



# UIM International Court of Appeal:

## Procedural Rules

*(see also UIM By-Laws, Art.13: "UIM Judicial and Disciplinary Rules")*

***Amendments adopted by UIM Council on 12<sup>th</sup> April 2024***

### **CHAPTER 1 - UIM INTERNATIONAL COURT OF APPEAL ("ICA")**

#### **Preamble**

The ICA hears cases that have been submitted to it. It applies and interprets the present Rules with the aim of enforcing the Statutes and Regulations of the UIM, including the Sporting Rules and Codes and the Code of Ethics.

The ICA has no jurisdiction over anti-doping matters, which fall within the jurisdiction of the UIM Anti-doping Hearing Panel, whose proceedings and competences are regulated by the UIM Anti-doping Code. Appeals against decisions taken by the Anti-doping Hearing Panel shall be exclusively lodged before the Court of Arbitration for Sport in Lausanne, in accordance with the Code of sports-related arbitration.

#### **Article 1 – ICA Judges**

1. The ICA is totally independent from the other bodies of the UIM and the members of the UIM.
2. The ICA comprises a total of **seven (7)** Judges (the Judges), appointed by the UIM Council. Their mandate takes effect soon after their appointment. They serve ***until replacement or revocation.***
3. No one may be proposed for appointment as a Judge if he has reached the age of 70 years. Judges who reach this age during their mandate shall continue to sit until ***replacement or revocation.***
4. If a seat becomes vacant for whatever reason, the UIM Executive Committee may propose to the Council that the member be replaced for the remainder of his mandate but is not obliged to do so unless the number of serving members would otherwise fall below ***three (3).***
5. The Judges shall undertake to act with full independence and impartiality so as to preserve the independence of the ICA. Each Judge must be and remain independent of the UIM and of the parties involved. Any member of the ICA involved in a particular case must disclose immediately any circumstance, which might reasonably be regarded as potentially compromising his independence.
6. A Judge shall immediately recuse himself from participating in a case which involves any party

or lawyer who belongs to any company, association, law firm or chambers or any kind of entity to which he belongs or in which he takes part in any capacity whatsoever.

7. Both during and after their respective terms of office, the Judges formally undertake to respect the integrity and independence of the ICA and to honour their duties of confidentiality with regard to the deliberations of the ICA.
8. The Council elects, every four years the President and a Vice-President for the ICA. For the purpose of the application of these Rules, in case of impediment the President of the ICA is replaced by its Vice-President.

## Article 2 – The judging panels

1. For each case coming before the ICA, a judging panel is constituted, comprising at least **three (3)** Judges. The members of the judging panel are appointed, according to the jurisdiction seized, by the President of the ICA.
2. The President of the ICA may call upon co-opted Judges who are not elected Judges to join a judging panel, on condition that these co-opted Judges always constitute a minority on the Judging panel.
3. For each case, one of the members of the judging panel will be appointed by the President of the ICA as the President of this judging panel (the "**President of the case**"). The President of the case will be responsible for the conduct of the proceedings, verifying the regularity of the proceedings, ensuring that the rights of the parties are respected, keeping order during the hearing, and arranging for the drafting of the decision, which shall be authenticated by his signature, as well as his notification to the parties and its publication.

## CHAPTER 2 - DISCIPLINARY INVESTIGATIONS AND PROSECUTIONS

### Article 3 - The prosecuting body and the disciplinary inquiry

1. The role of prosecuting body is exercised by the statutory Legal Consultant of the UIM, which serves in this role representing the UIM before the ICA, as well as before the UIM Anti-doping Hearing Panel.
2. The prosecuting body may, either at its own initiative or at the request of any interested party, conduct an inquiry into any actions or conduct of a person under the jurisdiction of the UIM and suspected of having committed one of the offences set out in Article 5.1. It may appoint a person of its choice to represent or assist it in the conduct of an investigation and it may empower any person of its choice for the purpose of conducting the inquiry. It may also have recourse to the services of one or more advisors of its choice.
3. The prosecuting body may ask the assistance of the UIM Commissions or Committees, commissioners, external control bodies, experts or any competent person or authority.
4. For the purposes of the inquiry, the prosecuting body (or those appointed by it) may hear any person likely to provide information and may request any document, in any form, including data kept and processed by telecommunications operators, and obtain a copy thereof. The prosecuting body may access premises for professional and personal use. Any person subject to the jurisdiction of the UIM must cooperate with the prosecuting body, failing which they may be sanctioned.

