

## 2

**IBU DISCIPLINARY RULES**

Adopted by the IBU Congress 1994 with amendments by the 1996, 1998, 2000, 2002, 2004, 2006 and 2008 Congresses.

## LIST OF CONTENTS

<b>ARTICLE 1</b>	<b>Legal Basis</b>	25
<b>ARTICLE 2</b>	<b>Scope</b>	25
<b>ARTICLE 3</b>	<b>Conduct Leading to Penalties and Disciplinary Measures</b>	25
<b>ARTICLE 4</b>	<b>Prerequisites for Penalties and Disciplinary Measures</b>	25
<b>ARTICLE 5</b>	<b>Penalties</b>	26
<b>ARTICLE 6</b>	<b>Disciplinary Measures and Sanctions on Member Federations</b>	29
<b>ARTICLE 7</b>	<b>Organs and Competency</b>	30
<b>ARTICLE 8</b>	<b>Jury of Appeal</b>	30
<b>ARTICLE 9</b>	<b>IBU Court of Arbitration</b>	31
<b>ARTICLE 10</b>	<b>Procedure for the Competition Jury</b>	32
<b>ARTICLE 11</b>	<b>Procedure for the Executive Board</b>	33
<b>ARTICLE 12</b>	<b>Appeal Proceedings for the Jury of Appeal</b>	33
<b>ARTICLE 13</b>	<b>Appeal Proceedings for the IBU Court of Arbitration</b>	34
<b>ARTICLE 14</b>	<b>Exemption from Liability</b>	36
<b>ARTICLE 15</b>	<b>Divergences</b>	36
<b>ARTICLE 16</b>	<b>Entry into Force</b>	36

## ARTICLE 1 LEGAL BASIS

The IBU Disciplinary Rules are issued on the basis of Article 14 of the Constitution of the IBU.

## ARTICLE 2 SCOPE

The IBU Disciplinary Rules are applicable to all members of the IBU and all participants in the activity of the IBU or any of its National Federations by virtue of the participant's membership, accreditation or participation in the IBU or its National Federation activities or events.

## ARTICLE 3 CONDUCT LEADING TO PENALTIES AND DISCIPLINARY MEASURES

- 3.1 Athletes** will be subject to penalties.
- 3.2 Coaches, trainers, officials and staff of the IBU and its Member Federations, individual members of the IBU and members of competition committees** as well as any other participant under article 2 above will be subject to disciplinary measures.
- 3.3 Penalties and disciplinary measures** shall be imposed for:
- violations of the principles of fair play and unsportsmanlike conduct, especially for offences against the IBU Event and Competition Rules and against the IBU Anti-Doping Rules as stated in the Anti Doping Rules;
  - violations of the Constitution and other Rules of the IBU – as well as for violations of decisions of the Organs of the IBU;
  - endangering or impairing the reputation or the interests of the IBU and for impairing the contractual relations of the IBU;
  - offences against the IBU, its Organs, its members, the organs of its members or persons belonging to its members.

## ARTICLE 4 PREREQUISITES FOR PENALTIES AND DISCIPLINARY MEASURES

- 4.1** With the exception of doping matters, persons who culpably, i.e. wilfully or negligently commit an infringement of the rules will be subject to penalties or disciplinary measures. For doping matters, the concepts

underlying the World Anti-Doping Code and the IBU Anti-Doping Rules will apply.

- 4.2 With the exception of doping matters, in the case of petty violations, the IBU may refrain from imposing a penalty or a disciplinary measure and may instead rebuke the offender or issue a warning.
- 4.3 With the exception of doping matters, the respective IBU Bodies may refrain from imposing a penalty or impose a milder penalty if the Athlete makes a sincere attempt to repair the damage that has been caused to the sporting community or the victim.

