



## Association Court Regulations (ACR)

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## Appendix to the Association Court Regulations (A-ACR)

### Guidelines for disciplinary measures:

- A Disciplinary measures against players
- B Disciplinary measures against coaches
- C Disciplinary measures against officials
- D Disciplinary measures against clubs and associations

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### **§ 1 Basic Rule**

1. The IFI, its member federations, their sub-organisations and member clubs, their individual members and active athletes shall ensure order, justice and sportsmanship in the Icestocksport.
2. Sporting offences, i.e. all forms of unsportsmanlike behaviour, by all members mentioned in No. 1 shall be punished.
3. This does not affect the legal regulations of the member associations in their areas of responsibility.

### **§ 2 Legal bodies**

1. The Sports Court, the Court of Appeal and the Court of Arbitration are appointed to fulfil the tasks specified in § 1.
2. The judicial bodies are independent. Their members are subject only to the law of sport and their conscience.
3. No action may be brought before an ordinary court without the authorisation of the IFI.

### **§ 3 Responsibility, regulatory measures**

1. The responsibilities and authorised disciplinary measures are determined by the IFI-Statutes and the legal bases of the IFI as well as by the circumstances of all international competitions.
2. Suspensions imposed on players and individual members extend to the entire IFI area.
3. The member association of the person concerned shall be held liable by the IFI for any fines imposed and procedural costs incurred.



## § 4 Courts

1. The courts of the IFI are responsible for monitoring and verifying compliance with the provisions and regulations applicable to sports traffic.
2. The IFI Sports Tribunal shall have jurisdiction, without recourse to the ordinary courts of law, for:
  1. Regulatory proceedings.  
Punishment of violations and offences.
  2. Determination procedure.  
Review of the evaluation of competitions.
3. The IFI Court of Arbitration shall have jurisdiction, to the exclusion of the ordinary courts of law, for:
  1. Review procedure.  
Reviewing the decisions of association institutions.
  2. Arbitration procedure.  
Deciding on disputes between the member organisations of the IFI or on disputes between the member organisations or their personalities and IFI organisations or their personalities or between members of IFI organisations among themselves.
  3. The courts of the IFI shall generally decide in the composition of 3 members. Oral hearings are generally open to the public; however, the public may be excluded for parts of the hearing in accordance with § 11.3 may be excluded for parts of the hearing upon request. Deliberations and voting are secret. The decisions of the courts are made by majority vote.  
Voting order: 1st younger assessor, 2nd older assessor, 3rd chairman.  
Abstention of its members is not permitted.
4. The courts of the IFI shall only act upon written application.
5. The IFI Sports Tribunal decides in the first instance on an application in accordance with § 4.2.
6. The decision of the Sport Court may be appealed to the IFI-Court of Appeal.  
Arbitration matters may be referred to Congress for a final decision.
7. The IFI-Court of Arbitration shall decide on an application pursuant to § 4.3.
8. The Presidium of the IFI may, upon request, authorise an appeal to the ordinary court against final decisions of the Court of Appeal.
9. The President of the IFI shall exercise the right of clemency upon request following legally binding decisions.



## § 5 Regulatory procedure

1. Within the scope of their activities, the courts must observe the following:
  1. The Statutes with legal bases, in particular the International Icestock Rules (IER) and the IFI International Rules of Play (IspO),
  2. Resolutions of the IFI-Congress,
  3. Resolutions of the Presidium of the IFI,
  4. Orders of the Association's institutions.
2. The courts shall penalise if:
  1. existing provisions, rules, resolutions and orders are violated or disregarded wilfully or negligently,
  2. culpable acts or statements are committed that are grossly contrary to sporting decorum,
  3. the reputation of the sport of curling, the IFI, its members and association institutions as well as the courts are damaged,
  4. untrue information, statements, declarations etc. are made to association institutions.
3. the following may be imposed as disciplinary measures:
  1. reprimand,
  2. warning,
  3. Purposes
  4. disqualification from sporting placings,
  5. temporary suspension from own events,
  6. temporary or permanent ban from playing,
  7. a temporary or permanent ban on officials, either generally or specifically in member associations and clubs as well as in association institutions.
4. Disciplinary measures can be suspended in whole or in part on probation.
5. Fines must be paid to the IFI within 4 weeks of a decision becoming final. The member association is liable for the payment of the fines.



