



JUSTICE RULES

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TITLE I - ARFI JUSTICE

CHAPTER I - GENERAL RULES OF BEHAVIOR

ART. 1 - GUIDING PRINCIPLES OF JUSTICE

1. The guiding principles of ARFI justice are set forth in art. of the ARFI Statues.
2. The ARFI Members and all people affiliated to them, hereinafter referred to as “Affiliates”, are required to comply with ARFI regulations and must behave in compliance with the sporting principles of loyalty, honesty, righteousness and moral and material correctness, in any relationship of an agonistic, economic and social nature.
3. Everyone is forbidden to publicly express judgments or findings detrimental to the reputation of persons or bodies equally operating in the ARFI, as well as to make press releases, give interviews or give third parties news or information concerning facts for which they are being enactment measures by the ARFI Justice Bodies.

ART. 2 - DUTIES

1. The subjects referred to in the previous article are subject to the jurisdiction of the Justice Bodies and subject to the sanctions provided for in these Regulations. They respond by way of malice, fault or for objective liability. Affiliates are responsible for the anti-regulatory behavior of their members and supporters, for whom they respond, for the intended infringements, as an objective liability; they also respond as an objective responsibility also for violations of the rules on doping committed by their members and of the work of those who represent them in accordance with ARFI regulations. Affiliates are required to provide the ARFI bodies with truthful answers and documentation that is required of them. The affiliates are, however, responsible for complying with the laws laid down in terms of health protection of their members, security and maintenance of public order for the competitions they organize.
2. Failure to comply with the provisions of paragraph 4, including failure to request the presence of the Public Force of the Nation where ARFI activity is carried out and, in any case, the absence of the required authorizations, will result in an increase of the sanctions.
3. Ignorance of the regulations and other norms issued by the ARFI Bodies cannot be invoked to any effect.

CHAPTER II - INFRINGEMENTS AND SANCTIONS

ART. 3 - INFRINGEMENTS

1. The infringements referred to in this Regulation are:
 - a) violation of the principles of loyalty and correctness;
 - b) sporting fraud. Any action or behavior committed by affiliates, athletes and members in general who, directly or through others in their name and in their interest, intended to alter the result of a competition, or to ensure that someone is competitive advantage; this category also includes acts or attempts aimed at:
 - 1b) violating rules on the age of athletes;

- 2b) allowing the participation in competitions of athletes under a false name or a false qualification certificate;
- 3b) offering or promising money or other benefits to any of the participants in a sporting competition in order to achieve a result different from that resulting from the fair performance of the competition;
- 4b) committing fraudulent acts for the same purpose. These behaviors constitute sporting fraud even if aimed at allowing others to realize the fraudulent hypotheses mentioned above.
- c) non-regulatory behaviors implemented by members or affiliates, during the dispute of a competition;
- d) statements, written or verbal, detrimental to the image of the ARFI, the prestige, dignity and honor of affiliates and/or members;
- e) the violation of all the norms contemplated in the Statute and in the ARFI Regulations;
- f) administration and use of doping substances, in accordance with the IOC, as well as the use of prohibited doping methods.

ART. 4 - DUTY OF DENUNCIATION

1. The cardholder who, in any way, becomes aware of facts that may fall within the hypothesis of infractions or of attempted infractions pursuant to art. 3 lett. b) and e), must immediately inform the company of affiliation and the ARFI Secretariat by any suitable means (fax, telegram, etc.). The ARFI Secretariat will transmit to the competent Anti-Doping Commission and Disciplinary Commission a copy of the complaint and any attachments.
2. The failure to report is sanctioned with a suspension of not less than three months.

ART. 5 - SANCTIONS

1. The penalties that can be imposed are:
 - a) **admonition or deploration**, which consists, for minor violations, in an official reprimand written for the committed transgression, accompanied by an explicit exhortation to scrupulously observe the duties and tasks arising from the status of the transgressor;
 - b) **fine**, which consists of the pecuniary sanction from € 100.00 to € 5,000.00;
 - c) **suspension**, which consists in the inhibition, for the affiliates to participate in the ARFI activity and/or for the members to carry out their functions recognized by the ARFI Ordinance, for international activity for a maximum period of two years;
 - d) **disqualification**, which consists in inhibiting the athlete to perform sport activities from a minimum of one race up to a maximum of 2 years;
 - e) **expulsion**, which consists in the cancellation from the list of Members, with the prohibition to perform ARFI activities, or, to hold offices within the same ARFI;
 - f) **decadence**, which consists in the cessation of the central or peripheral ARFI functions and is only applicable to the members of the Central or Peripheral Bodies of ARFI.
2. In the case of penalties imposed for violating the rules on doping, these will be communicated to the respective National Olympic Committee or other National Sport Authority.

ART. 6 - HOW TO APPLY THE SANCTIONS

1. Penalties must be proportionated to the gravity of the infractions committed.

2. Therefore, there is no place for the application of extenuating circumstances, aggravating them, their competition or prevalence, but only for the recidivism, for all the infractions punishable in the order, with:
 - a) admonition;
 - b) fine;
 - c) suspension of the affiliate for a race;
 - d) disqualification of the athlete for a race.
3. Competition means any sporting event, officially inserted in the calendar of competitive activity.
4. For offenses, punishable by more serious penalties, the competent Body must proceed with the assessment of their constituent elements, the calculation of aggravating and mitigating factors, the determination of their prevalence or equivalence and the application of recidivism.
5. Sanctions of greater severity, compared to those previously indicated and in the order:
 - a) Member or Affiliate suspension for more than one race or for a period of more than 1 month;
 - b) disqualification of athlete for more than one race or for a period of more than 1 month;
 - c) radiation;
 - d) forfeiture, consequent of the right to sentencing sentences that have resulted in the application of sanctions as per letters a), b) and c) of this article. In the case where the facts, the subject of any criminal or administrative proceedings, and are in whole or in part relevant to the offense disciplinary qualification, the disciplinary procedure is suspended and is suspended the course of prescription, up to pronounce chin in the judgment of a sentence that has become final.

ART. 7 - RELAPSE

1. The affiliate who, after being convicted of an infraction, commits another, may be subjected to an increase up to one sixth of the sentence to be imposed for the new offense.
2. The penalty for relapse can be increased up to a third:
 - a) if the new infringement is of the same nature;
 - b) if the new infraction was committed within the five years following the previous sentence;
 - c) if the new infraction was committed during or after the execution of the sentence, or during the period in which the sanctioned voluntarily escaped the execution of the sentence.
3. If several circumstances occur, among those indicated in the previous points, the increase in the sanction can be up to half.
4. In no case may the increase in the sanction, as a result of the relapse, exceed the cumulative penalties, resulting from previous convictions before the commission of the new infringement.
5. The contestation of relapse is mandatory.
6. It is within the discretion of the Judge Organ to decide whether or not to impose, in this specific case, the penalty increases envisaged for the recidivism.
7. The relapse is inapplicable to those convictions, against which a rehabilitation measure has intervened.
8. It is up to the Judicial Body to determine the limits of the aggravation of the sanction, taking into account its seriousness and the previous regulations.

ART. 8 - INFRINGEMENT ATTEMPTION

1. The affiliate or the member who performs suitable acts, unequivocally directed to commit infractions, or who is responsible for them, is punished, if the action is not carried out or if the event does not occur, with a less serious penalty of what would be inflicted if the infraction had been committed.

ART. 9 - AGGRAVATING CIRCUMSTANCES

1. In case of particular gravity of the fraud or fault of the author, or responsible for the infringement, and the particular gravity of the consequences of the infringement, the disciplinary sanction is aggravated, when from the established facts emerge one or more perpetrators of the following circumstances:
 - a) having committed the offense with abuse of powers or violation of duties arising from or resulting from the exercise of the functions of the guilty party;
 - b) having committed the infraction during the execution of a previous disciplinary sanction;
 - c) to have damaged people or things, that is, to damage the organization;
 - d) have led others to violate ARFI rules and regulations of any kind,
 - e) to have acted for trivial reasons;
 - f) in court, even if only attempted to compromise the evidence;
 - g) to have committed the fact by means of the press or other means of communication, involving statements that are damaging to the figure and authority of the bodies of the ARFI judicial institutions or of any other cardholder;
 - h) having caused significant pecuniary damage;
 - i) having determined or contributed to a violent disturbance of the public order;
 - j) have aggravated or attempted to aggravate the consequences of the unlawful act;
 - k) having committed the offense in order to execute or conceal another one, or in order to obtain or secure an advantage for oneself or others.