## ARTICLE 5 PENALTIES

Penalties that may be imposed are:

### 5.1 Reprimands

A Reprimand shall be imposed in the case of:

- jeopardizing or defaming the honor or reputation of the IBU or its interests;
- insulting the IBU, its Organs, its members, the organs of its members or their affiliates and relatives;
- violations of rules for which there is no penalty or for which there is not an expressly stated more severe penalty;

### 5.2 Start Prohibition

An Athlete or team shall be prohibited from starting for:

- violation of the eligibility requirements in article 1.4 of the IBU Event and Competition Rules;
- not meeting the required conditions and the qualification criteria in article 1.5 of the IBU Event and Competition Rules;
- appearing for start with material, equipment, clothing or advertising not in compliance with Article 4.2.2.4 of the IBU Event and Competition Rules or Annex A (the IBU Material Catalogue) to those Rules, or with the IBU Rules for Advertising;
- appearing for start with the wrong start number, or no start number, due to a mistake made by the Athlete or his team;
- violating the rules regarding official training, zeroing, warm-up and/or ski testing.

The prohibition applies for the competition in which the violation occurred, or the next competition, as applicable.

### 5.3 One Minute Penalty

A time penalty of one minute shall be imposed on Athletes or teams for:

- a. not giving way at the first request by an overtaking Athlete;
- b. committing a very minor violation of the principles of fair play or the requirements of sportsmanship.

### 5.4 Two Minute Penalty

A time penalty of two minutes shall be imposed on Athletes or teams for:

- a. every penalty loop, as a result of shot-penalties, not done immediately after each prone or standing shooting by an Athlete;
- b. using the skating technique (one or both legs sideways) in the Relay or Mass Start Competition or in a group start, in the prepared start tracks after the start line;
- c. every round not fired if the Athlete recommences skiing before he has fired all five shots in an Individual, Sprint, Pursuit or Mass Start competition, or all eight shots in a Relay competition, having not hit all targets;
- d. committing a minor violation of the principles of fair play or the requirements of sportsmanship.

### 5.5 Disqualification

An Athlete or team shall be disqualified for:

- a. taking part in a competition for which he or she is not eligible;
- b. violating Article 1.4 of the IBU Event and Competition Rules "Eligibility Rules for Competitors and Teams";
- c. receiving prohibited assistance as defined in Article 1.8.2 of the IBU Event and Competition Rules from a member of his team staff or non-competing Athletes of his team;
- d. using equipment, rifle or clothing not in conformity with IBU rules, including carrying unauthorized advertising, at an IBU event or competition;
- e. avoiding start or finish inspections
- f. taking part in a competition with skis or rifle not correctly marked;

- g. modifying equipment, rifle or clothing, which has been inspected and marked at start inspection, in a prohibited way;
- h. participation in a competition with a start number or start number sequence color which has not been assigned to him by the competition start list, regardless of whether this is deliberate or due to a mistake made by him or by his team;
- i. deviating from the marked trail, or skiing a wrong trail, thus gaining a time advantage for himself or his team, or skiing the course loops in a wrong sequence or in the wrong direction;
- j. using means of propulsion other than skis, poles and his own muscular force;
- k. not carrying his rifle while skiing during the competition, and for not carrying the rifle on the course, when it is not damaged, with the barrel pointing up;
- l. hindering another competitor on the course or at the shooting range by serious obstruction;
- m. exchanging both skis during the competition;
- n. accepting unauthorized assistance from any person when repairing equipment, or receiving assistance other than authorized;
- o. for applying any substances during a competition intended to change the glide performance of his skis;
- p. firing more than five rounds in any shooting bout of an Individual, Sprint, Pursuit or Mass Start competition or more than eight rounds in a Relay, Mixed Relay or Super Sprint competition;
- q. remaining in an incorrect shooting position or incorrect position in the shooting lane after having been warned;
- r. failing to shoot in the correct sequence of positions;
- s. using a second magazine instead of hand loading lost rounds, replacement rounds for misfires, or spare rounds individually;
- t. violating any shooting safety regulations as defined in Article 8.5 of the IBU Event and Competition Rules;
- u. exchanging his rifle for another rifle, after starting, in any other location than the shooting range;
- v. committing a serious violation of the principles of fair play or the requirements of sportsmanship.

### 5.6 Suspension

If, after the end of a protest deadline of a competition, an Athlete is found guilty of having grossly violated the IBU Rules, the Competition Jury of the competition concerned may suspend the Athlete from the next competition. In case of a particularly gross violation, the Executive Board may extend the suspension to more than one competition and up to a maximum of 15 consecutive competitions of the ongoing World Cups and World Championships.

