

02 **IBU** **DISCIPLINARY RULES**

Adopted by the IBU Congress 1994 with amendments by the 1996, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014 and 2016 Congresses.

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1. LEGAL BASIS

The IBU Disciplinary Rules are issued on the basis of Article 54 of the Constitution of the IBU.

2. SCOPE

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

3. CONDUCT LEADING TO PENALTIES AND DISCIPLINARY MEASURES

- 3.1** Penalties may be imposed upon athletes.
- 3.2** Disciplinary measures may be imposed upon coaches, trainers, officials and staff of the IBU and its member federations, individual members of the IBU and members of competition committees, and any other participant as defined in Article 2 above.
- 3.3** Penalties and disciplinary measures will be imposed for:
- violation of the principles of fair play and unsportsmanlike conduct, especially for offenses against the IBU Event and Competition Rules and against the IBU Anti-Doping Rules as stated in the Anti-Doping Rules;
 - violation of the Constitution and other Rules of the IBU including the Code of Ethics – and 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;
 - offenses against the IBU, its organs, its members, the organs of its members or persons belonging to its members.

4. PREREQUISITES FOR PENALTIES AND DISCIPLINARY MEASURES

- 4.1** With the exception of doping matters, persons who culpably, i.e. willfully or negligently commit an infringement of the IBU Rules will be subject to

penalties or disciplinary measures. For doping matters, the Anti-Doping Rules and the World Anti-Doping Code 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.

5. PENALTIES

Penalties are reprimands, start prohibitions, time penalties, disqualifications, suspensions and fines.

5.1 Reprimands

A reprimand will be imposed in the case of:

- a. jeopardizing or defaming the honor or reputation of the IBU or its interests;
- b. insulting the IBU, its organs, its members, the organs of its members or their affiliates and relatives;
- c. 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

Athletes or teams will be prohibited from starting for:

- a. violation of the eligibility and qualification requirements of the IBU Event and Competition Rules;
- b. appearing for start with material, equipment, clothing or advertising not in compliance with the IBU Event and Competition Rules or Annex A (the IBU Material Catalogue) to those Rules, or with the IBU Rules for Advertising;
- c. appearing for start with the wrong start number, or no start number/thigh number, due to a mistake made by the athletes or their teams;
- d. violating the rules regarding official training, zeroing, warm-up and/or ski testing or safety regulations.

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

5.3 Thirty-Second Penalty

If an athlete competes in a pursuit and starts up to max. three seconds before the officially assigned start time, a thirty second penalty will be imposed.

5.4 One-Minute Penalty

A time penalty of one minute will be imposed on athletes or teams for:

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

5.5 Two-Minute Penalty

A time penalty of two minutes will be imposed on athletes or teams for:

- a. every penalty loop, resulting from shot penalties, not done by an athlete immediately after each prone or standing shoot;
- b. every round not fired if athletes recommence skiing before they have 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;
- c. committing a minor violation of the principles of fair play or the requirements of sportsmanship.

5.6 Disqualification

Athletes or teams will be disqualified for:

- a. Breaching the rules listed in Art. 5.2 a-d;
- 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 the IBU Event and Competition Rules from a member of their team staff or non-competing athletes from their team;
- d. avoiding start or finish inspections;
- e. taking part in a competition with skis or rifle not correctly marked;

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

- u. obstructing another athlete by not lying in or shooting from the assigned shooting lane in the mass start and/or relay competition;
- v. starting more than three seconds earlier than the assigned start time in a pursuit competition, or starting outside the start window in the sprint or individual competition without returning to the start;
- w. failing to stop competing in the competition after being lapped in the WC/WCH/IBU Cup/OECH/OWG relay, pursuit or mass start;
- x. committing a serious violation of the principles of fair play or the requirements of sportsmanship.

5.7 Suspension

5.7.1 If, after the end of a competition protest deadline, an athlete is found guilty of having grossly violated the IBU Rules, the competition jury of the competition concerned may suspend that athlete from the next competition. In the event 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.

5.7.2 Suspensions for violating Art. 9-11 of the IBU Anti-Doping Rules will be issued by the Anti-Doping Hearing Panel.

5.7.3 An athlete who has participated in an international biathlon event that has not been authorized by the IBU may be suspended by the Executive Board for one or more IBU competitions.

5.8 Fine

5.8.1 Fines up to €500 may be imposed by the competition jury on those who violate the IBU Event and Competition Rules.

5.8.2 Fines up to €100,000 may be imposed by the IBU Executive Board on those who seriously violate the IBU Constitution, the IBU Rules or decisions of the organs or other competent bodies of the IBU, and on those who jeopardize or damage the interests or the reputation of the IBU.

5.8.3 Fines up to €200,000 may be imposed by the IBU Executive Board on those who have committed a serious violation of the IBU Anti-Doping Rules, and who by doing so have seriously damaged the interests or the reputation of the IBU.

- 5.8.4 The fines will become the property of the IBU.
- 5.9 Except monetary fines, the above penalties may only be imposed before the publication of the final results.