ART. 10 - COMPETITION OF AGGRAVATING CIRCUMSTANCES

- 1) In the case of the contesting of one or more aggravating circumstances, the Judging Body may limit itself to applying an increase in sanction or, having assessed the seriousness or dangerousness of the fact, can impose a disciplinary sanction that cannot, however, exceed double the penalty maximum expected.

ART. 11 - ATTENUANT CIRCUMSTANCES

- 1) The disciplinary sanction is attenuated, when from the established facts emerges in favor of the responsible one or more of the following circumstances:
 - a) acting after provocation;
 - b) having used spontaneously and effectively to elicit and mitigate the harmful or dangerous consequences of one's own or other's actions;
 - c) to have desisted;
 - d) have repaired the damage before the proceeding;
 - e) to have, the offended person, contest in the arson.
- 2) Moreover, the Judicial Body, regardless of the circumstances indicated above, may take into consideration other different circumstances if it considers them to justify a reduction in the sentence.

ART. 12 - COMPETITION OF ATTENUANT CIRCUMSTANCES

- 1) In the case of the concurrence of one or more mitigating circumstances, the judging body may limit itself to reducing the penalty or, having assessed the impact of the mitigating factor on the seriousness and danger of the offense committed, may impose a minor disciplinary sanction expected for that type of infringement.

ART. 13 - EVALUATION OF CIRCUMSTANCES

- 1) The circumstances that mitigate or exclude sanctions are assessed by the Judging Body in favor of the responsible parties even if they are not known or considered to be non-existent.
- 2) The aggravating circumstances, on the other hand, are assessed by the Judging Body to be borne by the responsible parties, only if they are known, that is, ignored by fault or considered non-existent due to an error determined by fault.
- 3) In the case of the participation of persons in the infraction, the circumstances that aggravate, or decrease the sanction, the intensity of malice, the degree of guilt and the circumstances inherent in the person of the guilty person, are assessed only with regard to the person to whom they refer.

ART. 14 - COMPETITION OF AGGRAVATING AND ATTENUANT CIRCUMSTANCES

- 1) The Judicial Body, which considers simultaneously that there are aggravating and mitigating circumstances of an infringement, must sort a judgment among them of equivalence or prevalence.
- 2) In the event that the aggravating circumstances prevail, it takes into account only these; otherwise, it takes into account only mitigating factors.

TITLE II - GENERAL RULES OF THE SPORTS PROCEEDINGS

CHAPTER I - PRINCIPLES OF THE SPORTING PROCEEDINGS

ART. 15 - PRINCIPLES OF THE SPORTING PROCEEDINGS

- 1) Proceedings of justice ensure the effective observance of the rules of the sporting regulations and the full protection of the rights and interests of the ARFI Members, of the Affiliates and of the other subjects recognized by the same.
- 2) The sporting proceeding implements the principles of parity of the parties, of the adversarial and the other principles of due process.
- 3) The judges and the parties cooperate for the realization of the reasonable duration of the process in the interest of the regular running of sports competitions and of the orderly performance of the ARFI activity.
- 4) The judge's decision is motivated and public.
- 5) The judge and the parties draw up the provisions and acts in a clear and concise manner. Formal defects that do not violate the principles set out in this article do not constitute grounds for invalidity of the deed.

- 6) Although not regulated, the Justice Bodies conform their activities to the principles and general rules of the civil trial, within the limits of compatibility with the informality nature of the judicial proceedings in the sports field.

CHAPTER II - JUDICIAL BODIES

ART. 16 - JUDICIAL BODIES AND OTHER SUBJECTS OF PROCEDURES

- 1) They are bodies of justice at the ARFI:
 - a) Anti-Doping Commission and Disciplinary Commission;
 - b) Appeal's Panel.
- 2) For cases and within the limits established by the ARFI Statutes, the Court of Arbitration for Sport is a court of last instance.
- 3) The Justice Bodies act in compliance with the principles of full independence, autonomy and confidentiality. Each member of the Justice Bodies, upon acceptance of the assignment, signs a declaration certifying that he or she has no employment or continuing work in consulting services or paid work, or other relationships of a nature, patrimonial or associative that compromise the independence with the ARFI or with the ARFI Members, the Affiliates and the other subjects submitted to its jurisdiction, or to have relationships of conjugacy, kinship or affinity up to the third degree with any member of the ARFI Executive Board, undertaking to make known contingencies. In the same declaration, each component also certifies the absence of the incompatibility referred to in paragraph 5 below.
- 4) The ARFI Attorney's Office acts before the Justice Bodies referred to in paragraph 1 to ensure full compliance with the rules of the sports system. Each member of the ARFI Attorney's Office makes the declaration referred to in paragraph 3.
- 5) The office of member of the Anti-Doping Commission, Disciplinary Commission, Appeal's Panel or of the Attorney's office at ARFI is incompatible with the office of member of an elected ARFI Body.
- 6) The office of member of the Anti-Doping Commission and Disciplinary Commission or of the Attorney's office at ARFI is incompatible with the office of member of the Appeal's Panel.
- 7) The office of member of the Anti-Doping Commission and Disciplinary Commission or of the Attorney's office at ARFI is incompatible with the office of member of the Court of Arbitration for Sport.

ART. 17 - ATTRIBUTIONS

- 1) The resolution of the questions and the decision of the disputes concerning:
 - a) observance and application of the regulatory, organizational and statutory provisions of sports regulations in order to guarantee the correct performance of sports activities;
 - b) the relevant behavior on the disciplinary level and the application and implementation of the relative sanctions.
- 2) The bodies of justice also decide the disputes they devolve from the Statute and the ARFI regulations.

ART. 18 - ARFI WARRANTY COMMISSION

- 1) With the Executive Board's decision, the ARFI Guarantee Commission can be established, with the aim of protecting the autonomy and independence of the bodies of justice and the ARFI Attorney's office. If instituted, it is composed of three subjects, one of which acting as president, appointed by the ARFI

Executive Board's by a qualified majority, equal to two thirds of those entitled to vote in the first two scrutinizes and the absolute majority starting from the third ballot. The members remain in office for six years and their mandate can be renewed only once. The members are chosen - notwithstanding the absence of conflicts of interest between them and the members of the ARFI Executive Board's - among magistrates, even at rest, of ordinary, administrative, accounting or military jurisdictions, among tenured university professors, even at rest, in legal matters, between lawyers of the State and between lawyers authorized to practice before the higher courts. This office is incompatible with the position of member of the other body of justice at the ARFI.

- 2) The Commission, in full autonomy and with independent judgment:
 - a) at the request of the ARFI Executive Board's declaring the vacancy of the office, identifies, with determination no longer syndicated, even among those who request it following a public invitation to express interest formulated by ARFI, the persons eligible to be appointed members of the ARFI Justice Bodies, in accordance with the ARFI Rules;
 - b) at the request of the ARFI Executive Board's declaring the vacancy of the office, identifies, with determination no longer unions, even those who request it following any public invitation to express interest formulated by ARFI, the persons eligible to be appointed Attorney and Deputy ARFI Attorney, in accordance with the ARFI Rules;
 - c) adopts, against the members of the bodies of justice and the ARFI Attorney, the sanctions of the recall and, possibly, the removal from office, in the case of violation of the duties of independence and confidentiality, in case of omitted or false declaration in which certifies the absence of the incompatibilities referred to in paragraphs 3 and 5 of art. 16, in the case of gross negligence in the performance of the functions, or in the event that other serious reasons make it indispensable; in this last hypothesis, the removal may not be preceded by the recall;
 - d) formulates opinions and proposals to the ARFI Executive Board's regarding the organization and functioning of justice.

