

DISCIPLINARY CODE 2025

Table of contents

1. PRINCIPLES AND SCOPE OF APPLICATION.....	3
1.1 Principles.....	3
1.2 Scope of application	3
2. PENALTIES.....	3
2.1 Definition and application of penalties.....	3
2.2 Specific penalties.....	4
2.3 Plurality of penalties	4
2.4 Principles applicable to sanctions	4
3. FIM DISCIPLINARY AND APPEAL BODIES	5
3.1 Bodies present at a meeting	5
3.2 International Court of Appeal (CAI).....	5
3.2.1. List of the International Judges (LJI)	5
3.2.2 CAI judging panel.....	6
3.2.3 CAI Secretariat General	7
3.2.4 Competences.....	8
4. PROCEEDINGS BEFORE THE DISCIPLINARY BODIES PRESENT AT A MEETING	9
4.1 Provisions common to all procedures	9
4.1.1 Principle	9
4.1.2 Referral to the CAI	10
4.1.3 FIM Participation	10
4.1.4 Application of a sanction	10
4.1.5 Manifest inadmissibility of a protest or an appeal	10
4.1.6 Right of defence and hearing	10
4.1.7 Content of the decision	11
4.1.8 Effect of the decision.....	11
4.1.9 Notification of the decision	11
4.1.10 Publication of decisions.....	11
4.2 Protest.....	11

4.2.1 Right to lodge a protest	11
4.2.2 Procedure and time limit for protests	11
4.3 Appeal to a disciplinary body present at a meeting	12
4.3.1 Disciplinary body responsible for appeals at a meeting	12
4.3.2 Right to lodge an appeal	12
4.3.3 Decision subject to appeal	12
4.3.4 Procedure for lodging an appeal	13
4.3.5 Subsequent appeal to the CAI	13
5. PROCEEDINGS BEFORE THE CAI.....	13
5. 1 Provisions common to all procedures	13
5.1.1 FIM participation	13
5.1.2 Applicable law	14
5.1.3 Calculation of time limits	14
5.1.4 Parties' rights and representation.....	14
5.2 Appeal.....	14
5.2.1 Referral to the CAI	14
5.2.2 Organisation of the procedure.....	15
5.2.3 Written phase of the procedure	17
5.2.4 Oral phase of the procedure.....	18
5.2.5 CAI decision.....	20
5.2.6 Procedural costs	22
5.3 Advisory opinion	22
5.3.1 Referral to the CAI	22
5.3.2 Organisation of the procedure	23
5.3.4 CAI opinion.....	23
5.3.5 Procedural costs	24
6. RECIPROCITY OF SANCTIONS	24
7. LAW OF MERCY	

1. PRINCIPLES AND SCOPE OF APPLICATION

1.1 Principles

Specific rules may be laid down in the regulations of the various FIM disciplines. Where applicable, such specific rules shall take precedence over the general rules of this Code.

1.2 Scope of application

Proven violation or non-observance of the provisions of this Code and the various FIM regulations will be subject to the penalties laid down in this Code, subject to the specific rules laid down in the regulations of the various disciplines.

This Code applies in particular to any natural or legal person participating in any capacity whatsoever in FIM meetings, as defined in article 30 of the Sporting Code.

FIM licence-holders are responsible for proven violation or non-observance of the provisions of this Code and the various FIM regulations by those around them.

In principle, this Code applies from the start of FIM meetings until their end, as provided for in articles 130.1 and 140.5 of the Sporting Code, subject to the specific provisions of this Code.

2. PENALTIES

The penalties are:

- warning;
- fine;
- time and/or points and/or distance penalty;
- drop of position(s);
- disqualification;
- withdrawal of Championship points;
- suspension;
- exclusion.

2.1 Definition and application of penalties

- **warning**: reminder of the rules;
- **fine**: financial penalty up to: EUR 100'000;

- **time and/or point and/or distance penalty or suppression of time:** imposition of time or points or distance affecting the rider's actual result or suppression of time;
- **drop of position(s):** the rider must drop back the number of positions indicated;
- **disqualification:** entails automatically and independently of any other penalty, the invalidation of the results obtained in a meeting, event, practice, race or ranking;
- **withdrawal of Championship points:** entails the loss of points from FIM meetings, as defined by article 30 of the Sporting Code;
- **suspension:** entails the loss of all rights granted to FIM licence holder or the prohibition from taking part in certain or any of the activities under FIM control for a specified period of time. The application of this penalty may be conditionally deferred for a period of up to a maximum of two years;
- **exclusion:** entails the complete loss of all rights of participation in any activity under FIM control. This exclusion is adjustable over time.

