

PART 12 DISCIPLINE AND PROCEDURES

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PART 12 DISCIPLINE AND PROCEDURES

12.0.000 This part governs infringements to the UCI Constitution and Regulations as well as disciplinary action and procedures relating thereto, where they are not governed by some other specific provision.

Chapter **DISCIPLINE**

§ 1 **Infringements**

Proof

12.1.001 Infringements of the UCI Regulations may be demonstrated by any form of proof.

12.1.002 Statements made by commissaires in reports and minutes shall be deemed probatory unless proven otherwise.

12.1.003 All officials shall be duty-bound to report any infringements they observe to the UCI or to the National Federation concerned, depending which of those entities is the competent instance. National Federations shall report to the UCI or to the competent National Federation any infringements they may observe and which fall within the competence of the disciplinary jurisdiction of UCI bodies or of the National Federation.

(text modified on 16.07.98; 1.09.03).

Various infringements

12.1.004 (1) Anyone who behaves in an incorrect or dishonest fashion with regard to any other, or who fails to keep a promise or to meet contractual or other obligations in the domain of cycling shall be penalised by a suspension of up to three months and/or a fine of between FS 100 and FS 10 000.

Furthermore, the Disciplinary Commission may impose the following sanctions, in conjunction or not with the penalties above:

1. On a trade team: its registration may be withdrawn or suspended for a determined period. A trade team may also be relegated to a lower class.
2. On an organiser: the organiser's event may be relegated to a lower class.
3. In any case, the Disciplinary Commission may impose any of the sporting or administrative penalties outlined in paragraph 2 below.

(2) Without prejudice to the powers of the Disciplinary Commission, the President of the UCI or in his absence, a vice-president may, in the cases listed in paragraph 1, impose sporting or administrative penalties such as

- elimination or temporary neutralisation of points won or to be won for a classification
- exclusion from participation in world championships, continental championships or Olympic Games
- exclusion from official ceremonies
- exclusion from UCI commissions.

These penalties may also be applied to the group (trade team, team, national federation, etc.) to which the offender belongs and to its other members.

Furthermore the President may overrule or suspend any UCI decision for which the conditions are not respected or where the matters taken into account when that decision was taken prove to be incorrect or incomplete.

The President's decision shall be applied without further procedure other than a period of notice.

Within eight days of receiving the President's decision, the interested party may submit an appeal to the Appeals Board by registered mail. The act of appealing shall not suspend the execution of the UCI President's decision, but the appellant may submit a request for a suspension to the president of the Appeals Board.

(3) If grave or urgent circumstances justify it in the interests of cycling, the president of the UCI, or, in his absence, a vice-president, may provisionally suspend any licence-holder.

Within eight days of receiving the President's decision, the interested party may submit an appeal to the Appeals Board. This appeal shall not suspend the execution of the UCI President's decision.

(text modified on 16.07.98).

Forms of infringement

12.1.005 Anyone subject to UCI Regulations shall be suspended for a minimum of one and a maximum of six months, who:

1. behaves in a violent manner or uses defamatory or abusive language to or about a commissaire, a UCI body or its members or, in general, anyone performing a function provided for in the UCI Constitution or Regulations, or
2. behaves in such a way as to blemish the image, the reputation or the interests of cycling or the UCI, or
3. without valid reason, fails to respond when convened or summoned by a UCI authority or disciplinary body.

12.1.006 Any form of fraud not specifically penalised by a particular provision of the UCI Regulations shall be penalised as follows:

1. Licence-holder (except organiser): suspension of between one month and one year and a fine of between SFR. 200 and SFR.10,000;
2. Trade Team, club or other association or sporting group or an organiser: suspension of between one month and one year and a fine of between SFR.1,000 and SFR.100,000.

In the case of a repetition of the same offence within two years, the above penalties shall be doubled; in a serious case, final debarment may be pronounced in addition to the fine.

12.1.007 Any infringement committed by a licence-holder, other than an organiser, of a provision of the UCI Regulations - including any race incident - that is not specifically penalised, shall carry a fine not exceeding SFR.100.

12.1.008 Any infringement of a provision of the UCI Regulations committed by the organiser of a race and which is not covered by a specific fine, shall carry a fine of between SFR.100 and SFR.10,000.

In the case of an infringement committed during the same race on the Continental or World Calendar in two consecutive years, the UCI Management Committee may refuse to include that race on the Calendar for a year or, where the race has already been put on the calendar by the UCI ProTour Council, remove it from the calendar.

In the case of an infringement committed the first time a race is run after a year's suspension, that race may be banned from the Calendar for a further year.

For the purpose of this article, a race shall be considered the same race if organised directly or indirectly by the same organiser during the same period and following the same course as that of the banned race or a course adjacent to it. In case of disagreement, the decision of the UCI Appeals Board shall be final.

(text modified on 2.03.00; 06.04.05).

12.1.009 Any infringement of a provision of the UCI Regulations that is not specifically penalised and which is committed by a Trade Team, an employer, a club, association or other person or entity maintaining a relationship with riders with a view to the practice of cycling, shall carry a fine of between SFR. 100 and SFR. 10,000.

Race incidents

12.1.010 Race incidents shall be all offences as are designated as such in the Regulations as well as any behaviour at variance with the Regulations occurring during the race and not specifically penalised.

(text modified on 1.01.97).

12.1.011 Race incidents committed during World and Continental calendar races shall be punished by the Commissaires Panel, but it may not hand down suspensions.

If they were noted by the commissaires such incidents shall also be judged and punished

- 1) by the National Federation of the organiser in the case of a licence-holder other than an organiser
 - 2) by the UCI Disciplinary Commission otherwise,
- provided that the National Federation of the organiser or the UCI Disciplinary Commission be informed within one month of the end of the race.

(text modified on 1.01.97).

- 12.1.012** Decisions by the Commissaires Panel or the referee on race incidents shall not be open to appeal unless a fine exceeding CHF 200 is imposed.

In this case, licence-holders other than an organiser may lodge an appeal with the appropriate authority of the licence-holder's National Federation. Other defaulting parties may lodge an appeal with the UCI Disciplinary Commission. The appeal shall be lodged within 10 days of the end of the race.

This appeal shall not suspend the implementation of the penalty.

No outside body may be involved, save in application of article 12.2.031.

The National Federation and the Disciplinary Commission shall within eight days inform the UCI that the appeal has been lodged. Within the same period, they shall send the UCI a copy of their appeal decision.

(text modified on 1.01.00).

- 12.1.013** If a race incident is penalised by a suspension, the suspension shall be pronounced by the National Federation of the offender in the case of a licence-holder other than an organiser and by the UCI Disciplinary Commission for any other offender.

If the suspension is accompanied by another penalty, with the exception of a fine, the Commissaires Panel shall impose the other penalty provisionally. The appropriate body for imposing the suspension shall take the final decision which shall be open to such appeal as provided for.

(text modified on 1.01.97).

§ 2 Penalties

General provisions

- 12.1.014** With the exception of warnings and blame, a penalty for an infringement of the UCI Regulations may be handed down only under the terms of a provision of the UCI Constitution or Regulations in effect at the time the infringement is committed and in accordance with that provision.
- 12.1.015** National Federations may not introduce other penalties for infringements of the UCI Constitution and Regulations.
- 12.1.016** Any authority that has to pronounce on an infringement of UCI Regulations shall impose the penalties provided, once the facts have been established. No penalty may be suspended save in such cases and on such conditions as provided for in the UCI Regulations themselves.

