



DISCIPLINE CODE

Principle: The Disciplinary Commission of the Fédération Mondiale de Boules et de Pétanque has a double function:

-Function of first instance for the faults and failures of the members - national federations and associated members - and their leaders with regard to the texts and the functioning of the FMBP

-Function of appeal against the decisions of a disciplinary commission of a College or an associate member

General procedure : The disciplinary commission operates according to the procedure of exchanges of briefs.

A) COMPOSITION OF THE COMMITTEE:

The Disciplinary Committee is composed of 9 persons appointed by the Steering Committee. These

The latter elect their president who will remain in office throughout the mandate except in exceptional circumstances such as death or resignation.

For each instance, the commission sits in odd-numbered formations of 3 or 5 people. The persons entitled to deal with an instance are chosen by the president of the commission whose vote is decisive in case of a tie in the event of a tie vote.

If the chairperson does not participate in a proceeding, he or she shall designate which of the selected members shall conduct the proceedings and shall have the casting vote.

The nine members of the commission are appointed for the duration of the current term. In the event of resignation, vacancy or departure, the member or members concerned are replaced by the Board of Committee for the remaining term of office. These changes must always ensure the presence of a majority of members from outside the Board of Directors.

The mandate of the members of the commission can be renewed.

The members of the commission decide independently and may not receive instructions or be subjected to attempts to influence, intrude or interfere in the procedure. Its members and the secretaries of the meeting are bound by an obligation of confidentiality regarding the facts acts and information of which they may be aware by reason of their duties.

Any breach of these rules constitutes grounds for exclusion from the commission and leads to automatically referred to the Ethics Committee.

B) COMPETENCE OF THE COMMISSION :

As an appeal body: The commission is entitled to examine any appeal against a decision taken by the decision taken by the disciplinary committee of a College - whose constitution is compulsory - or of an associate member, in accordance with the provisions of the "Procedure" chapter of this Code of Discipline.

As a body of first instance: In principle, the committee is only competent to deal with matters concerning the officials of the WFBF, the member national federations or the associate members as well as their leaders if they are at the origin of the noted faults, including, but not limited to, the following cases

-Violation or non-compliance with the texts of the FMBP

-Behavior contrary to the rules of international sports law, the WADA Code, the IOC Code of Ethics IOC Code of Ethics, the principles defined by the IOC and the Olympic bodies, the decisions of the CAS, the provisions laid down by the international sports organisations

-Failure to pay the fees due or to reimburse expenses incurred by the BFC for a member national federation or an associate member

-Dissent or attempted dissent against the BFCP

-Engaging or maintaining ties with an organization or individual sanctioned by the WFDF

-Disrespecting international leaders or institutions

Misconduct at international multi-sport competitions

C) PROCEDURE:

Referral:

-In the case of an appeal, the commission can only be seized by the person or federation condemned in the first instance, who must send to the president of the commission a written document stating the grievances the deliberation of the first instance panel and the wording of the sentence.

This request must be accompanied by the payment of a deposit of 500 SFr. if the appeal is rejected, but refunded in whole or in part if the sanction is modified or removed by the commission.

It must be made within 15 clear days following the notification of the decision by the first instance.

-In the first instance, the commission can be seized by the Executive Committee, by a national member federation, by an associate member or by its own president. This request for referral can be addressed by any written and authenticated means - postal mail, e-mail - indicating the reason for the seizure, the justifying circumstances, the organisation or the person concerned.

Instruction:

In all cases, the president of the commission forwards the request to a member of the commission who becomes the rapporteur.

-In the case of appeals against a decision of the first instance, the case will be considered automatically if the request is accompanied by the required deposit.

The president shall determine the composition of the commission to deal with the case and the rapporteur must send the wording of the request to the opposing party within 15 clear days of the filing of the appeal to the opposing party.

At the same time, the rapporteur asks all the parties to send him or her a brief either in justification or in defence, giving them a new deadline of 15 clear days. He may also ask the witnesses to provide him with detailed explanations or additional details.

As soon as he receives the parties' replies, he forwards all these documents to the members of the commission and sends the opposing party's brief to each party, asking them to make any final comments within 8 clear days.

After this period or after receiving the latter documents, which are also sent to the members of the commission, the rapporteur sets the date for the deliberation.

Once the decision has been taken - rejection of the appeal or modification of the sanction - the rapporteur informs to the president of the commission who shall notify the parties concerned and shall forward it to the Board of Directors so that it may decide on the fate of the deposit.

-In the case of a first instance referral, the president of the commission chooses a rapporteur from among the members of the commission and they shall proceed to a preliminary examination of the request.

If the request comes from the Board of Directors or if it is a self-referral, it is automatically referred to the Disciplinary Commission is automatic. The president must then inform the body or the person concerned.

If it comes from a national member federation or an associate member, either they accept it and the procedure can start, or they consider that there are no grounds to proceed and decide to close the case with no further action within a maximum of 8 clear days after the submission of the request. They then inform the applicant organization which has a period of 8 days to appeal against this decision of rejection to the Board of Directors.

If the latter confirms the decision of rejection, the procedure is closed. If not, the procedure the rapporteur informs the defendant(s) and then the procedure is initiated.

The president first completes the composition of the commission to deal with the case and the rapporteur asks the person who has brought the case to the commission to the rapporteur asks the person who has referred the matter to the commission to send him a

supporting within 8 clear days. He then sends this document to the members of the commission and to the accused, giving him a
the accused, giving him/her a period of 15 clear days to send back his/her defence brief. Upon receipt, it sends this statement of defence to the members of the commission and to the complainant, who in turn has 8 clear days to respond. Upon receipt, the rapporteur sends this reply to the members of the committee and to the defender, asking him or her to make any final comments within eight clear days.

After this period or after receiving these last documents, which are also sent to the members of the committee, the rapporteur sets the date for the deliberation. Nevertheless, if he or she deems it useful, he or she may proceed with a new exchange of briefs.

Once the decision has been taken, the rapporteur shall inform the president of the commission, who shall notify the interested parties and the Board of Directors if he or she did not initiate the request.

D) **SANCTIONS** :

When it sits in appeal, the Disciplinary Committee may :

- Ratify the decision taken by the Disciplinary Committee of the College concerned
- Cancel the decision of the Disciplinary Committee of the College concerned
- Modify in whole or in part the decision taken by the disciplinary committee of the College concerned
- In the event of a formal defect, to refer the case to the Disciplinary Committee of another College

When it sits in first instance, the Disciplinary Committee may pronounce, separately or cumulatively :

- Administrative sanctions such as striking off the roll, exclusion, temporary or permanent suspension, disqualification, prohibition from practicing or running for office, etc.
- Financial sanctions, but only in cases where the alleged facts concern manipulation or embezzlement of funds, have caused financial damage to the FMBP, have had material consequences justifying an indemnity.