The regulations of each discipline shall specify the list of penalties that may be imposed, within the limits set by this article.

2.2 Specific penalties

Specific penalties for certain offences may be provided for in the Sporting Code, the Medical Code, the Anti-Doping Code, the Code of Ethics, the Environmental Code, the appendices, the regulations and/or Supplementary Regulations.

2.3 Plurality of penalties

Any offender may have several penalties pronounced against him according to the circumstances.

Certain penalties entail suspension of the licence delivered by the FIM until the penalty inflicted has been fulfilled.

2.4 Principles applicable to sanctions

The nature and seriousness of the offence, the degree of fault and the conduct of the offender, as well as other relevant circumstances, must be taken into account in order to impose a proportionate sanction.

3. FIM DISCIPLINARY AND APPEAL BODIES

The disciplinary and appeal bodies of the FIM are the following:

- a. The bodies present at a meeting, namely, where appropriate, the International Jury (JI), the Race Direction or Director, the Referee, the FIM Stewards Panel and the FIM Appeal Stewards Panel;
- b. The International Court of Appeal (CAI).

The CAI may also be referred to as the MotoGP Court of Appeal, the WSBK Court of Appeal or the EWC Court of Appeal, depending on the specific regulations for each discipline.

3.1 Bodies present at a meeting

Not all the disciplinary bodies listed in article 3.a of this Code are systematically present at a FIM meeting. The following provisions describe these bodies when they are actually present, in accordance with the specific regulations of the corresponding disciplines.

The Race Direction is constituted of one or more officials in accordance with the regulations of the corresponding discipline. It has disciplinary powers if these are provided for in the various discipline regulations.

The Referee is the person appointed in certain sporting disciplines in accordance with the regulations of the corresponding discipline. He has the disciplinary powers set out in the various discipline regulations.

The International Jury (JI) has disciplinary powers in accordance with the regulations of the corresponding discipline.

The FIM Stewards Panel has disciplinary powers in accordance with the regulations of the corresponding discipline.

The FIM Appeal Stewards Panel is the body responsible for appealing on the spot against decisions made by the FIM Stewards Panel in accordance with the regulations of the corresponding discipline.

3.2 International Court of Appeal (CAI)

All CAI judges are members of the List of the International Judges (LJI), which is headed by a Director. The CAI is supported by an independent Secretariat General.

3.2.1. List of the International Judges (LJI)

3.2.1.1 Constitution

The LJI shall consist of members put forward by the FMNs who are then appointed by the Board of Directors. The LJI Director is also appointed by the Board of Directors. Appointments are confirmed by the General Assembly in accordance with the FIM Statutes.

3.2.1.2 Qualifications

In order to qualify for appointment to the LJI, a candidate must be in possession of a Law degree at the University level. He must be able to express himself in at least one of the official languages of the FIM. He cannot however be an officer or a licence holder of the FIM.

3.2.1.3 Mandate

The term of office of the members of the LJI is four years and is renewable.

This term of office begins to run from the day of the General Assembly confirming the appointment of the member concerned. As all members' terms of office expire at the same time every four years, if a LJI member begins his term of office during a four-year period, his term of office is valid for the period remaining before the next renewal. If the term of office of a member of the LJI expires while proceedings for which he has been appointed judge have not been completed, his term of office shall exceptionally be extended until the end of those proceedings.

Any member who does not attend two consecutive meetings of the LJI may be removed from office by the Board of Directors, unless he gives reasons deemed valid by the LJI Director.

3.2.1.4 Status and powers

After confirmation of their appointment by the General Assembly, the members of the LJI shall sign a declaration in which they solemnly undertake to act, in all circumstances, with independence, confidentiality, impartiality and integrity, as well as to disclose possible conflicts of interest, whether they are financial, personal, or of loyalty.

The members of the LJI, through the LJI Director, may make recommendations to the Board of Directors on amendments to this Code.

3.2.2 CAI judging panel

3.2.2.1 Constitution

As soon as possible after the filing of a referral to the CAI, one (1) single judge or a panel of three (3) judges is appointed by the Secretary General of the CAI from the members of the LJI. If there is more than one judge, a president of the panel is appointed by the Secretary General.

Each judge must remain impartial and independent of the parties at the time he accepts his appointment and throughout the proceedings. For each case, the judges must sign a declaration of independence and disclose in writing to the Secretary General any facts or circumstances that might call into question their independence or give rise to reasonable doubts as to their impartiality.

In the event that the single judge or the president of the panel has not yet been appointed, their tasks will be carried out by the LJI Director if necessary.

