I like the intent, but not the method. I will abstain.

**Votes YES: (9)** Dutton, Kosoian, McGowan, Mendrinos, Plunkett, Posylek, Starr, Thorvardson, Thuraiarah

**Votes NO: (33)** Barron, Bluvshstein, Bond, Cabanas, Churchill, Cohen, Craver, De Kerpel, Denomee, Dixon, Duff, Feng, Ferguson, Ferner, Ficzer, Frarey, Greco, Haley, Harper, Hebert, Henderson, Jaeger, Killi, Mallon, McDonald, Pacey, Palsson, Rutter, Stockhausen, Stringer, Sutherland, Thomas, Van Dusen

**Abstentions: (2)** Friesen, Smith

*Motion Defeated*

### **2005-09: Governors' Online Message Forum**

Moved by Christopher Mallon. Seconded by Pierre Dénomée.

a. It is moved that the CFC Assembly and Executive adopt an online discussion board, to be linked from [www.chess.ca/forum](http://www.chess.ca/forum), as an official means of communication between Governors, and also the Executive.

b. The board will have three sections, public forums in English and French, a private Governors-only

forum, and a private Executive-only forum.

c. The board will be moderated. Moderators will include the CFC President, the current Forum Administrator, and any other assistants as designated by mutual agreement of the CFC President and Forum Administrator.

d. The Forum Administrator is appointed by the Executive and may be anyone other than the CFC President. The Administrator should have some experience with web design (specifically PHP script).

e. All Governors and Executive, to gain access to the private forums, must be using their real first and last names. The Forum Administrator has the ability to edit and modify names.

**Hal Bond:** Motion 2005-09: Chris Mallon deserves much credit for his role in this project. I hope I can get handy with this forum.

**Lyle Craver:** My main concern here is that the Executive Director needs to prepare a memo detailing how the intent of this motion be executed. Specifically can it readily be carried out using the main CFC website or should we be thinking of a link to another site allied to the CFC? Clearly if it is contemplated using this site for Governor deliberations and more importantly votes there are issues of security here. Among other things.

**Maurice Smith:** 2005-9 I VOTE YES My only concern here is that we have too many sites to keep checking on. We have the CFC website, the GL, and Ottawa has a message board for all Governors, and now we will have a Kitchener based one. I vote yes for this one, as I believe it to be well thought out and a step in the right direction. However, if another one appears shortly after, I would vote no to the next one.

**Votes Yes: (42)** Barron, Bluvshtein, Bond, Cabanas, Churchill, Cohen, Craver, De Kerpel, Denomee, Dixon, Duff, Dutton, Feng, Ferguson, Ferner, Ficzer, Frarey, Greco, Haley, Harper, Hebert, Henderson, Killi, Kosoian, Mallon, McDonald, McGowan, Mendrin, Pacey, Palsson, Plunkett, Posylek, Rutter, Smith, Starr, Stockhausen, Stringer, Sutherland, Thomas, Thorvardson, Thurairasah, Van Dusen

**Votes No: (1)** Jaeger

**Abstentions: (1)** Friesen

*Motion Carried*

### **Discussion of Motions:**

### **MOTIONS FOR FINAL VOTE:**

**Motion 2005-11** (Motion by Jason Feng, seconded by Peter Stockhausen, to send Governors Letter to all CFC Governors at least once a month)

**Michael Barron:** I support this motion, because more frequent Governors Letters are greatly increase the ability of the Governors to conduct the business of the CFC.

**Lyle Craver:** While I appreciate Maurice's comments I believe I think this goal is both achievable and desirable – the main thing being that Governors and Executive members need to have their reports or contributions in not later than one week following the voting deadline. If we all commit to “getting the lead out” in this way I think a monthly GL is quite possible. Clearly the AGM documents will need to be available in machine readable form within a week of the AGM so as to get GL#1 out by the end of



August but this is also doable. It is particularly doable if a sizeable portion of the Assembly of Governors make use of [www.chess.ca/forum](http://www.chess.ca/forum) though even without such a forum I managed nine GLs in 2002-2003.

**Michael Barron:** I support this motion, because more frequent Governors Letters are greatly increase the ability of the Governors to conduct the business of the CFC.

**Jason Feng:** Mr. Harper's comments make a lot of sense. The Governors seem to accomplish more via email. However, motions must be voted on and discussed much quicker than they are now.

**Bruce Harper:** I have little to add to my previous comments in GL3. Governors' Letters are a painful way to transact business, but the approach of having a Governors' Letter only once every two months means that six or eight months passes before a motion can be passed. This is unnecessary in the electronic age and only serves to disenfranchise the Governors.

**Maurice Smith:** I do not think this is necessary. First of all it should be noted that the CFC Secretary is a volunteer position and the person always has another full time job. The first GL after the Annual Meeting is a huge job and takes considerable time to put together. Having the Secretary put out a GL July, August and September is putting a large burden on that person. Looking through the motions that were resolved through the GL the last couple of years, I do not see any that were of the urgent nature. Any urgent motions during that time were settled by e-mail. Therefore I believe that having a GL every month is unnecessary and impractical.

**Motion 2005-12** (Motion by Bruce Harper, seconded by Chris Mallon, to establish a CFC committee to consider and analyze various options for holding the Canadian Championship and the Canadian Women's Championship – full text of motion on final page of GL)

**Bruce Harper:** I have yet to hear from Sid and Pascal as to whether they would serve on this committee. I will try to track them down.

**Maurice Smith:** Forming a Committee to try and find the best ways to hold our Canadian Championships is a reasonable idea. However, I am surprised that the initial members who were suggested do not include one organizer. They are four players and a sponsor. While having both players and a sponsors viewpoint are important, surely an organizer who has put together a Championship in the past would bring valuable knowledge to that Committee. Knowing the problems that exist and the resources needed are very important factors. Names like Barry Thorvardson, Tony Ficzero, Peter Stockhausen and Brian Hartman come to mind. Another thing that strains the credibility is the last sentence of the motion. This states that "The committee shall submit a report to the Governors, with their recommendations, by December 31, 2004." Well, I am writing this in the middle of December. I don't see how there can be another GL published, the motion voted on and THEN all the options analyzed by that date. Of course if there already is a committee working on this, then why bother with a motion?

**Motion 2005-22: CHALLENGE TO THE CHAIR** (Special Note: This item is included in this section since if not ruled out of order such a motion is both non-debateable and requires an immediate vote)

**Francisco Cabanas:** Mr. President, we appeal from the decision of the chair to rule Motion 2005-22 out of order.

This appeal is made by Francisco Cabanas and seconded by Peter Stockhausen

Rationale for this appeal.

Regardless of the merit or factual accuracy of motion 2005-22, the President (Chair) cannot rule on this matter since motion 2005-22 involves a vote of censure on the President. By attempting to rule this motion out of order the President has placed himself in a direct conflict of interest and in flagrant violation of CFC bylaw 2-15.

On the automatic question resulting from this appeal

"Shall the decision of the President (Chair) stand as the judgment of the Assembly of Governors"

We ask all CFC governors to vote NO

For reference we include

1) Motion 2005-22; 2) The ruling of the President (Chair) 3) A copy of CFC bylaw 2-15 and 4) An online reference to Roberts Rules of Order.

1) Motion 2005-22;

Motion 2005-22, moved by Bruce Harper, seconded by Jason Feng:  
3. The CFC President be censured for appointing Brian Hartman Team Captain in contravention of the existing CFC Regulations

2) The ruling of the President (Chair)

Halldor P. Palsson: This is moot. I rule this motion out of order. Governor Harper is factually incorrect. The Executive voted for Mr. Hartmann and his appointment then went to a confirmation vote to the Governors. The vote for Mr. Hartman was 19-12 with 4 abstentions. This matter is closed.

3) A copy of CFC bylaw 2-15

## 15. CONFLICT OF INTEREST

Whenever a proposal is being considered which puts any CFC officer in a potential conflict of interest he shall declare the conflict and abstain from discussion, voting or other involvement in the matter.

4) An online reference to Roberts Rules of Order.  
This can be found at <http://www.rulesonline.com/>

**Halldor Palsson:** The Chair's ruling on 2005-22 is a ruling on a question about which there cannot possibly be two reasonable opinions. IM Brian Hartman was appointed in full conformity with CFC By-Laws by a unanimous vote of the Executive of the CFC and then by a confirmation vote by the Assembly of Governors. You will recall that the vote for IM Brian Hartman was 19-12 with 4 abstentions. Attributing the decision to the CFC President alone is absurd. An appeal from the Chair's ruling on 2005-22 would be dilatory and is not allowed (RONR (10th ed.) p.248 l. 28-30). As Chair I have an obligation to promote administrative fairness but this is tempered with the need to control and organize the meeting of the Assembly of Governors so as to ensure that it proceeds effectively.