CHAPTER III - ACCESS TO JUSTICE

ART. 19 - RIGHT TO ACT BEFORE THE BODIES OF JUSTICE

- 3) It is up to the ARFI Members, Affiliates and other subjects legitimated by the Statute and by the ARFI regulations the right to act before the bodies of justice for the protection of the rights and interests recognized to them by sporting regulations.
- 4) The action is exercised only by the holder of a legally protected situation in the ARFI system.

ART. 20 - CONTRIBUTION FOR ACCESS TO JUSTICE SERVICES

- 1) The ARFI Executive Board's deliberates and communicates annually, with a special circular, the amount:
 - a) of the complaint fees, due by the applicants for opposition to filing, for every single degree of judgment and for the rejection of the bodies of justice;
 - b) of the cautionary tax for the suspension of the effectiveness of the sentence under appeal;
 - c) of the fee for issuing copies of the documents contained in the files of disciplinary proceedings.
- 2) The payment of the contribution precedes the introductory act and takes place by bank transfer to the ARFI bank account, whose details are indicated on the ARFI institutional website, in a specific page that is easily

traceable. The transfer note shows the reason "Contribution for access to the justice service" and the indication of the number of proceedings to which it refers or the indication of the parties.

- 3) In case of acceptance, even partial, of the request, the tax relating to points a) and b) is returned.
- 4) When it is not stated otherwise, the appeal fee is doubled compared to the one provided for in the first instance appeal.
- 5) The acceptance of an appeal in the last instance involves the return of all the taxes previously paid and not yet returned.
- 6) The appeal is not accepted and/or declared impracticable or inadmissible, leading to the forfeiture of the relative fee paid.
- 7) The failure to demonstrate the payment of the complaint fee is a cause for the appeal to be impracticable.
- 8) The provisions of this article do not apply to the activity of the ARFI Attorney's Office and the Anti-Doping Commission.

CHAPTER IV - GENERAL RULES ON THE PROCEDURE

ART. 21 - POWERS OF THE BODIES OF JUSTICE. OBLIGATION OF ASTENSION AND RECONSACTION

- 1) The Justice Bodies exercise all the powers intended to respect the principles set forth in Article 15 of these Regulations.
- 2) The judge establishes, with a provision that cannot be independently challenged, the procedures for conducting the hearing, including the possible integration of the adversarial.
- 3) The judge cannot postpone the ruling or the hearing unless he considers the matter or the dispute not yet ripe for the decision, at the same time arranging the necessary measures. He can always admit the party who proves that he or she has committed a decadence due to the fact that it is not responsible for carrying out activities that would be precluded.
- 4) The judge may indicate to the parties further useful evidence, where the investigative tools acquired do not appear sufficient for the right decision. Feel the parties, can take any other information that it considers essential.
- 5) The bodies of justice hold hearings with the participation of the parties involved and other interested parties even at a distance, through videoconference or other technological equivalent that is suitable and available.
- 6) Each member of the Justice Bodies has the obligation to abstain, making a request to the competent body to ascertain this obligation, if:
 - a) has personal interest in the disciplinary proceedings;
 - b) has given advice or expressed his opinion on the subject of the proceeding outside the exercise of the judging function;
 - c) there is serious enmity between him or his immediate relative and one of the parties;
 - d) the defender of one of the parties or, in any case, one of the parties is the next joint of him or his spouse;
 - e) if a close spouse, his or her spouse, is offended or injured by the infraction;
 - f) if a close relative of his spouse performs or has served as ARFI Attorney;
 - g) in any other case where there are serious reasons of expediency.
- 7) Each member of the Justice Bodies may be refused, if:

- a) has personal interest in the disciplinary proceedings;
 - b) has given advice or expressed his opinion on the subject of the proceeding outside the exercise of the judging function;
 - c) there is serious enmity between him or his immediate neighbor and one of the parties;
 - d) the defender of one of the parties or, in any case, one of the parties, is the next joint of him or his spouse;
 - e) a close spouse, his or her spouse, is offended or harmed by the infraction;
 - f) in the exercise of its functions and before the sentence was pronounced, it has unduly expressed its conviction on the facts to be charged;
 - g) one of his immediate relatives or of the spouse performs or has served as ARFI Attorney.
- 8) The request for recusal is proposed within the peremptory term of five days from when the person concerned has become aware of it. The declaration of recusal is considered not proposed when, before the decision on it, the interested Judge formulates a request for abstention and this request is accepted by the competent body.

ART. 22 - CONDEMNATION OF EXPENSES FOR RECKLESS QUARREL

- 1) The judge, with the decision that closes the proceedings, can order the unsuccessful party who has proposed a dispute considered reckless to pay the expenses in favor of the other party up to a sum equal to ten times the contribution for access to the services of justice and in any case not less than € 500.00 (five hundred / 00).
- 2) If the conduct of the unsuccessful party assumes importance also from a disciplinary point of view, the judge signals the fact to the ARFI Attorney.

ART. 23 - COMMUNICATIONS

- 1) All the acts pertaining to the proceeding and of which the participation in different forms is not established are communicated by e-mail with advice of delivery. The Judge may invite the parties to agree on simplified forms of communication between them, including by waiving the right to avail themselves of any defects in transmission, reproduction or exchange.
- 2) The documents initiating the disciplinary proceedings are communicated to the affiliated offices of the subjects that are subject to them; in the hypothesis of non-delivery of the communication to the ARFI Member, the Affiliate can be sanctioned until the termination of the affiliation. In any case, the first communication can be made in any form suitable for achieving the purpose.
- 3) The decisions of the bodies of justice are published and kept for a suitable time on the ARFI institutional website in an appropriate location of easy access and, in any case, with a link to the relevant page accessible from the *home page*. The deadline for an appeal runs from the day after the publication of the decision or reasons if not contextual to the decision. The publication occurs in any case after the communication when scheduled.

ART. 24 - SECRETARIAT OF THE BODIES OF JUSTICE AT THE FEDERATION

- 1) The Justice bodies are assisted by a secretary.

- 2) The secretary documents by all means, in the cases and manner prescribed by ARFI regulations, their activities and those of Justice and party bodies. He assists the Justice bodies in all the acts of which must be drawn.
- 3) The secretary looks forward to the release of copies and extracts of the documents produced, the registration of the dispute in the roles, the formation of the official file and conservation of the Parties, the communications also prescribed by the court, as well as other duties that the Code and ARFI regulations give it.

TITLE III - ARFI JUDGES

CHAPTER I - APPOINTMENT AND COMPETENCES

ART. 25 - ESTABLISHMENT OF ARFI JUDICIAL BODIES

- 1) At the ARFI Judges are instituted in Disciplinary Commission and Appeal's Panel.
- 2) At the ARFI the Anti-Doping Commission is established

ART. 26 - JURISDICTION OF THE ARFI JUDGES

- 1) The ARFI Judges of the Disciplinary Commission pronounce in the first instance, without a hearing, and immediately on all matters related to the conduct of the races, and in particular those relating to:
 - a) regularity of competitions and the approval of the results;
 - b) the regularity of the fields or installations and associated equipment during the race;
 - c) the regularity of the status and position of athletes, coaches or other bidders;
 - d) the behavior of athletes, technicians and other members on the occasion or during the race;
 - e) all other facts relevant to sports law case in the race, and on all the facts relevant to sports law.
- 2) The appellate judges Appeal's Panel rules in the second instance on appeals against the decisions of the Judges of the Disciplinary Commission. It is competent to decide, also, on the occasion of abstention assumptions and instances of recusal of Justice Bodies Sports; in this case, it cannot be part of the college deciding the recipient of the measure.
- 3) The function of the Anti-Doping Commission is to ensure that the ARFI complies with the World Anti-Doping Code. It rules with the World Anti-Doping Code.
- 4) Decisions of the Disciplinary Commission in doping case and decision of the Appeals' Panel may be appealed to the Court of Arbitration for Sport (in Lausanne, Switzerland). The procedure before the Court of Arbitration for Sport takes place according its regulations. The decision of the International Court of Arbitration for Sport will be final and there will be no further appeal from it.

