

EPBF

Legal order and rules of procedure

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§ 1 Legal body

§ 1.1 The Court of Arbitration is the legal body of the EPBF.

§ 1.2 The legal body is independent. Its members are only subjected to the written and unwritten right of sport as well as to their own conscience.

§ 2 Jurisdiction, punishments

§ 2.1 The jurisdiction and permissible punishments result from the statutes of the EPBF.

§.2.2 Barriers, which are imposed against sportsmen, extend to meetings of the EPBF and also to international meetings.

§ 2.3 For fine, which are imposed against teams or sportsmen, the federation of the punished one can be taken up.

§ 3 Limitation of time

Should somebody abscond from criminal proceedings by withdrawal, then this is introduced or continued after acquisition of a new membership.

§ 4 Prejudice

§ 4.1 A member of the court of arbitration may not participate in a procedure, in which it or its federation is directly involved, or if it considers itself prejudiced.

§.4.2 On the facts of the prejudice the court of arbitration decides finally.

§ 5 Rules and regulations of proceedings

§ 5.1 Decisions are issued with exception of time-limit failure due to verbal negotiation; however with agreement of the parties it can be decided also in the written procedure.

§ 5.2 If one party is missing for verbal hearing, despite orderly summoning, then there may be negotiated and decided without it.

- § 5.3 The court of arbitration chairman fixes the date for the verbal hearing and sends the invitations. To be invited are the parties, the witnesses and experts. Summonings take place via written letter; they are to arrive at the one to be summoned to it's knowledge two weeks before the hearing.
- § 5.4 The negotiations of the court of arbitration are not public. In exceptional cases guests can be admitted by resolution of the arbitral tribunal.
- § 5.5 For one party maximum two representatives are admitted. For the representation a written authorisation is required.
- § 5.6 The court of arbitration chairman leads the hearing. After the opening he discloses the occupation of the court of arbitration and determines the presence. He admonishes witnesses to the truth and dismisses them from the hearing room until their own hearing. Afterwards he hears parties and witnesses. The members of the court of arbitration can ask questions, as well as persons who are admitted as participants of the hearing. After completion of the hearing of evidence the accused ones and the parties get the conclusion. Of the hearing, minutes will be kept.
- § 5.7 The consultation about the judgement is secret and is subject to the obligation to secrecy. In the consultation only the members of the court of arbitration may participate. Abstention is inadmissible. With equality of votes the vote of the chairman decides.
- § 5.8 The judgement is to be announced and to be briefly justified by the chairman following to the judgement consultation. In addition it is set with the reason, as far as the parties do not do without it.
- § 6 Proceeding fees**
- § 6.1 If arbitral proceedings are made pending, then a fee of € 200,00 has to be paid to the EPBF. The payment proof is to be attached to the invocation. If the proof is not attached, then the appeal will be rejected.
- § 6.2 If the chargeable party loses, then the fees are omitted; if it wins totally or partly, then the fees should accordingly be refunded. Allocation of the costs does not take place.

§ 7 Costs

§ 7.1 The costs of a proceeding will generally be borne by the losing party.

§ 7.2 The court of arbitration can make after its discretion another cost decision § 2,3 applies in a general manner.

§ 7.3 Summoned witnesses, experts and a representative of each party are eligible for reimbursement of costs according to the regulations of the EPBF. Lawyer's fees and loss of wages are not refunded.

§ 8 Suspensiveness

Appealing the court of arbitration does not have dilatory effect. This means that the announced punishment is effective up to the decision of the arbitral tribunal.

§ 9 Legal effect

The decision of the court of arbitration is effective from pronouncement of judgement and is no longer assailable by bodies of the EPBF.