3.2.2.2 Notification to the parties and recusal

For each case, the Secretary General will notify the parties of an expanded list of potential judges.

The parties have the right to submit a request for recusal of one or several judges on the list, with supporting reasons, within three days of receiving the notification of the list.

If the Secretary General considers that a reasonable objection is made, he must appoint one or more replacements among the other judges on the list.

The final choice of the judge(s) making up the judging panel will not be disclosed to anyone other than the judges themselves before the day of the hearing.

3.2.3 CAI Secretariat General

3.2.3.1 Secretary General

The Secretariat General of the CAI is represented and directed by a Secretary General. He is an experienced jurist or lawyer whose main professional activity is outside FIM and motorcycling sport.

The Secretary General signs the declaration of independence provided for members of the LJI in article 3.2.1.4 of this Code.

3.2.3.2 Responsibilities

The Secretariat General is responsible for all material and procedural tasks allowing the CAI to carry out the functions assigned to it by this Code.

The Secretary General is in particular responsible for receiving and forwarding to the parties and the judges all documents relating to a case, organising the hearing and the notification of the CAI's decisions. He also maintains the complete collection of all decisions handed down by the CAI.

Unless otherwise instructed, the Secretary General has delegated signing authority from all the judges to sign on their behalf all correspondence exchanged with the parties in connection with cases, with the exception of the decision itself.

The Secretary General attends hearings and deliberations of decisions but may not take part in them.

3.2.4 Competences

The CAI has both contentious and advisory powers.

3.2.4.1 Appeals relating to FIM meetings

The CAI is competent to hear appeals against decisions taken by the disciplinary bodies referred to in article 3.a of this Code in accordance with the regulations of the corresponding discipline.

Such appeals may be lodged by a natural or legal person holding a FIM licence who is directly affected by the said decisions.

Any decision taken during a FIM meeting may be appealed, unless such an appeal would prejudice the smooth running of the meeting in progress. In accordance with this principle, it is the responsibility of each sporting commission to determine in its regulations the cases in which an appeal would prejudice the smooth running of the meeting in progress.

After a meeting, the President of the FIM, the Executive Board or the Board of Directors may refer to the CAI all matters of violation or non-observance of the FIM regulations, under the conditions set out in article 5.2.1.1.b of this Code.

3.2.4.2 Referral from a disciplinary body present at a meeting

Any disciplinary body listed in article 3.a of this Code may refer a case before it to the CAI as provided in article 4.1.2.

3.2.4.3 Appeals provided for by the Continental Unions (CONU)

The CONU statutes and regulations may provide for the CAI's jurisdiction to hear certain appeals, subject to the prior exhaustion of the identified means of appeal.

3.2.4.4 Appeals relating to the application of the FIM Statutes

In accordance with article 5 of the FIM Statutes, the CAI is competent to hear appeals against decisions taken by the FIM bodies in application of the FIM Statutes and Regulations.

Such appeals may be lodged by an FMN or a natural or legal person directly affected by the said decisions.

3.2.4.5 Appeals relating to ethical issues

In accordance with article 7 of the FIM Code of Ethics, the CAI is competent to hear appeals against decisions taken by the Ethical Chamber.

3.2.4.6. Jurisdictional limits in doping matters

The CAI does not have jurisdiction in matters relating to doping.

3.2.4.7 Advisory opinion

Any FMN and any body of the FIM can ask the CAI for advice on any legal matter related to the interpretation or application of the provisions of the FIM codes and regulations.

4. PROCEEDINGS BEFORE THE DISCIPLINARY BODIES PRESENT AT A MEETING

4.1 Provisions common to all procedures

4.1.1 Principle

Specific rules may be laid down in the regulations of the various FIM disciplines for the proceedings applicable during a meeting. Where applicable, such specific rules shall take precedence over the general rules of this Code.

4.1.2 Referral to the CAI

Depending on the nature and complexity of the case, any disciplinary body listed in article 3.a of this Code whose decisions cannot be contested before another disciplinary body present at a meeting may refer a case to the CAI for processing.

4.1.3 FIM Participation

Article 5.1.1 on FIM participation before the CAI is also applicable to proceedings before the disciplinary bodies present at a meeting.

4.1.4 Application of a sanction

In the event of a proven violation or non-observance of the provisions of the present Code and the various FIM regulations, the disciplinary bodies present at a FIM meeting and established by the regulations of the corresponding disciplines have the jurisdiction to impose sanctions as described in articles 2 to 2.4.