ART. 27 - APPOINTMENT TO THE JUDGES SPORTS OF THE DISCIPLINARY COMMISSION

- 1) The Sporting Judges are appointed by the ARFI Executive Board, on a proposal of the President, among people with a legal training.
- 2) They remain in office for four years and their mandate cannot be renewed more than three times.

- 3) The Sports Judge is based at the Federation or at its joints and structures.

ART. 28 - APPOINTMENT TO THE SPORT JUDGES OF APPEAL'S PANEL

- 1) The members are appointed by the ARFI Executive Board, numbering not less than 3, the Chairman's proposal, including those in possession of specific sports expertise in order, are included in one of the following categories:
 - a) university professors and researchers, even at rest, in legal matters;
 - b) judges, including those retired, of the ordinary courts, administrative, accounting or military;
 - c) State attorneys, even at rest;
 - d) notaries;
 - e) lawyers;
 - f) law degrees.
- 2) The members of the Appeal's Panel remain in office for four years and their mandate cannot be renewed more than three time.
- 3) The Appeal's Panel shall consist of a Chairman, appointed by the ARFI Executive Board, and a further two permanent members, one of whom is the Vice Chairman, and two substitute members.
- 4) It is on the faculty of the joint ARFI Executive Board, the Appeal's Panel into several sections, even on a territorial basis, resulting in the award criteria of the proceedings. In such a case, each section is composed of the subjects indicated in the preceding paragraph 3 and the total number of components of the Appeal's Panel increases in corresponding measure.
- 5) The judges of the Appeal's Panel in a panel with the number of three invariable components. Of the panel may not be part of any component that has obligation to abstain or is in other situation of incompatibility still determined. In no case the panel may delegate individual components for the performance of the education or treatment.
- 6) The Appeal's Panel is based at the Federation, except as provided in paragraph 4 of this Article.

CHAPTER II - PROCEDURES

ART. 29 - START OF THE PROCEEDINGS BEFORE THE ARFI JUDGE

- 1) The proceedings before the Judge are established:
 - a) *ex officio*, following the acquisition of official documents relating to race or any indication of the ARFI Attorney;
 - b) at the request of the person concerned holds a situation legally protected ARFI law.

ART. 30 - REQUEST OF PARTIES

- 1) The application shall be submitted to the Judge within a deadline of three days of completion of the event; it contains: *i*) the object, the reasons on which it is based and of any evidence; *ii*) the personal details of the person against whom it is directed, in particular: name, surname, date and place of birth, social security number and home address.
- 2) The application may be formulated with reserve of the reasons. Within five days after its formulation, the reserve of the reasons is dissolved by means of indication of the reasons on which it is based and the

instance of any evidence. In case of failure to indicate the date indicated, the Judge is not required to pronounce.

ART. 31 - ESTABLISHMENT OF A DECISION DATE

- 1) The Judge sets the date on which the decision will be taken, which is taken within a period of thirty days from the receipt.
- 2) Before the ruling, following the express request of the instant, the judge may take any measure likely to preserve its interests provisionally.

ART. 32 - THE DEFENSE DISCIPLINE WITH THE INTERESTED PARTIES

- 1) The judge identifies the individuals involved and shall give them the instance notice that has been formulated. They may forward submissions and documents, within a deadline of two days prior to that for which the ruling is set for.

ART. 33 - RULING THE NATIONAL SPORTS

- 1) The Judge rules without a hearing.
- 2) The ARFI judge, including through hearings, assumes the information as it deems appropriate for the purpose of ruling. If he postpones the pronouncement, the decision shall be disclosed to the parties concerned.
- 3) The ruling is immediately communicated to the parties and published.

ART. 34 - BEFORE JUDGMENT OF THE APPEAL'S PANEL

- 1) The judgments of the Disciplinary Commission can be challenged in the complaint to the Sports Court of Appeal.
- 2) The claim may be brought by any interested party or by the ARFI Attorney's Office; it is filed with the Appeal's Panel within a deadline of seven days from the date on which the contested ruling is published. The complaint clause does not suspend the implementation of the contested decision, except for the adoption by the court of each measure to temporarily preserve the interests, at the express request of the complainant.
- 3) Interested parties have the right to obtain, at their own expense, a copy of the documents on which the ruling is based. Who appeals proceeds to the complaint in question as referred to in the previous paragraph. In that case, the complaint can be filed subject to the reasons, which must be integrated, to be admissible, no later than on the third day following that on which the claimant has received a copy of the requested documents.
- 4) The President of the Appeal's Panel schedules a hearing in the court chambers by immediate order notified to the parties concerned.
- 5) The parties, with the exception of the claimant, must appear in court within the deadline of two days before the hearing, with defensive memory filed made or received by the Appeal's Panel. Within the same timeframe it has allowed the intervention of other interested parties.
- 6) The Appeal's Panel decides in closed session. The parties have the right to be heard as long as they have specifically asked for and have been included.

- 7) First, the Appeal's Panel can be produced new documents, provided analytically indicated in the act of complaint and immediately made available to other interested parties.
- 8) The Appeal's Panel can reform in whole or in part the contested ruling. If it finds grounds for inadmissibility or admissibility instance proposal at first instance annulled the contested decision. In any other case should not declare the inadmissibility of the claim decided on the merits.
- 9) The decision is adopted without delay, communicated to the parties and published.

CHAPTER II - PROCEDURES

ART. 35 - START OF THE PROCEEDINGS BEFORE THE COURTS

- 1) The proceedings before the ARFI courts are established:
 - a) with referral act of the ARFI Attorney;
 - b) with use of the affected part owner of a situation legally protected ARFI law.
- 2) The parties may not stand trial in the absence of a defender.

ART. 36 - CONSENSUAL APPLICATION OF SANCTIONS AFTER REFERRAL ACT

1. Prior to the carrying out of the first hearing before the ARFI Court, the blamed may agree with the ARFI Attorney the application of a sanction, indicating the type and extent.
2. Once concluded, the agreement is submitted to the board responsible for the decision, which, if it considers the qualification of the alleged facts in court as proper and the sanction or the required commitments appropriate, it states its effectiveness by formal decision even outside the hearing. The decision involves, to all intents and purposes, the definition of the procedure.
3. Paragraph 1 shall not apply in cases of recurrence. It applies equally to acts committed with violence which have resulted in serious injury of the person and to direct events to alter the course or outcome of a race or competition or to provide anyone an advantage in qualified ranks as sporting fraud or ARFI Ruling sporting fraud.

ART. 37 - SETTING the HEARING AFTER the REFERRAL ACT

- 1) Within ten days of receipt of the referral, the chairman of the Judicial Body shall set a hearing to discuss and communicate it to the defendant, the ARFI Attorney's Office and to the recipients, necessary for the court date. Until three days before, the documents relating to the proceedings are filed to the secretariat of justice and the defendant, the ARFI Attorneys and other interested parties can access them and obtain copies; peremptorily by the same deadline, they can also store or send memories, indicate the evidence they intend to rely and produce documents.
- 2) Between the notice and the fixed date for the hearing, a term of not less than twenty days must pass. The president of the Judicial Body, if he deems he has the right reasons, can order the abbreviation. The abbreviation can also be ordered in view of the limitation time of the alleged offenses, provided the effective exercise of the right of defense is ensured to the accused.