5. Any hearing may be recorded as an audio or video recording or in the form of minutes, which must be dated and signed by the interviewee and the prosecuting body. If a person refuses to be questioned, the prosecuting body shall record this fact in writing.
6. After the inquiry, and in view of the information gathered during it, the prosecuting body may draw up an inquiry report and decide:
  - a) to close the case, or<sup>[REDACTED]</sup>
  - b) to bring the matter before the ICA.
7. The prosecuting body may also enter into a settlement agreement to terminate the procedure. The prosecuting body may grant partial or total immunity to any person who discloses facts that are likely to constitute an infringement referred to in Article 5.1 and/or who provides evidence allowing such facts to be prosecuted and penalised. The degree of immunity granted to this person by the prosecuting body depends on the following factors:
  - a) whether or not the prosecuting body already had the information,
  - b) the extent of the person's cooperation,
  - c) the importance of the case,
  - d) the importance of the offence in question and the conduct of the accused, and
  - e) past conduct of this person.

Immunity, whether partial or total, where granted, is always granted in writing. This document is signed by the UIM President and by the person benefiting from the immunity. It specifies the type of immunity granted and sets out the sanctions that the UIM will not take against the person benefiting from the immunity.

8. The immunity granted by the prosecuting body, whether partial or total, is subject to the following cumulative conditions:
  - a) cooperating with the UIM in good faith, meaning telling the whole truth and refraining from destroying, falsifying or concealing useful information or evidence
  - b) providing the UIM with genuine, total and permanent cooperation throughout the entire investigation, which involves in particular:
    - (i) giving and repeating their testimony in accordance with any request and in any form required by the UIM,
    - (ii) remaining at the disposal of the UIM to reply swiftly to any questions it may have.

These conditions are repeated in the document granting immunity. The person benefiting from the immunity may, depending on the circumstances, be permitted to testify in a manner which safeguards their anonymity.

9. The immunity granted by the prosecuting authority is irrevocable, provided that it is not subsequently demonstrated, that the person benefiting from the immunity:

- a) did not tell the truth, or refrained from revealing certain information in their possession, or destroyed or falsified useful information or evidence, which contributed to giving an inaccurate assessment of the ruled on situation and of the responsibilities arising therefrom, or, [SEP]
- b) did not provide genuine, total and permanent cooperation, in particular by failing to meet the UIM's requests to give or repeat their testimony or by not respecting the format required for the validity of that testimony. [SEP]

In the event that one of these two cases is established, the prosecuting body may ask the ICA to revoke the immunity by written decision, with no possibility of appeal by the person concerned, who then once again becomes liable to incur the sanctions listed in Article 5.1.

- 10 The prosecuting body and all persons taking part in the inquiry are bound by an obligation of confidentiality vis-à-vis persons or organisations not concerned with the inquiry. Nevertheless, the prosecuting body may at any time make public its decision to conduct a disciplinary inquiry and the outcome thereof.

### CHAPTER 3 - THE UIM INTERNATIONAL COURT OF APPEAL

#### Article 4 - Role of the ICA and persons under its jurisdiction

- 1. Without prejudice to the powers of the Commissioners, the ICA constitutes the final level of jurisdiction of the UIM, in particular for infringements and offences referred to in Article 5.1 and committed by the persons referred to in Article 4.2.
- 2. The ICA determines alleged infringements and offences referred to in Article 5.1 and allegedly committed by the following persons and organisations, whatever form they may take:
  - a) UIM Members and officials, including the President, the Secretary General and Council members; [SEP]
  - b) executive officers, members of commissions and committees and [SEP] presidents of commissions and committees of the UIM; [SEP]
  - c) all persons who, in any way whatsoever, are called upon to participate, in one way or another, in the exercise of any duties of any nature [SEP] whatsoever on behalf of the UIM and/or within a body of the UIM; [SEP]
  - d) the officers, members, or licence-holders of a National Authority, or officers, members, or licence-holders of a National Authority involved in powerboat sports; [SEP]
  - e) officials, organisers, drivers, competitors and licence-holders; [SEP]
  - f) persons having access to premises hosting any event that is subject to the regulations and decisions of the UIM; [SEP]
  - g) any person who is subject to or who has agreed to be bound by the UIM codes and

Rules and the other regulations and decisions of the UIM;