- 12.1.017** Unless otherwise provided or in application of article 11.2 of the UCI Constitution, penalties provided for under the UCI Regulations and penalties pronounced by National Federations on the basis of their own regulations, inasmuch as they comply with UCI Regulations, shall be enforceable in the territories of all UCI member National Federations.
- 12.1.018** National Federations shall ensure that penalties handed down be implemented once they become enforceable.
- 12.1.019** If the same incident constitutes an infringement of several provisions, the penalties provided for by each of those provisions shall be added, on the understanding that they all be penalties of the same nature and that the total penalty does not exceed the highest maximum penalty provided for.
- 12.1.020** Anyone subject to the UCI Regulations shall refund any amount or fine that the UCI, a National Federation or an organiser might have to pay to a third-party because of the action of that offending party. The party shall be automatically suspended if the refund is not made within 30 days of first request and for as long as the amount is not refunded in full.

If need be, the bank guarantee referred to in articles 2.16.057, 2.17.049 and 2.18.047 shall be drawn upon.

(text modified on 1.01.99).

- 12.1.021** In stages races, all punishments and penalties shall count against individual general classifications. They may, depending on the gravity of the infringement, and if so decided by the Commissaires Panel, be applied to individual stage classifications.

If in the judgement of the Commissaires Panel, an infringement committed by a rider gives an advantage to the general classification by time of his team, a time penalty of 30 seconds shall also be applied to the team.

(text modified on 1.01.00; 1.01.04).

Disqualification

- 12.1.022** The disqualification of a rider shall incur invalidation of results and his being eliminated from all classifications and losing all prizes, points and medals in the race in question.

Disqualification may take the form of a rider being forbidden to take the start if the infringement is observed before the start of the race or that of his elimination from the race if discovered during the course of the race.

If the refused start or disqualification are not acted upon in due time, the offence shall be penalised by an elimination or a disqualification as appropriate.

Unless expressly stated in a clause, the place of the disqualified rider or trade team is taken by the next rider or trade team in the ranking, in order that all places are always occupied.

For the track competitions, the disqualification of a rider or a trade team does not incur any change in the ranking.

(text modified on 13.8.04).

- 12.1.023** Any rider eliminated from a stage race shall not be permitted to participate in any other competition for the duration of the race for which he was penalised, on pain of a 15 day suspension and a fine of SFR. 200 to 1,000.

Warning

- 12.1.024** A warning can be handed down by a commissaire or UCI authority to anyone guilty of a minor act of negligence or fault, if attenuating circumstances so justify.

Blame

- 12.1.025** A blame may be delivered by UCI authorities to anyone failing to meet the obligations imposed by sporting ethics, morals or loyalty to cycling.

- 12.1.026** A blame may be published in the UCI "Information" bulletin and/or, should the UCI so require, in the official publications of National Federations.

Fine

- 12.1.027** The fines cited in UCI Regulations are in Swiss francs. In the case of payment in any other currency, the sum transmitted shall be such as to permit the recipient to obtain the amount in Swiss francs net of all expenses at the current rate on the 1st of January of the present year.

- 12.1.028** The Management Committee can decide to reduce the amount for fines set under the UCI regulations for such continents or countries as it may determine.

(text modified on 1.01.98).

- 12.1.029** Fines due to the UCI shall be paid within one month of the demand served by the UCI. This demand may legitimately be sent to the trade team, the club or the national federation of the party concerned.

Other fines shall be paid within three months of the punishment becoming enforceable.

If payment is not received by the due date, the total amount of the fine shall automatically be increased by 20%.

If the total sum due is not settled in full one month after the due date, the person fined shall be suspended automatically until the total sum is paid. If the person fined is already subject to suspension for another reason, the period of suspension for non-payment shall be added to the term of that suspension.

(text modified on 1.01.02).

12.1.030 The Trade Team or the sports association of which the licence-holder is member shall be held jointly and severally liable with him for payment of any fines imposed on licence-holders for infringements of the UCI regulations as well as for any amount referred to in article 12.1.020.

If need be, the fine shall be drawn from the bank guarantee referred to in articles 2.16.057, 2.17.049 and 2.18.047.

(text modified on 1.01.99).

12.1.031 Fines imposed for race incidents referred to under article 12.2.001 shall go to the organiser's National Federation.

Fines imposed for offences referred to under article 12.2.002 shall go to the National Federation that issued the licence in question.

Other fines shall go to the UCI and shall be paid directly into its bank account. Where determined by the Management Committee the recovery of fines may be entrusted to the organiser's national federation in accordance with such procedures as the Management Committee may lay down.

(text modified on 29.01.98).

Suspension

12.1.032 1) Suspension shall deprive the suspended party of the right to participate, in any capacity whatsoever, in sporting activities organised under UCI, Continental Confederations and National Federations Regulations and in any activities of the UCI, Continental Confederations, National Federations and their various authorities or affiliated entities.

2) Suspension decided in pursuance of the UCI Regulations may incur consequences for the practice of other sports, according to the regulations of the governing bodies of such other sports or according to applicable laws.

A licensee suspended in pursuance with the UCI anti-doping rules will not be authorized to participate, in any capacity whatsoever, to a competition or activity authorised or organised by a signatory of the World Anti-Doping Code, subject to the exceptions as foreseen in the World Anti-Doping Code.

3) During its suspension, the licensee remains responsible of any breach to UCI Regulations and remains under the authority of the UCI Disciplinary instances. In particular, the licensee remains bound by the Anti-Doping Regulations and the riders shall remain under the obligation to submit to out-of-competition anti-doping tests.

4) During the period of suspension, no financial contribution shall be granted by the National Federation to the rider and the rider shall not accept any financial contribution or other advantages related to the practice of his sport.

(text modified on 13.8.04).

- 12.1.033** In the case of the suspension of a Trade Team, a club, an association or other such entity, all licence-holders that are members or in any way related thereto shall also be suspended, unless authorisation be given by the UCI Executive Committee to exercise their activities on an individual basis, if need be on conditions to be set by the Executive Committee.
- 12.1.034** Notwithstanding application of article 12.1.017, suspension shall entail the withdrawal of the licence for the duration of the suspension.
- 12.1.035** Any participation of a suspended licence-holder in a cycling event shall be deemed null and void. The licence-holder shall be punished by a further suspension of the same duration and a fine of SFR. 1,000 to 5,000 notwithstanding any other penalties that could be applied for infringements committed during the offending participation.
- 12.1.036** Any decision imposing a suspension and any appeal procedure against such a decision shall automatically stipulate the starting and ending dates of the period of suspension to be served even if, in the case of an appeal, the substance of the appeal is not examined (withdrawal of the appeal, inadmissible or belated appeal, etc.).
- Subject to the article 12.1.037, the start of the period of suspension shall be set shortly after the expiry of the possible appeal period.
- 12.1.037** The suspension shall be effective in matters sporting. It shall be enforced during a period of normal activity by the party concerned. For that purpose, the suspension may be spread over several parts of the year.
- 12.1.038** A National Federation, a body of which hands down a suspension, shall inform the UCI as soon as the suspension becomes enforceable.

The National Federation shall indicate:

1. the identity of the rider (surname, first name, address, nationality, National Federation, category, licence number)
2. the authority that handed down the suspension
3. the incident for which the penalty was imposed
4. the start and end of the suspension period.

The UCI shall be immediately informed of any amendment to the conditions of a suspension as originally communicated to it.