6. **DISCIPLINARY MEASURES AND SANCTIONS ON MEMBER FEDERATIONS**

The following disciplinary measures may be imposed on persons listed under Article 3.2 above:

6.1 **Reprimand**

A reprimand may be given for insignificant offenses against the Constitution and Rules of the IBU or against decisions of the organs of the IBU, and for endangering or damaging the reputation or interests of the IBU.

6.2 **Fines**

6.2.1 Fines up to €500 may be imposed by the competition jury on member federations that violate the IBU Event and Competition Rules.

6.2.2 Fines up to €100,000 may be imposed by the IBU Executive Board on member federations that seriously violate the IBU Constitution, the IBU Rules or decisions of the organs or other competent bodies of the IBU, and on those who jeopardize or damage the interests or the reputation of the IBU.

6.2.3 Fines up to €200,000 may be imposed by the IBU Executive Board on member federations that have committed a serious violation of the Anti-Doping Rules, and who by doing so have seriously damaged the interests or the reputation of the IBU.

6.3 The fines will become the property of the IBU.

6.4 Except monetary fines, the above penalties may only be imposed before the publication of the final results.

6.5 Any organizing committee that violates its obligations according to the IBU Event and Competition Rules and/or IBU Anti-Doping Rules will be fined the sum of €350.

6.6 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.

6.7 Suspension of Member Federations

IBU member federations that are full members may be suspended by the Executive Board for up to two years until the next IBU Congress, if they don't fulfill their membership obligations as defined in the IBU Constitution.

7. COMPETENCIES

7.1 Penal and disciplinary authority is exercised in the first instance by the IBU Referees, competition jury, the Executive Board of the IBU and the Anti-Doping Hearing Panel.

7.1.1 The responsible IBU Referee is to impose start prohibitions according to Art. 5.2b and c.

7.1.2 The competition jury is responsible for imposing the penalties and disciplinary measures stipulated for violations of the IBU Event and Competition Rules. Appeals against penalty and disciplinary decisions of the competition jury may be lodged with the jury of appeal.

7.2 The Executive Board of the IBU is responsible for:

- a. Removal from a function; removal of a person elected by the Congress from his/her function requires confirmation by the next Congress.
- b. Imposing fines up to €100,000 for serious rule violations.
- c. Imposing fines up to €200,000 in accordance with Art 6.2.3.
- d. Suspending athletes who have grossly violated the IBU Rules.
- e. Imposing sanctions in case of violation of the Code of Ethics.
- f. Suspending member federations according to Art. 6.7.

- 7.3 Appeals against penalty and disciplinary decisions of the Executive Board or Congress may be lodged with the IBU Court of Arbitration.
- 7.4 The Anti-Doping Hearing Panel is responsible for implementing suspensions following IBU Anti-Doping Rule violations. Appeals may be lodged to the CAS.

8. JURY OF APPEAL

- 8.1 Decisions of the competition jury, with the exception of a delay or postponement, may be appealed to the jury of appeal at OWG, WCH, WC, OECH and Y/JWCH.
- 8.2 The jury of appeal is used at OWG, WCH, WC, OECH and Y/JWCH only; it consists of five members and is newly constituted for each event.

The chair will be held by the member of the IBU Executive Board who has been appointed by the Executive Board to officially represent the IBU at the event (the Executive Board appoints members to represent the IBU at each IBU event in 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 must be team captains and/or coaches of the teams participating in the team captains meeting.
- 8.3 The four non-chairing members of the jury of appeal will be elected from among the Executive Board members present, or from among the team captains and coaches of the teams participating in the team captains meeting not later than on the day of the team captains meeting, and before the competition jury is selected. (The team captains' meeting is held on the day before the first official training takes place.) The chairperson will chair the election of the jury of appeal. The members of the jury of appeal must not be competition officials or members of the competition jury at the same time. For the election, each member federation may only cast one vote.
- 8.4 In matters presented to the jury of appeal that concern a country of which the chairperson or a member of the jury of appeal is a citizen, or for which they work, such members will be considered prejudiced and will not have the right to vote. If the chairperson is considered prejudiced, another

member of the IBU Executive Board will handle the matter in question or, if no other member of the Executive Board is present, the oldest member of the jury of appeal will take the chair.

9. IBU COURT OF ARBITRATION

- 9.1** The IBU Court of Arbitration as an independent institution will consist of three (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 the oral hearings also take place.
- 9.3 Nomination of Arbitrators**
 Each member of the IBU will 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. Arbitrator nominations are to be sent in writing or by e-mail to the secretary general (SG) of the IBU Court of Arbitration. The IBU Legal Committee will elect the SG from among its members. The SG will function as a depositary for the list of arbitrators and will inform the IBU member federations every year by September 1 of the current names on the list.
- 9.4** The appellant will select one arbitrator; the respondent will appoint the other.
- 9.5** Within 10 days of the appointment of the second arbitrator, both arbitrators must agree on a chairperson. If no chairperson is nominated within the 10-day time limit or if the two arbitrators cannot agree on a time limit within which they will elect the chairperson, 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 or prevented from presiding, a successor will be appointed according to the same procedure used to appoint the withdrawing arbitrator.