## **§ 6 Determination procedure**

1. The application for the initiation of declaratory proceedings against the evaluation of a competition can only be based on the fact that the violation of the § 5.1 has led to a decisive disadvantage for the applicant.
2. The application for the initiation of declaratory proceedings also requires that the applicant has lodged a protest with the referee or competition director no later than 30 minutes after the evaluation decision against the evaluation carried out, that the protest is noted with the reasons on the back of the match report and that it has been signed by the applicant and the referee or competition manager.
3. Decisions of fact by a competition director or referee are not subject to review by the courts of the IFI. Factual decisions are all decisions made by a competition manager or referee within the framework of the correct interpretation of the rules and the discretion to which they are entitled on the basis of their observations or findings.
4. The initiation of declaratory proceedings does not have a suspensive effect.
5. In special cases of need for protection and particular urgency (loss of participation in further competitions), an urgent procedure can be requested. A decision can be made in written proceedings (§12.1). Necessary witnesses are to be heard in writing within 8 days of the response period. For the summary proceedings, double advances on costs are to be paid in accordance with Section 19.

## **§ 7 Review proceedings**

1. In the case of a request for review of a decision of Union institutions within the framework of the Provisions, the arbitral tribunal may either:
  1. and refer the matter back to the institution involved for another treatment and a new decision.
  2. in urgent cases, if the matter is ripe for a decision according to established or undisputed facts, decide on the merits of the case itself.
2. The review of the legality of a decision must be based on the  
The above-mentioned objections are limited.
3. In the case of a complaint of failure to act, the arbitral tribunal must set a deadline for the institution of the association within which the institution of the association must take action or make a decision. After the deadline has expired without result, the arbitral tribunal can make its own decision.



## **§ 8 Conciliation procedure**

1. In the conciliation procedure, the arbitral tribunal has decided on disputes between all § 4.3.2.
2. In the case of settlements of claims for damages, compensation in money can be acknowledged.
3. Upon application, the acting presiding judge of the adjudicating court may approve instalment payments or deferrals.
4. If the persons concerned do not comply with the obligations arising from the final decision within a reasonable period of time, the acting presiding judge of the adjudicating court may, at the request of the successful party, set a deadline for the unsuccessful party to fulfil the obligations.
5. After the fruitless expiry of the time limit, the person concerned may be excluded by decision of the adjudicating arbitral tribunal on application from the activity or from gambling within the IFI area until the obligations have been fulfilled, but a decisive congress itself determines the consequences of a fruitless expiry of the time limit.

## **§ 9 Application, application deadline, advance on costs**

1. Eligible to apply according to § 4.5 of this VGO are:
  1. Association situation,
  2. Associations
  3. In sports court proceedings, he is also a referee and competition director,
  4. In conciliation proceedings, members of association institutions are also involved.
2. An application for the initiation of proceedings before the Court of Sport or Arbitration must be submitted in writing in four copies by registered mail to the IFI office.
3. If the applicant sends further copies of the application directly to participants or affected member associations or association institutions in order to speed up an urgent procedure, the mailing list must be noted in the original of the application (only for summary proceedings).
4. The application must contain:
  1. The exact name of the applicant,
  2. A statement of which procedure is being requested,
  3. The exact details of the persons involved or affected,