Your motion is regrettable in a **deliberative assembly**. You cannot preface a motion with: "Regardless of the merit or factual accuracy of motion" and ignore what has been before the Assembly of Governors of

the CFC.

You have an obligation to act in good faith. It seriously matters that the Executive of the CFC and the Governors of the CFC voted for the appointment of IM Brian Hartman. I repeat, the vote for Mr. Hartman was 19-12 with 4 abstentions.

I regret to inform you that I have to rule your objection and attempt to introduce a motion as both dilatory and improper. It is my duty as presiding officer of this Assembly of the Governors of the CFC to prevent members from misusing the legitimate forms of motions, or renewing certain motions, merely to obstruct business.

I am saddened to note that your motion is absurd in substance. It is therefore dilatory and cannot be introduced. The question was before the Assembly and the result of the vote was clear. The vote for Mr. Hartman was 19-12 with 4 abstentions. As a result of that vote you cannot operate on the basis that nothing happened.

I as chair am convinced that you and Governor Stockhausen are using parliamentary forms for obstructive purposes and I therefore rule your motion out of order.

I further find that your motion is improper as it conflicts with the motion adopted by the Governors appointing IM Brian Hartman, the vote for IM Brian Hartman was 19-12 with 4 abstentions. I further find that this motion for the appointment of IM Brian Hartman has not been rescinded, nor reconsidered and rejected after adoption.

Your motion is a conflicting motion with the motion for the appointment of IM Brian Hartman, and if adopted, is null and void unless adopted by a vote required to rescind or amend the motion previously adopted. If pushed, I would further rule that your motion is also improper because it presents practically the same question as a motion previously decided at the same session of the Assembly of Governors of the CFC. I could continue but these reasons should suffice.

***Les Bunning:*** I have been asked by the President to give a legal opinion on the validity of the censure motion and whether he was within his rights to rule it out of order. I have spoken to Bruce Harper the originator of the censure motion. Bruce had no problem with Brian Hartman being appointed Captain, his problem was a procedural one, as he believed that the President's motion to appoint Brian should have been in the form of an amendment to the existing rule as opposed to a direct appointment. I advised that in my opinion both methods were legal as the motion that was passed had the effect of amending the rule on a one time basis. Although Bruce was not convinced of the legality of this method he thought that this view was not unreasonable and therefore he has agreed to withdraw his censure motion. I was also asked to look at the matter concerning the challenge to the President's procedural rulings and whether the President could rule these out of order even though the censure motion was aimed at him.

In view of the fact that the original motion has been withdrawn it is unnecessary for me to give my opinion on these matters as they are now moot. However as they raise some interesting questions which may arise again in the future I will give my opinion on how these matters should be handled in the future. As I am going on vacation shortly this may take a few weeks.

## **MOTIONS FOR SECOND DISCUSSION:**

**Motion 2005-14:** Moved by David Cohen, Seconded Kevin Pacey

That CFC Handbook 375 Tournament Playing Fee be amended by adding the sentence: "At any national Championship, this fee is not permitted as a substitute for CFC membership."

**Michael Barron:** I support this motion. Moreover, I believe we should extend the membership requirements for Championships on all levels, including Provincial, regional and municipal (except for Open Championships).  
On the other hand, respective chess organizations (CFC, Provincial, regional and municipal associations) should sponsor their Championships to reduce participants' expenses.

**David Cohen:** This motion evolves from the 2004 Canadian Closed, where I was shocked to find that a handful of players with expired CFC memberships were attempting to avoid buying a CFC Membership, by substituting for it the cheaper \$10 tournament fee.

The 'Tournament Fee' of \$10 is popularly known as a 'tournament membership'. However, it is not a membership, it is a fee. We run our Championships for our members. I think we should require all of our Championship participants to be regular members. To support this idea, I think we should prevent them from getting away with paying the \$10 fee, and force them to purchase a regular membership. This will have a beneficial side effect of raising our membership numbers and revenues.

As an aside, everyone involved with the Closed supported me on this, we confronted the players, and all purchased the Membership. For those who had already purchased a Tournament Fee for a previous event, we good-naturedly compromised by allowing them to upgrade by paying the difference.

**Lyle Craver:** I support this motion – as I do not think “tournament fees” should be part of national championships.

**Jason Feng:** This sounds reasonable, although one has to think why such members are not current CFC members to begin with.

**Bruce Harper:** I think this motion simply requires players in National Championships to be CFC members. This seems reasonable, and I support the motion, although it would be better if players wanted to be members of the CFC, rather than being compelled to join.

**Motion 2005-15:** Moved by Michael Barron, Seconded by Frank Dixon/Bela Kosoian that the CFC Handbook should include the following regulation:

“The procedure of motion submission to CFC:

1. Every CFC Governor can submit a motion in his response to Governors' Letter.
2. If one of the CFC Directors preparing current Governors' Letter has found this motion important for CFC, he can second this motion and call for vote in the current Governors' Letter.
3. Otherwise, this motion called for discussion in the current Governors' Letter.
4. If one of CFC Governors (besides the motion originator) has found this motion important for CFC, he can second this motion and call for vote in the next Governors' Letter.”

**Michael Barron:** This is a very important issue for the future of the CFC: will it be more democratic or more bureaucratic organization?  
If the CFC Governor couldn't influence decisions made by the CFC, it will further reduce the popularity of the CFC among chess players, and as result reduce membership.  
On the contrary, if every CFC Governor could make a motion and express opinion of their electorate, it will create a basis for future membership growth.

**Lyle Craver:** I will not be supporting this motion as it gives official status to motions without a seconder. I feel strongly that 2005-08 should have been ruled out of order in GL#1 since it did not have a seconder

– this would not of course have prevented it being properly moved and seconded and put to the Governors at a later date. Given how easy it is for Governors to keep in touch these days there is no justification for giving official status to a motion that is submitted without a seconder. I agree with points 1 and 2 (and have seconded proposals previously as well as counselling Governors in how to phrase their motions) but #4 is entirely objectionable and unsupportable as it stands.

**Jason Feng:** The idea is great, but it is more important to discuss how motions “go through the motions” of being discussed and voted upon.

**Bruce Harper:** I favour the principle behind this motion, but found the motion itself confusing. In my view, the entire mechanism of how motions are made, discussed and voted upon should be completely revamped. But I will not spend any time on this until I see the outcome of the vote on Motion 2005-08, which I see as a referendum on the role of Governors (and regions) in the CFC.

**Motion 2005-16:** Moved by Frank Dixon, and seconded by Patrick McDonald:  
Pending the approval of the new organization by CFC Governors, to be voted upon this time, the Coordinator of the Canadian Post-Secondary Chess Association (currently myself) will report to the CFC Youth Coordinator.

**Michael Barron:** I support this motion.

**Bruce Harper:** I don’t feel strongly about this, but I support the motion.

**Motion 2005-17:** Moved by Pierre Denommee and seconded by Michael Barron:

(Full text of the motion in Appendix 1)

**Michael Barron:** Present status of chess in Canada doesn't give us a possibility to seek for government support. I believe we need to initiate process intended to recognize chess as a sport in Canada and the CFC as a National Sport Organization. This process could take several years, but we need to start it as soon as possible.

Probably we need to create a special CFC Committee for preparation of the CFC application for Sport Funding and Accountability Framework ([http://www.pch.gc.ca/progs/sc/prog/cfrs-sfaf/criteriasfaf3\\_e.doc](http://www.pch.gc.ca/progs/sc/prog/cfrs-sfaf/criteriasfaf3_e.doc)) and all necessary changes in the CFC regulations intended to meet their eligibility criteria and recognize chess as a sport in Canada and the CFC as a National Sport Organization.

**Bruce Harper:** I don’t really understand this motion. I think lengthy motions that rewrite large parts of the CFC Regulations should be discussed in advance and carefully explained. There is no doubt that most of the CFC Regulations need radical surgery, although the existing Regulations are often ignored in any case. There may be commendable changes in this Motion, and I may support it once I know what they are.

**Les Bunning:** This motion is in my view impractical. It sets up a body that is higher than the CFC executive and would require substantial revision to the CFC Constitution. Suppose for example the CFC executive fired the Executive director. If he was a CFC member - Which is most likely- he could appeal his firing under these proposed rules.