The present article shall not apply to riders who have not yet participated in a World or Continental Calendar race.

§ 3 Scale of penalties for race incidents

12.1.039 Notwithstanding the penalties as listed hereunder, the licensee who commits a serious fault, may immediately be disqualified by a commissaire.

If the race incident is a behaviour which harms the image, the reputation or the interests of cycling or the UCI, the licensee will also be summoned in front of the Disciplinary Commission and penalised according to article 12.1.005.2.

(text modified on 1.01.04).

12.1.040 Without prejudice to article 12.1.039 race incidents which refer to the following table are sanctioned as outlined in the table.

The table applies to all races. However, for national races, the respective national federations can set lower fines than those stipulated in the column "other races" of the table.

Discipline	Events	
Road	World Championships - Elite Men Olympic Games - Elite Men UCI ProTour Class HC and 1 - Elite Men	Other events
Track	Elite World Championships Men Elite World Cup Elite 6-days Other Elite events	Other events
Cyclo-cross	Elite World Championships World Cup Class 1	Other events
Mountain bike	Elite World Championships Olympic Games World Cup	Other events
Race incidents		
1. Start without signature check	Rider: 100	Rider: 30
2. Bicycle		
2.1 Presentation at the start of a race or race stage with a bicycle not in conformity with the regulations	start refused	start refused
2.2 Use of a bicycle in a race which is not in conformity with the regulations	eliminated or disqualified	eliminated or disqualified
3. Clothing		
3.1. Wearing of non essential items (art. 1.3.033)	start refused	start refused
3.2. Rider at the start without mandatory helmet	start refused	start refused

3.3. Rider taking off the mandatory helmet during the race	disqualified and 100	disqualified and 50
4. Number, epaulet, cycle plate or frameplate changed or badly positioned		
4.1 One-Day Race	Rider: 50	Rider: 30
4.2 Stage Race	1st offence: 50 2nd offence: 200 3rd offence: elimination	1st offence: 30 2nd offence: 50 3rd offence: elimination
5. ID number or frameplate invisible or unrecognisable - One-Day Race - Stage Race	Rider: 100 1st offence : 100 2nd offence: 200 3rd offence: elimination	Rider: 50 1st offence : 30 2nd offence : 50 3rd offence : elimination
6. Non-return of rider's number after dropping out	Rider: 50	Rider: 50
7. Putting on or taking off a garment against the Regulations	Rider: 50 Team Manager: 200	Rider: 30 Team Manager: 100
8. Non-regulation assistance to a rider of another team	Each rider concerned:	Each rider concerned:
8.1 One-Day Race	Elimination + 200	Elimination + 100
8.2. Stage Race	200 per offence and 2', 5' and 10' penalty and elimination + 200 from 4th offence Any other licence-holder : 200	100 per offence and 2', 5' and 10' penalty and elimination + 100 from 4th offence Any other licence-holder : 50
9. Flying relay	Each rider involved:	Each rider involved:
9.1. Between team-mates:	200	100
9.1.1 One-Day Race	For offence in last km: 200 + relegation to end of his field	For offence in last km: 100 + relegation to end of his field
9.1.2 Stage Race	200 et 10" per offence. For offence in last km of stage: 200 + 30" and relegation to the last place in his group	100 et 10" per offence. For offence in last km of stage: 100 + 30" and relegation to end of his field

9.2. Between riders from different teams:			
9.2.1 One-Day Race	Elimination and 200		Elimination + 100
9.2.2 Stage Race	200 + 1' Elimination for offence during last stage or for 2nd offence		100 + 1' Elimination for offence during last stage or for 2nd offence
10. Sprint			
10.1 Deviating from selected lane, endangering other riders			
10.1.1 One-Day Race	Disqualification + 200		Disqualification + 100
10.1.2 Stage Race	1st offence: relegation to the last place in his group, point classification penalty equal to the points awarded to the first place of the stage, 200 + 30" in general class. 2nd offence: relegation to last place in the stage, point classification penalty equal to the points awarded to the first place of the stage, 200 + 1' in general class. 3rd offence: elimination + 200		1st offence: relegation to the end of his field, + 100 + 30 in general classification 2nd offence: relegation to end of stage + 100 + 1' in general classification 3rd offence: elimination + 200
10.2 Irregular Sprint			
10.2.1 One-Day Race	Relegation to the last place in his group + 200		Relegation to end of his field + 100
10.2.2 Stage Race	1st offence: relegation to the last place in his group + 200 2nd offence: relegation to last place in the stage + 200 3rd offence: elimination + 200		1st offence: relegation to end of his field + 50 2nd offence: relegation to end of stage + 100 3rd offence: elimination + 200
Moreover, the Commissaires Pamel may, in particularly serious cases, eliminate and fine a rider with 200 on the first offence			
10.3 Pulling jersey			
10.3.1 One-Day Race	Rider: 200		Rider: 50
10.3.2 Stage Race	200 + 10" per offence		50 + 10" per offence
10.3.3 During last km of the event	Disqualification + 200		Disqualification + 100
10.3.4 During last km of a stage	1st offence: 200 + 20" 2nd offence: 200 + elimination		11st offence: 100 + 20" 2nd offence: 100 + elimination

11. Pushing			
11.1 Pushing off against car, motorcycle, rider	Rider:	Rider:	
11.1.1 One-day race	50 per offence	30 per offence	
11.1.2 Stage race	50, 5 penalty points in points classification and 10" per offence	30 + 10" per offence	
11.2 Pushing amongst team-mates	Each rider involved:	Each rider involved:	
11.2.1 One-Day Race	50 per offence	30 per offence	
11.2.2 Stage Race	50 + 10" per offence	30 + 10" per offence	
11.3 Pushing a member of another team	Pushing rider:	Pushing rider:	
11.3.1 One-Day Race	200 + elimination	50 + elimination	
11.3.2 Stage Race	200 + 10" penalty	50 + 10" penalty	
	Elimination for offence during last stage or for 2nd offence	Elimination for offence during last stage or for 2nd offence	
	Other licence-holder: 200	Other licence-holder: 200	
11.4 Being pushed by a spectator	Rider: 20	Rider: warning	
12. Willful obstruction of a rider or a team car	Rider:	Rider:	
12.1 One-Day Race	200 + elimination	50 + elimination	
12.2 Stage Race	200 and 10"	50 and 10"	
	200 + elimination on 2nd offence;	50 + elimination on 2nd offence;	
	For offence during last km of stage:	For offence during last km of stage:	
	200, 30" and relegation to last place in the stage;	100, 30" and relegation to end of stage	
	for offence in last stage and for offence against one of the 1st 10 riders placed:	for offence in last stage and for offence against one of the 1st 10 riders placed:	
	200 + elimination	100 + elimination	
	Other licence-holder: 1000	Other licence-holder: 200	
13. Prohibited assistance to another rider during a circuit finish	Riders involved:	Riders involved:	
13.1 One-Day Race	200 + elimination	100 + elimination	

