

2015 AC



INTERNATIONAL  
ICE HOCKEY  
FEDERATION

# 2019

# IIHF DISCIPLINARY CODE

September 2018

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## PART ONE

### APPLICATION

#### 1. **Subject and Objectives**

- 1.1 The present Code serves to ensure that the objectives of the IIHF are attained as per Statute 4 of the IIHF Statutes and Bylaws
- 1.2 This Code contains the substantive and formal provisions according to Statute 19 for the sanctioning of disciplinary offences as well as for the review of decisions of the IIHF Office, Council and Directorates.

#### 2. **Scope of material application**

- 2.1 This Code applies to:
  - (a) any violation of the IIHF's Statutes, Bylaws, Regulations/Codes, Official Playing Rules, Directives or Decisions of the IIHF Council, Directorates or IIHF Officials who are entrusted with the implementation of the Statutes, Bylaws, Regulations/Codes and/or Official Playing Rules, and any action which violates the good order of ice hockey or inline hockey and/or brings ice hockey or inline hockey into disrepute;
  - (b) the decisions regarding the application of Statutes, Bylaws and Regulations/Codes by the IIHF Office, Council and Directorates in specific cases.
- 2.2 When a case seems to come under the authority of more than one Disciplinary Body, the IIHF Council shall decide which Disciplinary Body hears the case after receiving a recommendation from the IIHF Legal Committee.
- 2.3 Any disciplinary measure does not restrict the right of the IIHF to compensation arising from the violation where such violation results in financial or other loss to the IIHF or its Member National Associations.

#### 3. **Scope of personnel application**

- 3.1 The following institutions, organizations and persons are considered IIHF Members and subject to the jurisdiction of the IIHF:
  - (a) IIHF Member National Association staff representatives;
  - (b) IIHF governing bodies;
  - (c) Persons elected or appointed as an IIHF representative in any IIHF Competition or IIHF Event or to a position in any IIHF governing institution or IIHF Committee/Board;
  - (d) Organizing Committees of IIHF Competitions;
  - (e) IIHF Officials and Referees
  - (f) IIHF National leagues, clubs, teams and their leaders, managers, players, coaches and referees whatsoever and howsoever associated, in all matters within the jurisdiction of the IIHF including, without limitation, IIHF Competitions, international games, and international transfers.
- 3.2 The above mentioned persons and entities are subject to IIHF's disciplinary power. They are bound by and recognise the Statutes, Bylaws, Regulations/Codes, Official Rule Book, and IIHF Directives and Decisions.

- 3.3 Member National Associations are responsible for the conduct of its clubs, players, and officials at IIHF events. Member National Associations are responsible for the conduct of its fans at IIHF events held within its country.

## **DISCIPLINARY MEASURES AND DIRECTIVES**

### **4. General**

- 4.1 The Disciplinary Bodies impose disciplinary measures and issue directives.
- 4.2 Disciplinary measures are sanctions on the conduct to be disciplined.
- 4.3 Directives demand certain behaviour on the part of those concerned and may be issued as an order ancillary to other disciplinary measures. Directives set out how the disciplinary measure shall be carried out and/or may induce the part(ies) concerned to act in a certain matter.
- 4.4 Certain IIHF Regulations/Codes prescribe specific disciplinary measures for the conduct violations contained within the respective Regulations/Codes. The IIHF Disciplinary Body shall follow the prescribed disciplinary measure set out in the respective Regulations/Codes when sanctioning activity according to the Regulations/Codes subject to section 8 of this Code.

### **5. Disciplinary Measures against entities subject to IIHF Jurisdiction**

- 5.1 The following disciplinary measures may be imposed on IIHF Bodies, Member National Associations, leagues and/or clubs in accordance with IIHF Statute 20:
- a) warning;
  - b) reprimand;
  - c) fine;
  - d) suspension from a specified number of games or for a specified period of time;
  - e) annulment of game results;
  - f) declaration of a game forfeit;
  - g) deduction of the number of points awarded;
  - h) disqualification from a competition in progress and/or exclusion from future competitions;
  - i) prohibition of registering new players in IIHF Competitions; and
  - j) withdrawal of title or award.
- 5.2 A fine shall be no less than CHF 100 and no more than CHF 500,000.
- 5.3 All disciplinary measures may be imposed individually or in combination with any other disciplinary measure.

### **6. Disciplinary measures against individuals subject to IIHF Jurisdiction**

- 6.1 The following disciplinary measures may be imposed on individuals in accordance with IIHF Statute 20:
- a) warning;
  - b) reprimand;
  - c) fine;
  - d) suspension from all ice hockey and/or inline activity for a specified number of games or for a specified or unspecified period of time;

- e) suspension from carrying out a specific function for a specified number of games or for a specified period of time
- f) withdrawal of accreditation; and
- g) ban on involvement with any ice hockey and/or inline related activities for a specified or unspecified period of time.

6.2 A fine shall be no less than 100 CHF and no more than 100,000 CHF.

6.3 All disciplinary measures may be imposed individually or in combination with any other disciplinary measures.

## **7. Sanctions for Doping**

### **A. Sanctions on Players and other Individuals**

#### **7.1 Disqualification of Event Results**

An anti-doping rule violation occurring during or in connection with an IIHF Event may, upon the discretion of the relevant IIHF Disciplinary Body, lead to disqualification of the player's individual results obtained in the IIHF Event with all consequences, including forfeiture of all medals, points and prizes, except if the player establishes that he bears No Fault or Negligence for the violation in accordance with WADA Code Article 10.1.

#### **7.2 Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method**

The Period of Ineligibility for a violation of IIHF Doping Regulation 2.1, 2.2 or 2.6 (WADA Code Articles 2.1, 2.2 or 2.6), unless the conditions provided in Disciplinary Code Article 7.4, 7.5 or 7.6 (WADA Code Article 10.4, 10.5 or 10.6) are met:

##### **7.2.1 shall be four years where:**

- a) the anti-doping rule violation does not involve a Specified Substance, unless the player or other person can establish that the anti-doping rule violation was not intentional; or
- b) the anti-doping rule violation involves a Specified Substance and the IIHF can establish that the anti-doping rule violation was intentional.