**Halldor Palsson:** The CFC is the national governing body for chess in Canada. The CFC is a non-profit organization and can be characterized as a “private tribunal” (autonomous organization that has the power to write rules, make decisions and take actions that affect its members and other participants). Legally,

private tribunals are recognized as having a contractual relationship with their members. For the CFC that would be the handbook. The CFC relies on its TDs, local appeals committees and the NAC for matters relating to tournaments and member conduct, the Executive Director and the Rating Auditors for ratings. The Executive then ultimately sits in judgement in cases of misconduct and the procedural rules for that process are based on Robert's Rules of Order. Each step takes some time. Ultimately, what is proposed here in no way affects the right of a CFC member to ask a Court to review a decision by the CFC concerning that person in the area of members' discipline.

**Motion 2005-18:** Moved by Michael Barron, seconded by Michael Dougherty:

(Full text of the motion in Appendix 1)

**Michael Barron:** Probably I need to explain how this motion was created.

The Toronto Thanksgiving Open (<http://www.chess.ca/xtable.asp?TNum=200410109>) was not FIDE rated.

Why?

Because of hefty FIDE rating fee.

How much is FIDE rating fee?

According to the CFC Handbook ([http://www.chess.ca/section\\_7.htm](http://www.chess.ca/section_7.htm)):

"Swiss Tournaments: Players 1 to 300 = \$2.20 per player; Players > 301 & up = \$1.10 per player. In addition, there is a \$100 flat fee per tournament."

So, for this 11-player tournament it should be  $\$2.20 * 11 + \$100 = \$124.20$

It's really too much.

I couldn't believe this, and checked the FIDE Handbook

(<http://www.fide.com/official/handbook.asp?level=b03>):

"g. Small tournaments such as local Swiss tournaments shall be exempt from registration fees. (GA '80)"

I need to explain here difference in terminology: in the FIDE Handbook there is no "rating fee per tournament", they call it "registration fee".

So, to get the Toronto Thanksgiving Open FIDE-rated, according to the FIDE Handbook CFC should pay to FIDE \$0, but according to the CFC Handbook tournament organizer should pay to CFC \$124.20

How could we solve this problem?

Obvious solution is - to change the CFC Handbook according to the FIDE Handbook.

But it's not a good practice to change 1 sentence in the CFC Handbook; it's much better to rewrite whole chapter.

So, I have studied all CFC and FIDE rules related to FIDE-rated events, and rewrote whole CFC regulation "790. FIDE-Rated Events" according to the FIDE Handbook.

The purpose of this motion is - to reduce the fee that the CFC Handbook seems to require people to pay for no reason.

**Bruce Harper:** I have trouble understanding exactly what this motion proposes. While I think here the

changes are indicated by red type, there is no explanation of why any of this is an improvement.

**Halldor Palsson:** Governor Barron has his facts wrong. The CFC charges FIDE fees and pays them directly to FIDE. The CFC in practice pays more to FIDE than it charges in FIDE fees. Some of these payments can be attributed to our practice of paying the fees for international titles but the last revision in the fees charged, authored by Peter Stockhausen, was to ensure that rating fees charged by the CFC would equal the fees we pay to FIDE. The CFC has never had a tournament rated for free by FIDE.

**Motion 2005-19:** Moved by Bruce Harper, Seconded Peter Stockhausen  
That rule 1014 be amended to read as follows:

1014. Organization:

Bids for the CYCC shall be submitted to the CFC in the same manner as bids for other national events.

(a) Bids to hold the CYCC shall be reviewed by the Junior Coordinator for conformity with the general CFC standard for bids and to ensure that the particular requirements of the CYCC are met. Bids that meet CFC standards shall be put before the Governors for selection of a winning bid for the year in question.

(b) All bids for the CYCC must set out the anticipated expenses related to the event, including site rental, trophies and medals, prizes, publicity and advertising, tournament director and organizer fees, equipment costs and other expenses.

(c) The entry fee to the CYCC shall be \$150 per player, paid directly to the CFC. For each entry fee:

(i) \$100 per player shall be retained by the CFC to cover the costs of trips to the WYCC for the year in question.

(ii) Up to \$50 per player shall be used to reimburse the organizers of the CYCC for expenses incurred in relation to the event.

(iii) Any surplus funds remaining after the expenses of the event are paid shall be used by the CFC for future Junior activities or transferred to the Junior (Kalev Pugi) Fund).

(d) If circumstances, including the scheduling of the WYCC, permit, it is desirable that the CYCC be held shortly before, and at the same location as, the Canadian Open for that year.

**Michael Barron:** I support this motion.

**Hal Bond:** New CYCC rules: The existing CYCC rules are simple, clean and presumably in force until after the 2006 event. The CFC is the underwriter and organizer. This is good on one hand but ultimately places too much burden on the Youth Co-ordinator. I also believe more can be done to invite the energies of the local organizer.

I like most of the wording of this new motion. But rather than get involved in the organizers books, why not just pay \$50.00 per player? Perhaps a 10% hold back until a statutory declaration is issued by the organizer relative to payment of all expenses. The CFC wishes to ensure that corners are not cut, and that the tournament runs consistent with the bid. If \$50 per player does not cover costs the organizer is liable. As the new underwriter the organizer is due some proprietary slack.

**Bruce Harper:** I think these amendments are short enough that a detailed explanation is not necessary. The motion essentially proposes:

- the local organizer of the CYCC pays all costs, except the travel expenses to the WYCC.
- of the \$150 entry fee per player to the CYCC, the CFC gets \$100 "off the top" to pay for the trips, and the local organizer gets \$50 to cover the expenses.

- any surplus goes to the CFC for future junior activities.

Currently the CFC pays for all expenses, which I think is cumbersome and confusing. Under the proposed system, each party knows what they get and can budget accordingly, subject to the usual uncertainty as to how many players will attend.

**Motion 2005-20**, moved by Bruce Harper, seconded by Jason Feng:

That 1. Article 5 of the CFC Olympiad Regulations ("The Selection Committee") be amended by replacing

"To avoid any conflict of interest, neither member of this committee can become part of the Canadian National Team for the Olympiad in question"

with

"Neither member of the Selection Committee may play for the Canadian National Team in the Olympiad in question".

**Jason Feng:** Even though this motion is for something that happened months ago, it is important to avoid further problems.

**Bruce Harper:** This should be passed to make Brian's appointment as team captain (semi) legal, but I hope that prior to the next Olympiad, the entire Olympic Regulations will be rewritten. Motion 2005-20 was originally proposed *before* the 2004 Olympics, but no vote was allowed at that time.

**Halldor P. Palsson:** Governor Harper/Feng you have an obligation to act in good faith. IM Brian Hartman was appointed in full conformity with CFC By-Laws by a vote of the Executive of the CFC and then by a confirmation vote by the Assembly of Governors. The Governors of the CFC voted for the appointment of IM Brian Hartman. You will recall that the vote for IM Brian Hartman was 19-12 with 4 abstentions. Your statement that IM Brian Hartman .." (semi) legal" selected as Team Captain is unacceptable from governors of the Chess Federation of Canada.

## MOTIONS FOR FIRST DISCUSSION:

**Motion 2005-23** (Moved and seconded by Patrick McDonald and Chris Mallon)

That the CFC Youth Coordinator be given the mandate by the Assembly of Governors to strike a committee to pursue an agreement with the Chess 'n Math Association that will see better and more cooperation between the two organizations (CFC and CMA) subject to the following guidelines.:

- a) CMA is responsible for junior chess in Canada under the umbrella of the CFC. The position of CFC Youth Coordinator continues to exist and is the link between the two organizations.
- b) CMA is responsible for book & equipment sales with an amount being turned over to the CFC every 3 months based on the net profits earned by the CFC in the last 3 years in this area. CFC would no longer operate a Book & Equipment business.
- c) The CFC is responsible for the rating of all players. CMA would no longer operate a separate rating system. All the CMA official events would be rated with the CFC.

**Patrick McDonald:** The intent here is to have a committee examine the Pros and Cons of this proposal, and to negotiate the fine details of this agreement.



**Halldor Palsson:** This motion is not needed. The Executive of any corporation in Canada has a general authority to enter into negotiations and agreements. My policy is to cooperate with CMA on projects to promote chess in Canada. However, the CFC has no proposal from the CMA to negotiate anything. The proposal from governors McDonald/Mallon was the basis for a previous round of negotiation with CMA that was abandoned.

