



EFA

**European Fistball
Association**

Juridical Regulations

(Valid as of 1st March 2016)

Content

I	General	3
II	Purpose and Responsibilities	3
III	Legal Action and Penalties	3
	In ref. to 1. Warnings.....	4
	In ref. to 2. Fines.....	4
	In ref. to 3. Suspensions.....	4
	In ref. to 4. Exclusion	4
IV	Competencies	4
V	Proceedings	5
VI	Legal Remedies	6
VII	Fees	6
VIII	Final Provisions	7
IX	Ratification	7

The function and people designations used in these Juridical Regulations refer to both sexes.

I General

Art. 1

These Juridical Regulations are based on the provisions of the Articles of Incorporation and the By-laws of the European Fistball Association (EFA) and the Game Rules of the International Fistball Association (IFA) and shall be applied in compliance with these provisions.

In any event, an amicable resolution shall always be pursued prior to their application.

Art. 2

The submission of any matters to the regular courts of law on grounds of violations of the Articles of Incorporation and Policies of the EFA shall be excluded.

Art. 3

These Juridical Regulations shall be binding upon European membership associations of the IFA as well as its bodies and members.

II Purpose and Responsibilities

Art. 4

The provisions of these Juridical Regulations shall be applied in the event of

- a) Violations of the Articles of Incorporation, Policies and Regulations of the EFA
- b) Conduct and actions that damage the reputation of the EFA
- c) The settlement and making of resolutions for disputes and differences of opinion between the EFA and membership associations with each other and between associations in different countries
- d) Insults and defamation targeting the EFA, its bodies and members

III Legal Action and Penalties

Art. 5

Penalties may be imposed on members of the EFA (European member associations of the IFA) and members of its bodies as well as teams and individual players, functionaries and umpires if their conduct damages the reputation of the EFA or violates the policies of the EFA during international events.

Art. 6

The following penalties may be imposed

1. Warnings
2. Fines
3. Suspensions
4. Exclusions

In ref. to 1. Warnings

Warnings shall be imposed as penalties for minor infractions.

In ref. to 2. Fines

Fines shall be primarily imposed in the event of non-fulfillment of financial obligations. They may range between € 100.-- and € 500.--.

Fines may not be imposed on individuals.

In ref. to 3. Suspensions

Suspensions shall be imposed as penalties for gross violations of the policies and regulations of the EFA as well as infractions and actions that damage the work and reputation of the EFA.

Suspensions must be imposed for limited periods of time; they may range from 1 to 2 years.

The scope of application comprises all international events within the control of the EFA and its membership associations.

During a suspension all of the penalized party's rights within the scope of the EFA shall be suspended.

Suspensions shall become effective upon written notification of the penalized party/parties via registered letter, i.e. within 7 days of the date visible on the postmark.

In ref. to 4. Exclusion

Exclusions may be imposed only upon members of the EFA (European membership associations of the IFA) and only upon request of the EFA Executive Board through the IFA Convention.

Exclusions may be imposed in the event of

- a) Repeated gross violations of the Articles of Incorporation, regulations or resolutions of the EFA
- b) Infractions that have a particularly grave negative impact on the work and reputation of the EFA
- c) Loss of the characteristics of a national association

Exclusions may be imposed for a limited or indefinite period of time. Upon expiration of an exclusion for a limited time, the affected party shall be required to re-apply for IFA membership.

Art. 7

Each penalty shall be communicated in writing to the affected party and all membership associations as well as bodies of the EFA within 2 weeks. Suspensions shall also be reported to the IFA.

The national association shall undertake to enforce all penalties within their scopes of control (divisions and clubs).

IV Competencies

Art. 8

The Executive Board of the EFA shall assume the role of the Association Court and shall have the power of attorney to apply these Juridical Regulations, with the exception of exclusions, the responsibility for which shall be assigned to the IFA Convention (Art. 6, Section 4).

At least three of its members from various associations shall participate. If a member of the Executive Board or the entire Executive Board is affected or not impartial, the Association Court shall be completed by the IFA Convention.

V Proceedings

Art. 9

The Association Court shall take action only upon written petitions citing the reasons with all evidence attached.