7.2.2 If Article 7.2.1 does not apply, the period of ineligibility shall be two years.

7.2.3 As used in Disciplinary Code Article 7.2 and 7.3 (WADA Code Article 10.2 and 10.3), the term "intentional" is meant to identify those players who cheat and, therefore, requires a player or other person engaged in conduct which he knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk.

An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall be rebuttably presumed to be not intentional if the substance is a Specified Substance and the player can establish that the Prohibited Substance was used Out-of-Competition.

An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall not be considered intentional if the substance is not a Specified Substance and the player can establish that the Prohibited Substance was used Out-of-Competition in a context unrelated to sport performance.

- 7.3 Ineligibility for Other Anti-Doping Rule Violations  
The period of ineligibility for anti-doping rule violations other than as provided in IIHF Disciplinary Code Article 7.2 (WADA Code Article 10.2), unless IIHF Disciplinary Code Article 6.5 and 6.6 (WADA Code Article 10.5 or 10.6) are applicable, shall be
- 7.3.1 For violations of IIHF Doping Control Regulation 2.3 or 2.5 (WADA Code Article 2.3 or Code Article 2.5), the period of ineligibility shall be four years unless, in the case of failing to submit to Sample collection, the player can establish that the commission of the anti-doping rule violation was not intentional (as defined in 7.2.3 above), in which case the period of ineligibility shall be two years.
- 7.3.2 For violations of IIHF Doping Control Regulation 2.4 (WADA Code Article 2.4), the period of ineligibility shall be two years, subject to a reduction down to a minimum of one year depending on the player's degree of fault, with the flexibility between one and two years not being available when the player has shown a pattern of last-minute whereabouts changes or other suspicious conduct, such as the Player trying to avoid being available for Testing.
- 7.3.3 For violations of IIHF Doping Control Regulation 2.7 or 2.8 (WADA Code Article 2.7 or 2.8), the period of ineligibility shall be a minimum of four years up to lifetime ineligibility, depending on the seriousness of the violation. IIHF Doping Control Regulation 2.7 or 2.8 violations involving a minor shall be considered a particularly serious violation and, if committed by Player Support Personnel for violations other than for Specified Substances, shall result in lifetime ineligibility for the Player Support Personnel. In addition, significant violations of IIHF Doping Control Regulation 2.7 and 2.8 which may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.
- 7.3.4 For violations of IIHF Doping Control Regulation 2.9 (WADA Code Article 2.9), the period of ineligibility imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violations.
- 7.3.5 For violations of IIHF Doping Control Regulation 2.10 (WADA Code Article 2.10), the period of ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the player's or other person's degree of fault and other circumstances of the case.
- 7.4 Elimination of the Period of Ineligibility where there is No Fault or Negligence  
If a player or other person establishes in an individual case that he bears no fault or negligence, then the otherwise applicable period of ineligibility shall be eliminated.
- 7.5 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence
- 7.5.1 Reduction for Specified Substances or Contaminated Products for Violations of IIHF Doping Control Regulation 2.1, 2.2 or 2.6 (WADA Code Article 2.1, 2.2 or 2.6)
- a) Specified Substances: where an anti-doping rule violation involves a Specified Substance and the player or other person can establish No Significant Fault or Negligence, the period of ineligibility shall be, at a minimum, a reprimand and no period of ineligibility, and at a maximum, two years of ineligibility, depending on the player's or other person's degree of fault; and
  - b) Contaminated Products: where a player or other person can establish No Significant Fault or Negligence and that the detected Prohibited Substances came

from a Contaminated Product, the period of ineligibility shall be, at a minimum, a reprimand and no period of ineligibility, and at a maximum, two years ineligibility, depending on the player's or other person's degree of fault.

- 7.5.2 Beyond the application of 7.5.1 above, if a player or other person establishes that he bears No Significant Fault or Negligence, then subject to further reduction or elimination provided in IIHF Disciplinary Code Article 7.6 (WADA Code Article 10.6), the otherwise applicable period of ineligibility may be reduced based on the player's or other person's degree of Fault, but the reduced period of ineligibility may not be less than one-half the period of ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight years.
- 7.6 Elimination, Reduction, or Suspension of Period of Ineligibility shall be handled in accordance with WADA Code Article 10.6 for:
- a) Substantial assistance in discovering or establishing an anti-doping rule violation (WADA Code Article 10.6.1);
  - b) Admission of an anti-doping rule violation in the absence of other evidence (WADA Code Article 10.6.2);
  - c) Prompt Admission of an anti-doping rule violation after being confronted with a violation sanction-able under WADA Code Article 10.2.1 or 10.3.1 (WADA Code Article 10.6.3); and
  - c) Application of multiple grounds for reduction of sanction (WADA Code Article 10.6.4).
- 7.7 Multiple Violations  
The period of ineligibility for a second or third anti-doping rule violation shall be imposed according to the provisions of WADA Code Article 10.7.1 – 10.7.5.

## **B. Sanctions on Teams and Team Officials**

- 7.8 If more than two members of a team are found to have committed an anti-doping rule violation during an IIHF Competition, in addition to the sanctions imposed on the individual players, the team will be disqualified and relegated to the lower division. The IIHF shall conduct target testing when more than one member of a team has been notified of an anti-doping rule violation in an IIHF Competition.
- 7.9 A team official or member national association official who has been involved in or committed an anti-doping rule violation shall be sanctioned according to Article 6.3.3 above. The member national association will be subject to a fine.
- 7.10 Member national associations who fail to submit to the IIHF valid up-to-date whereabouts information for their team upon request prior to any IIHF Competition will be subject to a warning or a fine.