### **General comments from Governors:**

**Michael Barron:** Concerning the President's message, I agree that the National Team performed well in the Olympiad and I add my congratulations. However, I found his exhortation that Governors pay for the \$13,500 shortfall in Olympic funding offensive.

**Halldor Palsson:** The Chess Olympiad is used to give expression to CFC objective: 5. TO protect and foster the interests of Canadian Chess players, as far as possible, in the field of national and international chess competition. The CFC has always tried to participate in the Chess Olympiad. As long as I am President it will be one of the primary objectives of the CFC to fully participate in the Chess Olympiad. Any President of the CFC has the right to ask governors: 7. TO raise funds in such a manner and to such an extent as it may deem necessary or desirable, to enable it to carry out its objectives.

**Michael Barron:** This deficit stems from two sources. One was the CFC's alienation of the previous sponsor of the Olympic Team by its unprincipled decision to participate in the FIDE "World Championship" in Libya. The other was delaying so long in organizing the teams that higher airfares had to be paid, air miles couldn't be used, and fundraising was more difficult. The pattern of Presidential incompetence creating unnecessary problems, then the Governors being asked to bail him out, is now common.

**Halldor Palsson:** The right to participate in the FIDE World Championship in Libya was held by the Canadian Champion IM Pascal Charbonneau. The CFC had no way of preventing him from exercising his right to participate the World Championship. There is no provision in the CFC rules or Canadian law to allow us to act on the principles of governor Barron.

**Michael Barron:** It is the Treasurer, not the President, who informs us that this same problem has arisen with respect to the 2004 CYCC and WYCC. This is not a surprise. It was obvious that the CFC would lose money on the 2004 CYCC and WYCC, but the President will not accept responsibility for the direct and obvious consequences of his decision to rule "out of order" other bids that could have led to the 2004 CYCC being held in a location where it would have attracted enough players to either break even or make money.

Like other Governors, I hope to eventually be informed of just how bad the CFC's financial situation is.

On the general question of fund raising, it is naive to think that appointing a dedicated fundraiser will solve the CFC's problems. There are a number of people in Canada with both the inclination and resources to support chess. They will not, however, financially support a national organization that is fiscally irresponsible and incompetently and undemocratically administered. The priority of the CFC should be to put its house in order, rather than looking to sponsors, government and private individuals to extricate it from its own, easily foreseeable, mess.

For this purpose I am willing to accept the Treasurer's invitation to join the CFC Management Committee.

**Hal Bond:** Should we give our President a speeding ticket? I have difficulty caring one way or

the other. I believe President Palsson has acted reasonably on behalf of the CFC. If he has violated procedural protocols then censure away. I am much more interested in the road ahead.

**Francisco Cabanas:** Motions 2005-21 and 2005-22 are very different motions with fundamental differences particularly with regards to conflict of interest regarding the president; consequently separate motions to "challenge the chair" are a must here.

For the president to rule on 2005-22 puts him in a direct conflict of interest and in direct contravention of CFC Bylaw Section 2-14. The relevant section is

### **CONFLICT OF INTEREST**

Whenever a proposal is being considered which puts any CFC officer in a potential conflict of interest he shall declare the conflict and abstain from discussion, voting or other involvement in the matter.

Regardless of the merit or factual accuracy of 2005-22 the president cannot rule on this matter since the motion involves a vote of censure on the president. Under normal circumstances the chair should have been passed to the vice president who would then rule on this motion. I for one am prepared to move to challenge the chair on the president's ruling on 2005-22 but not on 2005-21; Do I have a seconder and I would prefer someone other than a member of the CFC executive and governors Bruce Harper and Jason Feng

For reference I include motion 2005-22 and the President's ruling

Motion 2005-22, moved by Bruce Harper, seconded by Jason Feng:

3. The CFC President be censured for appointing Brian Hartman Team Captain in contravention of the existing CFC Regulations.

Halldor P. Palsson: This is moot. I rule this motion out of order. Governor Harper is factually incorrect. The Executive voted for Mr. Hartmann and his appointment then went to a confirmation vote to the Governors. The vote for Mr. Hartman was 19-12 with 4 abstentions. This matter is closed.

Thank you

**David Cohen:** Canadian Junior

I think we should follow the fees for National Championships as they are published, i.e., with a deadline and without a late fee. The precedent set with the 2004 Canadian Closed bid was a poor one. Fortunately, the organizers came to realize this, and worked hard to avoid anyone having to pay the late fee. Bearing in mind the capacity of the playing site, the organizers were in continual contact with those interested in entering at the last moment, and extended the deadline as late as possible to accommodate them. Thus, no one had to pay the late fee that was approved as part of the bid. I think this is a better way to go - flexible deadline to encourage advance entries but accommodate latecomers if capacity permits; and no late fee.

**David Cohen:** FUTURE DIRECTION FOR THE CFC BOARD OF GOVERNORS

I had an opportunity last evening to interact with professionals from the non-profit sector, and it put into perspective the job we do on the Board of Governors of the CFC.

### **BOARD COMPOSITION**

Most small non-profits (i.e., not universities and hospitals) have a great deal of trouble finding people to sit on their Boards. Even harder is to find people with the required set of skills (accounting, legal, marketing, etc.). We are EXTREMELY FORTUNATE to have such a huge Board (over 70 members) filled with talented people. But now we must work!

## MANAGEMENT BOARDS vs. POLICY BOARDS

Another common problem in the non-profit sector (resulting from a lack of funds) is the short-staffing of the organization. We suffer severely from this problem. We only have our Executive Director and his small staff. There is far TOO MUCH WORK for them to handle.

A MANAGEMENT Board is one which pitches in as volunteers and helps out. Examples include fundraising and publicity. Peter can no doubt add other tasks, e.g., help with the computer systems.

A POLICY Board is one which sets long-term policy for the organization, and leaves its implementation in the hands of its ED and staff. An example would be re-writing the CFC Handbook.

As you can see from this description and our recent e-mail discussions, we have elements of both in the CFC Board of Governors. As I said, we are fortunate to have the people available for all of these roles. But we must work!

## PARTICIPATION

LEGALLY, all Board members are required to take an ACTIVE role in the running of the organization. I think there have been too many motions where Governors do not bother to vote. At a minimum, we should all be voting on all motions. But I propose we go even further: each Governor should be on a Committee.

These e-mail discussions will undoubtedly bring other ideas to mind, but I think these are our critical needs:

Management committees (besides the existing Executive committee): Management (Eric Van Dusen asked for volunteers for this); Fundraising; Publicity.

Policy committees: Handbook Revision, with sub-committees on Olympiad, Canadian Championship. I would invite Bruce Harper to Chair this committee.

Please, if you are on the Board of Governors, make the time in your life for this activity, and participate fully. The CFC and chess in Canada will benefit enormously if we can follow the appeals of Andrew Plunkett and Barry Thorvardson and co-operate.

***Frank Dixon:*** **Post-Secondary team tournament:** There is a schedule conflict between the 2005 Post-Secondary team event in Toronto (Jan. 14-16, 2005) and the 2005 RA Winter Open in Ottawa (Jan. 15-16, 2005), which I want to apologize for and explain. Parties made efforts to avoid this, but, to make a long story short, I did not anticipate one small point. With 2004 being a leap year, and 2005 not, and with Christmas and New Year's both falling on Saturdays, universities are starting back to classes after the holiday break almost a week later in 2005, compared to 2004, leading organizers at the University of Toronto to shift their tournament later by one week, compared to the past two years, which placed it at the same time as the RA Winter Open in Ottawa (which had moved one week later compared to 2004 to try to avoid this problem!). While I contend that very few players would want to play both events, we do want to avoid this conflict in future, so this scheduling item will be up for discussion on the agenda of the Canadian Post-Secondary Chess Association in Toronto, Sat. Jan. 15, 2005. All CFC Governors, and any other interested people, are welcome to attend this CPSCA meeting, with suggestions for discussion as to how to grow this portfolio in the future.

### **2005 Canadian Junior:**

I see that the 2005 Canadian Junior will likely be held in Brantford, either at the end of April, or the start of May, with the exact date yet to be fixed, according to the Appendix of GL #3. As far as potential post-secondary player entries to this event, with everything else being equal, the later date is definitely preferable, since University and College exams will almost certainly have finished by the later date, but would likely not have done so by the earlier date. Just a factor to keep in mind!

**Jason Feng:** First of all, I would like to extend my congratulations to both teams in the Chess Olympiad, considering our two late withdrawals. Thanks go to Mr. Hartman for keeping the team together.