- h) any person who benefits, in any manner whatsoever, from an authorisation or approval issued on behalf of or by the UIM, or who takes part in any manner whatsoever in a race, competition or other event organised, directly or indirectly, by the UIM or subject to the regulations and decisions of the UIM;
- i) employees, representatives, agents and service providers of the persons listed above, irrespective of any liability of those who employ them or are represented by them, and of the possibility of prosecuting those persons or bodies. Nevertheless, members of the UIM have an exclusive competence to decide whether or not to prosecute and to impose sanctions for offences and infringements referred to in Article 4.2 on their employees, representatives, agents and service providers unless these persons, in another capacity, fall directly under the jurisdiction of the ICA according to Article 4.1 d) to h).

3. In addition to the competences outlined in Article 5.1 in respect of the persons listed in Article 4.2, the ICA will hear of appeals concerning sporting decisions and appeals concerning the interpretation, application or infringement of the UIM's statutes and regulations.

***Appeals against sporting decisions.***

3.1 The ICA will hear:

- (i) in the context of a competition forming part of a UIM Championship, Cup, Series, International Ordinary race or any other race or sport event falling within the competence of the UIM, appeals against decisions of the Commissioners, Race Directors or any other official having jurisdiction on each of such event ("Race Authority"), brought by organisers, teams, drivers or other licence-holders that are addressees of such decisions or that are individually affected by such decisions, provided that the relevant racing rules so provide and do not exclude the lodging of an appeal against certain decisions in respect of the type of sanction applied.
- (ii) appeals against decisions of the Race Authority, where the parties concerned have jointly decided to bring an appeal not before the competent justice bodies of the National Authority of the country of the competition but directly before the ICA in agreement of their respective National Sporting Authorities;
- (iii) appeals brought by National Authorities, organisers, teams, drivers or other licence-holders who are addressees of a decision of a national court of appeal where such decision has an international dimension – in other words where an organiser, team, driver or other licence-holder is registered in or originates from the territory of a National Authority that is different from the territory of the national court of appeal;
- (iv) appeals brought by the UIM in relation to decisions as set out in all subparagraphs above;

(v) appeals relating to any sporting matters as the UIM President may consider should be heard by the ICA.

3.2 Upon initiative of any interested party, the ICA may hear appeals against decisions taken by the Race Authority even if the deadline to lodge a protest or an appeal has elapsed, provided that new facts or elements unknown at the time of the event concerned arise.

**B. Appeals against decisions taken by a UIM body in relation to the interpretation, application or infringement of the UIM Statutes and Regulations**

3.3 The ICA will hear:

- (i) appeals brought by UIM Members concerning decisions taken by the bodies of the UIM in application of the UIM Statutes and Regulations (affiliations, striking off the rolls, etc.);
- (ii) appeals brought by UIM Members in relation to the interpretation, application or infringement of the UIM Statutes and Regulations by the UIM;
- (iii) appeals concerning the interpretation or application of the UIM Statutes and Regulations as the UIM President may consider should be heard by the ICA.

4. The appealing party must notify its appeal to the GSC, which will issue an "acknowledgement of receipt" indicating the time and date of receipt. For the purpose of any deadline, the time of receipt by the GSC, and not the time of sending, will be deemed conclusive. The notification of an appeal must include:

- a) the identity of the appellant, a copy of the contested decision and the reasons for bringing the appeal, [1]  
[SEP]
- b) any document proving that the appeal deposit has been paid to the ICA, [1]  
[SEP]
- c) without prejudice of Clause 3.2, where the appeal is one against a decision of the Race Authority, proof that the intention of appeal was given in writing to the adjudging panel within one hour of the publication of the decision.

Any irregularity in the notification will result in the inadmissibility of the appeal.

5. A deposit will be charged for bringing an appeal before the ICA or when a request for participation in the proceedings as a third-party has been granted. Its amount will be periodically assessed by the UIM Executive Committee. The deposit is set at €5,000. The appeal deposit becomes payable on notification of the appeal, regardless of whether or not the appeal proceeds further.

6. In case of a third party, the deposit becomes payable within 48 hours from the moment that the request of the third party to participate in the proceedings has been granted. Otherwise the request will be irrevocably considered as withdrawn. Until the payment has been made, no information or document related to the case will be served to the third party and no observation from that third party will be taken into account in the proceedings.