## **C. General Provisions**

- 7.11 Therapeutic Use Exemptions  
Anti-doping rule violations consistent with the provisions of an applicable therapeutic use exemption issued pursuant to the International Standard for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation (WADA Code Article 4.4).
- 7.12 Commencement of Ineligibility Period

Except as provided in WADA Code Article 10.11.1 – 10.11.5, the period of ineligibility shall start on the date of the hearing decision providing for ineligibility or, if the hearing is waived or there is no hearing, on the date ineligibility is accepted or otherwise imposed.

#### 7.13 Status during Ineligibility

Status during ineligibility shall comply with the provisions of WADA Code Article 10.12.1 – 10.13, in particular the following shall apply (WADA Code Article 10.12.1-4, 10.13).

##### 7.13.1 Prohibition against Participation during Ineligibility

No player or other person who has been declared ineligible may, during the period of ineligibility, participate in any capacity in a competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by the IIHF or any IIHF member national association, league, club or other member organization, or participate in any capacity in competitions authorized or organized by any professional leagues or any event, activity or competition under the jurisdiction of a Code signatory, Signatory's member organization, or a club or other member organization of a Signatory's member organization. A player or other person subject to a period of ineligibility shall remain subject to testing. A player or other person subject to a period of ineligibility longer than four years may, after completing four years of ineligibility, participate in local sports events in accordance with WADA Code Article 10.12.1.

##### 7.13.2 Return to Training

As an exception to 7.13.1 above, a player may return to train with a team or to use the facilities of a club or other member organization of the IIHF's member organizations during the shorter of: (a) the last two months of the player's period of ineligibility, or (b) the last one-quarter of the period of ineligibility imposed.

##### 7.13.3 Violation of the Prohibition of Participation during Ineligibility

Where a player or other person who has been declared ineligible violates the prohibition against participation during ineligibility described in 7.13.1, the results of such participation shall be disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. Such decisions shall be made in accordance with WADA Code Article 10.12.3.

##### 7.13.4 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in WADA Code Article 10.4 or 10.5, some or all sport-related financial support or other sport-related benefits received by such person will be withheld by the IIHF and its member national association.

7.14 A mandatory part of each sanction shall include automatic publication as provided in Article 14.3 of the WADA Code.

7.15 All other competitive results of the player obtained from the date a positive Sample was collected (whether In-Competition or Out-of-Competition), or other anti-doping rule violation occurred, through the commencement of any Provisional Suspension or Ineligibility period, shall, unless fairness requires otherwise, be disqualified with all of the resulting consequences including forfeiture of any medals, points and prizes.



## **8. Aggravating and Mitigating Factors (not applicable to doping violations)**

- 8.1 Aggravating factors which may be considered by the Disciplinary Board shall include (without limitation and where applicable):
- (a) A failure to cooperate with any investigation or requests for information;
  - (b) Any previous violations;
  - (c) The IIHF Member receiving or being due to receive a significant benefit in connection with the Violation;
  - (d) The Violation having affected, or having the potential to affect, the course or result of an IIHF Event and/or Competition;
  - (e) The IIHF Member to be sanctioned displaying a lack of remorse; and
  - (f) Any other aggravating factor the Disciplinary Body deems relevant.
- 8.2 Mitigating factors which may be considered by the Disciplinary Body shall include (without limitation and where applicable):
- (a) cooperation by the IIHF Member with any investigation or request for information;
  - (b) a timely admission of guilt by the IIHF Member;
  - (c) the IIHF Member to be sanctioned having a lack of a disciplinary history;
  - (d) youth and/or inexperience of the IIHF Member to be sanctioned;
  - (e) the IIHF Member to be sanctioned displaying remorse; and
  - (f) any other mitigating factor the Disciplinary Board deems relevant.

## **9. Suspended sanction**

- 9.1 All disciplinary measures may be suspended by the respective Disciplinary Body issuing the sanction except for:
- a) warning;
  - b) reprimand; and
  - c) bans on ice hockey related activity in accordance with the WADA code.
- 9.2 A probationary period as a result of a suspended sanction shall be a minimum of one year and a maximum of five years. This period may be extended in exceptional circumstances or suspended if the person penalised temporarily leaves the IIHF's jurisdiction.
- 9.3 If a further offence is committed during the probationary period, the competent Disciplinary Body, as a rule, will order the original sanction to be executed. This may be added to the disciplinary sanction imposed for the second offense.

## **10. Determination of Sanctions**

- 10.1 The competent Disciplinary Body shall determine the type and extent of the disciplinary measure to be imposed according to the objective and subjective elements of the offense, taking into consideration whether the offense was minor, serious or gross and taking into consideration whether any aggravating or mitigating circumstances exist.
- 10.2 When establishing whether an offense is minor, serious or gross, the following facts shall be taken into consideration: the importance of the provisions violated; the stature of the competition; personal guilt or negligence; the consequences of the offense for persons affected directly and/or indirectly; negative effects on ice and inline hockey as governed by the IIHF (Statute 5); whether the offending party is a repeat offender, as well as other unfavourable influences on the reputation of sports.



10.3 If the competent Disciplinary Body is of the opinion that information provided by the party charged has been decisive in uncovering or establishing a breach of IIHF's Statutes, Bylaws or Regulations/Codes by a third party, it may consider such disclosure a mitigating factor in establishing a sanction or even dispense with the sanction.

10.4 The financial circumstances of the parties concerned shall be taken into account when imposing fines.

10.5 Suspensions

10.5.1 Any player or team official punished with a match penalty shall automatically be suspended for the next game of the tournament in which he is taking part, or the first game of the next tournament of equivalent standard.

10.5.2 Suspension should be served on the occasion of tournaments (or games) which are equivalent to those tournaments (or games) that gave reason for the suspension of the player concerned, regardless of whether the team is promoted, relegated or taking part in a qualification tournament. No suspension incurred in an ice hockey game may be served in an inline game or event, and no suspension incurred in an inline game may be served in an ice hockey game or event.