13.2 Stage Race	200 + relegation to last place in the stage 200 + elimination for offence during last stage or for 2nd offence Rider: 200 + elimination	100 + relegation to end of stage 100 + elimination for offence during last stage or for 2nd offence Rider: 100 + elimination
14. Willful deviation from the course, attempt to be placed without having covered the entire course by bicycle, resuming the race after having accepted a lift in a vehicle or on a motorbike	Rider: 200 + elimination	Rider: 100 + elimination
15. Unintentional detour of the circuit constituting an advantage	time trial: 20' penalty stage race: downgrading to the last place in the peloton one-day event: eliminated	time trial: 20' penalty stage race: downgrading to the last place in the peloton one-day event: eliminated
16. Passing a level crossing which is already down	eliminated	eliminated
17. Cheating, attempted cheating, collusion between riders of different teams	Each rider involved:	Each rider involved:
17.1 One-Day Race	200 + elimination	100 + elimination
17.2 Stage Race	200 + 10' penalty + elimination for offence during last stage or for 2nd offence Any other licence-holder, whether author, participant or accomplice: 200 + elimination	100 + 10' penalty + elimination for offence during last stage or for 2nd offence Any other licence-holder, whether author, participant or accomplice: 100 + elimination
18. Rider holding on to his team's vehicle:	Rider: elimination and 200 Team Manager: elimination and 200 Team: exclusion of the vehicle for the duration of the race without the possibility of replacement Rider: elimination and 200 Other licence-holder responsible for the vehicle: elimination and 200	Rider: elimination and 100 Team Manager: elimination and 100 Team: exclusion of the vehicle for the duration of the race without the possibility of replacement Rider: elimination and 100 Other licence-holder responsible for the vehicle: elimination and 100
Rider holding on to some other motor vehicle:	Other licence-holder responsible for the vehicle: elimination and 200	Other licence-holder responsible for the vehicle: elimination and 100

<p>19. Sheltering behind or falling into the slip stream of a vehicle</p>	<p>If the vehicle is that of another team: elimination of the team manager of that team and exclusion of the vehicle for the duration of the race without the possibility of replacement</p>	<p>If the vehicle is that of another team: elimination of the team manager of that team and exclusion of the vehicle for the duration of the race without the possibility of replacement</p>
<p>19.1 Briefly</p>	<p>Rider: 30</p>	<p>Rider: warning</p>
<p>19.2 For some time</p>		
<p>19.2.1 One-Day Race</p>	<p>50 + elimination for failure to heed 1st warning Other licence-holder responsible of the vehicle: 200</p>	<p>30 + elimination for failure to heed 1st warning Other licence-holder responsible of the vehicle: 100</p>
<p>19.2.2 Stage Race</p>	<p>50 and 20" penalty per offence Other licence-holder responsible of the vehicle: 200</p>	<p>50 and 20" enalty per offence Other licence-holder responsible of the vehicle: 100</p>
<p>20. Non-regulation breakdown or medical assistance</p>		
<p>20.1 One-Day Race</p>	<p>Rider: 100 During last 20 km: elimination + 200</p>	<p>Rider: 30 During last 20 km: elimination + 50</p>
<p>20.2 Stage Race</p>	<p>1st offence: 5 2nd offence: 100 Following offences: 200 During last 20 km of stage: 200, relegation to the last place in his group, 1' penalty in general classification Other licence-holder: 200</p>	<p>1st offence: warning 2nd offence: 20 Following offences: 100 During last 20 km of stage: 50, relegation to end of his field, 1' penalty in general classification Other licence-holder: 100</p>
<p>21. Follower leaning out or holding supplies out of vehicle</p>	<p>Team manager: 1st offence: 1000 2nd offence: 2000</p>	<p>Team manager: 1st offence: 200 2nd offence: 500</p>
<p>22. Motor-cycle carrying breakdown supplies other than wheels</p>	<p>Motor-cyclist: 200 + elimination</p>	<p>Motor-cyclist: 100 + elimination</p>

<p>23. Unauthorised refreshments</p> <p>23.1. One-Day Race</p> <ul style="list-style-type: none"> - in the first 50 km - in the last 200 km 	<p>Rider: 200 Rider: 1000 Other licence-holder: 1,000</p>	<p>Rider: 50 Rider: 150 Other licence-holder: 150</p>
<p>23.2. Stage Race</p> <ul style="list-style-type: none"> - in the first 50 km of stage - in the last 20 km of stage 	<p>200 200 and 20" per offence 1000 on 3rd offence Other licence-holder: 1,000</p>	<p>50 50 and 20" per offence 150 on 3rd offence Other licence-holder: 150</p>
<p>24. Non-regulation supply of refreshments</p>	<p>Rider: 50 per offence Other licence-holder: 200 per offence</p>	<p>Rider: 20 per offence Other licence-holder: 50 per offence</p>
<p>25. Breach of regulations concerning vehicle movements during the race</p>	<p>Vehicle driver: 200</p>	<p>Vehicle driver: 100</p>
<p>26. Obstructing the progress of an official car</p>	<p>Rider: 50 Other licence-holder: 100</p>	<p>Rider: 20 Other licence-holder: 50</p>
<p>27. Abandoning a commissaire riding in a Trade Team, National Federation or association vehicle during the race</p>	<p>Team manager: 2,000</p>	<p>Team manager: 200</p>
<p>28. Failure to respect instructions by the Race Administration or the commissaires</p>	<p>Rider: 30 to 100 Other licence-holder: 100 to 200</p>	<p>Rider: 30 to 100 Other licence-holder: 50 to 200</p>
<p>28.1. Failure to respect instructions concerning a vehicle</p>	<ul style="list-style-type: none"> - One-Day races: vehicle sent to back of motorcade for the entire race in question - Stage races: vehicle sent to back of motorcade for the entire stage in question and for 1 to 3 following stages depending on gravity of offence 	<ul style="list-style-type: none"> - One-Day races: vehicle sent to back of motorcade for the entire race in question - Stage races: vehicle sent to back of motorcade for the entire stage in question and for 1 to 3 following stages depending on gravity of offence

29. Insults, threats, unseemly behaviour	Any licence-holder: 50 to 200	Any licence-holder: 50 to 200
30. Acts of violence		
30.1. Among riders	200 per offence + 1' penalty per offence in stage races	100 per offence + 1' penalty per offence in stage races
30.2. Towards anyone else	Elimination for particularly serious aggression	Disqualification for particularly serious aggression
	Rider: elimination and 200	Rider: elimination + 100
	Other licence-holder: 5,000	Other licence-holder: 1,000
31. Theft of food, drink or any other goods during the race	Any licence-holder: 1,000	Any licence-holder: 300
32. Carrying a glass container	Any licence-holder: 50	Any licence-holder: 30
33. Illegal or dangerous throwing of an object	Any licence-holder: 50	Any licence-holder: 30
The throwing of an object into the crowd	Other offence during the same race: 50 to 200	Other offence during the same race: 30 to 120
	(the penalty is applied to the team if the rider cannot be identified individually)	(the penalty is applied to the team if the rider cannot be identified individually)
34. Discarding a glass object	Any licence-holder: elimination + 100	Any licence-holder: elimination + 50
35. Recrossing the finishing line in the direction of the race while still wearing a number panel	Rider: 30	Rider: warning
36. Failing to attend official ceremonies		
- World Cup event	Rider: 200 + forfeiture of prizes and World Cup points earned in the race	Rider: 100 + forfeiture of prizes
- Other event	Rider: 200 + forfeiture of prizes	Rider: 100 + forfeiture of prizes
37. Using a mobile telephone during a race	Rider : 100	Rider : 50
ROAD STAGE RACES		
38. Failure to wear an awarded leader's jersey or one-piece	Rider: start refused or elimination + 200	Rider: start refused or elimination + 50