## Article 5 — Infringements and Sanctions

1. If persons referred to in Article 4.2
  - a) have contravened the Statutes and Rules/Regulations of the UIM, including the Code of Ethics, or [L] [SEP]
  - b) have taken part in an international competition or a championship not entered on the UIM calendars or not governed by the UIM or its Members, or [L] [SEP]
  - c) have pursued an objective contrary or opposed to those of the UIM, or [L]
  - d) without lawful excuse:[L](i) have refused or failed to apply a decision of the UIM, or [L] (ii) by words, actions or writings have caused damage to the standing and/or reputation of, or loss to, the UIM, its bodies, its members or its executive officers, or [L] (iii) have failed to cooperate in an investigation,
- the ICA may impose on them directly,
  - fines,[L]
  - bans on taking part or exercising a role, directly or indirectly, in competitions, events or championships organised directly or indirectly on behalf of or by the UIM, or subject to the regulations and decisions of the UIM,
  - the sanctions provided for in the UIM Racing rules, and/or
  - bans on exercising within the UIM any duties whatsoever as an executive officer, a member of a commission or committee, or a president of a commission or committee, or any duties of any nature whatsoever on behalf of the UIM and/or within a body of the UIM;
  - the sanctions provided for in the Ethics Code.
- 2 If the person sanctioned is a National Authority of the UIM, the ICA may also propose to the General Assembly that the person be excluded from the UIM. If the person sanctioned is a member of one of the UIM bodies, the ICA may directly exclude that person from the relevant UIM bodies.
- 3 Subject to the principle of proportionality, the ICA shall take into account the gravity of the facts, the degree of culpability, and past record and character of the person in order to determine the nature and severity of the sanction.
- 4 Unless stated otherwise, offences or infringements are punishable, whether they were committed intentionally or negligently. Attempts to commit infringements are also punishable.
- 5 Any natural or legal person who participate in an infringement, whether as principal or as accomplice, is also punishable.

6 The time limitation on the prosecution of infringements is five years. Time runs from:

- a) from the day on which the person committed the offence or infringement; [SEP]
- b) from the day of the last act, in the case of successive or repeated offences or infringements;
- c) from the day the offence or infringement stopped, where it had been continuing.  
[SEP]

However, where the infringement has been concealed from the prosecuting body, time will run from the day on which the facts of the infringement became known to the prosecuting body. The time period is interrupted by any act of prosecution or investigation pursuant to Chapter 2.

## Article 6 — Proceedings

1. Any notification of an appeal must be transmitted to the GSC within the following time limits:
  - (a) **Appeals against sporting decisions:** the appeal must be notified within five (5) days of the notification to the Race Authority by the person concerned of his intention to appeal of the Race Authority's decision, on condition that the Race Authority has been notified in writing of the appellant's intention to appeal within one hour of the Race Authority's decision being notified to the person concerned or published.
  - (b) **Appeals pursuant to the Clause 3.2:** the appeal must be notified within fifteen (15) days of the discovery of the new facts or elements which justify the re-opening of the case.
  - (c) **Appeals against a decision of a judicial body of a National Authority:** the appeal must be notified within seven (7) days following notification of the decision of the national judicial body.
  - (d) Appeals against decisions taken by the bodies of the UIM in application of the Statutes (affiliations, striking off the rolls, etc.) and of the By-Laws and other regulations shall be notified within seven (7) days following the notification or publication of the decision.
  - (e) The UIM must notify the GSC in writing within seven (7) days of receipt by the President of the UIM of the written notification of the decision to appeal.
2. Any notification of appeal or of intention to appeal made after the deadline shall result in the inadmissibility of the appeal.
3. If an appellant wishes to withdraw an appeal after it has been brought, a request must be made in writing. The request for withdrawal will then be considered at a later ICA hearing, taking into account the rights of the third parties if any.
4. If the ICA considers the appeal to be frivolous and decides to reject it, the appellant may be required to pay a fine of a maximum of €80,000, in addition to losing its appeal deposit.
5. Independently of the main Parties to the appeal, the ICA may hear, as a third party, anyone who so requests and who could be directly and significantly affected by the decision to be taken. It is the responsibility of any such applicant to send to the ICA a written request, and

if that request is granted, that third-parties shall be permitted to submit written and oral observations under the directions of the President of the Hearing.