Subject to section 10.5.5, players who are eligible to play in the next U18 or U20 ice hockey championship, should serve the suspension during the next U18 or U20 ice hockey championship, in the youngest category for which they are eligible even if the suspension results from a violation on the occasion of a senior ice hockey championship. Correspondingly, the same applies for U18 players who were sanctioned when participating in a U20 Championship.

**IIHF National Team Championships**

Subject to Section 10.5.5 below, suspensions shall be served as follows:

| <b>Champs. Played</b> | <b>Actual Age Category</b> | <b>Next Season Age Category</b> | <b>Sanctioned For</b>               | <b>Note</b>                    |
|-----------------------|----------------------------|---------------------------------|-------------------------------------|--------------------------------|
| W18                   | W18                        | W18                             | W18 following year                  |                                |
| W18                   | W18                        | W20                             | W20 following year                  |                                |
| W20                   | W18                        | W18                             | W18 same year or W18 following year | Depending on time for decision |
| W20                   | W18                        | W20                             | W20 following year                  |                                |
| W20                   | W20                        | W20                             | W20 following year                  |                                |
| W20                   | W20                        | Senior                          | Senior following year               |                                |
| Senior                | W18                        | W18                             | W18 following year                  |                                |
| Senior                | W18                        | W20                             | W20 following year                  |                                |
| Senior                | W20                        | W20                             | W20 following year                  |                                |
| Senior                | W20                        | Senior                          | Senior following year               |                                |
| Senior                | Senior                     | Senior                          | Senior following year               |                                |

**Olympic Tournaments**

| <b>Olympic Tournaments Played</b> | <b>Actual Age Category</b> | <b>Next Season Age Category</b> | <b>Sanctioned For</b>                   | <b>Note</b>  |
|-----------------------------------|----------------------------|---------------------------------|---|--|
| Olympic tournaments               | W18                        | W18                             | Next Olympic round/or Senior tournament | Depending if the team is qualified or not for the next Olympic round |
| Olympic tournaments               | W18                        | W20                             | Next Olympic round/or Senior tournament | Depending if the team is qualified or not for the next Olympic round |
| Olympic tournaments               | W20                        | W20                             | Next Olympic round/or Senior tournament | Depending if the team is qualified or not for the next Olympic round |
| Olympic tournaments               | W20                        | Senior                          | Next Olympic round/or Senior tournament | Depending if the team is qualified or not for the next Olympic round |
| Olympic tournaments               | Senior                     | Senior                          | Next Olympic round/or Senior tournament | Depending if the team is qualified or not for the next Olympic round |

- 10.5.3 For all other IIHF competitions including, but not limited to, Continental Cup, European Women Challenge Cup, Challenge Cup of Asia and Inline Hockey World Championship, a player should serve the respective suspension in the next game(s) of the round concerned, or for the corresponding number of games during the following round or during the first round of the following season of the respective competition.
- 10.5.4 For all suspensions rendered in accordance with 13.1.2 for exhibition games, the suspension shall be served during the remaining exhibition period and/or during the championship immediately following the exhibition period.
- 10.5.5 The suspension will be considered fulfilled if the player does not play in the game(s) for which he had been disqualified regardless of whether the player was not entered at all in the IIHF Competition concerned. However, except for suspensions incurred in Olympic competition, a player may serve a suspension in any IIHF Competition for which he is eligible so long as he is named on the team roster of the respective IIHF Competition, but did not play in the number of games for which he had been suspended.
- 10.5.6 Subject to section 10.5.5, suspensions (for games beyond the IIHF Competition in which the player is suspended) should be imposed for an IIHF Competition of the following season. The suspension will be considered served if the conditions under 10.5.5 have been fulfilled and will expire at the end of that following season unless the respective team does not take part in any IIHF Competition that season, in which case the suspension is carried forward for one more year.

## **PART TWO**

### **ORGANISATION AND COMPETENCE**

#### **11. Disciplinary Bodies**

The Disciplinary Bodies are:

- a) Disciplinary Board;
- b) Appeal Board;
- c) Directorate; and
- d) Championship Disciplinary Panel.

All disciplinary bodies must observe and follow essential elements of due process in all disciplinary procedures/proceedings including providing the accused party the right to be heard through written comments and/or a Formal Hearing.

The language of all proceedings and communication is English (Statute 6).

## **12 Disciplinary Board**

### **12.1 Disciplinary Board Competency**

- 12.1.1 The Disciplinary Board can sanction all persons/entities as indicated in Code 3.1 if they (i) infringe the Statutes, Bylaws, Regulations/Codes or the IIHF Official Playing Rules; (ii) violate the good order of ice hockey or inline hockey; (iii) bring the sport of ice hockey or inline hockey into disrepute; or (iv) violate the decisions of Council, Directorates or officials of the IIHF who are entrusted with the implementation of the Statutes, Bylaws, Regulations/Codes and Official Playing Rules.
- 12.1.2 The Disciplinary Board is responsible for: (i) cases of first instance referred to the Disciplinary Board in accordance with Disciplinary Code 12.1.1; (ii) cases referred to the Disciplinary Board in accordance with the IIHF Official Rule Book (Rules 1 ii, 5, 43 vi); the Disciplinary Board must review all incidents arising during an IIHF competition and sanctioned with a match penalty or game misconduct which are assessed on the last playing day of the team involved (With respect to match penalties and game misconducts, the IIHF Disciplinary Board Chairman, or another Disciplinary Board Member designated by the Disciplinary Board Chairman, may make an initial assessment as to whether further discipline is necessary, before turning the full case over to a Disciplinary Board Panel); and (iii) appeal cases for Official IIHF, IIHF Championship Directorate and/or IIHF Council decisions with respect to the IIHF Statutes, Bylaws, and/or Regulations/Codes. With respect to "Supplementary Discipline" the Disciplinary Board must review all incidents sanctioned with a match penalty or game misconduct which are assessed on the last playing day of the team involved.