Nevertheless, the month before the Olympiad must be considered a fiasco in light of the President's message in GL #3. The Governors had no say in team selection and captain selection; all we were used for was to bail out of an ugly situation. Nothing was finalized until a week or two (correct if I am wrong) before the start of the event. I bet this \$13,500 figure would have been a LOT less if everything had been decided a month beforehand. I am not going to pay money for something that I was not responsible for.

2005-21: As much as I'm sure we are all impressed with Mr. Hartman's performance as Team Captain, the fact remains that he was "illegally" selected as Team Captain. He was on the Selection Committee and he was also the Team Captain. Did the President not know about this? Is this why the Governors suddenly had to vote on allowing Mr. Hartman to be Team Captain?

2005-22: see comments to 2005-21

**Halldor P. Palsson:** Governor Feng you have an obligation to act in good faith. IM Brian Hartman was appointed in full conformity with CFC By-Laws by a vote of the Executive of the CFC and then by a confirmation vote by the Assembly of Governors. The Governors of the CFC voted for the appointment of IM Brian Hartman. You will recall that the vote for IM Brian Hartman was 19-12 with 4 abstentions. Your statement that IM Brian Hartman .."was "illegally" selected as Team Captain is unacceptable from a governor of the Chess Federation of Canada.

**Neil Frarey:** The Chess Federation of Canada is not in the business of creating a bottom line! We are in the business of creating members! Don't ever forget this!!

Someone somewhere took their eye off the ball, the great thing about the CFC is that we don't have any competition! We are competitive organized chess in Canada. And that is where we should be concentrating our efforts. It is because of the inabilities of those who have failed to build our membership, (which should provide our operating revenue), is why some should be so concerned for every dollar of equipment sales!

Take for example the fine work of Governor Rutherford, he generated 300+ junior participating membership this year alone. This is where our operating revenue comes from, and from all other memberships across the country.

So really, are we in competition with the CMA? Our only competition seems to come from within... It's painfully simple, take away our revenue from chess supplies and where would we be? Take away our membership and where would we be? The Chess Federation of Canada is built from the "revenue" of memberships and the activities of that membership, ie ratings. That is our stock and trade! Not how many Chessbase products we sell nor how many books we don't sell.

I'd much rather have the membership that Pugi envisioned in '74, than have the adversarial environment we

have now...

Governors, we are in the people business.

**Phil Haley:** Could I suggest that the Governors letters be published in standard format rather than in two columns. The two column format makes it slow and tedious to read.

Discussion of Governors letter 3 was taking place on Chess Talk before the governors had received it. I would like to suggest that we return to prior practice of sending the governors letter to governors prior to posting on the CFC web site.

**Bruce Harper:** Concerning the President's message, I agree that the National Team performed well in the Olympiad and I add my congratulations. However, I found his exhortation that Governors pay for the \$13,500 shortfall in Olympic funding offensive.

**Halldor Palsson:** The Chess Olympiad is used to give expression to CFC objective: 5. TO protect and foster the interests of Canadian Chess players, as far as possible, in the field of national and international chess competition. The CFC has always tried to participate in the Chess Olympiad. As long as I am President it will be one of the primary objectives of the CFC to fully participate in the Chess Olympiad. Any President of the CFC has the right to ask governors: 7. TO raise funds in such a manner and to such an extent as it may deem necessary or desirable, to enable it to carry out its objectives.

**Bruce Harper:** This deficit stems from two sources. One was the CFC's alienation of the previous sponsor of the Olympic Team by its unprincipled decision to participate in the FIDE "World Championship" in Libya. The other was delaying so long in organizing the teams (Women's Team members were being sought a few weeks before the event started) that higher airfares had to be paid, air miles couldn't be used, and fundraising was more difficult. The pattern of Presidential incompetence creating unnecessary problems, then the Governors being asked to bail him out, is now common.

**Halldor Palsson:** The right to participate in the FIDE World Championship in Libya was held by the Canadian Champion IM Pascal Charbonneau. The CFC had no way of preventing him from exercising his right to participate the World Championship. There is no provision in the CFC rules or Canadian law to allow us to act on the principles of governor Harper.

**Bruce Harper:** It is the Treasurer, not the President, who informs us that this same problem has arisen with respect to the 2004 CYCC and WYCC:

...this is supposed to be a self-sustaining activity for the CFC but this year's CYCC had poor attendance. The Youth Coordinator has reported to me that he believes that this result is an anomaly as a result of the remoteness of the event and the repeat performance in the same location.

This is not a surprise. It was obvious that the CFC would lose money on the 2004 CYCC and WYCC, but the President will not accept responsibility for the direct and obvious consequences of his decision to rule "out of order" other bids that could have led to the 2004 CYCC being held in a location where it would have attracted enough players to either break even or make money.

Like other Governors, I hope to eventually be informed of just how bad the CFC's financial situation is.

My only comment on the Secretary's Report is that, as everyone now knows, Jason Feng voted against the motion to immunize the Canadian Open from competition. As Watson tells us in *Secrets of Modern*

*Chess Strategy*, Nimzovich's idea of overprotection doesn't seem to have made it. It is interesting that, if the totals are correct, only 10 Governors bothered to vote on this motion.

On the general question of fund raising, it is naïve to think that appointing a dedicated fundraiser will solve the CFC's problems. I can speak with personal knowledge of the situation in British Columbia. There are a number of people with both the inclination and resources to support chess. They will not, however, financially support a national organization that is fiscally irresponsible and incompetently and undemocratically administered. The priority of the CFC should be to put its house in order, rather than looking to sponsors, government and private individuals to extricate it from its own, easily foreseeable, mess.

**Motion 2005-21**, moved by Bruce Harper, seconded by Jason Feng [to endorse Brian Hartman actions as Team Captain for the 2004 Olympiad.]

**Bruce Harper:** This was ruled "out of order" by the President, who cannot understand the difference between someone legally being Olympic Team captain and someone acting in that capacity, even though their appointment contravened the CFC Regulations on the subject. I do not think any CFC President should have the power to decide which CFC Regulations he or she wishes to follow.

**Motion 2005-22**, moved by Bruce Harper, seconded by Jason Feng [That the CFC President be censured for appointing Brian Hartman Team Captain in contravention of the existing CFC Regulations.]

**Bruce Harper:** This was ruled "out of order" by the President, in the following terms:

**Halldor P. Palsson:** This is moot. I rule this motion out of order. Governor Harper is factually incorrect. The Executive voted for Mr. Hartmann (sic) and his appointment then went to a confirmation vote to the Governors. The vote for Mr. Hartman was 19-12 with 4 abstentions. This matter is closed.

This issue arises because the current CFC Regulations read:

1. The Canadian National Team shall be defined as having the following general structure:

...

(b) National Team Captain

5. The Selection Committee

To avoid any conflict of interest, neither member of this committee can become part of the Canadian National Team for the Olympiad in question

Brian Hartman was on the selection committee. This disqualified him from being part of the National Team, which includes being Team Captain. Despite this, the President appointed Brian Team Captain.

I don't know whether this illegality was inadvertent or deliberate, but once the President was aware of it, there were two courses of action open to him. One was to amend the Regulations to permit Brian to be Team Captain. The other was to ask the Governors to approve Brian as Team Captain (which they did), but I do not take this to be approval of the President's actions in disregarding the application CFC Regulations.

Is it appropriate to censure the President for acting illegally? I think so, but the President does not wish to

give the Governors an opportunity to express their views. He considers the question of whether or not he acted illegally to be “moot”. This sort of question can never be moot.

The President also considers that I have the facts wrong. That also should be for the Governors to decide.

**Halldor P. Palsson:** Governor Harper you have an obligation to act in good faith. IM Brian Hartman was appointed in full conformity with CFC By-Laws by a vote of the Executive of the CFC and then by a confirmation vote by the Assembly of Governors. The Governors of the CFC voted for the appointment of IM Brian Hartman. You will recall that the vote for IM Brian Hartman was 19-12 with 4 abstentions. Your statement that IM Brian Hartman ..“illegally” selected as Team Captain is unacceptable from a governor of the Chess Federation of Canada.

The Chair’s ruling on 2005-22 is a ruling on a question about which there cannot possibly be two reasonable opinions. The Assembly of Governors voted to appoint IM Brian Hartman. Attributing the decision to the CFC President alone is absurd. An appeal would be dilatory and is not allowed (RONR (10th ed.) p.248 l. 28-30). As Chair I have an obligation to promote administrative fairness but this is tempered with the need to control and organize the meeting of the Assembly of Governors so as to ensure that it proceeds effectively.