39. Demonstration or collusion to avoid being eliminated	Rider: 200 to 1,000	Rider: 50 to 200
INDIVIDUAL ROAD TT EVENTS		
40. Riders failing to respect regulation distances and gaps	Rider: 100	Rider: 30
40.1 Slipstreaming	100 and time penalty as table in article 12.1.041	30 and time penalty as table in article 12.1.041
41. Following vehicle failing to respect a distance of 10 m	Team manager: 200 Rider: 20"	Team manager: 100 Rider: 20"
42. Breach of provisions concerning the circuit and warming up	Team manager: 200 Rider: 100 Organiser: 500	Team manager: 100 Rider: 30 Organiser: 150
TEAM ROAD TT EVENTS		
43. Riders failing to respect regulation distances and gaps	Each rider: 100	Each rider: 30
43.1 Slipstreaming	Each rider: 100 and time penalty as table in article 12.1.041	Each rider: 30 and time penalty as table in article 12.1.041
44. Pushing amongst riders of the same team		
44.1 Normal Race	Elimination of team + 200 per rider involved	Elimination of team + 50 per rider involved
44.2 Stage Race	1' penalty in stage classification for each rider in the team + 200 per rider involved	1' penalty in stage classification for each rider in the team + 50 per rider involved
45. Following vehicle failing to respect a distance of 10 m	Team manager: 200 Each rider in the team: 20"	Team manager: 100 Each rider of the team: 20"
46. Breach of provisions concerning the circuit and warming up	Team manager: 200 Rider: 100 Organiser: 500	Team manager: 100 Rider: 30 Organiser: 150

CYCLO-CROSS RACES			
47. Non-regulation exchange of material	Elimination		Elimination
48. Rider failing to respect the starting order set in article 5.1.043	100		100
49. Rider continuing in race after having been overtaken in the case of article 5.1.051	100		100
50. Unauthorised refreshments	Disqualification		
MOUNTAIN BIKE EVENTS			
51. Non-regulation assistance	Elimination		Elimination
52. Acts of violence	Elimination		Elimination
53. Rider's failure to respect start rules	100		100
54. Use of radio links or other remote means of communication	Start refused		Start refused
55. Delayed or overhauled rider continuing the race in violation of the regulation	Elimination		Elimination
56. Failure to use the handlebar plate during training	100		100

(text modified on 1.01.00; 1.01.02; 1.01.03; 5.05.03; 1.01.04; 1.01.05; 1.01.06; 1.01.07).

12.1.041 Table of time penalties in Road Time Trial races**TABLE OF TIME PENALTIES IN TIME TRIAL RACES**

Dist. in metres	SPEED IN KPH																														
	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
50	1	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3
100	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	4	4	4	4	5
150	1	1	1	1	1	2	2	2	2	2	3	3	3	3	3	3	4	4	4	4	4	4	5	5	5	5	5	5	5	5	6
200	2	2	2	2	2	3	3	3	3	3	4	4	4	4	4	4	5	5	5	5	5	5	6	6	6	6	6	6	6	6	7
250	2	2	2	2	3	3	3	3	4	4	4	4	4	4	4	5	5	5	5	5	6	6	6	6	6	7	7	7	7	8	8
300	2	2	3	3	3	3	4	4	4	4	4	5	5	5	5	6	6	6	7	7	7	7	8	8	8	8	9	9	9	10	11
350	3	3	3	3	3	4	4	4	5	5	5	5	6	6	6	6	7	7	7	7	8	8	8	8	9	9	10	11	11	12	13
400	3	3	3	3	4	4	4	4	5	5	5	6	6	6	7	7	8	8	8	9	9	9	10	10	11	12	13	14	15	16	17
450	4	4	4	4	5	5	5	6	6	6	6	7	7	7	8	8	9	10	11	11	12	12	13	14	15	16	17	18	19	20	22
500	4	4	4	5	5	5	6	6	6	7	7	8	8	8	9	9	10	11	12	12	13	14	15	16	17	18	20	21	22	24	26
550	5	5	5	6	6	6	7	7	8	8	8	9	10	10	11	12	13	14	15	16	16	17	18	20	22	24	26	27	29	31	33
600	5	5	6	6	7	7	8	8	9	9	10	11	12	12	13	14	15	16	17	18	19	20	21	23	25	27	29	31	33	35	38
650	6	6	6	7	7	7	8	8	9	10	11	12	12	13	14	15	16	17	18	20	22	23	25	27	29	31	33	35	37	40	43
700	6	6	7	7	8	8	9	10	12	13	14	15	16	17	18	19	20	21	23	25	27	29	31	33	36	38	40	42	46	49	
750	6	7	7	8	8	8	9	10	11	13	14	15	16	17	18	20	21	22	24	26	28	30	32	35	37	40	42	44	47	50	55
800	7	7	7	8	9	9	10	11	12	14	15	16	17	19	21	23	24	25	27	29	31	33	36	39	42	45	47	49	52	56	61
850	7	7	8	9	9	10	11	13	14	15	17	18	19	21	23	25	27	29	31	33	35	37	40	43	47	50	53	56	59	62	68
900	7	8	9	10	11	12	13	14	15	17	19	20	22	24	26	28	30	32	34	36	39	42	45	48	51	55	58	61	65	69	75
950	8	9	10	11	12	13	14	15	17	19	21	23	25	27	29	31	33	35	37	39	42	45	48	51	55	60	64	67	71	75	82
1000	8	9	11	12	13	14	15	17	19	21	23	25	27	29	31	34	36	38	40	43	46	49	52	56	60	64	68	72	77	82	90



Chapter POWERS AND PROCEDURES IN DISCIPLINARY MATTERS

§ 1 Generalities

12.2.001 Race incidents committed during National Calendar races shall be judged and penalised according to the regulations of the National Federation of the race organiser.

12.2.002 Other breaches of the UCI Regulations committed during or in relation with a National Calendar event shall be judged and penalised by the National Federation that issued the license to the party concerned.

The penalties to be handed down shall be those provided for in the UCI Regulations. The procedure shall be that provided for in the regulations of the National Federation.

12.2.003 Race incidents committed during World and Continental Calendar races shall be judged and penalised according to Arts. 12.1.010 *et seq.*

12.2.004 Unless specially provided, other breaches of UCI Regulations shall be judged and penalised by the Commissaires Panel or by the Disciplinary Commission according to the following rules.

12.2.004 bis The competent National Federation is determined in accordance with the time of the facts, even if the individual obtains a license from another federation before or during the disciplinary procedure.

(article introduced on 1.09.03).

§ 2 Commissaires Panel

12.2.005 The Commissaires Panel shall, in a World or Continental Calendar event be empowered to judge and penalise any offence, excepting such offences as be committed by a National Federation or by an organiser regarding the event under its supervision and which is punishable by a fine, a refused start or a disqualification or any combination thereof.

The Commissaires Panel may pass judgement on any offences of which it becomes aware up to the moment that it is disbanded.

(text modified on 1.01.03).

12.2.006 The Commissaires Panel may judge the matter only if the offending party has had a chance to defend his point of view or if, being present when summoned, he fails to respond.

- 12.2.007** Decisions handed down by the Commissaires Panel shall not be open to appeal unless they involve a fine exceeding 200 FS.
- 12.2.008** Decisions shall be noted in the report by the Commissaires Panel. Except when a copy of the decision has been delivered to the person penalised in return for an acknowledgement of receipt, the Chief Commissaire shall inform the offending party's National Federation of the decision within eight days of the end of the event. The National Federation shall notify the offending party of the decision by registered letter sent by latest the day after the reception of the notification referred to above.
- 12.2.009** An appeal may be lodged with the Disciplinary Commission against any decisions carrying a fine exceeding 200 FS.
- 12.2.010** The appeal shall be lodged by registered letter within thirty days, either of the acknowledgement of receipt or of reception of the registered letter referred to in Art. 12.2.008.
- 12.2.011** The appeal to the Disciplinary Commission shall suspend execution of the decision of the Commissaires Panel.
- 12.2.012** The decision of the Disciplinary Commission on an appeal may not be further appealed.