### **12.2 Disciplinary Board Composition**

- 12.2.1 The Disciplinary Board shall be composed in accordance with Statute 20.1.1. It shall be the duty of the Board to act as the sole decider of the matter brought before it, as if the members presiding over a case were judges in a civil proceeding.
- 12.2.2 The Disciplinary Board decides by a panel of three members selected from the Disciplinary Board (the "Deciding Panel"). The Disciplinary Board Chairman shall determine the composition of each Deciding Panel including appointing the respective Panel Chairman if not so acting himself (in the IIHF Doping Control Regulations referred to as the "IIHF Doping Disciplinary Panel"). Championship Disciplinary Judges, from the time of their appointment (Code 14), can be elected members of a Deciding Panel at the discretion of the Disciplinary Board Chairman.

- 12.2.3 A Member of the Disciplinary Board may not sit on a Deciding Panel if the case dealt with concerns himself or players, clubs, official or any other member of the Member National Association of the country to which he belongs.
- 12.2.4 The Deciding Panel decision can be adopted in a Formal Hearing, by correspondence, by telephone or by video conference. The Panel Chairman shall decide on the modality to be used. The Deciding Panel must convene for a Formal Hearing if the Deciding Panel so decides or if the accused party requests a Formal Hearing. Members participating in a decision reached by telephone must receive a written confirmation of its content.
- 12.2.5 The Deciding Panel shall make its decisions by a simple majority of the votes. No member may abstain from voting.

### 12.3 Disciplinary Board Procedures for Cases of First Instance

- 12.3.1 Disciplinary Board proceedings are opened on the basis of a formal request from an IIHF body, the respective IIHF Medical Committee or IIHF Medical Supervisor, the respective Directorate Chairman, the IIHF General Secretary or his deputy, WADA or a Member National Association, or when initiated at the discretion of the Disciplinary Board Chairman. The Disciplinary Board must receive the formal request within 30 days of the day the alleged incident took place.
- 12.3.2 The request for Disciplinary Proceedings must be submitted in writing to the Disciplinary Board Secretary. The Secretary shall notify the accused party and corresponding Member National Association, in writing and in a timely manner that such a request has been received or, if applicable, proceedings have been initiated by the Disciplinary Board. The notice or subsequent communication shall allege the violation or offense; include all relevant documents and/or correspondence; explain the party's due process rights including the right to submit written evidence, have an oral hearing, call and question witnesses at such hearing (at Disciplinary Panel's sole discretion it may accept written witness testimony); and explain the fact that if the party does not submit written comments within the indicated deadline, the Disciplinary Panel will make a decision on the basis of the currently available evidence.

All communication with parties, including notice, is addressed to the Member National Association, who has the responsibility to inform the accused party. Communication is sent via email or fax and shall be deemed received the same day.

The accused party as well as the respective Member National Association shall submit their written comments to the Disciplinary Body Secretary no later than 14 days (21 days for doping violations) after having received the notice of Disciplinary Proceedings.

After receipt of the written comments or after the end of the 14 day period, the Chairman of the Disciplinary Board appoints the members of the Deciding Panel.

- 12.3.3 On the request of the accused party or if the Deciding Panel so decides, a Formal Hearing shall be held in accordance with Disciplinary Code 12.3.4. The Chairman shall set the date of the Formal Hearing and in aggravating circumstances may postpone the Formal Hearing date. The Chairman has ultimate authority over Formal Hearing Procedures, including without limitation, any limits on time, evidence, witnesses, and documentation so long as the parties are informed of the established procedures, each party has a reasonable opportunity to present its case and

argument in accordance with the Deciding Panel's rules and each party is treated in a substantially equal manner. The accused party must attend the Formal Hearing at his own costs, unless the Deciding Panel decides otherwise in its sole discretion.

#### 12.3.4 Formal Hearings are not public.

All parties concerned have the right to be represented by a person/counsel of their choice at their own expense. On the request of the accused party, the Disciplinary Panel will arrange for an interpreter.

For Formal Hearings, all parties concerned are required to fully disclose to the Panel no later than 14 days prior to the scheduled date of the Formal Hearing, all written evidence and shall specify any witnesses and experts which they intend to or may call, and disclose any other evidence which they intend to present during the course of the hearing. The parties shall not be permitted to produce further written evidence, except if the Deciding Panel so permits on the basis of exceptional circumstances.

All written submissions shall be disclosed to all parties prior to the Formal Hearing.

#### 12.3.5 When making a decision, the Deciding Panel shall use its best efforts to refer to any existing evidence (documents such as reports of the Directorate, or of the game officials, witnesses, television and other video recordings, etc.) The Deciding Panel shall reach its decision within a reasonable period of time. The disciplined party as well as the appellant initiating the proceeding and the IIHF Council must be notified, in writing, as soon as a decision has been reached. The notice shall include a written statement of the reasons for the decision. For doping cases, notice of the decision shall be provided in accordance with WADA Code Article 8.4.

#### 12.3.6 The disciplined party can submit a written appeal against the decision of the Disciplinary Board to the IIHF Appeal Board if the disciplinary measure imposed by the Disciplinary Board exceeds four games or 20,000 CHF in accordance with Article 13.1.1. In these cases an appeal to the Appeal Board is mandatory prior to an appeal to the Court of Arbitration for Sport (Statute 20.2.3). The appeal must be submitted in accordance with Section 13.3.3. Failure to appeal within seven days of the receipt of the Disciplinary Board's decision extinguishes all rights to appeal.

The disciplined party can appeal all other Disciplinary Board decisions to the Court of Arbitration for Sport in accordance with the Code of Sports Related Arbitration.

The disciplined party must be informed about these appeal rights. The decision of the Disciplinary Board remains in effect while under appeal unless the respective appeal body orders otherwise.

#### 12.3.7 Violations giving rise to disciplinary action shall be subject to a two year limitation period. Except in cases of criminal sanctions, the period of limitation shall start on the date of discovery of the alleged offense, but shall not exceed 10 years from the date of the violation, irrespective of the date of discovery. The disciplinary proceedings may be conducted if the party concerned has been informed in accordance with Disciplinary Code 12.3.2 within the two year limitation period.