**Bruce Harper:** The same sort of discussion about the CMA is going on at the provincial level in BC, with the same level of animosity. The CMA is a topic about which people feel strongly.

Personally I have never had any problem with Larry Bevand or the CMA, so I don't have any prejudice against cooperating with the CMA.

I think Michael's characterization of the conflicting schools of thought within the CFC is accurate, but I think it goes even further.

What exactly is the "Chess Federation of Canada" a federation of? One view is individual chess players, but it seems clear from the CFC bylaws that this is not the case - the CFC was intended to be a federation of organizations. In most cases, these are provincial federations or associations.

If one considers that the CFC is (or should be) a federation of chess organizations, which in turn are groupings of local chess organizers and players, this greatly affects the role of the CFC. The parallels with Canadian politics in general are striking. At one extreme are the centralists or federalists, who see the CFC as having a role to play in fostering chess in provinces with weak provincial federations. At the other extreme are separatists, who (in the alternate chess universe) have succeeded in withdrawing the FQE from Canada, although the imagined paradise did not materialize. Everyone else is in between.

The CFC should be reconsidering its role in Canadian Chess. Certain things can only be done nationally, because they relate to FIDE (although whether FIDE itself will survive is also debatable):

1. Hold Canadian Championships to qualify players from our zone to World Championship events.
2. Organize the Canadian Olympic Teams.

To this I would add:

3. Maintain a national rating system.

because this relates to 1 and 2, and is comparable to the Canadian federal government maintaining a national currency (I have always found it curious that the FQE wants its own rating system, while the

BQ/PQ profess to wish to continue to use the Canadian dollar if Quebec separates).

But it seems to me everything else is questionable, including:

- maintaining a business office.
- selling chess equipment and books.
- publishing a magazine.

Here I use "questionable" in the literal sense - open to question. It may be the CFC should be engaged in these activities, but I suspect not. I found the message from one Governor that he doesn't buy chess materials from either the CFC or the CMA, but rather from another source, very interesting. Globalization affects chess as well.

If the CFC is a business, it is not a well run one and trying to artificially maintain it by appeals to the "patriotism" of Governors and members is unlikely to succeed in the long run. If this approach did work, it would be contrary to almost every other historical example. People will patronize a business if it is well run and provides services in a cost-effective and timely manner. If people buy from the CMA rather than the CFC, they are (in most cases) making an economic, rather than a political, statement.

The world would not end if the CFC:

- got out of the equipment and book business.
- scrapped the magazine in favour of an enhanced website, with tournament reports, pictures and games available quickly.
- published rating updates every few days, rather than once every three weeks.
- rebated a portion of the rating fees to the provincial associations which held the event.
- reduced membership fees.

In fact, this would very likely result in a significant increase in membership in the CFC and increased participation in chess events in Canada. People would still be able to buy chess equipment and books (I suspect the CMA would be quite willing to give a significant discount to CFC members), information would get out more quickly and cheaply, and players would be more willing to join the CFC and would see their new ratings (if that's what concerned them) more quickly, although not as quickly as on ICC.

Under this approach, it is completely natural to have the CMA active in every province, organizing junior tournaments and teaching juniors chess. As those players "graduated" (or simply got older), some of them would play in events organized by provincial associations. The CFC would still coordinate the running of national events and the Olympics.

For these reasons, I favour cooperation with the CMA and other organizations which foster the development of chess. I think the CFC is doing a lot of things it shouldn't be doing, and isn't doing them all that well.

**Rodrigue Hébert:** I agree with Gov. Haley's point, it is a tedious exercise to read in a 2 column format.

**Martin Jaeger:** I vote no to both 8 and 9.

The Federation must cut the suit to fit the cloth or acquire more cloth and must be realistic in doing these things.

We noticed that Messrs Spraggett and Lesiege were absent from the team, that the sponsorship not being present board money was not given and apparently Mr. Lesiege was quoted as saying "I can make more



money playing poker." The confluence of these things is not, I submit a coincidence. Sponsorship would be nice to get but I suggest that plans not be made on the expectation that it will come.

It may well be that in the presence of competition from discounters we will not be able to raise revenue from sales. I would like to see a fleshed out proposal for CMA/CFC co-operation. In the 30 years of Chess and Math there has never been a proposal from them that any president has deemed acceptable.

The presentation of 2005-17 is unsatisfactory in that it involves speaking in code. Criteria A1 should have been laid out, and the fallout of not following A1 mentioned explicitly. Also the financial implications of 2005-17 should have been laid out in discussion of the motion.

It seems to me that the government of Canada which has induced this kind of expensive procedure to be adopted by making adoption a necessary condition for funding will not fund chess so that seeking Soory guys, it just doesn't fly.

**Maurice Smith:** The following is my response to Frank Dixon's comments regarding my suggestion of reducing the number of Governors.

Governor Dixon, it appears that you took my suggestion personally. Of course Governors such as yourself who spend countless hours as a working Governor should never be eliminated. We need more like you. However there are a substantial number of Governors we never hear from. Check the comments in the GL. Check who votes on the issues. It is roughly the same people all the time. Also out of about 70 Governors, usually less than half seem to pay attention as to what is going on. Now many of these may indeed be heavily involved in chess in their local area and be very good at what they are doing. However I am talking about being active as a GOVERNOR and nothing else. The number that are as active as you are very few.

As you know, in Ontario the Chess Leagues appoint the Governors in their respective postal code areas. I believe that Kingston is part of the EOCA. Therefore Kingston along with other areas that start their postal code with K are allowed one Governor for every 50 fee equivalent members. Even if this was changed to 100 I am sure that you would still be appointed a Governor because you are so active. Anyway, unless I see substantial support {which I doubt} I will not pursue the matter. As one Governor said to me " They will never vote for it, they would be voting to lose their jobs." Well, the "job" is a volunteer position that pays nothing and to some people it means no work, so what would they be losing? Frank, you have nothing to worry about.

**Maurice Smith:** The following is my response to Frank Dixon's comments regarding a possible Toronto bid for the 2006 Canadian Open.

Governor Dixon, I will try and explain to you what happened, although I think you know most of it from the Annual Meeting. A month or so before the Meeting, the Manager of the Estonian Club in Toronto approached me saying that they wanted to host the 2005 Canadian Open. I told him that we already had a good bid from Edmonton, so he suggested 2006. I agreed because at that time there was no published bid from Kitchener. The Estonian Club has hosted many Paul Keres tournaments in the past that have attracted many high rated players. The halls have been renovated and can easily accommodate a Canadian Open. Also the Estonian House has its own kitchen and bar area. Anyway, a few days before the Meeting I received word of the bid from Kitchener. However, the Estonian Manager was in Estonia and I could not reach him. Therefore I was committed to relay the information I had to the meeting. Now you say the discussion on this consumed close to an hour of valuable time. Well if right away it was proposed to allow a short period of time, a couple of months, then there would have been very little time consumed.

That would only have been fair, since rarely do we have a bid two years in advance. But no, some Governors persisted in arguing to approve the Kitchener bid right away. That was time consuming.

What happened next was that some time after the meeting I talked to the Estonian Manager who had returned. I told him that there was a bid in from Kitchener that was unexpected, and it was a good bid, was well received by the Governors, I knew the organizers who I thought would do an excellent job. He said o.k. let's go for 2007 instead. Basically I talked him out of it. I immediately e-mailed Hal Bond the main organizer and Halldor Palsson and advised them of the situation. They did not have to worry about Toronto for 2006. The bottom line is that I had to do the responsible thing and let the Meeting be aware of the bid. Afterwards, the best solution was to go for a different year. Now everyone is happy. Well probably not, in chess we always seem to have people ready to complain about anything. Anyway, Frank, now you know.

**Maurice Smith:** When I first became President I asked Troy Vail the Executive Director at the time why the deadline for the December magazine was always so early. He explained that it was because the CFC catalogue was in that issue and we had to get it out early so people would have enough time to purchase items before Christmas. He said that the Christmas sales were a big part of our revenue. Since then, I seem to recall that we usually received the magazine at least by the first week in December. I am writing this in the middle of December and I still have not received the magazine. I think we are missing out on much needed revenue here.

In the e-mails that have circulated the last month, there have been comments that our financial bottom line does not matter and the only thing that matters is getting new membership. Well of course attracting new members is extremely important and it would improve our financial situation. However, the fact is that right now membership is low and our financial situation is very fragile. It cannot be ignored. Every effort must be made to reduce costs and increase revenue. Membership and finances are our biggest concerns. One should not be ignored at the expense of the other.