Members of the EFA (European membership associations of the IFA) as well as the EFA bodies and their members shall be eligible for the filing of applications. The petitions shall be submitted to the General Secretary.

Art. 10

Petitions that are in violation of the form requirements, impermissible or obviously without merit may be dismissed by way of a unanimous resolution of the Association Court without an oral or written hearing.

Grounds for the ruling shall be provided in writing.

Art. 11

If at all possible, the proceeding shall comprise an oral hearing. If the costs are prohibitive, a hearing may be conducted in writing.

The majority vote of the Association Court shall determine the outcome.

Art. 12

A member of an EFA body who is involved in a proceeding may not send a representative to the hearing.

Art. 13

The proceeding shall begin no later than 3 weeks after the receipt of the petition by the General Secretary.

Art. 14

Meetings of the Association Court shall be scheduled by the EFA President and if he should not be available, his deputy.

Art. 15

The President shall chair the hearing; if he should be unavailable or involved or not impartial, it shall be conducted by his deputy.

Art. 16

All hearings of the Association Court shall not be open to the public. The ruling shall be made by way of an open vote.

The Association Court President shall cast the final vote. In the event that a vote should be undecided, the President shall cast the deciding vote. The word-for-word ruling shall be documented in

the minutes of the hearing.

Art. 17

All proceedings shall be closed with a ruling as quickly as possible.

If the hearing is an oral hearing, the ruling made shall be communicated to the parties present immediately. Incidentally, Art. 7 of these Juridical Regulations shall apply.

VI Legal Remedies

Art. 18

Anyone upon whom a penalty has been imposed shall have the right to appeal. The filing of an appeal shall not have a deferral effect.

Art. 19

The appeal shall be filed with the General Secretary within 21 days along with written grounds and shall be subject to payment of the fee set forth in Art. 23.

The deadline for the filing of the appeal shall begin within 7 days after the sending of the written notification.

Art. 20

The EFA Convention shall assume the role of the appellate instance. The appeal and the entire transaction shall be submitted to the former in writing and the former shall make the final decision. The decision shall be made pursuant Art. 16 of these Juridical Regulations and shall be binding upon everyone involved. The decision may also be obtained through a written proceeding.

Membership associations and EFA body members involved in the proceeding shall not be eligible to vote in these rulings.

Art. 21

A petition for a resumption of a proceeding may be filed with the General Secretary within half a year of the final ruling subject to payment of the fee set forth in Art. 23 of these Juridical Regulations and to the presentation of new material that would have led to a different ruling had the Association Court been aware of it earlier.

Art. 22

Petitions for pardons must be filed with the competent Association Court. The petition shall be sent to the General Secretary. If the penalty is a suspension, pardons may be issued at the earliest once have the suspension period has been completed.

The granting of a pardon shall be subject to a unanimous vote by the Association Court that has competence over the proceeding.

VII Fees

Art. 23

The imposition of a fine, which shall be due for payment to the EFA within one month after the sending of the written notification notwithstanding, the following fees shall apply for filings with the Association Court:

1. Proceeding before the Association Court € 200.--
2. Proceeding and appeal before the Convention € 400.--
3. Petition for resumption of the proceeding € 500.--
4. Petition for a pardon € 500.--

These fees are non-refundable. They shall be paid within the same deadline that applies to the respective petition. Failure to meet the payment deadline shall result in the forfeiture of the legal remedy.

The bodies of the EFA and their members shall be exempt from the obligation to pay the fees specified in 1. – 3.

VIII Final Provisions

Art. 24

All files, evidence and documents shall be archived by the EFA General Secretary for at least 5 years after the proceedings have been finalized.

A pertinent log shall be compiled if these records are destroyed.

Art. 25

In all litigation matters, in particular those related to the Articles of Incorporation, disciplinary and anti-doping issues, the EFA shall recognize as the only final resolution instance the Court of Arbitration for Sport (CAS) in Lausanne (Switzerland) and the “Code of Sports-related Arbitration.”

The regular legal remedies shall be excluded.

IX Ratification

Art. 26

These Juridical Regulations were ratified by the EFA Committee on 6th February 2016 and come into force on 1st March 2016.