### 12.4 Disciplinary Board Procedures for Doping Cases

All procedures as outlined in 12.3 (Disciplinary Board Procedures for Cases of First Instance) shall be followed with respect to a doping case unless indicated otherwise in this Section 12.4.

The Disciplinary Board must act in compliance with the IIHF Doping Control Regulations, the World Anti-Doping Code particularly Article 1 (Definition of Doping); Article 2 (Anti-Doping Rule Violations); Article 3 (Proof of Doping); Article 4.2.2 (Specified Substances); Article 4.3.3 (WADA's Determination of the Prohibited List); Article 7.11 (Retirement from Sport); Article 8 (Right to a Fair Hearing and Notice of Hearing Decision); Article 10 (Sanctions on Individuals); Article 11 (Consequences to Teams); Article 15.1 (Recognition of Decisions); Article 17 (Statute of Limitations); Article 24 (Interpretation of the Code); and Code Definitions. All mandatory WADA Code provisions as indicated above and detailed in WADA Code Article 23.2.2 are incorporated by reference into this Disciplinary Code and shall be treated as if set out in full herein.

#### 12.4.1 Right to a Fair Hearing

The Disciplinary Board shall conduct a timely hearing process to determine whether an anti-doping violation was committed. The right to a hearing may be waived either expressly or by the failure of the incriminated party to challenge the assertion that an anti-doping rule violation has occurred within 21 days after having been notified by the Disciplinary Board Secretary of the Disciplinary Board's jurisdiction.

#### 12.4.2 Limitation Period

No anti-doping rule violation proceeding may be commenced unless the player or other person accused of an anti-doping rule violation has been notified of the anti-doping rule violation or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

#### 12.4.3 Proof of Doping

##### a) Burdens and standards of proof

The IIHF shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the IIHF has established to the comfortable satisfaction of the Disciplinary Board bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where the anti-doping rules place the burden of proof upon the player or other person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be a balance of probability.

When needing to establish intent according to Disciplinary Code Article 7.2.1(b), the IIHF shall appoint one member of the Legal Committee to establish such intent.

##### b) Methods of establishing facts and presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The rules of proof as established in WADA Code 3.2.1 – 3.2.5 (Methods of Establishing Facts and Presumptions) shall be applicable in doping cases.

#### 12.4.4 Doping Appeals

All disciplinary decisions made as indicated in WADA Code 13.2 (Appeals from Decision Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Recognition of Decision and Jurisdiction) may be appealed exclusively to the Court of Arbitration for Sport (CAS). CAS's scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the IIHF Disciplinary Board. §IIHF doping decisions shall remain in



effect while under appeal unless the CAS orders otherwise. The time limit for appeals is 21 days after receipt of the decision.

The following parties have the right to appeal to CAS:

- a) The athlete or other person who is the subject of the decision being appealed;
- b) The other party to the case in which the decision was rendered;
- c) The IIHF;
- d) The National Anti-Doping Organisation of the person's country of residence or countries where the person is a national or license holders;
- e) The International Olympic Committee, where the decision may have an effect in relation to the Olympic Games including decisions affecting eligibility for the Olympic Games; and
- f) WADA (the time limit for WADA appeals shall be the later of: (i) 21 days after the last day on which any other party in the case could have appealed, or (ii) 21 days after WADA's receipt of the complete case file).

The priority for repayment of CAS cost awards and forfeited prize money shall be: first, payment of costs awarded by CAS; second, reallocation of forfeited prize money to other Players; and third, reimbursement of the expenses of the Anti-Doping Organization that conducted results management in the case.

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the WADA Code are specifically permitted. Any party with a right to appeal under Article 13 of the WADA Code must file a cross appeal or subsequent appeal at the latest with the party's answer

Notwithstanding any other provision herein, the only person who may appeal from a Provisional Suspension is the player or other person upon whom the Provisional Suspension is imposed.

Any Anti-Doping Organization that is a party to an appeal shall promptly provide the appeal decision to the player or other person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 13.2.3 of the WADA Code as provided under WADA Code Article 14.2.

#### 12.4.5 Failure to Render a Timely Decision

Where, in a particular case, the IIHF fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS in accordance with WADA Code Article 13.3

#### 12.4.6 Jurisdiction in cases of Retirement from Sport

If a player or other person retires before, after, or during a disciplinary proceeding, the Disciplinary Board retains jurisdiction to conduct and complete the disciplinary proceedings.

### 12.5 Disciplinary Board Procedures for Appeal Cases

- 12.5.1 The parties directly affected by a decision passed by the IIHF Office, the Council or the Directorates concerning the application of the IIHF Statutes, Bylaws or Regulations/Codes on a specific case, can submit a Notice of Appeal against such to the Disciplinary Board ("Complainant"). The Appeal must be submitted in writing to the Disciplinary Board Secretary, within seven days after the notification of the decision, failing which the right of appeal will have lapsed (Appeal Case). The



Complainant shall have 14 days after the initial Notice of Appeal, to submit the Objection Pleadings which shall contain: (a) the legal request; (b) an account of the facts; (c) the evidence; (d) the Complainant's conclusions; and (e) Complainant's request for a Formal Hearing. The Complainant may object to inaccurate representation of the facts and/or wrong application of the law.