Every two or three years a rumour surfaces that it is not worthwhile to keep selling chess supplies. I wonder where this rumour gets started? Anyway, the CFC's main sources of revenue are the sale of chess supplies, membership fees and rating fees. By far the one that keeps us going is the sale of chess supplies. Looking at the Auditor's report you can see that there is a nice profit from these sales and far exceeds any overhead that can be attributed directly to this part of our operations. The gross margin on sales was 33% which is quite positive for our financial situation. The better the sales, the better the finances of the CFC and the more money can be given to our chess programs including tournaments and Juniors. Sales, membership fees and rating fees, we need them all.

**Neil Sutherland:** I am sending you this email to let you know that there is happenings among the schools here in Yellowknife. William Macdonald School is having there Chess Tournament and will be holding the semi finals this month. The finals will be held the end of the school year.

The person in charge is: Dean McGinnis.

**Bruce Thomas:** Comments on other issues produced by GL3 debate: Competition is good and as chess players and/or organizers we should realize this. Just as in chess, a business or organization will improve if it is trying to become as good as or surpass the competition. From my viewpoint, Chess'n Math has been doing many things better than the CFC. I spend a lot of time developing junior chess in Alberta and, frankly, the Chess'n Math method of doing business and getting people involved in junior chess seems superior to that of the CFC.

**Deadline for Submissions to GL #5: 22 January 2005**

## **Appendix 1 Motions for Discussion**

**Motion 2005-17:** Moved by Pierre Denommee and seconded by Michael Barron:

**Motion:** That the CFC initiates the process of becoming compliant to all Sports Canada Eligibility criteria, except criteria A1 which is the only one that we cannot currently meet. We should also lobby for the modification of the definition of sport in Canada.

That we immediately add the following to the CFC Handbook:

"Chess Federation of Canada Appeals Policy

### **SCOPE OF APPEAL**

1. Any member of the Chess Federation of Canada who is affected by a decision of the Board of Directors, of any Committee of the Board of Directors, or of any body or individual who has been delegated authority to make decisions on behalf of the Board of Director, shall have the right to appeal that decision, provided there are sufficient grounds for the appeal as set out in Paragraph 5 of this Policy. Such decisions may include, but are not limited to, employment, contract matters, harassment, selection and discipline.
2. This policy shall not apply to matters relating to the rules of Chess, which may not be appealed under this policy.

### **TIMING OF APPEAL**

3. Members who wish to appeal a decision shall have 21 days from the date on which they received notice of the decision, to submit written notice of their intention to appeal, along with detailed reasons for the appeal, to the Chairperson of Appeal Panel.
4. Any party wishing to initiate an appeal beyond the 21 days period must provide a written request stating reasons for an exemption to this requirement. The decision to allow or not allow an appeal outside of the 21-day period shall be at the sole discretion of the Executive Director.

### **GROUNDINGS FOR APPEAL**

5. A decision cannot be appealed on its merits alone. An appeal may be heard only if there are sufficient grounds for the appeal. To have sufficient grounds, the appeal must be based on one or more of the followings potential errors having been made by the respondent:
  - a) making a decision for which it did not have authority or jurisdiction as set out in governing documents;
  - b) failing to follow procedures as laid out in the By-Laws or approved policies of the CFC;
  - c) making a decision which was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision maker is unable to consider other views;
  - d) exercising its discretion for an improper purpose;
  - e) making a decision which was grossly unreasonable.

### **SCREENING OF APPEAL**

6. Within 3 days of receiving notice of appeal the chairperson shall decide whether or not the appeal is based on one or more of the categories of possible error by the respondent as set out in Section 5. The

chairperson shall not determine if an error has been made, only if the appeal is based on such an allegation of error by the respondent. In the absence of the chairperson, a member of the Executive shall perform this function.

7. If the appeal is denied on the basis of insufficient grounds, the appellant shall be notified of this decision in writing, stating reasons. This decision is at the sole discretion of the chairperson and may not be appealed.

#### APPEALS PANEL

8. If the chairperson is satisfied that there are sufficient grounds for an appeal, within 10 days of having received the original notice of appeal, he or she shall establish an Appeal Panel, with the "Panel" as follows:

- a) The Panel shall be comprised of three individuals who shall have no significant relationship with the affected parties, shall have had no involvement with the decision being appealed, and shall be free from any other actual or perceived bias or conflict.
- b) At least one of the Panel's members shall be from among the appellant's peers.
- c) The appellant shall be given the opportunity to recommend the peer member on the Panel, provided that member satisfies criteria (a), above.
- d) Should the appellant not recommend the Panel member as set out in c), above, within 5 days, the President shall appoint the peer member of the Panel.

#### PRELIMINARY CONFERENCE

9. The Panel may determine that the circumstances of the dispute warrant a preliminary conference:

- a) The matters which may be considered at a preliminary conference include the date and location of hearing, timelines for exchange of documents, format for the appeal, clarification of issues in dispute, any procedural matter, order and procedure of hearing, remedies being sought, identification of witnesses, and any other matter which may assist in expediting the appeal proceedings.
- b) The Panel may delegate to its Chairperson the authority to deal with these preliminary matters.

#### PROCEDURE FOR THE APPEAL

10. The Panel shall govern the appeal by such procedures as it deems appropriate, provided that:

- a) The appeal hearing shall be held within 21 days of the Panel's appointment;
- b) The appellant, respondent and affected parties shall be given 14 days written notice of the date, time and place of the appeal hearing;
- c) The Panel's members shall select from themselves a Chairperson;
- d) A quorum shall be all three Panel members;
- e) Decisions shall be by majority vote, where the Chairperson carries a vote.;
- f) Copies of any written documents which any of the parties would like the Panel to consider shall be provided to the Panel and to all other parties, at least 5 days in advance of the hearing;
- g) Any of the parties may be accompanied by a representative or advisor, including legal counsel.
- h) If the matter under appeal relates to team selection, any person potentially affected by the decision of the Panel shall become a party to the appeal;
- i) The Panel may direct that any other individual participate in the appeal;
- j) In the event that one of the Panel's members is unable or unwilling to continue with the appeal the matter will be concluded by the remaining two panel members;
- k) Unless otherwise agreed to by the parties, there shall be no communication between Panel members and the parties except in the presence of, or by copy to, the other parties.

11. In order to keep costs to a reasonable level, the Panel may conduct the appeal by means of a conference call or video conference.

#### APPEAL DECISION

12. Within 7 days of concluding the appeal, the Panel shall issue its written decision, with reasons. In making its decision, the Panel shall have no greater authority than that of the original decision maker. The Panel may decide:

- a) To void or confirm the decision being appealed;
- b) To refer the matter back to the initial decision-maker for a new decision; and
- c) To vary the decision where it is found that an error occurred and such an error cannot be corrected by the original decision-maker for reasons which included, but are not limited to, lack of clear procedure, lack of time, or lack of neutrality;
- d) To determine how costs of the appeal shall be allocated, if at all.

13. A copy of this decision shall be provided to each of the parties and to the President.

#### TIMELINES

14. If the circumstances of the dispute are such that this policy will not allow a timely appeal the Panel may direct that these timelines be abridged. If the circumstances of the disputes are such the appeal cannot be concluded within the timelines dictated in this Policy, the Panel may direct that these timelines be extended.

#### DOCUMENTARY APPEAL

15. Any party to the appeal may request that the Panel conduct the appeal by way of documentary evidence. The Panel may seek agreement from the other parties to proceed in this fashion. If agreement is not forthcoming, the Panel shall decide whether the appeal shall proceed by way of documentary evidence, or in-person hearing.

#### ARBITRATION

16. All differences or disputes shall first be submitted to appeal pursuant to the appeal process set out in this Policy. If any party believes the Appeal Panel has made an error such as those described in Paragraph 5 of this Policy, the matter shall be referred to arbitration, such arbitration to be administered under the Alternate Dispute (ADR) Program for Amateur Sport and its Rules of Arbitration, as amended from time to time.

17. Should a matter be referred to arbitration, all parties to the original appeal shall be parties to the arbitration.

18. The parties to an arbitration shall enter into a formal Arbitration Agreement and the decision of any arbitration shall be final and binding and not subject to any further review by any court of competent jurisdiction or any other body.

#### LOCATION AND JURISDICTION

19. Any appeal shall take place in the National Capital Region, unless held by way of telephone conference call or held elsewhere as may be decided by the Panel as a preliminary matter.