### 5.7 Fine

**5.7.1** In the case of a gross violation of the IBU Constitution, the Rules of the IBU, of decisions made by IBU Bodies or in the case of endangering or damaging the reputation or the interests of the IBU, a fine can be imposed amounting from 70 € to 10,000 €.

**5.7.2** The fines will become the property of the IBU.

**5.8** The penalties stipulated above can only be imposed before the publication of the Final Results.

## ARTICLE 6 DISCIPLINARY MEASURES AND SANCTIONS ON MEMBER FEDERATIONS

These disciplinary measures will be imposed on persons listed under Article 3.2 above:

### 6.1 Reprimand

A reprimand will be given for insignificant offences against the Constitution and Rules of the IBU or against decisions of the Organs of the IBU as well as for endangerment or damage done to the reputation or interests of the IBU.

### 6.2 Fines

**6.2.1** Fines will be imposed on those who seriously violate the IBU Constitution, the IBU Rules or decisions of the Organs or other competent Bodies of the IBU, as well as on those who jeopardize or damage the interests or the reputation of the IBU. The fine may be from 70 € to 10,000 €, depending on the seriousness of the violation as determined by the IBU Executive Board.

**6.2.2** The fines will become the property of the IBU.

**6.2.3** An Organising Committee which violates its obligations according to the IBU Event and Competition Rules and IBU Anti-Doping Rules will be fined the sum of 350 €.

**6.3 Removal from a Function**

Persons listed in Article 3.2 above who seriously violate the IBU Constitution, the IBU Rules or decisions made by the IBU Executive Board or other competent Bodies of the IBU may be removed from their IBU function for the remaining period of elected or appointed service and may be further restricted from future periods of elected or appointed service up to a lifetime ban.

## ARTICLE 7 ORGANS AND COMPETENCY

**7.1** Penal and disciplinary power are exercised in the first instance by the Competition Jury and the Executive Board of the IBU.

**7.2** The Executive Board of the IBU is responsible for removal from a function. The removal of a person elected by the Congress from his function requires confirmation by the next Congress. The Competition Jury is responsible for imposing all other penalties and disciplinary measures.

**7.3** Appeals against penalty and disciplinary decisions of the Competition Jury may be lodged with the Jury of Appeal; appeals against penalty and disciplinary decisions of the Executive Board or Congress may be lodged with the IBU Court of Arbitration.

## ARTICLE 8 JURY OF APPEAL

**8.1** The Jury of Appeal shall consist of five members and shall be newly constituted for each event.

The chair will be held by a member of the IBU Executive Board who is appointed by this Executive Board for each IBU event of a competition season. The other members of the Jury of Appeal must also be members of the Executive Board, as long as there are enough present at the event.

At competitions where there are not enough Executive Board members available, all the other members shall be team captains and coaches of the teams participating in the Team Captains Meeting. This applies

for the Olympic Winter Games, World Championships, Junior and Youth World Championships and Biathlon World Cups.

- 8.2** The four members of the Jury of Appeal that are not the Chairperson shall be elected not later than on the day of the Team Captains Meeting - which shall be held on the day before the first Official Training takes place, and before the selection of the Competition Jury - from among the Executive Board members present, or from among the team captains and coaches of the teams participating in the Team Captains Meeting. The Chairperson shall chair the election of the Jury of Appeal. The members of the Jury of Appeal must not be a competition official or a member of the Competition Jury at the same time. For the election each Member Federation can cast only one vote.
- 8.3** In matters presented to the Jury of Appeal that concern a nation of which the Chairperson or a member of the Jury of Appeal is a citizen, or for which he works, this member shall be considered prejudiced and shall not have the right to vote. If the Chairperson is considered prejudiced, another member of the IBU Executive Board shall handle the matter in question or, if no other member of the Executive Board is present, the oldest member of the Jury of Appeal shall take the chair.
- 8.4** For the election procedure and for decisions to be made, Article 2.3 of the IBU Event and Competition Rules shall apply.