- 12.5.2 For Expedited Appeals in accordance with Bylaw 1103, the Complainant must submit the Notice of Appeal to the Disciplinary Board Secretary within seven days of the notification of the initial decision giving rise to the suspension, but not later than (i) seven days before an IIHF Championship or Olympic Winter Games Tournament or (ii) three days before an IIHF Championship Qualification Tournament or an Olympic Winter Games Qualification Tournament. Due to the time constraints, the Notice of Appeal shall contain all Appeal Pleading information contained in Code 12.5.1 and will be decided by a single member Deciding Panel appointed by the Disciplinary Board Chairman.
- 12.5.3 Generally, any proceeding shall be conducted in accordance with the Disciplinary Board Procedures in Articles 12.3.1 – 12.3.5. However, if more than one party is involved in the Appeal Proceedings, after receiving the Appeal Pleadings, the Deciding Panel shall provide the opposing party 14 days to provide a response to the Appeal Pleadings. The Deciding Panel may grant a longer deadline when special circumstances demand such. If the opposing party does not provide a response brief within the 14 day period, the Deciding Panel will make a decision on the appeal without the opposing party's arguments.
- 12.5.4 The decisions are final within the IIHF; they can be appealed to the Court of Arbitration for Sport in accordance with the Code of Sports Related Arbitration after receipt of the written decision. The person concerned must be informed about his appeal rights. The decision of the Disciplinary Board remain in effect while under appeal unless the Court of Arbitration for Sport orders otherwise.

### **13. Appeal Board**

#### **13.1 Appeal Board Competency**

The Appeal Board can hear appeals submitted against decisions made by the Disciplinary Board acting in the first instance which exceed four (4) games or 20,000 CHF. For purposes of the Appeal Board's competency, Disciplinary Board suspensions as well as an automatic game suspension according to the Official Rule Book and Championship Disciplinary Panel sanctions shall be taken (added) together for purposes of exceeding four games. If the Disciplinary Board combines disciplinary measures, an appeal is admissible if one of the measures indicated above is met. In that case, the Appeal Board shall examine the overall measures imposed.

#### **13.2 Appeal Board Composition**

- 13.2.1 The Appeal Board shall be composed in accordance with Statute 20.2.1. It shall be the duty of the Board to act as the sole decider of the matter brought before it, as if the members presiding over a case were judges in a civil proceeding.
- 13.2.2 The Appeal Board decides by an Appeal Panel of three members composed from the Appeal Board. The Appeal Board Chairman shall determine, on a case by case basis, the composition of each Appeal Panel including appointing the respective Panel Chairman if not so acting himself.

- 13.2.3 A member of the Appeal Board may not sit on an Appeal Panel if the case dealt with concerns himself or players, clubs, officials or any other member of the Member National Association of the country to which he belongs.
- 13.2.4 The Appeal Panel decision can be adopted in a formal session, by correspondence, by telephone or by video conference. The Chairman shall decide on the modality to be used. The Appeal Panel must convene for a Formal Hearing if the Appeal Panel so decides or the disciplined party requests a Formal Hearing. Members participating in a decision reached by telephone and/or video conference must receive a written confirmation of its content.
- 13.2.5 The Appeal Panel shall take its decision by a simple majority of the votes. No member may abstain from voting.

### 13.3 Appeal Board Procedures

- 13.3.1 The parties to the disciplinary proceedings and the IIHF have the power to appeal. All appeals must be submitted through the respective Member National Association.
- 13.3.2 Appeal notice must be submitted in accordance with 13.3.3 to the Appeal Board Secretary in writing, for the attention of the Appeal Board, within seven days of the notification of the Disciplinary Board decision. The right to appeal is forfeited if this deadline is not met. As soon as an appeal is submitted, the Appeal Board Chairman shall appoint the Appeal Panel Chairman and other members.
- 13.3.3 The appellant may object to inaccurate representation of the facts and/or wrong application of the law and/or wrong interpretation of facts with respect to the law and/or improper procedures. The Appeal Pleadings must be submitted to the Appeal Board Secretary within 14 days of the initial notification and contain: (a) the legal request; (b) an account of the facts; (c) the evidence; (d) the appellant's conclusions; and (e) appellant's request for a Formal Hearing. New facts and/or evidence not originally submitted to the Disciplinary Board is only admissible if a Party acting with the diligence necessary under the circumstances did not have the ability to submit the facts and/or evidence to the Disciplinary Board.
- 13.3.4 After receiving the Appeal Pleadings, the Appeal Panel shall provide the opposing party 14 days to provide a response to the Appeal Pleadings. The Appeal Panel may grant a longer deadline when special circumstances demand such. If the opposing party does not provide a response brief within the 14 day period, the Appeal Panel will make a decision without the opposing party's arguments.
- 13.3.5 On the request of the appellant or if the Appeal Panel so decides, a Formal Appeal Hearing shall be held in accordance with Disciplinary Code 13.3.6. The Chairman shall set the date of the Formal Appeal Hearing and in aggravating circumstances may postpone the Formal Appeal Hearing date. The Chairman has ultimate authority over Formal Hearing Procedures. The appellant must attend the Formal Appeal Hearing at his own costs, unless the Appeal Panel decides otherwise in its sole discretion.
- 13.3.6 Formal Appeal Hearings are not public. All parties concerned have the right to be represented by a person/counsel of their choice at their own expense at the Formal Appeal Hearing. On request of the Appellant, the Appeal Panel Chairman will arrange for an interpreter.

For Formal Appeal Hearings, all parties concerned are required to fully disclose to the Panel no later than seven days prior to the scheduled date of the Formal Appeal Hearing, all written evidence and shall specify any witnesses and experts which they intend to or may call, and disclose any other evidence which they intend to present during the course of the Formal Appeal Hearing. The parties shall not be permitted to produce further written evidence, except if the Appeal Panel so permits on the basis of exceptional circumstances.

All written submissions shall be disclosed to all parties prior to the Formal Appeal Hearing.

- 13.3.7 The Appeal Panel shall reach its decision within a reasonable period of time. The appellant initiating the appeal, as well as directly involved parties and the IIHF Council must be notified, in writing, as soon as a decision has been reached. The notice shall include a written statement of the reasons for the decision.
- 13.3.8 Decisions of the Appeal Panel are final within the IIHF; they can be appealed to the Court of Arbitration for Sport in accordance with the Code of Sports Related Arbitration after receipt of the reasons. The person concerned must be informed about his rights. The decision of the Appeal Board remains in effect while under appeal unless the Court of Arbitration for Sport orders otherwise.