4.1.5 Manifest inadmissibility of a protest or an appeal

If the protest or the appeal was not lodged in accordance with the relevant procedures set up by the present Code or the regulations of the corresponding discipline (for example, in the event of failure to meet the time limits or to pay the security deposit), the disciplinary bodies present at a meeting are entitled to declare inadmissible the protest or the appeal without hearing.

4.1.6 Right of defence and hearing

Any natural or legal person who is the subject of proceedings before one of the disciplinary bodies present at a meeting has the inalienable right to defend himself, in writing or orally, either in person or by proxy.

A party subject to proceedings may request a hearing from the disciplinary body present at the meeting. The latter will decide whether or not to hold a hearing. In the event of multiple parties, the organisation of a hearing requires the consent of all parties.

Any party subject to proceedings before one of the disciplinary bodies present at a meeting has the right to be represented by one defence counsel of his own choice, duly authorised, and at his own expense.

Among the elements of proof subject to the free assessment of the disciplinary body present at the meeting, a party to proceedings may also request the intervention of witnesses and experts, at his own expense.

4.1.7 Content of the decision

The decisions of the disciplinary bodies present at a meeting are reasoned and shall contain in particular: a. the name(s) of the official(s) making up the disciplinary bodies; b. the date of the decision; c. the names of the parties who took part in the proceedings; d. a statement of the facts; e. the grounds; f. the operative part and g. the signature of the official(s) making up the disciplinary bodies.

4.1.8 Effect of the decision

The decisions of the disciplinary bodies present at a meeting and referred to in article 3.a of this Code on the determination of penalties are immediately enforceable, as soon as they are notified.

4.1.9 Notification of the decision

The decisions of the disciplinary bodies present at a FIM meeting must be notified directly at the event venue, or, failing that, by electronic means or addressed by registered letter with acknowledgement of receipt or by e-mail with acknowledgement of receipt.

4.1.10 Publication of decisions

The disciplinary bodies present at a FIM meeting have the right to publish or to have their decisions published in any medium whatsoever and to quote the names of all parties concerned. The persons or bodies quoted in the various means of publication of the decision have no action against the FIM, the CONU or the FMN concerned or their representatives.

4.2 Protest

4.2.1 Right to lodge a protest

Any natural or legal person, holder of a FIM licence, who considers to be directly prejudiced, during a meeting under the authority of the FIM, following dangerous, unsporting or fraudulent behaviour, riding or act, which has not been subject to a decision by the disciplinary bodies listed in article 3.a has the right to protest against such behaviour, riding or act.

4.2.2 Procedure and time limit for protests

All protests must be submitted in writing and signed by the natural person or his representative, or the representative of the legal person directly concerned. They shall be written in one of the two official languages of the FIM.

All protests must refer to a single subject only and may contain, in particular: a. a description of the subject of the dispute and the relevant facts; b. the FIM rules likely to be applicable; c. the claims and the claimant's arguments in support thereof.

In principle, a protest against the eligibility of a rider, passenger, team or a motorcycle entered must be made before the start of the official practice. Other protests must be presented within thirty (30) minutes at the latest of the publication of the results, unless otherwise provided in the regulations of the corresponding discipline.

Protests must be handed to an official in charge (as such as the Race Director, a Steward from the FIM Stewards Panel or the Referee) in accordance with the regulations of the corresponding discipline, together with the security deposit of: EUR 660.

4.3 Appeal to a disciplinary body present at a meeting

4.3.1 Disciplinary body responsible for appeals at a meeting

The specific regulations of the corresponding discipline may provide that an appeal against a decision taken by a disciplinary body present at a meeting shall be lodged with a disciplinary appeal body also present at the meeting. In the absence of a disciplinary appeal body present at a meeting, the appeal must be submitted directly to the CAI.

4.3.2 Right to lodge an appeal

Any natural or legal person, holder of a FIM licence and who is directly affected by a decision taken during a FIM meeting has the right to lodge an appeal against such a decision.

4.3.3 Decision subject to appeal

Any decision taken during a FIM meeting may be appealed, unless such an appeal would prejudice the smooth running of the meeting in progress. In accordance with this principle, it is the responsibility of each sporting commission to determine in its regulations the cases in which an appeal would prejudice the smooth running of the meeting in progress.

4.3.4 Procedure for lodging an appeal

All appeals must be submitted in writing and signed by the natural person or his representative or by the representative of the legal person directly concerned. They shall be written in one of the two official languages of the FIM.

All appeals must contain, in particular, the contested decision of the first instance and the reasons for which it is contested.