10. PROCEDURE FOR THE COMPETITION JURY

- 10.1 The composition of the competition jury is stipulated in the IBU Event and Competition Rules.
- 10.2 The competition jury imposes penalties and disciplinary measures following reports from the RD, TD(s), IRs and/or 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 person affected must be given a hearing, as far as possible and feasible.
- 10.4 The competition jury must be independent. The competition jury will not be restricted in the admission or evaluation of evidence.
- 10.5 If the competition jury does not uphold a protest submitted in accordance with Article 10 of the IBU Event and Competition Rules, an appeal may be lodged with the jury of appeal.

11. PROCEDURE FOR THE EXECUTIVE BOARD

- 11.1 Before any disciplinary measure is taken by the IBU Executive Board, a hearing of the person concerned must take place in the course of the next regular meeting of the Executive Board. With regard to the procedure, Article 43 of the IBU Constitution will apply. The decision is to be communicated to the person concerned in writing.

12. PROCEDURE FOR THE ANTI-DOPING HEARING PANEL

- 12.1 If, following the Results Management process described in Article 7 of the IBU Anti-Doping Rules, IBU testing and/or testing at an international event reveals a possible violation of the IBU Anti-Doping Rules (ADR), the case will be assigned to the IBU Anti-Doping Hearing Panel for adjudication.
- 12.2 The procedural rules of Art. 8 of the ADR are applicable.
- 12.3 The decisions of the IBU Anti-Doping Hearing Panel can be appealed to the CAS.

13. APPEAL PROCEEDINGS FOR THE JURY OF APPEAL

- 13.1 The time limit for lodging an appeal against the imposition of a penalty or a disciplinary measure, is one (1) hour. This time limit will 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.

- 13.2** The jury of appeal will meet immediately after this time limit and make its decision as soon as possible, and in any case before 24:00 hours of the same day.
- 13.3** 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 €150 to be left at the competition office, which will be forfeited to the IBU if the appeal is denied.
- 13.4** The chairperson of the competition jury must present the reasons for its decision to the jury of appeal.
- 13.5** The person concerned is to be given a legal hearing and 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.
- 13.6** The appeal will be denied in the event of the non-appearance of the appellant.
- 13.7** The jury of appeal will not be restricted in the admission or evaluation of evidence.
- 13.8** The decisions of the jury of appeal may not be challenged.

14. APPEAL PROCEEDINGS FOR THE IBU COURT OF ARBITRATION

- 14.1** Appellants must lodge their appeals with the IBU Court of Arbitration in writing by registered letter to the secretary general of the IBU Court of Arbitration within 21 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.
- 14.2** The appeal respondent must advise of its appointment of an arbitrator within one month after the receipt of this letter, including to the appellant. If the appeal respondent fails to appoint an arbitrator, the appellant may seek the appointment of the second arbitrator by the secretary general of the IBU Court of Arbitration.

- 14.3** Arbitrators are bound in their decisions by the IBU Constitution, IBU Rules, IBU Event and Competition Rules, IBU Anti-Doping Rules and 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 will apply to the arbitration proceedings.
- 14.4** According to the circumstances, the arbitrators should strive to bring about an amicable settlement, except in the cases of Article 46.4 (3) and 46.4. (4) 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.
- 14.5** The IBU Court of Arbitration will make its ruling after an oral hearing, as far as possible within a time limit of three (3) months of being constituted.
- 14.6** In the oral hearings, the circumstances of the dispute will be determined by hearing the appellant, a representative of the Executive Board, any witnesses, and any experts appointed by the IBU Court of Arbitration.
- 14.7** Further evidence may be admitted independently of the motions of the parties.
- 14.8** The appellant and the representative of the Executive Board will be given the opportunity to be present during the examination of witnesses and comment on their testimony.
- 14.9** Oral hearings will be open to IBU members.
- 14.10** The non-appearance of a party will not hinder the execution of the procedure.
- 14.11** 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.
- 14.12** Appeals against decisions of the Executive Board will not have suspensive effect.
- 14.13** 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.
- 14.14** The IBU Court of Arbitration will also rule on the costs of the proceedings. These may be split among the parties or imposed in full upon one party only. Upon filing the arbitration request, the claimant will pay a

fee of €350 without which the IBU Court of Arbitration will not proceed. Upon formation of the Court, the secretary general of the IBU Court of Arbitration will set - subject to subsequent amendment - the amount and the method of advance payment of court costs. Each party will advance the costs for one arbitrator and half of the costs for the chairperson as well as the costs for its own witnesses, experts and interpreters.

- 14.15** Decisions of the IBU Court of Arbitration are final and will have no recourse to appeal, with the exception of Article 46.4 (4) of the IBU Constitution.

15. EXEMPTION FROM LIABILITY

The competent organs and their members may not be made liable for claims arising out of the enforcement of the present IBU Disciplinary Rules.

16. DIVERGENCES

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

17. ENTRY INTO FORCE

The Disciplinary Rules of the IBU became effective on July 1, 1994 and were amended by the 1996, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014 and 2016 Congresses.

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