



ICSF Legal regulations 2016

Part 1: GENERAL

Art. 1: Scope of the regulations

- 1.1 The ICSF legal regulations are established as dispute resolution mechanism on all disputes between the following parties of the Casting sport family:
- a) ICSF as world governing body;
 - b) ICSF bodies as are the Executive Committee and the Commissions;
 - c) ICSF Member Federations;
 - d) members of an ICSF Member Federation, in particular clubs;
 - e) athletes;
 - f) officials including event officials;
 - g) any other participant in ICSF sanctioned events.
- 1.2 The disciplinary measures of ICSF are exclusively governed according to Article 1.24 of the ICSF constitution.
- 1.3 These regulations are applicable to any international dispute involving parties as defined in Article 1.1. Disputes and disciplinary actions on national level exclusively fall under the jurisdiction of the national legal bodies.
- 1.4 Cases resulting from ICSF international competitions and events as well as cases involving two or more ICSF members always are considered as international level disputes with regard to Article 1.2. Cases involving parties from one single ICSF member Federation and resulting from national competitions are considered national level cases in that sense.
- 1.5 If a national case is related to the international level in any aspect national bodies may pass on the case to the ICSF legal instances.

Art. 2: Legal basis

- 2.1 The ICSF Statutes and rules serve as legal basis for the legal bodies of ICSF.
- 2.2 If no rules or regulations can be applied from the above legal basis and a case can be resolved neither according to the letter nor spirit of the law, then similar previous cases and the reasoning behind other related laws must be taken into consideration. If the case is still in doubt, it must be resolved with regard to the carefully collected and considered details of the case, and according to natural principles of law.

Part 2: ORGANISATION

Art. 3: Names and structure

- 3.1 The ICSF legal bodies are the ICSF Chamber and the ICSF Court.



- 3.2 These consist of a chairperson and two additional members, one of whom is appointed vice-chairperson. A maximum number of three substitute members of each body should be elected.
- 3.3 Two of the members of the ICSF Court including the chairperson must possess a juridical license valid in their country of origin.
- 3.4 The ICSF Chamber serves as first instance and the ICSF Court serves as second instance of the internal juridical procedures.
- 3.5 Each decision of the ICSF Chamber in the first instance may be appealed to the ICSF Court as second instance of the internal juridical procedures.
- 3.6 The decision of the ICSF Court ends the internal procedures of ICSF.

Art. 4: Election

The members of the ICSF Chamber and the ICSF Court are elected by the ICSF Congress for a term in – between two General Assemblies. They can be re-elected without restriction.

Art. 5: Incompatibility of offices

The members of the Juridical Commission and the ICSF Court cannot belong to any other ICSF body or to the same member Federation.

Art. 6: Composition of the Tribunal in the case of a conflict of interest

- 6.1 If the case affects the interest of one of the three ordinary members or their national member federation, a substitute member replaces the person concerned.
- 6.3 If the chairman has to be replaced, one of the committee members, preferably the vice-chairperson, chairs the deliberations in his place.
- 6.4 Should there be no quorum, the Executive Committee of the ICSF shall appoint ad hoc members for the specific case to make up the body of three members.

Part 3: AREAS OF COMPETENCY

1. THE ICSF CHAMBER AS FIRST INSTANCE

Art. 7: Cases

- 7.1 The ICSF Chamber is the first instance competent in legal disputes between:
 - 7.1.1 The ICSF and its member Federations.
 - 7.1.2 Two or more member Federations.
 - 7.1.3 Bodies of the ICSF.



7.2 Cases as defined in Article 7.1 cannot be brought to the ICSF Chamber after a time of three months has elapsed since beginning of the dispute.