4. A specific application,
  5. A detailed statement of reasons, stating the evidence,
  6. Proof of payment of the advance on costs.
5. The application for the initiation of proceedings by the courts must be filed within a time limit, the decisive date is the date of postal delivery.
1. In the administrative procedure of 14 days,
  2. In the assessment proceedings of 14 days,
  4. In review proceedings of 14 days,
  5. In the conciliation procedure of 6 months.
- The limitation period begins with the acknowledgement of the violation of the provisions mentioned in § 5 (regulatory proceedings), the day of the match (declaratory proceedings), the service or acknowledgement of the decision (review proceedings) or the emergence of the claim (conciliation proceedings). (Subjective statute of limitations)
6. The application for the initiation of proceedings interrupts the limitation period. The date of posting of the application to the IFI office is decisive.
7. If a person concerned evades regulatory proceedings by resigning, this will be initiated or continued after a new membership has been acquired.
- The resignation interrupts the statute of limitations until this point in time
8. Any offence under this VGO that is not reported within 6 months of the offence (objective statute of limitations) by applying for the initiation of proceedings will be exempt from punishment.
9. At the same time as the application for the initiation of proceedings, an advance on costs must be paid in accordance with the provisions of Section 19. The payment of an advance on costs is waived for association institutions and their personalities as well as for referees and competition directors in international competitions.
10. If the application or payment deadline is missed, the application shall be rejected as inadmissible by the acting presiding judge of the competent court.
11. An application can be withdrawn at any time.

## **§ 10 General Rules of Procedure**

1. The IFI office must forward an application for the initiation of proceedings to the competent court without delay, which has been submitted in due form and within the time limit. The court must immediately deal with and decide on an application that has been submitted in due form and within the time limit.



2. The chairman of the court or a member of the sports or appeal court appointed by him (as acting chairman) decides whether to open or reject proceedings or to discontinue or transfer jurisdiction to a sports court of a member association of the requested proceedings. There is no need for a decision to open the proceedings.
3. The refusal to open proceedings or the discontinuation of proceedings is permissible:
  1. In the case of obviously querulatory motions.
  2. If, taking into account sporting aspects or the possible actual completion due to the passage of time, there is no longer a factual or legal need for a decision.
  3. If the expected outcome of the proceedings is no longer in reasonable proportion to the costs incurred in conducting the proceedings.
4. An appeal to the Court of Appeal is admissible against a decision rejecting proceedings or discontinuing proceedings before the Sports Court.
5. The right to be heard of the parties must be guaranteed when the proceedings are opened before any decision is taken.
6. Determining the type of procedure:
  1. Single-judge decision,
  2. Voting by telephone or in writing by the members of the court,
  3. Oral hearing.as well as the ordering of the time limits for appearance, pleadings and summonses, the selection of the place of the hearing (the most cost-effective option) and the determination of the time of the hearing as well as the determination of all other measures for conducting proceedings are the responsibility of the acting presiding judge of the court.

The costs arising from these measures must be taken into account.
7. After the conclusion of the proceedings, the files are to be sent to the IFI office by the adjudicating court. The files are to be kept and kept by the registry.
8. A member of a court can declare himself biased.

## **§ 11 Proceedings for the sports tribunal**

1. The sports tribunal consists of the chairman and two assessors (see Art. 11.10 and Art. 16 of the Statutes).





1. The court is entitled to demand written reasons for its decision from association institutions, to summon witnesses, to request written statements, and to consult association or association files or other material that appears suitable and to make them the subject of the proceedings.
2. The court decides on the exclusion of the public from an oral hearing at its dutiful discretion, as well as on inspection of the files before, during and after the conclusion of the proceedings.
3. If a party does not appear despite having been duly summoned, which must be sent at least 14 days before the date of the oral hearing, the hearing may be held in his absence.
4. Minutes of each meeting must be drawn up. This must be signed by the acting chairman and the secretary, if such a person is present. The protocol may be supplemented by a tape recording. A paid copy in writing can only be requested before the expiry of the consultation period. The tape recordings can be deleted after the expiry of the appeal period, or after legal force has become final.
6. The decision of the court shall be announced at the end of the hearing.
7. The decisions of the court must be justified in writing, signed by the acting chairman, served in writing on the person concerned and applicant by registered letter with acknowledgement of receipt, and on the IFI office. Decisions become legally effective upon service.
8. Every decision must decide on the payment of costs.
9. The decisions of the sports court become final upon expiry of the appeal period, unless an appeal has been filed against them in due form and within the time limit, with the result that the decision cannot be challenged in court. The same applies to decisions against which the appeal of an objection is available.