## **14. Directorate**

### **14.1 Directorate Competency**

- 14.1.1 The Directorate shall deal with all disciplinary matters arising during an IIHF Competition, including (a) violation of the Official Playing Rules when a Championship Disciplinary Panel is not established; (b) IIHF Code of Conduct violations; (c) disciplinary matters concerning the participation in and operation of the IIHF Competition and (d) provisional suspensions for doping and Integrity violations (provisional suspension for doping must be dealt with in accordance with WADA Code Article 7.2, 7.3 and 7.9).

For disciplinary matters, the Directorate shall have the same status, jurisdiction, power and authority as the Disciplinary Board, with the exception that the Directorate's disciplinary measures may not extend past (are limited to) the respective IIHF Competition.

- 14.1.2 Disciplinary matters occurring during international games not operated under IIHF jurisdiction shall be dealt with by the respective Member National Association, except for exhibition games which occur within seven days of an IIHF Championship. All disciplinary matters occurring during exhibition games within seven days of an IIHF Championship shall be dealt with by the Directorate Chairman of the respective championship on an expedited basis. The Directorate Chairman shall have the right to refer the matter to the respective Championship Disciplinary Panel for review and sanctioning.
- 14.1.3 When having jurisdiction over violations of the Official Playing Rules in accordance with Disciplinary Code 14.1.1, the Directorate shall automatically review all incidents sanctioned with a game misconduct or match penalty and has the authority and discretion under Rule 5 to review all other matters related to violations of the Official Playing Rules even if not penalized in a game.

14.1.4 Match penalties, game misconduct, and penalties/incidents the Directorate considers may require additional sanctioning that are assessed on the last playing day of the team concerned and/or any other cases or incidents which the Directorate Chairman considers as requiring additional sanctioning which exceed the duration of the Championship must be submitted to the IIHF Disciplinary Board for investigation and disciplinary action. Specifically, any incidents concerning physical abuse of game officials or other persons in and around the event venue, any incidents involving violations of the IIHF Code of Conduct and forfeited games during an IIHF Competition which were not dealt with by the Directorate or the Championship Disciplinary Panel must be referred to the IIHF Disciplinary Board.

#### 14.2 Directorate Composition

The Directorate shall be composed for disciplinary matters in accordance with Statute 50. Specifically, the Ad Hoc Disciplinary Panel composed in accordance with Statute 20.4 shall be comprised of Directorate Members whose team (player, coach, team official, etc.) is not directly and/or indirectly involved with the incident under review.

#### 14.3 Directorate Procedures

14.3.1 Directorate decisions concerning violations of the IIHF Official Playing Rules are final within the IIHF, but can be appealed to the Court of Arbitration for Sport in accordance with Statute 22. Directorate decisions with respect to all other disciplinary matters may be appealed to the Disciplinary Board in accordance with Disciplinary Code 12.5. The Directorate's decision shall remain in effect while under appeal unless the Disciplinary Board and/or CAS orders otherwise.

14.3.2 Directorate decisions concerning violations of the IIHF Official Playing Rules, cases where a Directorate decision could influence the course of the tournament or cases involving a player, coach or team representative's rights shall observe the essential elements of due process including but not limited to ensuring the accused party is notified of the disciplinary matter at a minimum of four hours before the hearing and has the opportunity to be heard regarding such at least six hours before his next game.

### 15. Championship Disciplinary Panel (Statute 52)

#### 15.1 Championship Disciplinary Panel Competency

15.1.1 When established in accordance with Statute 20.3, the Championship Disciplinary Panel shall have jurisdiction over violations of the Official Playing Rules occurring during the course of the respective championship. The Championship Disciplinary Panel shall have the same status, jurisdiction, power and authority as the Disciplinary Board with respect to violations of the Official Playing Rules, with the reservation that the Championship Disciplinary Panel's disciplinary measures are limited to the respective championship.

15.1.2 A Member of a Championship Disciplinary Panel cannot sit as a member of a Disciplinary Board Panel that is deciding on cases/incidents submitted to the Disciplinary Board by the Championship Directorate Chairman in accordance with Disciplinary Code 14.1.4 when the Member was also a member of the Championship Disciplinary Panel for the respective Championship giving rise to the case/incident.

15.1.3 The Championship Disciplinary Panel shall automatically review all incidents sanctioned with a game misconduct or match penalty and has the authority and discretion under Rule 5 to review all other matters related to violations of the Official Play Rules even if not penalized in a game.

## 15.2 Championship Disciplinary Panel Composition

15.2.1 Championship Disciplinary Panel shall consist of at least eight members appointed by the IIHF Council, who must be familiar with ice hockey and the IIHF Official Playing Rules and procedures. Of the Panel members, IIHF Council will appoint one head Disciplinary Judge. If the head Disciplinary Judge does not have a legal background, the Championship Disciplinary Secretary may advise on legal matters. For convenience purposes, due to the geographical distance between two playing locations in a Championship, IIHF Council may appoint a second head Disciplinary Judge for the second venue.

15.2.2 A Championship Disciplinary Panel member may abstain from a decision only for illness or significant personal reasons which includes a personal or business relationship with the parties concerned, but which does not include being a citizen of the country of a Member National Association involved in the disciplinary case.

## 15.3 Championship Disciplinary Panel Procedure

15.3.1 The Championship Disciplinary Panel's decision is final within the IIHF, but can be appealed to the Court of Arbitration for Sport in accordance with Statute 22. The decision shall remain in effect while under appeal unless the CAS orders otherwise.

15.3.2 The Championship Disciplinary Panel and participating Member National Associations must observe the disciplinary procedures in the Championship Disciplinary Guidelines for the respective championship season established by the IIHF Council. These Guidelines must observe the essential elements of due process, especially the right to a fair hearing; the hearing is not public. The Panel can decide without a hearing on the available evidence, if the accused person waives the right to a hearing or does not attend the hearing.