ART. 38 - APPLICATION OF PART INVOLVED

- 1) For the protection of legally protected ARFI law situations, when for its events has not been established nor appears pending proceedings before the bodies of sporting justice, it is given an action before the ARFI Court.
- 2) The appeal must be filed to the ARFI Court within the deadline of thirty days from when the applicant had full knowledge of the act or fact and in any case not later than one year from the happening of the fact itself. After the expiry of such terms, the same acts or facts cannot constitute grounds for an appeal with the ARFI Judicial Bodies, except in the case of a referral by the ARFI Attorney.
- 3) The appeal shall contain:
 - a) the identifying credentials of the applicant, of his counselor and any persons against whom the application is made or other counterparties;
 - b) the statement of facts;
 - c) the subject of the appeal and of the measures requested;
 - d) an indication of the specific reasons on which it is based;
 - e) the indication of the evidence of which the applicant wishes to take advantage;
 - f) the signing of defender with an indication of the prosecution.

ART. 39 - APPEALS FOR THE CANCELLATION OF THE PROCEEDINGS

- 1) The ARFI Assembly resolutions contrary to the law, the ARFI Statutes and the fundamental principles of the Olympic Committee, can be canceled on appeal from the bodies of the ARFI, the ARFI Attorney, ARFI members or holders of a ARFI law situation legally protected, who have suffered direct and immediate harm due to the resolutions.
- 2) The resolutions of the ARFI Executive Board contrary to the law, the ARFI Statute and fundamental principles of the Olympic Committee can be annulled on appeal by a component, absent or dissenting, the ARFI Executive Board, or the ARFI Auditors.
- 3) The cancellation of the resolution does not prejudice the rights acquired by third parties of good faith on the basis of acts performed in execution of the said resolution.
- 4) The President of the Disciplinary Commission after the President ARFI where not already applicant may suspend, at the request of the person who has lodged its appeal, the execution of the contested decision, when serious reasons.
- 5) Shall apply, mutatis mutandis, to Article 38, paragraphs 2 and 3. The possible publication of the resolution in the website of the Federation implies, in any case, full knowledge of the act.

ART. 40 - SETTING the HEARING RESULTING from an APPEAL

- 1) Within ten days from the filing of the appeal, the President of the Disciplinary Commission fixes the hearing for debate, sending the appeal to the persons against whom it is proposed or interested, as well as communicating, even to the applicant, the date of the hearing.
- 2) Up to five days before the date set for the hearing, the records relating to the procedure remain deposited at the Secretariat of the ARFI Disciplinary Commission and the applicant, the subjects in respect of which the action is proposed or otherwise interested may view and extract a copy; peremptorily by the same deadline, they may also submit statements, indicate the evidence they intend to rely and produce documents.

- 3) Between the notice and the date fixed for the hearing a term of not less than twenty days must pass. The president of the board, if he/she deems fair grounds, may order the abbreviation of the term, provided it is assured to the parties the effective exercise of the right of defense.
- 4) All actions brought separately in relation to the same fact or the same resolution are gathered, even in the office, in a single procedure.

ART. 41 - PRECAUTIONARY MEASURES

- 1) The applicant who has reasonable grounds to fear that, during the time required for the decision, his/her interests are threatened by an imminent and irreparable damage, may ask the Disciplinary Commission the issue of the precautionary measures that appear under the circumstances, the most appropriate to ensure provisionally the effects of the decision on the merits. The request shall be made with the use or with a subsequent act. In this case, it is notified to the interested parties, who may submit pleadings and documents in a purpose specified period.
- 2) The ARFI Attorney, in the presence of severe and consistent evidence of guilt, if there is a real and present danger that the illicit commits blaming the same species as the one for which the proceeding is being carried out, for facts of particular gravity, inquire, with a request specifically reasoned, to the Disciplinary Commission the application of the precautionary measure of his suspension from all sports or ARFI activities or the prohibition on practicing determine activities in the same areas. When arranged before the referral, the measurement may not exceed the deadline for the completion of the preliminary investigation, extendable once until the lifetime limit of disciplinary proceedings in accordance with Art. 46, paragraph 1, the terms of which in this case they are reduced by one third. The application for extension may be presented only with the act of referral. In the absence of referral to the front end of the term precautionary measure, it loses effectiveness automatically to an expiration that when the Attorney General's sport has authorized the extension of the deadline for the completion of the preliminary investigation.
- 3) The Disciplinary Commission shall immediately on the interlocutory application or on the application for extension of the ARFI Attorney, in any case by reasoned order. The ordinance applies the protective order the trial court has the hearing of the person whose suspension or disqualification issue, which has the right to be assisted by counsel, no later than three days, after which decides whether to confirm or withdraw 'order. Against the confirmation order of the precautionary measure has admitted the complaint to the ARFI Appeal's Panel within seven days. On the complaint applies the Art. 45 *mutatis mutandis*. The protective order is revocable at any time, ex officio. It is still revoked if the Court considers due to the outcome of the trial, the sanction that can be imposed will not exceed the end of suspension suffered from the defendant and in any case more serious interdiction already suffered for the same act.
- 4) When the measurement is taking place, with part of the decision which defines the judgment or with the declaration of its extinction, the same always loses effectiveness.

ART. 42 - THIRD OF THE INTERVENTION

- 1) A third party may intervene in the proceedings before the ARFI Disciplinary Commission case when holding a situation legally protected by ARFI law.
- 2) The act of intervention must be deposited within the deadline of five days prior to the date set for the hearing.
- 3) With the intervention by the third party, a prove bearing interest that justifies it must be specifically provided.

ART. 43 - HEARING PROCEDURE AND DECISION OF THE ARFI DISCIPLINARY COMMISSION

- 1) The hearing before the ARFI Disciplinary Commission is held in closed session; parties have the right to be heard.
- 2) In proceedings in the field of sports as well as in other illicit materials of particular public interest, representatives of the media and specifically certain other categories may be admitted to follow the hearing in separate rooms, within the limits of their capacity, through procedures for guaranteeing advertising the session. The application of the rules on advertising can be excluded in whole or in part, by reasoned decision, the organ proceeding in cases in which recourse needs for additional protection of the results of investigation of criminal cases.
- 3) The conduct of the hearing is set by the President of the College. The treatment is oral and concentrated and ensures the reasonable and equivalent parts possibility of defense.
- 4) In disciplinary judgments, the accused has the right to take the floor after the representative of the ARFI Attorney.
- 5) Hearing is drawn synthetic verbal.
- 6) When defines the judgment, the president of the college gives reading of the device and, if the need deferred exposure of the reasons for the decision does not consent and simultaneous deposition of the motivation for the particular complexity of the dispute, fixing device in a period not exceeding ten days to the only motivation deposit. In the latter case, the complaint to the ARFI Appeal's Panel remains impossible until the publication of motivation that occurs within this period.
- 7) The decision of the ARFI Disciplinary Commission is immediately notified to the parties and published.

ART. 44 - TAKING OF EVIDENCE

- 1) When deemed appropriate for the purposes of deciding, the board may, of its own motion, take any form of evidence.
- 2) Testimonials must be made after warning that any false or reticence to produce subjects that make the consequences resulting from breach of obligations of loyalty and correctness.
- 3) The questions are addressed to the witnesses only by the president of the board, to which the parties may address requests for clarification, to the extent strictly necessary to ascertain the disputed fact.
- 4) If you are willing technical advice, the Board shall choose an absolutely impartial expert with respect to the conflicting interests and care in performing the work, the full respect of the hearing. The final work is transmitted to the ARFI Disciplinary Commission and the parties at least ten days before the hearing.

ART. 45 - JUDGEMENT BEFORE THE ARFI APPEAL'S PANEL

- 1) The means to appeal the decisions of the ARFI Appeal's Panel is only the claim of the party concerned before the ARFI Appeal's Panel.
- 2) The complaint is filed to the ARFI Appeal's Panel within a deadline of fifteen days from the publication of the decision. The complaint and the set of the hearing shall be notified, by the secretariat, to the representatives of the parts intimated and other parties that may have been present in the previous degree of judgment or the parties themselves.
- 3) Once the deadline for lodging complaints has passed, the decision of the ARFI Disciplinary Commission is no longer appealable, nor even to the Court of Arbitration for Sport.