## **§ 12 Single judge proceedings for the sports court**

1. The acting chairman of the sports tribunal may:
  1. in particularly urgent cases and
  2. in cases that are legally unambiguous, a single-judge decision is issued in writing.
2. A decision of a single judge becomes final if an appeal is not lodged within one week of service of the decision.



3. An appeal against a decision of a single judge is admissible by one of the parties. The appeal of the objection does not have a suspensive effect.
4. The person concerned cannot file an objection on the basis of imposed procedural costs alone.
5. If the person concerned was not at the same time an applicant pursuant to § 9.1 and had already paid an advance on costs pursuant to § 9.9, the person concerned must pay an advance on costs pursuant to § 19 within the objection period.
6. If the objection or payment deadline is missed, the objection is to be rejected as inadmissible by the acting chairman of the sports court.
7. An objection can be withdrawn at any time.
8. In the event of an objection, the sports court decides, with the participation of the single judge, whereby § 10, no. 5 and 6 and § 11 shall apply. The court decision issued thereafter can be appealed.

## **§ 13 Proceedings before the Court of Appeal**

1. The Court of Appeal consists of the chairman and two assessors (see Art. 11.10 and Art. 16 of the Statutes).
2. The decisions of the sports court may be appealed to the IFI Court of Appeal (appeal).  
The appeal does not have a suspensive effect.  
The appeal is not admissible on the basis of procedural costs imposed alone.
3. The appeal period is 14 days and begins with the service of the decision of the sports court.
4. Within the appeal period, a further advance on costs is to be paid in accordance with the provisions of Section 19.  
The payment of an advance on costs is waived if an IFI institution, its personalities or arbitrators or competition directors have appealed.
5. If the appeal or payment deadline is missed, the appeal is to be dismissed as inadmissible by the acting chairman of the appellate sports court.
6. The appeal must be submitted in writing in 4 copies by registered mail to the IFI office.



The appeal must contain:

1. The name of the judgment against which the appeal is lodged,
  2. An explanation of when the judgment was served,
  3. A declaration that the verdict will be appealed,
  4. A statement of the extent to which the judgment is being challenged and what modification of the judgment is requested,
  5. The indication of the reasons that led to the challenge to the judgment,
  6. The evidence which the appellant claims to have gathered
  7. A reference to the payment of the advance on costs.
7. The provisions of § 10 on the general rules of procedure and the provisions of § 11 no. 1-9 (proceedings before the sports court).
  8. The appeal can be withdrawn at any time.
  9. The acting presiding judge of the Court of Appeal may issue a decision of a single judge in writing in particularly urgent cases or in cases that are legally unambiguous.
  10. The person affected by a decision submits to it, with the consequence that the decision cannot be challenged in court if the application for this is not filed within an emergency period of 14 days in accordance with § 4.9.

## **§ 14 Proceedings for the arbitration tribunal**

1. In the event of disputes between IFI institutions and their personalities, between the IFI member associations and their individual members, or between member associations with their individual members and IFI institutions with their personalities, a tripartite arbitration tribunal must be convened, which must be requested in writing from the Executive Committee.
2. Each party shall appoint an assessor who shall elect a third party as chairman.
3. If they cannot agree on a chairman, the chairman is appointed by the president of the IFI (after consultation with the members of the presidium) within one month. If the president or the presidium of the IFI are a party, then in the event of disagreement about a chairman, the next congress appoints the chairman.
4. The plaintiff must designate the assessor appointed by it when filing the complaint. With the notification of the complaint, the defendant is to be requested to designate the assessor appointed by it within 2 weeks. If the defendant does not comply with the request, the body designated in § 14.3 shall appoint the assessor.