6. Any application for participation in the proceedings as a third-party shall be accompanied by a reasoned request. If such request is granted, a deposit of the amount of €5,000 will be charged.
7. Once the appeal has been notified and the appeal deposit paid, the President of the Hearing shall set a timetable for the exchange of written pleadings and for the hearing, and serve it on the main Parties together with a summons to attend the hearing.
8. The summons shall remind the main Parties that they must appear in person, or through their authorised representatives in the case of a legal entity or an organisation, and that in their absence a decision may be taken against them.
9. They may be assisted by a lawyer who, if a party is absolutely unable to attend, may represent it in its absence, provided it can satisfy the ICA as to the reasons for its failure to attend in person.
10. The Appellant will be granted at least fifteen (15) days to submit its grounds for appeal, and the Respondent will be granted a further fifteen (15) days to present its response. There will be a period of least fifteen (15) days between the submission of the response and the hearing. When circumstances so require, the President of the Hearing, after consultation with the main Parties, may reduce or extend the time limits for the receipt and exchange of the grounds.

#### **Article 7 — Content of appeal and grounds in response**

1. The grounds for appeal and grounds in response:
  - a) must be written in English
  - b) must indicate each of the arguments on which the Parties intend to rely (which may be presented in skeleton form), the remedy sought, a list of any material evidence which the Parties intend to present during the ICA hearing (including film recordings, sound recordings, photographs, ~~graphics~~, the identities of witnesses, knowledgeable persons, or experts to be heard, etc.) and an explanation of why the Parties believe such evidence will support their case, together with copies of any statements by witnesses or knowledgeable persons, or expert opinions that the Parties wish to rely on,
  - c) are sent to the ICA by email or post.
2. Any third party who has been granted rights to participate in the proceedings shall be entitled to make a written submission within a time limit set by the President of the Hearing. Any such submission shall be made available to the other Parties. Third parties are also entitled to present oral observations at the hearing.
3. After exchange of grounds for appeal and the response, the Parties shall not be permitted to submit further documents or evidence to the ICA, save in new or exceptional circumstances and with the permission of the President of the Hearing.

#### **Article 8 — Directions with respect to the conduct of the case and hearings before the ICA**

1. It is to be recalled that fairness and equity require that all submissions are by principle served to all the Parties.

2. Upon receipt of an appropriate application, in particular if related to reasons concerning the confidentiality of data, or on his own initiative, the President of the Hearing shall issue directions with respect to the hearing and the conduct of the case, including the right of any Parties to be heard, the hearing of any expert, knowledgeable person or witness, the manner in which Parties may be heard or submit any document to the Court, and whether new or exceptional circumstances exist to justify the submission of further evidence outside the time limits that have been set by the President of the Hearing.
3. The President of the Hearing may also designate a member of the ICA, among those of the judging panel, to conduct the investigation of the case and prepare a report, which may be presented at the hearing.
4. The ICA hearing is conducted by the judging panel and presided over by the President of the Hearing.
5. In accordance with adversarial principles, the President of the Hearing will invite the Parties to set out their respective arguments, where appropriate without the witnesses, knowledgeable persons or experts being present, starting with the Appellant and followed by the Respondent.
6. Third-parties who have been granted rights to participate in the proceedings may, if necessary, make oral submissions at the hearing and request the hearing of witnesses, knowledgeable persons or experts, but only in support of their written submissions. They are therefore not authorised to present to the hearing arguments, which have not been the subject of a written submission beforehand, in accordance with the conditions determined by the President of the Hearing. Requests for the hearing of witnesses, knowledgeable persons or experts may be refused by the President of the Hearing if they appear clearly excessive or unnecessary.
7. The ICA hears the respective witnesses, knowledgeable persons, experts and third-parties. The main Parties shall have the right to question all the witnesses, knowledgeable persons, experts and third parties on their statements. Except upon special request in the event of exceptional circumstances, and at the discretion of the President of the Hearing, third parties are not authorised to examine the witnesses, knowledgeable persons and experts of the other Parties (main and third).
8. The President of the Hearing may decide, if he considers that fairness to any Party requires it, or that it would assist the ICA, to hear any other knowledgeable person, in addition to the Parties themselves and their witnesses, knowledgeable persons and experts.
9. After they have made their statements, the President of the Hearing may direct the witnesses, knowledgeable persons and experts to remain in the courtroom and not to speak to any other witness, knowledgeable person or expert who has yet to give evidence.
10. Lastly, the President of the Hearing will invite the main Parties to make their closing statements.
11. Depending on the circumstances, the President of the Hearing, who is responsible for organising the hearing, may decide to proceed differently and/or, if need be, to offer the Parties the right to reply.
12. If requested by the parties or upon resolution of the President of the Hearing, hearings before the ICA may be attended via videoconference. In any event, the President of the Hearing may always permit a party or any person taking part in the hearing to attend via videoconference or another means of communication when hearings are called to be held

in a physical place.