§ 3**Disciplinary Commission**

- 12.2.013** Unless otherwise provided, the Disciplinary Commission shall have jurisdiction to judge and penalise breaches the UCI Regulations. Nevertheless the Disciplinary Commission shall declare itself incompetent if the same offence was judged by the Commissaires Panel under Art. 12.2.005, notwithstanding its jurisdiction in appeal cases against decisions by the Commissaires Panel.
- 12.2.014** Matters shall be placed before the Disciplinary Commission by the UCI.
- 12.2.015** If the offence is or can be penalised by only a fine, the UCI may propose to the offending party payment of the fine provided for in the Regulations. If payment is made, the disciplinary action shall be deemed closed.
- 12.2.016** The Disciplinary Commission shall be composed of a Chairman and a number of members appointed by the UCI Management Committee.
- Each matter shall be heard by a panel comprising one or three members designated by the Chairman of the Disciplinary Commission. Any member having a direct or indirect interest in the matter at issue shall ask to be replaced.
- 12.2.017** The Disciplinary Commission shall exercise the powers of the Management Committee in imposing fines on National Federations. The power of the Management Committee to suspend National Federations may not be delegated.

12.2.018 The parties concerned shall be invited to submit their defence by registered mail stating the facts with which they have been reproached. This shall be sent fifteen days at least before the date of the hearing.

They shall be able to consult the file and to obtain a copy at their expense.

Within eight days of receiving the summons, they may indicate the names of witnesses and experts they would like to have heard. The offending party shall meet the travel costs of these persons. They shall also ensure that they be summoned to appear.

12.2.019 At the hearing, the offending party may submit his defence, orally or in writing, and may be assisted by an advisor of his choice.

The panel may summon to the hearing and question anyone whose evidence it may deem useful. Any expenses incurred thereby shall be met by the UCI unless otherwise decided by the Disciplinary Commission.

12.2.020 The panel's decision shall be set down in writing, explained and signed by the president of the panel. It shall be sent to the party concerned by registered mail.

12.2.021 The proceedings shall be conducted in French or English.

During hearings, the parties may use some language other than the procedural language provided that they meet the cost of simultaneous interpretation which may be provided by their own interpreter.

§ 4 Appeals Board

12.2.022 Unless otherwise stipulated, an appeal may be lodged with the Appeals Board against decisions of the UCI Disciplinary Commission.

12.2.023 The appeal shall be lodged within thirty days of the communication of the decision handed down.

12.2.024 The appeal shall be brought, as appropriate, against the UCI or, in the case of articles 12.2.028 and 12.2.030, against the National Federation.

12.2.025 An appeal to the Appeals Board shall not suspend the enforcement of the decision already taken, save in the case of the application of article 12.2.031.

Nevertheless the appellant may address to the Chairman of the Appeals Board a petition that the effect be suspended.

§ 5 Procedure before National Federations

- 12.2.026** The disciplinary procedure of National Federations in respect of offences referred to in Art.12.2.002 shall guarantee licence-holders a right of defence, involving at least:
- a written summons mentioning the facts with which they are reproached
 - a chance to consult the case file
 - a hearing where the accused party may submit written and oral defence
 - the help of an advisor of their choice
 - the right to present witnesses and experts
 - a public hearing, unless there be good reason to the contrary
 - a written and motivated decision.
- 12.2.027** The UCI shall be entitled to intervene in a disciplinary procedure pending before the authorities of a National Federation and to give its opinion.
- 12.2.028** If the licence-holder does not, according to the regulations of the National Federation, have an opportunity to enter an appeal against a first decision concerning him, he may file an appeal with the UCI Appeals Board if he has been sentenced to effective suspension of a month or more. This appeal shall be entered within 30 days of the communication or, where there is no communication, of the publication of the decision.
- 12.2.029** The National Federation shall take disciplinary action against each licence-holder concerned whenever it learns of a breach of UCI Regulations and which falls within the scope of article 12.2.002.
- 12.2.030** The Federation shall institute proceedings within a fortnight of the moment when it learns of the facts. The decision of the first level disciplinary body shall be handed down in a maximum of two months from the moment when the National Federation learns of the facts. If need be, the decision of the appeal body shall be rendered within a maximum of three months from the same moment, plus the appeal period.
- In case of a delay not justified by requirements of the case, the National Federation shall be fined SFR. 5,000 per week's delay.
- Moreover, in the case of persistent delay, either in summoning the licence-holder or in the progress of the procedure, the licence-holder in question may appear before the UCI Appeals Board if he so requires. The decision by the Appeals Board shall itself not be open to appeal. The cost of such a procedure shall be met by the National Federation of the licence-holder in addition to the fine referred to in the preceding paragraph. This fine shall be due for each week or part thereof until the case is brought before the Appeals Board.
- 12.2.031** The UCI Management Committee may lodge an appeal with the Appeals Board against a final decision adopted by a National Federation if it considers it to be disproportionate or contrary to the UCI Constitution or Regulations. The parties concerned as well as the National Federation shall be summoned to the hearing.

**Chapter DISPUTES****§ 1 General**

12.3.001 Other than disputes which fall within the remit of the UCI ProTour Council any dispute between licence-holders or persons or authorities subject to the provisions of the UCI Constitution and Regulations over the application or interpretation thereof shall be submitted to the UCI Disciplinary Commission.

(text modified on 06.04.05).

12.3.002 The matter shall be brought on petition. The procedure shall be determined by the Disciplinary Commission in accordance with the principles of arbitration and taking account of the nature of the dispute.

12.3.003 The decision by the Disciplinary Commission shall be without appeal and binding on the parties.

12.3.004 Disputes between National Federations shall be submitted to the Appeals Board in accordance with article 77 b of the UCI Constitution.

12.3.005 Licence-holders and other parties subject to the UCI Constitution and Regulations shall submit all disputes and disagreements to the authorities stipulated in that Constitution and those Regulations.

Any person, organisation or body which fails to carry out the terms of the decision in good time shall be suspended as of right until those terms have been complied with in full.

(text modified on 1.07.00).

12.3.006 No appeal may be brought before the common courts until all the remedies provided for in the UCI Constitution and Regulations have been exhausted.

12.3.007 Any action brought against the UCI before a court shall be brought exclusively before the relevant court of the administrative district (Swiss canton) in which the UCI has its headquarters, even where third-party proceedings are involved. The plaintiff may not avail himself of any connexity whatsoever.

§ 2 UCI ProTour Council (UPTC)**Remit**

12.3.008 The UPTC shall decide:

- a) any dispute concerning the interpretation of articles specific to the UCI ProTour and to Professional Continental Teams;

- b) any dispute concerning the interpretation and application of the UCI regulations if one of the parties to the dispute is a UCI ProTeam or a Continental Professional Team, a member of a UCI ProTeam or Professional Continental Team, or an organizer of a UCI ProTour Event, where the dispute arises in connection with such an event;
- c) any other dispute between such parties, with their agreement;
- d) any dispute concerning participation in a UCI ProTour Event.