- 4) The complaint clause does not suspend the implementation of the contested decision; however, the President of the Appeal's Panel, when there are serious reasons, may, with the same measure with which the hearing discussion is set, suspend or another measure in place, according to the circumstances, the most suitable to avoid irreversible harm to the part that It brought a complaint. At the hearing, to be held promptly, the Appeal's Panel confirms, amend or withdraw the measure imposed by the President. The measure in any case loses effectiveness over part of the decision which defines the judgment.
- 5) The intimated part cannot present over the first hearing any appeal from which it has not yet lapsed; even when the cross-appeal is proposed in this way the Appeal's Panel cannot postpone the hearing for a greater period of fifteen days. In any case, all appeals against the same decision are pooled and treated jointly.
- 6) With complaints, the dispute shall be referred to the Appeal's Panel before which is proposed in the applications limitations and exceptions do not give up or otherwise precluded. The treatment is oral and concentrated and ensures the reasonable and equivalent parts possibility of defense, allowing each of the deposit at least a written document or a memory. The college, even *ex officio* may extend the taking of evidence or to new evidence and must always define the judgment confirming or reforming, in whole or in part, the contested decision. The referral to the Disciplinary Commission is not allowed. Mutatis mutandis, Artt. 43 and 44 apply.
- 7) When he defines the judgment, the President of the Appeal's Panel gives reading of the device and, if the deferred exposure requirement of the reasons for the decision does not allow simultaneous deposition of the motivation for the particular complexity of the dispute, in the fixing device a term not exceeding ten days for the sole motivation deposit. In the latter case, unless it is otherwise provided with a new measure in accordance with paragraph 4, the enforcement of the judgment is not impaired and, if accepted, the appeal to the Court of Arbitration for Sport remains impossible until the publication of motivation.
- 8) If the complaint is inadmissible or is rejected, any security for costs becomes unrepeatable.
- 9) The decision of the ARFI Court of Appeal is immediately communicated to the parties and published.

ART. 46 - TERMS OF EXTINCTION OF DISCIPLINARY PROCEEDINGS AND TERMS OF DURATION OF OTHER REVIEW

- 1) The deadline for the resolution of the first instance decision of ninety days from the date of the action exercise disciplinary subject to the provisions of art. 41, paragraph 2.
- 2) The deadline for delivery of the decision in second degree is sixty days from the date the complaint proposition.
- 3) If the decision on the merits is canceled in whole or in part following an appeal to the Court of Arbitration of Sport, the deadline for the issue in the eventual court judgment is of sixty days and shall run from the date on which they are returned procedural documents by the College of Sports Warranty.
- 4) If the terms are not observed for each of the degrees, the disciplinary proceedings is declared extinct, also *ex officio*, if the accused does not object.
- 5) The course of time is suspended:
 - a) if for the same act a penal action was exercised prosecution or the accused has been arrested or detained or is remanded in custody, starting again from the date on which it is no longer subject to appeal, has not proceeded to judgment proceed or have become irrevocable the judgment or penal order, without that the disciplinary action is promoted and continued independently from prosecution relating to the same fact;
 - b) if the investigations proceedings require indispensably the collaboration the accused, and for as long as necessary;

- c) if you proceed to particularly complex investigations, where all constituted parts make a jointly request, and for as long as necessary;
 - d) if the disciplinary procedure is postponed due to the request of the accused his defender or due to an impediment of the accused or his defender;
 - e) in case of serious impediments of the subjective components of the board, for the time strictly necessary for the replacement.
- 6) The extinction of the disciplinary proceedings extinguishes the action and all the acts of the process, including any decision on the merits, they become ineffective. The extinct action cannot be revived.
 - 7) The extinction statement may be challenged by the interested party.
 - 8) Disputes other than disciplinary action shall be adopted by the Justice Bodies at ARFI. within ninety days from the commencement of the application at first instance and within sixty days from the commencement of any claim.
 - 9) The arrangement referred to in paragraph 8 shall apply, mutatis mutandis, at the Sports Justice Bodies.

ART. 47 - EFFECTIVENESS OF THE JUDGMENT OF JUDICIAL AUTHORITY IN DISCIPLINARY REVIEW

- 1) In front of the Justice bodies, an irrevocable criminal sentence of condemnation, even when not given during a trial, has force of *res judicata* in the disciplinary proceedings as ascertaining the existence of the incident, its criminal and unlawful affirmation that the defendant has in fact committed it.
- 2) The final judgment of application has the same effect of the penalty at the request of the parties.
- 3) The irrevocable penal sentence of acquittal, given on a trial, has force of *res judicata* in the disciplinary proceedings against the accused as a finding that the crime does not exist or that the accused did not commit it, without prejudice of the independent 'sports law in the case of the definition and qualification of the fact.
- 4) The effectiveness of paragraphs 1 and 3 extends to other judgments in which what is at issue around illicit whose assessment depends on that of the same material facts that were the subject of criminal proceedings, provided that the facts were considered relevant to criminal decision against the accused.
- 5) In any case, non-appealable sentences no longer rejecting the lawsuit false or ascertain the falsity of a document or who pronounce on the application for verification are effective in disciplinary judgments.
- 6) Outside the limits of the preceding paragraphs, the Justice Bodies are not subject to the authority of another judgment, which does not constitute *res judicata* between the parties; they know every prejudicial or incidental issue, even when restricted by law to the judicial authorities, whose resolution is relevant to pronounce on the subject of the request, including questions relating to the capacity to sue and be sued, and the incident of forgery.
- 7) In no case it is allowed to suspend the proceedings unless, by law, must be dealt with *res judicata* a question of merit and its cause has already been proposed before Judicial Authorities.

TITLE V - ARFI ATTORNEY

CHAPTER I - ESTABLISHMENT AND FUNCTIONS

ART. 48 - COMPOSITION OF THE OFFICE OF THE ARFI ATTORNEY

- 1) At the ARFI, the Office of the ARFI Attorney is instituted to promote the suppression of unlawful acts sanctioned by the Statute and by ARFI standards. The ARFI Attorney shall act in front of the Justice Bodies.
- 2) The Office of the Attorney is composed of the ARFI Attorney and a Deputy Attorney, who assists the first in carrying out his functions.
- 3) The ARFI Attorney is appointed by the ARFI Executive Board on the proposal of the ARFI President.
- 4) The Deputy Attorney is appointed by the ARFI Executive Board on the proposal of the ARFI Attorney.
- 5) The ARFI Attorney and the Deputy Attorney shall hold office for a term of four years. The mandate of the ARFI Attorney and Deputy Attorney cannot be renewed more than twice.

ART. 49 - APPOINTMENT OF MEMBERS OF THE OFFICE OF THE ARFI ATTORNEY

- 1) Those who possess specific expertise in sports law and are included in one of the categories specified in Article 28, paragraph 2, as well as in that of the officers of the forces of order and general director of the Public Administration, even at rest may be declared eligible for appointment as a ARFI Attorney.
- 2) Those who possess specific expertise in sports law, are included in one of the categories specified in Article 28, paragraph 2, as well as those of the national register of accountants and accounting experts, officers of the Police even at rest, graduate in law with at least two years of experience of sports law can be declared fit to appointment as Deputy Attorney ARFI

ART. 50 - COMPETENCE OF THE ARFI ATTORNEY

- 1) The ARFI Attorney functions are exercised in the preliminary investigation, in the proceedings at first instance and in the judgments of appeal; they are carried out personally or by granting of the issues to one or more employees at the same office. With the act of assigning the Attorney may establish the criteria to which the Office clerk must follow also relatively to the hearing stage.
- 2) The Office of the Attorney components ARFI operate completely independently. In no event shall attend the deliberations of the court in which shall fulfill their duties and cannot enjoy, after the exercise of the action, the powers or faculties not reasonable or equivalent to those of defense representatives.