13. At the end of the hearing, the hearing will be declared closed, and no further submissions or evidence will be permitted, unless requested by the ICA after the hearing has been re-opened which the ICA may decide for instance if it becomes aware of any new fact.
14. The President of the Hearing will announce the likely time and date when the decision will be pronounced.
15. The ICA will deliberate in camera to reach its decision, in the absence of the UIM and any other party to the case.

#### **Article 9 - Decision of the ICA**

1. The ICA has all the decision-making powers of the authority that took the contested decision.
2. In addition, the ICA may admit or dismiss the appeal, in whole or in part, and may decide to confirm, waive, mitigate or increase the penalty inflicted. It may annul or amend the results of a competition, but it is not empowered to order any competition to be re-run.
3. The decision shall be taken by the simple majority of the members of the judging panel. The President will have a casting vote in the event of a deadlock. Decisions are in principle taken during meetings, but deliberation and voting by correspondence, fax, e-mail, and the holding of meetings via videoconference or conference call are permissible and even recommendable in case of urgency or of necessity.
4. The deliberation is secret but the decision is public.
5. Decisions shall be reasoned and state the names of the members who took part in the deliberation. Decisions are delivered in English.
6. Decisions of the ICA are binding with immediate effect as soon as they are issued.
7. Decisions shall be notified to the UIM and the Parties.

#### **Article 10 - Miscellaneous provisions**

1. The ICA has all the decision-making powers of the authority that took the contested decision.
2. The ICA may, but only in cases of extreme urgency, be convened as rapidly as possible by way of an emergency procedure which must respect the rights of all parties to be heard. This procedure may require among other things the use of conference calls or videoconferences. In this case, the ICA may take a temporary decision, pending a later hearing.
3. In giving judgement on an appeal brought before it, the ICA will determine, depending on the outcome of the case, against which Party(ies) (main and/or third) to award the costs, which are calculated by the General Secretariat of the Court. The costs may include all the expenses, fees, and disbursements incurred in the procedure before the ICA, from the commencement of the appeal until the pronouncement of the decision (including the costs of the investigation, witnesses, fees for experts and technical advisers, a contribution to the operative costs of the ICA and of the General Secretariat, etc.). The costs do not include the expenses or legal defence fees incurred by the Parties. The ICA may decide to set a lump sum for the costs.

4. The ICA may decide to share the costs between the Parties.
5. Save in event of a contrary decision by the ICA, if the appeal is rejected, the appeal deposit will not be returned. If an appeal is allowed in part, the deposit may be returned in part, and in its entirety if the appeal is upheld.
6. After the ICA has issued a decision, if any important new evidence is discovered which was unknown at the outset of the case before the ICA and which could call into question or cause the ICA to modify its decision, the ICA may decide to re-examine its decision using a procedure which must respect both the rights of the Parties and the terms of the present Rules.
7. The ICA may decide to re-examine a case, either on its own initiative or following a petition for review by either one of the parties concerned and/or a party that is directly affected by any decision handed down, or by the President of the UIM. In order to be admissible, the petition for review by a party or by the UIM must be submitted within 12 months of the decision to be reviewed. If the decision has an influence on the result of a championship, the petition for review must be submitted before 30 November of the year in which the decision to be reviewed was initially taken.
8. The hearings will be open to the press and to the public. The President of the Hearing may however decide to conduct all or part of the hearings in closed sessions for public order reasons or in order to preserve the confidentiality of data.
9. The date of a hearing as well as the Championship (or competition) concerned and the subject of the matter will be made public ahead of time.
10. The following procedures will apply to cases of an exclusively sporting nature:
  - a) A press notice will be issued for each case submitted to the ICA, announcing the date and time of the hearing as well as the Championship (or competition) concerned and the subject of the litigation.
  - b) At each hearing, according to the available space, those journalists and observers who have applied in writing may be admitted to the courtroom by the President of the Hearing. If the number of applications exceeds the capacity of the courtroom, journalists and observers may be allowed to follow the proceedings broadcast live in a room separate by means of a closed circuit television system, but the recording of sound or pictures remains subject to authorisation.
11. All or part of these Judicial and Disciplinary Rules of the UIM, including the possibility of not holding a hearing before the deliberation of the decision of the ICA, or of holding it by videoconference or any other means of communication, may be dispensed with by agreement between the President of the Hearing and the main Parties.
12. The headquarters of the ICA and the GSC are at UIM headquarters in Monaco. If circumstances so require, the President of the ICA may decide to hold a hearing elsewhere. In such a case, the hearing shall be deemed to have taken place in Monaco.
13. The applicable law is the regulatory texts of the UIM (Statutes, Regulations, other binding rules), as well as Monaco law.
14. The languages of the ICA is English. In the event that a party wishes to be heard in a language other than English, it must inform the GSC as soon as possible and not later than at the time of lodging of its first submissions and, at its own expense, hire a qualified interpreter in order