The competences of the Licence Commission and of the Court of Arbitration for Sport are reserved.

(text modified on 06.04.05).

- 12.3.009** Should the scope of the issue extend beyond the UCI ProTour or should the UPTC deem itself not to be competent to decide on any other grounds, it shall pass the matter to the Disciplinary Commission.

(text modified on 06.04.05).

- 12.3.010** The UPTC shall not be competent in disciplinary affairs, matters regarding doping, matters regarding safety and the conditions of the sport or for matters concerning the World Championships or the Olympic Games.

(text modified on 06.04.05).

Procedures

- 12.3.011** Rules of Procedure of the UPTC.

Composition of the panel

- I. Save as stipulated hereafter, matters brought before the UPTC shall be heard by a panel of three members.

One member shall be appointed by the appellant and one by the accused party. The president of the panel shall be appointed by the president of the UPTC.

The appointment by the appellant must be made on request and that by the accused party within the time limit set by the president of the UPTC. If a party should fail to appoint a member then that appointment shall be made by the president of the UPTC.

In the event that there are multiple appellants or persons accused, the appointment shall be made by common agreement. If a party should fail to appoint a member then that appointment shall be made by the president of the UPTC.

If the president has appointed a member of the panel, he may not himself form part of the panel.

The president may nominate another member of the UPTC or a person named on the list specified in article 2, to establish the membership of panels and other tasks incumbent on him under the rules of procedure.

- II. The members of the panel shall be selected from those on a list including:
 - such members of the UPTC as may accept
 - other persons appointed by the AIGCP, the CPA, the AIOCC or the UCI.
- III. The panel shall be composed of a single member in the following cases:
 - if the parties agree; the member shall be appointed by the president of the UPTC, unless the parties reach agreement on a nomination
 - by decision of the president of the UPTC in urgent cases.
- IV. Any member with a personal interest in a case must withdraw from it.
- V. Any dispute concerning the composition of the panel shall be settled by the president of the UPTC or, if it involves his person, by his deputy.

Introduction and preparation

- VI. Any matter brought before the UPTC shall be lodged in a petition including:
 - i) the surname and first name or denomination of the appellant
 - ii) the full address of the domicile or the headquarters of the appellant
 - iii) if need be, the elected domicile to which all communications on the procedure will be sent
 - iv) the purpose of the petition
 - v) the party or parties against whom (which) petition is being brought
 - vi) the reasons for the petition
 - vii) the appellant's signature
 - viii) a list of enclosures accompanying the petition.Items i, ii, iv, v, vi and vii shall be mandatory failing which the appeal shall not be entertained.
- VII. The petition shall be addressed to the UPTC and sent to UCI headquarters.
The UCI secretariat shall send one copy of the petition and enclosures to each accused party.
- VIII. The president of the panel, or, in case of urgency, the president of the UPTC, shall set the time limits within which the accused parties must lodge their response and supporting documents. Where necessary he shall authorise other written exchanges and set time limits. Memorandums and the relevant supporting documentation submitted after the deadlines, shall not be taken into account during the discussions, except with agreement of all the parties.
- IX. Each party shall send its pleaders and supporting evidence, as well as any other communication addressed to the UPTC, to each of the members of the panel and to each other party involved.

- X. Any party wishing to have witnesses or an expert examined shall communicate the identity of such persons at the latest in its last pleader. It shall itself look to convening those persons. In that case, the other parties shall automatically be entitled to have other witnesses or experts examined. If their last pleader has already been lodged, they shall communicate the identity of persons to be examined as soon as possible.
- XI. The panel may order any investigative measure.
It shall be carried out on the initiative of the first party to make a request who shall advance the expenses.
- XII. Should a party waive the presentation of a pleader, an investigative measure or a hearing, it shall make this known as soon as possible.

Hearing

- XIII. The Chairman of the panel shall determine the place and date of the hearing at which the parties as well as, if need be, experts and witnesses will be heard, unless all parties waive a hearing.
The hearing shall be called by fax or by registered letter.
- XIV. In principle, hearings shall take place in Aigle and, to the extent possible, all matters pending shall be heard the same day. During the hearing the panel may be assisted by a lawyer who shall not participate in the deliberations.
- XV. Hearings shall be public unless otherwise decided by the panel requested by one of the parties.
- XVI. Each party shall be entitled to be represented by an attorney (barrister) or by a representative carrying a special written proxy. He may be accompanied by any other person of his choice.
Each party shall be heard as well as any witnesses and experts summoned. In disciplinary matters, the offender shall be entitled to the last word.
- XVII. If, except in the case of a legitimate hindrance, a duly summoned party does not appear, the panel may hear the case and reach a decision in absentio.

Decision

- XVIII. The decision shall be handed down as soon as possible after the close of discussions. It shall be adopted by a majority vote.
It shall mention the identity of the members who took part in the deliberations.
The original of the decision shall be signed by the president of the panel or where appropriate by the sole member.
- XIX. The decision shall be dated and explained. However, the panel may announce its decision immediately following its deliberations and give its explanations later.

- XX. A copy of the decision shall be sent to each party.
The original of the decision shall be lodged with the UCI secretariat.

Costs

- XXI. The decision shall mention the cost of the procedure, which include the fees of members of the panel.
- XXII. Costs shall be met by the losing parties according to the breakdown set by the decision. Furthermore a party may be required to contribute to the costs of another party.

Procedural language

- XXIII. The petition shall be written in French or English. The language of the petition shall be the language in which the proceedings are conducted, except by agreement between the parties. All procedural documents shall be written in that language, failing which they shall be invalid.
- XXIV. The panel may order the translation of documentary evidence written in any other language.
- XXV. During hearings, the parties may use a language other than the procedural language but they shall meet the cost of simultaneous interpretation which may be provided by their own interpreter.

Appeal

- XXVI. An appeal may be made to the Appeals Board. The appeal must be lodged within thirty days of the notification of the decision and the reasons for it.

(text modified on 06.04.05).

IV**Chapter PROCEDURE BEFORE THE APPEALS BOARD****§ 1****Composition of the Appeals Board**

- 12.4.001** Save as stipulated hereafter, matters brought before the Appeals Board shall be heard by the Chairman and the two incumbent assessors.
- 12.4.002** Any member of the Appeals Board having a personal interest in a matter shall withdraw.

A member may not sit on a matter if he is of the nationality of one of the parties. In this respect, the UCI shall be considered stateless.

12.4.003 Any request that a member of the Board be excluded for preventive purposes as well as any incident concerning the composition of the Board shall be settled by the Chairman, or, if it concerns his person, by his first deputy.

12.4.004 If need be, the member in question shall be replaced by his first deputy and, should that deputy be impeded, by his second deputy.

If the second deputy is also impeded, he shall be replaced by one of the other deputies in the following order: first and second deputy of the Chairman, then first and second deputy of the other assessor.

§ 2 Procedure

Lodging the case

12.4.005 Any matter brought before the Appeals Board shall be lodged in a petition including:

- (1) the surname and first name or denomination of the appellant
- (2) the full address of the domicile or the headquarters of the appellant
- (3) if need be, the elected domicile to which all communications on the procedure will be sent
- (4) the purpose of the petition specifying, if need be, the decision challenged with its date, the authority that handed it down and its conclusion
- (5) the party or parties against whom (which) appeal is being brought
- (6) the reasons for the appeal
- (7) the appellant's signature
- (8) a list of enclosures accompanying the petition.