CHAPTER II - DISCIPLINARY ACTION

ART. 51 - THE ARFI ATTORNEY ACTION

- 1) The ARFI Attorney has exclusive disciplinary power in respect of ARFI Members, Affiliate and other persons entitled under the rules of ARFI, in the forms and terms provided by these, when there are no grounds for filing. The action cannot be exercised on the basis of anonymous complaints.
- 2) Archiving is initiated by the ARFI Attorney if the sporting fraud news is unfounded, or by the deadline for the completion of the preliminary investigation, if the evidence obtained are not suitable to support the accusation in court, or if the offense has expired or it did not constitute misconduct or is left unknown author. The storage is arranged in the manner provided for in paragraph 4 of Art. 54.
- 3) The ARFI Attorney takes notice of the crimes on its own initiative and receives the claims presented or otherwise received. The disciplinary action is carried out ex officio; its exercise may not be suspended or interrupted, unless otherwise stated.

- 4) When storage is not foreseen, the ARFI Attorney, within twenty days from the conclusion of the investigation, informs the person of the intention to proceed with the referral and communicates the elements which justify it, assigning a term to present a memoir or, if this has not already been audited, to ask to be heard. In case of failure to appear personally, the interested party can submit a replacement memory within the two following days. If the ARFI Attorney decides to confirm its intention, within thirty days of the closing date for the hearing or for the presentation of memory, exercises his disciplinary action by formulating, in the cases provided by the Statute or by ARFI standards, the act of incrimination by referral to trial to the accused and notifies the court and to the other parties as may be specified in these Regulations. In the act of referral of the facts that presumably happened are described, the rules that were presumably violated set out and the sources used to acquire evidence are indicated, and the request of the fixation procedure specification is formulated.
- 5) After the dismissal of the case, the reopening of the investigation may be ordered ex officio in cases where there are new facts or circumstances of which the ARFI Attorney was not aware. If such facts or circumstances are deduced from a decision ordering the criminal proceedings, the right to sanction is prescribed within the eighth following season to that in which it was committed the ultimate act intended to make the violation.

ART. 52 - PRESCRIPTION OF ACTION

- 1) The power of disciplinary sanctioning is extinguished when the ARFI Attorney has not acted upon it within the terms provided by the present Regulations.
- 2) The prescription begins to run from the day when the fact, relevant in terms of discipline, occurs. The exercise of disciplinary action causes limitation to the proscription.
- 3) Subject to the provisions of article 51, paragraph 5, of the right to sanction is prescribed by:
 - a) the end of the season following that in which the last act intended to realize the breach was committed, in the case of violations relating to the conduct of the race;
 - b) the end of the sixth season following that in which the last act intended to realize the breach was committed, in the case of violations of management and economic issues;
 - c) the end of the eighth season next to that in which it was committed the ultimate act intended to make the violation, in the case of violations related to the alteration of the results of races, competitions or championships;
 - d) the end of the fourth season to that in which it was committed the ultimate act intended to make the violation, in all other cases.
- 4) The statute of limitations against those who have committed or participated in committing violations of any kind from the day following that on which it is assumed significant position the ARFI law.
- 5) The supervening is for the ARFI estrangement from those who have committed or participated in committing violations of any kind does not prevent the exercise of the discipline but suspends the limitation period until it is once again gained significant position by sports.

ART. 53 - ABSTENTION

- 1) The ARFI Attorney has the right to refuse when there are serious reasons of convenience.
- 2) The authorization to abstain shall be given by the President of the Disciplinary Commission.

ART. 54 - CONDUCT OF INVESTIGATIONS

- 1) The ARFI Attorney has the duty to carry out all necessary investigations ascertainment of statutory and regulatory violations of which he is notified.
- 2) To this end, he transcribes in the ARFI Filing (Article 66) the reports of the relevant facts or acts.
- 3) The duration of the investigation may not exceed a period of sixty days from the registration of the relevant act or fact. On a suitably reasoned request of the ARFI Attorney, the President of the Disciplinary Commission authorizes the extension of this deadline for a period of forty days, possibly prescribing the acts needed to be done. In exceptional cases, authorize a further extension for a period not exceeding twenty days. The extended time limit runs from the authorization notice. The acts of investigation carried out after the deadline cannot be used. Papers and documents acquired at all times by the Public Attorney and other judicial authorities of the State can always be used.
- 4) The ARFI Attorney, however, is required to disclose the termination of the investigation to the parties to the same subject and showing fully ascertained the identity, and to persons who have lodged a complaint.

ART. 55 - APPLICATION CONSENSUAL OF SANCTIONS ON DEMAND AND WITHOUT INCRIMINATION

- 1) The subjects undergoing investigations may agree with the ARFI Attorney to the application of a sanction, indicating the type and the extent or, where applicable under ARFI, the adoption of commitments to remedy the effects of illicit hypothesized. The ARFI Attorney, before coming to the agreement, informs the Attorney General of Sport, who within ten days may make remarks.
- 2) The agreement shall be forwarded by the ARFI Attorney, to the President of the Federation, who, within fifteen days, after consulting with the ARFI Executive Board may make observations with regard to the correctness of the facts classification made by the parties, and the fairness of the sanction or commitments indicated. After that date, in the absence of comments from the President of the Federation, the agreement takes effect and acts, in relation to the facts in relation to which it was agreed, the absolute inadmissibility of the corresponding disciplinary action.
- 3) Paragraph 1 shall not apply in cases of repeated offenses committed with violence which have resulted in serious injury of the person, nor for acts directed to alter the course or outcome of a race or competition or to provide anyone a advantage on the scoreboard, and qualified as sporting fraud or sporting fraud ARFI Rules.

CHAPTER III - RELATIONS WITH THE PUBLIC ATTORNEY'S OFFICE AND THE ANTI DOPING COMMISSION

ART. 56 - RELATIONS WITH THE JUDICIAL AUTHORITY

- 1) The ARFI Attorney, if during the investigation takes notice of events that are relevant also for the Office of the Public Attorney of the State where the ARFI activity carries on, shall immediately forward copies of the documents to the ARFI President that shall inform the competent judicial authority or the Commission itself.
- 2) If the Public Attorney transmits the results of the criminal proceedings to the ARFI Attorney, the acts and documents forwarded by him are kept in debt privacy allowed by each procedure.

- 3) If the ARFI Attorney considers that the Office of the public Attorney or other judicial authority of the State has been formed acts or collected documents relevant to the performance of their duties, it must acquire directly.

ART. 57 - RELATIONS WITH THE ANTI-DOPING COMMISSION

- 1) The ARFI Attorney has the duty to cooperate with the anti-doping Commission.
- 2) The function of the Anti-Doping Commission is to ensure that the ARFI complies with the World Anti-Doping Code. Its rules with the World Anti-Doping Code.
- 3) The ARFI Attorney, if during the investigation finds that the offense belongs to the competence of the Anti-doping Commission, shall immediately forward the documents to the competent office

TITLE VI - STATUTORY WARRANTIES OF SPORTS

ART. 58 - STATUTORY WARRANTIES OF SPORTS

- 1) An appeal against any decision otherwise actionable under ARFI order and issued by the Justice Bodies, excluding those relating to doping and those that led to the imposition of technical and sporting sanctions of less than ninety days, or fines up to 10,000.00 (ten thousand / 00) Euros, has a right of appeal to the Court of Arbitration for Sport. The appeal is allowed only for violation of the rule of law, as well as lack of or insufficient reasoning as a decisive issue in the dispute which is the subject of dispute between the parties.