20. This policy shall be governed and construed in accordance with the laws of the Province of Ontario.

21. No action or legal proceeding shall be commenced against the Chess Federation of Canada in respect of a dispute, unless Chess Federation of Canada has refused or failed to abide by the provisions for appeal and/or arbitration of the dispute, as set out in this policy."

**Motion 2005-18:** Moved by Michael Barron, seconded by Michael Dougherty:

To encourage chess organizers in Canada to hold FIDE-Rated events and to resolve discrepancy between the current FIDE regulations (<http://www.fide.com/official/handbook.asp?level=b03>):

"03. FIDE Registration of International Competitions

Approved by the 1980 General Assembly.

Amended by the 1984, 1995 and 1996 General Assemblies and 1999 Executive Board.

FIDE provides an umbrella for vital services such as categorisation of tournaments and title norms. For these services FIDE should be properly funded. On registration FIDE shall supervise the proper scheduling of important events to avoid conflicts in the chess calendar. Registration shall consist of:

- a. Certification by the national federation that it approves the event.
- b. Arbiter's report submitted not later than two weeks after conclusion of the event, including details of results, tournament category, norms, ratings of players, protests and other significant incidents.
- c. The national federations in whose territories international chess competitions are held, are to register these tournaments at the FIDE Secretariat; a list of the registered tournaments will be published regularly; the federations will be invoiced once a year, effective with events beginning on or after January 1st, 1981, on the basis of the following division:
  - d. The registration fee is calculated on the basis of the following division: (GA '95)  
Tournaments of categories 0 to 3 - 50 Swiss Francs (EB '99)  
Tournaments of categories 4 and 5 - 100 Swiss Francs  
Tournaments of categories 6 and 7 - 150 Swiss Francs  
Tournaments of categories 8 to 10 - 200 Swiss Francs  
Other categories multiply 40 Swiss Francs by the category.  
Swiss Tournaments (Number of players multiplied by Sfr.2 for up to 300 players and then multiply by SFr.1)  
Team Tournaments (SFr.30 per team, except for national championship which will pay a maximum of SFr.200)  
Matches, according to category above
- e. (GA '95) However, in no case shall a federation be charged more than SFr.4,000. per year.
- f. For the time being no registration fees will be required for ladies' tournaments although these tournaments as a matter of course should be registered.
- g. Small tournaments such as local Swiss tournaments shall be exempt from registration fees. (GA '80)
- h. Secretariat will exempt from registration fee an event in which less than five rateable results have been

reported. (GA '80)

i. (GA '96) Announcements of open tournaments should also be sent by email in ASCII text to FIDE for publication on the FIDE Web site."

and the current CFC regulations ([http://chess.ca/section\\_7.htm](http://chess.ca/section_7.htm)):

"790. FIDE-Rated Events

Events may be rated by FIDE if they meet the following requirements:

- a) In a Round-Robin, at least 3 of the players must be rated.
- b) In a Swiss or Team event, only games against rated players are counted. If a player meets less than 3 rated opponents in an event, that event will not count towards his rating.
- c) Each player must have a minimum of 120 minutes. No more than two rounds per day are allowed.
- d) The event must be pre-registered with the CFC office at least four months before the start of the event. The FIDE Events pre-registration form to be sent to the CFC office is here. The crosstable must be sent to the CFC within one week of the completion of the event along with an updated event registration form, and the FIDE rating fee payment.
- e) The following scheduled FIDE rating fee structure is payable to the CFC provided the event is submitted within 1 week to the CFC office. If the event is submitted to the CFC office after 1 week, then there is a \$110 late fee due to the policies of FIDE. [see Motion 2003-05; 02-03GL4, January 2003]

Round Robin & Matches: Category 0 - 3 \$55, Category 4 & 5 \$110, Category 6 & 7 \$165, Category 8 to 10 \$220. For higher categories, multiply category by \$44.

Swiss Tournaments: Players 1 to 300 = \$2.20 per player; Players 301 & up = \$1.10 per player. In addition, there is a \$100 flat fee per tournament. So, if there are several FIDE rated sections in one tournament, you would still pay \$100.

Team Tournaments: Per Team = \$33.

FIDE Regulation B.01/8.11 states that "Games played against opponents who do not belong to FIDE-Federations or who belong to Federations which have been temporarily excluded are not included" in the composition of a Title Tournament. Accordingly, the CFC requires that all Canadian players who compete in a FIDE registered event be members in good standing of the CFC.

Upon completion of a FIDE-registered event, the CFC will put the crosstable in the required form and send it along to FIDE. Note that rated in a) and b) means FIDE-rated. Lists of Canadian FIDE-rated players are regularly published in our En Passant magazine, and available from the ratings page on our website. (FIDE congress 1982)",

the regulation 790 of the CFC Handbook should be repealed and replaced by the following:

"790. FIDE-Rated Events

Events may be rated by FIDE if they meet the following requirements:

- a) In a Round-Robin, at least 4 of the players must be rated.
- b) In a Swiss or Team event, only games against rated players are counted. If a player meets less than 3 rated opponents in an event, that event will not count towards his rating.
- c) Each player must have a minimum of 120 minutes for a game, assuming the game lasts 60 moves. No more than three rounds per day and a total playing time of no more than 12 hours per day are allowed.
- d) The event must be pre-registered with the CFC office. The FIDE Events pre-registration form to be sent to the CFC office is here (<http://www.chess.ca/pdf/FideEventReg.pdf>). The crosstable must be sent to the CFC within one week of the completion of the event along with an updated event registration form, and the FIDE rating fee payment.
- e) The following scheduled FIDE rating fee structure is payable to the CFC provided the event is submitted within 1 week to the CFC office. If the event is submitted to the CFC office after 1 week, then there is a \$110 late fee due to the policies of FIDE. [see Motion 2003-05; 02-03GL4, January 2003]

Round Robin & Matches: Category 0 to 3 - \$55, Category 4 & 5 - \$110, Category 6 & 7 - \$165, Category 8 to 10 - \$220. For higher categories, multiply category by \$44.

Swiss Tournaments: Number of players multiplied by \$2.20 for up to 300 players and then multiply by \$1.10.

Team Tournaments: \$33 Per Team.

- f) For the time being no FIDE rating fees will be required for ladies' tournaments although these tournaments as a matter of course should be registered.
- g) Small tournaments such as local Swiss tournaments shall be exempt from FIDE rating fees.
- h) All Canadian players who compete in a FIDE registered event should be members in good standing of the CFC.

Upon completion of a FIDE-registered event, the CFC will put the crosstable in the required form and send it along to FIDE. Note that rated in a) and b) means FIDE-rated. Lists of Canadian FIDE-rated players are available from the ratings page on our website."



## **Motions For Vote:**

### **2005-11: Monthly Governors Letter (Moved Jason Feng / Seconded Peter Stockhausen):**

That the Governors Letter be sent to all CFC Governors at least once a month.

**Vote: YES NO ABSTAIN**

### **2005-12: National Championship Committee**

**Motion: (Moved Bruce Harper / Seconded Chris Mallon)** That a committee be formed to consider and analyze various options for holding the Canadian Championship and the Canadian Women's Championship and report to the Governors on the results of their deliberations and with their recommendations for a suitable format for these events.

The committee shall consist of Eddie Urquhart (Masters Representative), Jack Yoos, Nava Starr, (all of whom have indicated they are prepared to serve on such a commitment), Pascal Charbonneau (Canadian Champion) and Sid Belzberg. If Pascal Charbonneau and Sid Belzberg are unable or unwilling to serve, the other three committee members shall select suitable replacements.

The committee shall submit a report to the Governors, with their recommendations, by

December 31, 2004.

**Vote: YES NO ABSTAIN**

### **2005-24 (STRAW VOTE):**

**Please select one of the following:**

- a) I prefer the GL be published in one column format
- b) I prefer the GL be published in two column format
- c) I have no preference

## **Motions for Second Discussion:**

**2005-14: Membership requirements for national events**

**2005-15: Motions by Governors**

**2005-16: Canadian Post-Secondary Chess Association**

**2005-17: Appeals**

**2005-18: Registration of FIDE rated Events**

**2005-19: CYCC Bid Procedures**

**2005-20: Olympic Team captain resolution**

## **Motions for First Discussion:**

**2005-23: Discussions with AEM / CMA?**

**Deadline for Submissions to GL #5: January 28, 2005**

**Responses may be mailed, faxed or E-mailed to the Chess Federation of Canada, E-1 2212 Gladwin Crescent, Ottawa, ON, K1B 5N1, fax: 613-733-5209, E-Mail: [info@chess.ca](mailto:info@chess.ca)**