Art. 8: Procedures

- 8.1 Appeals or requests to the ICSF Chamber shall be sent to the ICSF Secretary General.
- 8.2 An appeal shall include a request for relief, a brief statement on the facts and legal arguments and all exhibits and specifications as well as details of witnesses and experts, in particular the name and address of the parties, the contested verdict or decision, the facts of the case, the legal basis, the petitions and the signature of the petitioner or claimant. A list of the enclosed pieces of evidence and in the case of an appeal or complaint, the contested verdict or decision should be enclosed. The appeal shall include proof of payment of the fees as defined in Article 12. The defending party shall respond by the same means within 30 days after receipt of the case file.
- 8.3 The ICSF Secretary General actions to send the file to the chairperson of the ICSF Chamber.
- 8.4 The chairperson of the ICSF Chamber will convene the Tribunal informing the additional two members on the case and providing the file.
- 8.5 The chairperson will conduct an assessment on whether any member of the Chamber adjudicating the case are from member Federations being involved directly or indirectly in the case or are interested in the result of the case making them not eligible for the Tribunal applying Article 6. A member of the ICSF Chamber shall inform the chairperson of the ICSF Chamber of his own accord, when his or her independence can be questioned.
- 8.6 If the chairperson of the ICSF Chamber is a member of the Tribunal he/she will act as chair. Otherwise he/she will appoint the chair.
- 8.7 The language of the proceedings is English. All documents must be drawn up in English. With all the pieces of evidence included, the legal documents must be sent to the ICSF Secretary General. The documents may be sent by eMail as well as procedures can be conducted via eMail upon decision of the chair of the Tribunal.
- 8.8 The chair of the Tribunal is responsible for the guidance of the procedure.
- 8.9 The chair of the Tribunal forwards the documents to the respondent and informs the parties about the members of the Tribunal.
- 8.10 The procedure before the Tribunal comprises written submissions and, if the Tribunal deems it appropriate at its discretion, an oral hearing. As a general rule, there shall be one statement of claims or appeal and one response.
- 8.11 The issues which have been referred to the Tribunal shall be concluded in a decision.
- 8.12 The decision shall be rendered by a majority, or in the absence of a majority, by the chair of the Tribunal alone. It shall be written, dated and signed. The signature of the Chairman shall suffice. The Decision shall state brief reasons.



- 8.13 The decision shall be communicated to the parties and the ICSF Secretary General immediately.
- 8.14 If there is a possibility to appeal, it should be stated in the decision
- 8.15 The Tribunal may take preliminary and temporary decisions in order to regulate urgent matters pertaining to the case and uphold the integrity of the sport.

2. THE ICSF COURT AS INTERNAL COURT OF APPEAL (SECOND INSTANCE)

Art. 10: Cases

- 10.1 The ICSF COURT is competent as court of appeal for any decision taken by the ICSF Chamber.

Art. 11: Procedures

- 11.1 The procedures of the ICSF Court are conducted analogue to those of the ICSF Chamber.
- 11.2 The deadline for submissions is one month after the decision of the ICSF Chamber had been communicated to the parties.

Art. 11: Fees and costs

- 11.1 The petitioner addressing the ICSF Chamber or the appellant addressing the ICSF Court must pay the fees as set out under Article 11.2. Fees must be paid to the official ICSF bank account.
- 11.2 For a petition to the ICSF Chamber: 200 EURO
For an appeal to the ICSF Court: 400 EURO
- 11.3 The losing party is obliged to pay for the costs of the proceedings. The costs are divided according to the result of the proceedings.
- 11.4 As a general rule, each party shall bear its own costs, including the costs of its counsels, witnesses, experts and interpreters.
- 11.5 The Tribunal may determine that one Party shall bear the costs of the other party and the costs of the Tribunal as part of its decision.
- 11.6 The chair of the ICSF Chamber or ICSF Court may demand further appropriate advances for carrying out the proceedings. There can be no appeal against such a decision. In the event of non-payment, the proceedings are not continued and the case is rejected.
- 11.7 A decision of the ICSF Chamber or ICSF Court about fees, fines, the allocation of costs etc. serves as a document of enforcement in the conduct of legal proceedings.
- 11.8 Members of the Tribunals and third persons who are summoned to it can claim compensation according to the expenses rules of the ICSF.



Art. 12: Non-compliance with decisions

- 12.1 Should a party of the case not observe a decision of the ICSF Chamber of the ICSF Court or refuse to comply the ICSF Executive Committee may suspend the rights of that party temporarily until the decision is executed.
- 12.2 Temporary measures particularly include suspension of membership and the corresponding rights or ban from any sporting activity.

Art. 13: Publication

- 13.1 The Executive Committee must make sure that the decisions of the ICSF Chamber and ICSF Court are published to all member Federations and that an archive is kept.

Art. 14: Exclusive CAS authority

- 14.1 Legal procedures and disputes within the ICSF cannot be brought before a public court of law, except when the ICSF bodies disclaim competence and refer the parties to the public law courts.
- 14.2 Appeals to the Court of Arbitration for Sport (CAS) in Lausanne / Switzerland can only be made once the internal ICSF legal procedure has been exhausted according to Article 3.6.
- 14.3 All appeals against final decisions taken by the ICSF Court shall be taken to the Court of Arbitration for Sport (CAS) in Switzerland exclusively and dealt with in accordance with the rules of the CAS code-related arbitration.

Art. 15: Coming into effect and approval

- 15.1 These regulations come into effect immediately after their passing.
- 15.2 These regulations can be amended by the ICSF Executive Committee from time to time.

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Approved by the ICSF Executive Committee on May 07, 2016.