## ARTICLE 9 IBU COURT OF ARBITRATION

- 9.1** The IBU Court of Arbitration as an independent institution shall consist of 3 arbitrators, of whom at least the chairperson must be a qualified judge or have an equivalent juridical qualification.
- 9.2** **Seat**  
The IBU Court of arbitration has its seat in Salzburg; where also the Oral hearings take place.
- 9.3. Nomination of Arbitrators**  
Each member of the IBU shall have the right to nominate two arbitrators who will form a list of arbitrators from which the IBU Court of Arbitration will be assembled for each individual case. The nominations for arbitrators are to be sent by writing or by e-mail to the Secretary General of the

IBU Court of Arbitration. The IBU Legal Committee shall elect the SG from among its members. The SG shall function as a depository for the list of arbitrators and shall inform the IBU Member Federations every year by 1 September of the current names on the list.

- 9.4** The appellant will select one arbitrator, the respondent will appoint the other.
- 9.5** Within ten days of the appointment of the second arbitrator, both arbitrators have to agree on a Chairperson. If the nomination of a Chairperson does not occur during the 10-day time limit or if the two arbitrators cannot agree on a time limit within which they will undertake the election of the Chairperson then the Chairperson will be appointed by the President of the CAS in Lausanne on the motion of a party.
- 9.6** In the case of one of the arbitrators being unable to or prevented from presiding, his successor will be appointed according to the same procedure as the withdrawing arbitrator.

#### ARTICLE 10 PROCEDURE FOR THE COMPETITION JURY

- 10.1** The composition of the Competition Jury is stipulated in Article 2.3.2. of the IBU Event and Competition Rules.
- 10.2** The Competition Jury shall impose penalties and disciplinary measures following a report from the RD, TD(s), IRs, competition officials, on the basis of observations by its members or as a consequence of protests.
- 10.3** Before a Competition Jury can impose a penalty, the Athlete affected and/or his team captain must be given a hearing, as far as possible and feasible.
- 10.4** The Competition Jury shall be independent. The Competition Jury shall not be restricted in the admission or evaluation of evidence.
- 10.5** If the Competition Jury does not uphold a submitted protest under Article 10 of the IBU Event and Competition Rules, an appeal may be lodged with the Jury of Appeal.

**ARTICLE 11 PROCEDURE FOR THE EXECUTIVE BOARD**

- 11.1** Before fines or a removal from a function are imposed, a hearing of the person concerned must take place in the ordinary course of the next regular meeting of the Executive Board. With regard to the procedure, Article 7 of the IBU Constitution shall apply. The decision is to be communicated to the person concerned in writing.
- 11.2** The decision on suspensions and bans must be made during an extraordinary meeting of the Executive Board, which has to take place within two weeks of the disclosure of a positive B-test result to the Secretary General.
- 11.3** The person concerned and his National Federation have to be granted a legal hearing and access to the services of an advisor and interpreter. The person concerned shall have the right to present evidence, including the right to call and question witnesses. The Board shall not be restricted in the admission or evaluation of evidence.
- 11.4** The decision, with the reasons, must be delivered in writing to the person concerned within 14 days of when it is passed.
- 11.5** The costs that accrue from the extraordinary session of the Executive Board and from the B-test examination shall be borne in the case of a conviction by the person concerned or alternatively by the Federation concerned.

**ARTICLE 12 APPEAL PROCEEDINGS FOR THE JURY OF APPEAL**

- 12.1** The time limit for lodging an appeal against the imposition of a penalty or a disciplinary measure is 1 hour. This time limit shall begin - before and during the competition - from the notification of the Competition Jury's decision, and after a competition beginning from the publication of the Final Results.
- 12.2** The Jury of Appeal shall meet immediately after this time limit and make its decision as soon as possible, in any case before 24:00 hours midnight of the same day.
- 12.3** The appeal is to be lodged in writing with the Chairperson of the Jury of Appeal at the Competition Office. The appeal must be accompanied by a

- bond of 75 € to be left at the Competition Office, which will be forfeited to the IBU if the appeal is denied.
- 12.4** The Chairperson of the Competition Jury must present the reasons for its decision to the Jury of Appeal.
- 12.5** The person concerned is to be given a legal hearing and an access to the services of an adviser and interpreter. The decision is to be submitted in writing and be kept at the premises of the IBU.
- 12.6** The appeal will be denied in the event of the non-appearance of the appellant.
- 12.7** The Jury of Appeal shall not be restricted in the admission or evaluation of evidence.
- 12.8** The decisions of the Jury of Appeal may not be challenged.