5. If one or more members of the Arbitral Tribunal are absent, they will be replaced in accordance with these Rules.
6. An appeal pursuant to § 4.7 is subject to the condition that:
  1. the appeal has been filed with the chairman of the arbitral tribunal by registered letter within 14 days of service of the arbitral award, and
  2. a written statement of reasons for the appeal is submitted within a further 14 days at the latest.
7. If the Respondent has not commented in writing on the content of the Claim and does not appear at the oral hearing in person or be duly represented, the Arbitral Tribunal may consider the Claimant's allegations to be admitted and assume that the Respondent is not required to make any further statements.
8. The arbitral tribunal should always try to settle the dispute by means of a settlement before issuing the award. The settlement shall be signed by the members of the arbitral tribunal and the parties, stating the date on which it was concluded, and shall be deposited at the IFI office.
9. After the conclusion of the deliberations, the arbitral tribunal may announce to the parties the wording or content of the arbitral award issued. There is no obligation to promulgate.
10. The presiding judge is responsible for the work related to the arbitration proceedings, such as keeping the arbitration files, correspondence with the parties and assessors, summoning the parties and, if necessary, the witnesses and experts.
11. The costs of the proceedings will be determined by the arbitral tribunal. The assessment of costs and the debtors are to be included in the arbitral award or settlement.
12. The arbitral tribunal may, on its own initiative or at the request of a party, make the conduct of the proceedings or certain motions made in the course of the proceedings (summoning witnesses and experts, etc.) dependent on the payment of an appropriate advance on costs.

## **§ 15 Reopening proceedings**

1. An application for a retrial must be made by the person concerned against whom a decision has been given through the IFI registry to the court whose decision has become final.



2. The application for revision may only be made within a period of 14 days from becoming aware of the grounds for reopening and a maximum of 12 months after the decision in question has become final.
3. The reopening of proceedings that have been finally concluded may be ordered by the acting presiding judge of the adjudicating court if new facts and evidence are produced which were not known to the court in the previous proceedings and could not be asserted by the applicant through no fault of his own.
4. The application for a retrial, the course and the costs of the proceedings shall be governed by the corresponding provisions for the proceedings before the court concerned.
5. If the sports court makes a decision in the reopening proceedings, there is an appeal against it.

## **§ 16 Right to mercy**

1. A person affected by a final decision of a court may submit a petition for clemency to the President of the IFI.
2. The petition for clemency must be submitted in 3 copies to the IFI office. At the same time, a clemency petition fee of CHF. 100,-- to the IFI.
3. By way of pardon, decisions of the courts can be reduced, converted or suspended.
4. The court (or its chairman) that made the decision must be heard before exercising the right of pardon.
5. The decision on clemency is made without an oral hearing. It is not contestable.

## **§ 17 Publication**

1. A final decision of the courts of the IFI may be published.
2. The power to publish a final decision must be expressly granted by the court.
3. Legally binding disciplinary measures in accordance with § 5.3 (No. 4-7) must be notified to all member associations by the IFI office without delay.



## § 18 Cost

### Obligation to pay:

1. The unsuccessful party to the proceedings shall be ordered to pay the costs of the proceedings or the person who has withdrawn his application or appeal.
2. If one party succeeds in part and loses in part, the costs shall be set aside against each other or divided proportionately. If the costs are set aside against each other, half of the costs of the court shall be borne by each party. The costs can be imposed in full on one participant.
3. If proceedings against several affected parties are handled together, the adjudicating court must apportion the costs incurred proportionately and in relation to the decision issued.
4. The costs of an unsuccessful appeal are borne by the person who filed it.
5. Costs in the case of settlement: If the proceedings are settled by a settlement and the parties have not made a determination of the costs, the following applies:
  1. A fee is not charged,
  2. Half of the expenses shall be borne by each party, unless the court exempts the parties from them in whole or in part,
  3. The expenses incurred by him shall be borne by each participant himself.
6. Costs regulation in other cases:

Costs incurred by the application for re-establishment of rights shall be borne by the applicant.

If proceedings are referred to another court, the costs of the proceedings before the court seised shall be treated as part of the costs incurred by the court to which the proceedings have been referred.