Items 1, 2, 4, 5, 6 and 7 shall be mandatory failing which the appeal shall not be entertained.

12.4.006 The petition shall be submitted in quadruplicate plus as many additional copies as there are opposing parties. It shall be addressed to the Appeals Board and sent to UCI headquarters.

12.4.007 All appellants shall be required to pay a registration fee of SFR. 3,000 into a special UCI account within a fortnight of despatching the petition failing which the petition will not be entertained.

12.4.008 Once the registration fee has been received, the UCI secretariat will, by registered mail with recorded delivery, send a copy of the petition to each defendant. The secretariat shall also send three copies of the petition to the Chairman of the Appeals Board.

Composition of the panel

12.4.009 On reception of the petition, the Chairman of the Appeals Board shall announce to the appellant and the defendants the identity of the members that will hear the case. This announcement shall be made by registered letter with recorded delivery.

- 12.4.010** Any objection to the composition of the panel shall be raised within one fortnight of reception of that announcement and be addressed to the Chairman of the Appeals Board, with copies to the defendants, failing which it will not be entertained.
- 12.4.011** The Chairman of the Appeals Board shall reach a decision within one month. Any party may submit its observations to him provided they also address a copy to the other parties. The parties shall be heard in oral session only if one of them in fact so demands.
- 12.4.012** The decision of the Chairman of the Appeals Board shall be announced as indicated in article 12.4.035.

Presentation of the case

- 12.4.013** The defendants shall lodge their replies and supporting evidence within two months.

That period shall run from the date of despatch of the petition to the defendant or, if need be, from the date of the communication of the decision on the composition of the panel.

- 12.4.014** The plaintiff (appellant) may respond within two months of the despatch of the reply.

The defendants may lodge a rejoinder within two months of the despatch of the response.

- 12.4.015** If parties are domiciled on different continents, the above periods shall be extended by 15 days. If need be, account shall be taken solely of the elected place of domicile.

- 12.4.016** Pleadings and supporting evidence relating thereto which are not lodged within those periods shall automatically be omitted from all discussion unless mutually agreed otherwise by all parties.

- 12.4.017** The Chairman may extend those periods, especially to take account of the time necessary for consulting the file and investigatory measures.

In urgent cases, the Chairman may shorten the periods.

- 12.4.018** Each party shall send its pleadings and supporting evidence, as well as any other communication addressed to the Appeals Board, to each of the 3 members of the panel and to each other party involved.

- 12.4.019** The appellant and the other parties shall be entitled to consult the file relating to the decision against which the appeal is being lodged, either at UCI headquarters or at some other place to be determined by the Chairman of the panel. Each party may obtain a copy at its own expense.

Moreover, the file shall be available for consultation during the hearing.

- 12.4.020** All authorities and licence-holders of the UCI and of National Federations shall forward to the Chairman any document or information he may require.

12.4.021 Any party wishing to have witnesses or an expert examined shall communicate the identity of such persons at the latest in its last pleader. It shall itself look to convening those persons.

In that case, the other parties shall automatically be entitled to have other witnesses or experts examined. If their last pleader has already been lodged, they shall communicate the identity of persons to be examined as soon as possible.

12.4.022 The Appeals Board can order an enquiry, an expertise, a visit to the site of the incident, the personal appearance of parties or any other person. It may require the production of documents held by an involved party or a third party.

12.4.023 The Appeals Board may not order the verification of documents nor take a stand on whether documents are false or not. In such cases, it shall leave the parties a certain time in which to lodge an appeal in this respect with the competent legal authorities. The procedure shall be suspended until the day the Appeals Board is notified by the more diligent party that the matter has been finally settled.

12.4.024 Any investigatory measures ordered by the Appeals Board shall be performed on the initiative of the more diligent party that will have to meet the expenses thereof.

If need be, the panel may decide that no investigatory measure be ordered unless the party that requested it advance payment to cover expenses within a given period.

12.4.025 Should a party waive the presentation of a pleader, an investigatory measure or a hearing, it shall make this known as soon as possible.

Hearing

12.4.026 The Chairman shall determine the place and date of the hearing at which the parties as well as, if need be, experts and witnesses will be heard, unless all parties waive a hearing.

In principle, hearings shall take place in Lausanne and, to the extent possible, all matters pending shall be heard the same day.

12.4.027 Parties and other persons summoned by the panel, shall be summoned by registered mail, giving a minimum of one month's notice, other than in application of article 12.4.017.

12.4.028 Hearings shall be public unless otherwise decided by the Appeals Board requested by one of the parties.

12.4.029 Each party shall be entitled to be represented by an attorney (barrister) or by a representative carrying a special written proxy. He may be accompanied by any other person of his choice.

12.4.030 Each party shall be heard as well as any witnesses and experts summoned. In disciplinary matters, the offender shall be entitled to the last word.

12.4.031 If, except in the case of a legitimate hindrance, a duly summoned party does not appear, the Appeals Board may hear the case and reach a decision *in absentio*.

Sentence

12.4.032 The sentence shall be handed down as soon as possible after the close of discussions. The decision shall be adopted by a majority vote.

It shall mention the identity of the parties and contain a brief summary of the proceedings.

It shall mention the name of the members of the panel and shall be signed by them.

12.4.033 The sentence shall be dated and explained.

It shall, if need be, indicate any provisions of the Regulations that are breached by the decision taken.

12.4.034 The original and copies of the sentence shall be signed by each of the members of the panel that took it.

12.4.035 The Chairman of the Commission shall notify each party of the sentence by sending them a copy thereof.

It shall lodge the original of the sentence with the UCI secretariat.

12.4.036 Any person, organisation or authority that, within one month of being notified of the sentence, has not fully implemented it shall be automatically suspended for as long as that sentence has not been entirely implemented.

Costs

12.4.037 The sentence shall mention the cost of the procedure.

Costs shall be met by the losing parties according to the breakdown set by the Appeals Board.

12.4.038 Costs shall, in particular, include the expenses and fees of members of the panel in such amount as they shall determine.

Nevertheless, in the case of an appeal by a rider against a decision concerning him personally and individually, the expenses and fees of the members of the Appeals Board may be charged to the appellant only if, by an especially well-founded decision, it is decided that the appeal was foolhardy or that expenses and fees have been incurred uselessly because of the procedural attitude of the appellant. Expense and fees that cannot in this way be charged to any other party to the case shall be met by the UCI.

12.4.039 The UCI shall retain the registration fee without prejudice to the reimbursement of its amount to the appellant by the losing party.

12.4.040 The UCI shall stand guarantor for payment of the expense and fees of members of the Appeals Board.

Procedural Language

12.4.041 The petition shall be written in French or English. The language of the petition shall be the language in which the proceedings are conducted. All procedural documents shall be written in that language, failing which they shall be invalid.

12.4.042 The Appeals Board may order the translation of documentary evidence written in any other language.

12.4.043 During any hearings, the parties may use a language other than the procedural language but they shall meet the cost of simultaneous interpretation which may be provided by their own interpreter.

§ 3

Non-suspensive effect of appeal

12.4.044 An appeal before the Appeals Board shall not suspend the implementation of a decision taken, save in the cases provided for in the UCI Regulations.

12.4.045 The appellant may petition the Chairman of the Appeals Board for a suspension. The Chairman shall reach a decision as rapidly as possible. The appellant shall be personally heard only if he so requests in his petition.

12.4.046 The petition for suspension shall be made in the main petition, failing which it shall not be entertained.