### ARTICLE 13 APPEAL PROCEEDINGS FOR THE IBU COURT OF ARBITRATION

- 13.1** The appellant must lodge his appeal with the IBU Court of Arbitration in writing by registered letter to the Secretary General of the IBU Court of Arbitration within twenty-one days after receipt of the relevant decision. All claims must briefly set out their nature and the facts relating thereto and concurrently appoint an arbitrator. The Secretary General of the IBU Court of Arbitration must inform the other party of the claim without delay.
- 13.2** The appeal respondent must advise of its appointment of an arbitrator within 1 month after the receipt of this letter, including to the appellant. If the appeal respondent fails to make this appointment, the appellant may seek the appointment of the second arbitrator by the Secretary General of the IBU Court of Arbitration.
- 13.3** Arbitrators are bound in their decisions by the IBU Constitution, IBU Rules, IBU Event and Competition Rules, and IBU Anti-Doping Rules as well as by the provisions of substantive law of the Republic of Austria. To the extent not provided otherwise by the Constitution and Rules of the IBU, the general precepts of Austrian civil procedure law shall apply to the arbitration proceedings.
- 13.4** According to the circumstances, the arbitrators should strive to bring

about an amicable settlement, except in the cases of Article 10.2. c. and d. of the IBU Constitution. In urgent cases, the Chairperson of the IBU Court of Arbitration is authorized to determine provisional or conservatory measures to guarantee due process.

- 13.5** The IBU Court of Arbitration shall make its ruling after an oral hearing, as far as possible within a time limit of three months of being constituted.
- 13.6** In the oral hearings, the circumstances of the dispute shall be determined by hearing the appellant, a representative of the Executive Board, any witnesses and any experts appointed by the IBU Court of Arbitration.
- 13.7** Further evidence may be admitted independently of the motions of the parties.
- 13.8** The appellant and the representative of the Executive Board shall be given the opportunity to be present during the examination of witnesses and comment on their testimony.
- 13.9** Oral hearings shall be open to IBU members.
- 13.10** The non-appearance of a party shall not hinder the execution of the procedure.
- 13.11** The appellant and the Executive Board may avail themselves of the assistance of a legal adviser and an interpreter at any stage of the proceedings.
- 13.12** Appeals against decisions of the Executive Board will not have suspensive effect.
- 13.13** The IBU Court of Arbitration's decision, with reasons in writing, is to be transmitted to both parties by registered mail within 14 days of its issue.
- 13.14** The IBU Court of Arbitration will also rule on the costs of the proceedings. These can be split among the parties or imposed in full upon one party only. Upon filing the arbitration request, the claimant shall pay a fee of 350 € without which the IBU Court of Arbitration shall not proceed. Upon formation of the Court, the Secretary General of the IBU Court of Arbitration shall set - subject to later changes - the amount and the method for an advance payment of court costs. Each party shall advance

the costs for one arbitrator and half of the costs of the Chairperson as well as the costs for its own witnesses, experts and interpreters.

- 13.15** Decisions of the IBU Court of Arbitration are final and shall have no recourse to appeal, with the exception of decisions on doping matters and in matters of Article 10.2 d. of the IBU Constitution. Regarding doping matters the IBU Anti – Doping Rules apply.

#### **ARTICLE 14 EXEMPTION FROM LIABILITY**

The competent Organs and their members cannot be made liable for claims arising out of the enforcement of the present Disciplinary Rules.

#### **ARTICLE 15 DIVERGENCES**

In case of any divergences between the IBU Rules and the WADA Rules, the WADA Rules overrule the IBU Rules.

#### **ARTICLE 16 ENTRY INTO FORCE**

The Disciplinary Rules of the IBU became effective as of 1 July 1994 and were amended by the 1996, 1998, 2000, 2002, 2004, 2006 and 2008 Congresses.