Costs incurred as a result of culpable default by a party may be imposed on the participant.
7. Concept of costs:

Costs are the expenses of the members of the court and the expenses necessary for the appropriate legal prosecution.

The court's expenses are:

  1. Costs for transcripts and photocopies made on request,
  2. postal and telephone charges,



3. remuneration for witnesses, experts and interpreters,
4. fees payable to public authorities,
5. Remuneration for services provided by external bodies and persons.

Fees and expenses of a lawyer or other agent shall be recoverable only if the court has determined in the decision on costs that the recourse was necessary.

8. Extended obligation to make advances:

The parties are obliged to make advances with regard to the costs. The court or its presiding judge may determine further advances on costs in special cases.

IFI institutions and their personalities or IFI referees and competition directors are exempt from the obligation to make an advance payment.

The court does not take the requested action until this further advance on costs has been paid.

9. Decision on costs, settlement of the main proceedings:

1. In an order concluding the proceedings, the court shall decide on the costs and determine the amount thereof.
2. If there is no need to adjudicate on the main proceedings, the court shall decide on the costs at its equitable discretion; the current state of affairs and the state of the dispute must be taken into account.

10. A separate challenge to the decision on costs is not admissible.

11. Upon application, the acting presiding judge of the adjudicating court may grant a deferral or payment in instalments in the event of fines or procedural costs.

## § 19 Cost advances

If proceedings are to be brought before an IFI court, the following advances on costs are to be paid to the IFI (registry) for subsequent settlement:

At:

1. Proceedings before the Sports Court CHF. 300,--
2. Proceedings before the Court of Appeal for Sports CHF. 300,--
3. Proceedings before the Arbitration Court CHF. 500,--
4. Retrial CHF. 300,--
5. In the case of summary proceedings pursuant to § 6.5, double the cost advances are to be paid.



## **§ 20 Liability**

1. The member federations shall be liable, if necessary jointly and severally, to the IFI for fines and procedural costs imposed by the courts on the IFI of one of its sub-organisations and member clubs, its individual members and active athletes.
2. Member associations that fail to pay fines or procedural costs imposed on them, one of their sub-organisations, member clubs or individual members and officials within the prescribed period, despite a reminder from the acting chairman of the adjudicating court, may be excluded from participation in sports in the IFI area until the obligations owed have been fulfilled by the chairman of the adjudicating court.
3. Member associations that do not pay fines or procedural costs imposed on them, their sub-organisations, member associations or individual members and officials, despite two reminders by the acting chairman of the recognising court, have no rights whatsoever until this obligation has been settled.

## **§ 21 The Court of Arbitration for Sport (C.A.S)**

The Court of Arbitration for Sport (C.A.S.), or specifically the Appellate Arbitration Chamber of the C.A.S., has jurisdiction over matters of last resort that go beyond the IFI's internal litigation and disciplinary procedures. The C.A.S. is an institution independent of any sports organization that deals with the resolution of disputes within the authority of the International Arbitration Council.

The IFI recognises the competence of the Appellate Arbitration Chamber of the Court of Arbitration for Sport (C.A.S.) as the court of last instance, having recourse to all internal means, including the Court of Appeal of the IFI.

Any decision made by the IFI Court of Appeal may only be submitted to the C.A.S. in Lausanne, Switzerland, which will resolve the dispute in accordance with the Rules of Procedure for Sports Jurisdiction and whose judgment will be final and binding on all parties. The application for appeal must be filed within 21 days of receipt of the decision forming the subject of the appeal. English law applies.

## **§ 22 Entry into force**

This Association Court Rules (ACR) was adopted at the 35th Ordinary Congress of the International Federation Icestocksport on 4 June 1983 and entered into force together with the "Annex to the Association Court Rules" (A-ACR) and the "Guidelines for Regulatory Measures" entered into force on 1 October 1983.

The amendment was adopted at the 56th Ordinary Congress on 14 March 2004 and will enter into force on 15 March 2004.