to translate verbal testimony into English.

15. Parties before the ICA must appear in person, or through their authorised representatives in the case of a legal entity or an organisation. They may be assisted by a lawyer. If a party is absolutely unable to attend, the lawyer may represent it in its absence, provided that the party concerned can satisfy the court as to the reasons for its failure to attend in person. The identities of the lawyers assisting or representing, where applicable, parties before the ICA must be communicated to the GSC within the time limit set out in the summons for a hearing. The failure of the parties to attend the hearing shall not interrupt the course of the proceedings.
16. Unless expressly stated otherwise in the present Rules:
  - a) any notification, summons, or information relating to the Judicial and Disciplinary Rules of the UIM must be carried out (i) in a written document delivered in person in exchange for a receipt, or by messenger in exchange for a receipt, or (ii) by registered letter with request for acknowledgement of receipt, or (iii) sent by fax or by e-mail (with an acknowledgment of receipt issued by the recipient),
  - b) in the case of notification, summons or information by registered letter with request for acknowledgement of receipt or by letter delivered in person in exchange for a receipt or by messenger in exchange for a receipt, the time limit will run from the date of receipt or of first presentation (determined at the place of receipt),
  - c) in the case of notification, summons or information delivered by fax or by e-mail (with an acknowledgment of receipt issued by the recipient) the time limit will run from the date of dispatch (determined at the place of dispatch) of the fax or e-mail (with acknowledgment of receipt issued by the recipient),
17. All notifications and communications to the ICA, or between the parties before them, must be sent to the GSC, which is responsible for the receipt, transmission and custody of all documents for the use of the parties and the members of the ICA.
18. The Judicial and Disciplinary Rules of the UIM are drafted in French and in English. In case of any difference of interpretation, the English text shall prevail.
19. No modification to the present Rules may come into effect without having been decided by the Council of the UIM.
20. Appeals against decisions of the ICA may be submitted exclusively by way of appeal to the Court of Arbitration for Sport in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of sports-related arbitration. The time limit for appeal is twenty-one days after the reception of the decision concerning the appeal. The applicable law shall be that of Monaco and the language English.

## **CHAPTER 5 - THE GENERAL SECRETARIAT OF THE ICA (GSC)**

### **Article 12 — Role and organisation of the GSC**

1. The GSC is made up of UIM staff and is in charge of the operation of the ICA, working in liaison with and under the authority of the President of the ICA and the Presidents of the Hearings.
2. The GSC is represented and headed by a Secretary General, who is selected and replaced by common agreement between the President of the ICA and the President of the UIM.
3. The Secretary General of the ICA may be an UIM employee who has legal competence or an experienced lawyer whose professional activity is outside the UIM.
4. The GSC will perform all material tasks allowing the ICA to carry out efficiently the various roles assigned to them by the present Judicial and Disciplinary Rules of the UIM.
5. To provide material assistance, it may attend the deliberation of decisions but may not participate in deliberations. It will maintain the complete collection of all decisions handed down by the ICA.



## **UIM INTERNATIONAL COURT OF APPEAL**

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### **LIST OF JUDGES**

Prof. Bruno TASSONE	UIM ICA President
Dr. Xavier BONE-MATHEU	UIM ICA Member
Prof. Ignazio CASTELLUCCI	UIM ICA Member
Dr. Francesco DE BEAUMONT	UIM ICA Member
Dr. Antonio MARIA-RUSSO	UIM ICA Member
Prof. Dr. Rostam J. NEUWIRTH	UIM ICA Member
Dr. Florenzo STORELLI	UIM ICA Member