TITLE VII - REVIEW, REVOCATION, REHABILITATION AND MERCY

ART. 59 - REVIEW AND REVOCATION

- 1) Against the decisions of the ARFI Appeal's Panel for which the deadline for the appeal has expired of being charged to the Court of Arbitration for Sport, if the appeal has not been accepted, the review is accepted when the sanction was applied on the basis of evidence subsequently judged to be false or in the absence of decisive evidence subsequently formed or otherwise become acquirable.
- 2) Other decisions of the ARFI Appeal's Panel for which the deadline for the appeal to the Court of Arbitration for Sport guarantee has expired or its decision, if the appeal has not been accepted, cannot be revoked, on application of any interested party, when the decision depends solely on an error of fact resulting from scanned documents incontrovertibly later for reasons not attributable instantly.
- 3) The time for such review or revision is fifteen days and commences respectively from the knowledge of the falsity of the proof or of the formation of a new one or the acquisition of the document. In any case, the judgment takes place in a single grade and the same shall apply the rules relating to the complaint proceedings before the ARFI Appeal's Panel. If the review is successful, it is no longer possible to appeal to the Court of Arbitration for Sport; any other ruling remains open to challenge before the Court of Arbitration for Sport.
- 4) Out of the above cases, no decision of any Justice Body can be withdrawn when both the deadline for the appeal or judgment has already been defined by the Court of Arbitration for Sport in the merit.

- 5) The revision or revocation are no longer admitted if the party concerned has acted before the court against the decision of Justice Body of the ARFI or of the Court of Arbitration for Sport.

ART. 60 - REHABILITATION

- 1) Rehabilitation is a measure that discharges sanctions and any other effect of the sentence.
- 2) It is issued by the ARFI Appeal's Panel on the application of the condemned, to be submitted to the same body, in the presence of the following conditions:
 - a) that three years have elapsed from the day when the main it has been enforced or is extinguished;
 - b) that during this period the sanctioned gave constant proof of good conduct.
- 3) In the instance, they must be indicated all the elements from which it may be inferred the existence of the conditions referred to in the preceding paragraph. The ARFI Appeal's Panel acquires the necessary documentation to the establishment of the mentioned above requirements competition. The ARFI Appeal's Panel shall decide within a period of sixty days of receiving. The decision must be filed within fifteen days following its delivery at the ARFI mail. which provides for transcription in ARFI Archive. It provides, in addition, to give timely notice instantly.
- 4) If the request is rejected for lack of the requisite of good conduct, it cannot be applied earlier than two years after the date of that decision.
- 5) The sentence of rehabilitation is revoked in law if the subject rehabilitated:
 - a) commits, within seven years, an offense for which is imposed the suspension for a time of not less than two years;
 - b) to be deleted;
 - c) is convicted for the use of substances or doping methods.
- 6) It decides on lifting the ARFI Appeal's Panel on appeal by the ARFI Attorney, communicated to the person, if it was not ordered by the judge imposing the new sentence.

ART. 61 - AMNESTY

- 1) The ARFI Executive Board has the power to grant amnesty on exceptional occasions.
- 2) It may be total, that is, for all violations committed until the day preceding the date of grant, or partial, that is limited to certain offenses, or limited to certain periods of time.
- 3) The amnesty, if granted in the case of offenses for which a sentence has not already been implemented, extinguishes the offense, but if occurs after the sentence became final, it extinguishes the disciplinary sanctions and the termination of the execution of the relevant measures.
- 4) The amnesty does not apply to repeat offenders unless the decision provides otherwise.
- 5) The amnesty does not apply with regard to penalties for infringement of Sports Doping Rules.

ART. 62 - PARDON

- 1) The pardon may be granted by the ARFI Executive Board on special occasions.
- 2) The pardon is a measure of general clemency; commutes, in whole or in part, the sanction imposed or reduces or switches in other penalty less severe than the originally imposed.
- 3) Its effectiveness is limited to offenses committed throughout the day preceding the date of the resolution of the ARFI Executive Board.

- 4) The pardon may be subjected to conditions and obligations and does not apply in cases of repeated, except that the measure provides otherwise.
- 5) The pardon is not applicable in relation to sanctions for breach of Sports Anti-Doping Rules.

ART. 63 - GRACE

- 1) The grace presupposes the res judicata of the decision taken and it is a special remedy that goes to the benefit only of a particular registered.
- 2) The President of the Federation is the one competent to grant it.
- 3) However, at least half of the dispensed sanction must have been carried out, after which time a pardon may remit in whole or partially the residual penalty, or, may exchange it to another milder.
- 4) In radiation cases the measure of grace cannot be granted if at least five years have not elapsed following the final sanction.
- 5) The measure can be adopted only at the written request of the interested subject to the President of the Federation.
- 6) The grace is not applicable in relation to sanctions for breach of Sports Anti-Doping Rules.

TITLE VIII - ARBITRATION

ART. 64 - PROCEDURE

- 1) Exclusively with regard to disputes on purely financial transactions, the ARFI Member and the Affiliate and the licensee may devolve the decision to an Arbitration Board, by giving written notice to the other party and to the ARFI Executive Board.
- 2) The arbitration procedure is of un-ritual nature.
- 3) The arbitration shall include:
 - a) the indication of the object of the dispute;
 - b) the conclusions that you intend to submit to the judgment of the auditors;
 - c) the indication of the chosen arbitrator's profile;
 - d) a statement of acceptance issued by the chosen arbitrator;
 - e) the address for service, for the purpose of any communications;
 - f) call on the party to nominate its own arbitrator within a period of twenty days from the date of receipt of the communication.
- 4) The counterparty, in the act of designation of its arbitrator, who must also be notified by certified or registered mail to the proposing party, with the contextual acceptance of the designated arbitrator, and to the ARFI Executive Board, may supplement the object of the dispute and must formulate its own conclusions. The members of the Justice Bodies cannot be part of the Arbitration Boards established within the ARFI.
- 5) Within twenty days of the latter designation, the two referees must provide for the appointment of the President of the Arbitration Board.
- 6) In case of failure to the appointment of the counterpart and in case of disagreement of the arbitrators on the designation of the President of the Arbitration, there provides the President of the ARFI Appeal's

Panel. The President of the ARFI Appeal's Panel will be required, in addition, to appoint, ex officio, even referees of the Party which has not made the appointment.

- 7) The Arbitration, once the reconciliation attempt has been carried out, proceeds with freedom of forms, drawing up the minutes.
- 8) Each party has the right to be represented, assisted and defended.
- 9) The parties are obliged to pay the costs for the operation of the Arbitration Board, except as provided by the Board in connection with an unfavorable outcome.

ART. 65 - AWARD

- 1) The award must be issued within ninety days of the appointment of the Chairman of the Arbitration Board.
- 2) The ordering and instructive powers are held by the Chairman of the Board, which shall also take care of the meetings of the Board itself and of the parties without prior specific formalities.
- 3) The Arbitration Board will base its decisions on actions or behaviors that are inconsistent with ARFI standards.
- 4) The Chairman of the arbitration board shall fix the date, place and time of the meeting of appearance, by giving written notice to the arbitrators, the parties and their representatives, if appointed, at least seven days before the meeting.
- 5) The award is valid if signed by at least two members, including the President, provided it is acknowledged that it was resolved in the presence of all, with the express declaration that the other referee unwilling or unable to sign.
- 6) The award must contain:
 - a) the indication of the parties;
 - b) the indication of the place in which it was resolved;
 - c) a concise statement of the reasons;
 - d) the device;
 - e) the signature of the arbitrators, or a majority of the arbitrators as provided in paragraph 5 above, indicating the day, month and year in which it is affixed.
- 7) In case of replacement, impediment, forfeiture or resignation of the President, or of one or both components, the replacement does not involve the renewal of acts already carried out.
- 8) The award is deposited, by the Chairman of the Arbitration Board and within ten days of its signing, at the Secretariat of the ARFI Justice Bodies, which shall give prompt written notice to the parties.
- 9) If the losing party fails to fulfill the award within the period fixed by the Arbitration Panel, the ARFI Secretariat must inform the competent body of Justice, for the adoption of any disciplinary action, up to radiation.

TITLE IX - FINAL PROVISIONS

ART. 66 - ARFI REGISTER AND ARCHIVE OF FINAL DECISIONS

- 1) At the ARFI Secretariat, a ARFI Archive is instituted, where the justice bodies and the acts of dismissal of the ARFI Attorney are collected and sorted by date, in addition to the information referred to in Article 54, paragraph 2.



ART. 67 - ENTRY INTO FORCE

This Regulation shall enter into force on 7th April 2018.