The time limit for lodging an appeal is one (1) hour at the latest following the notification of the contested decision, unless otherwise indicated in the regulations of the corresponding disciplines.

Appeals must be handed in to an official in charge (such as the Race Director, a Steward of the FIM Stewards Panel or the Referee) in accordance with the regulations of the corresponding discipline, accompanied by the deposit of: EUR 1'320.

4.3.5 Subsequent appeal to the CAI

The decisions of these appeal bodies present at a meeting may be then appealed to the CAI as described in article 5.2 of the present Code, subject to the specific provisions of the discipline regulations.

5. PROCEEDINGS BEFORE THE CAI

5. 1 Provisions common to all procedures

5.1.1 FIM participation

In all proceedings before the CAI, the FIM is entitled to assert its interests or to explain its position as a party to the proceedings.

The intervention of the FIM is optional and left to the discretion of the Executive Board. Where appropriate, the Executive Board shall appoint in each case the person(s) who will represent the FIM.

According to this Code, the FIM enjoys the same rights and obligations as the other parties, as set out in this Code.

If the FIM is not a party to the proceedings, it may nevertheless submit its observations.

5.1.2 Applicable law

The applicable law is the regulatory texts of the FIM (Statutes, regulations, codes, other binding rules) in force, as well as Swiss law on a supplementary basis.

5.1.3 Calculation of time limits

In principle, time limits refer to calendar days and start to run on the first day following the day on which the event concerned occurs. If the last day of the period is a day that is not a working day in Switzerland in the canton of Vaud, the period ends on the day following that day.

The date of dispatch is decisive for the starting point of the time limits, and the parties must be in a position to prove this date of dispatch.

5.1.4 Parties' rights and representation

Any natural or legal person subject to proceedings before the CAI has the inalienable right to defend himself, either in person or by proxy.

Any party convened before the CAI has the right to be represented by one defence counsel of his own choice and at his own expense. Adequate notice of his intention must be given to the Secretary General (identity of the defender and mandate issued by the represented party) in order that this may also be notified to all other parties in the case. Failure to do so may result in the CAI upholding an objection to such representation.

5.2 Appeal

5.2.1 Referral to the CAI

5.2.1.1 Time limits for lodging an appeal

The time limit for lodging an appeal relating to a FIM meeting is:

- a. five (5) days for the appellant from the date of notification of the contested decision.
- b. ten (10) days for the President of the FIM, the Executive Board or the Board of Directors from the date of the meeting concerned.

The time limit for lodging an appeal relating to the application of the FIM Statutes or an appeal provided for in the CONU Statutes or Regulations is ten (10) days from the date of notification of the contested decision.

The time limit for lodging an appeal against a decision of the Ethical Chamber is five (5) days from the date of notification of the contested decision.

5.2.1.2 Notice of appeal

To be admissible, the notice of appeal must be sent to the Secretariat General by registered letter with acknowledgement of receipt, e-mail with acknowledgement of receipt to the following e-mail: secretariat.cai@fim.ch or special courier with proof of delivery within the appeal deadline.

The notice of appeal shall be lodged in one of the two official languages of the FIM, the language of drafting determining the language of the case to be used by the other parties. Any document that is expressed in a language other than the language of the case must be accompanied by a translation of professional level into that language.

5.2.1.3 Security deposit

A security deposit is required to lodge an appeal with the CAI. It must be paid to the Secretariat General within the appeal time limit.

The amount of the security deposit is: EUR 1'320.

5.2.1.4 Manifest inadmissibility

If the CAI appeal was not lodged in accordance with the relevant procedures set up by the regulations or within the time limits provided for by this Code or the applicable regulations or the security deposit for appeal not paid in within the appeal time limit, the appeal is inadmissible.

The LJI Director then is entitled to declare inadmissible the appeal without hearing and without continuing the proceedings.

5.2.1.5 Effect of an appeal

In principle, an appeal has no suspensive effect.

However, at the request of one of the parties, the single judge or the president of the panel may suspend the execution of the contested decision by means of a preliminary ruling in accordance with article 5.2.2.3 of this Code.

5.2.2 Organisation of the procedure

5.2.2.1 Procedural timetable and notice of hearing

Once the appeal has been lodged and the appeal security deposit paid, the Secretary General, in agreement with the single judge or the president of the panel, sets a provisional timetable for the exchange of written submissions and the date of the hearing. He will send it to the parties together with a convening notice to attend the hearing.

The timetable may be supplemented or amended by the single judge or the president of the panel at any time, on his own initiative or at the request of one or other of the parties, while respecting the fairness of the proceedings, the adversarial principle and the rights of the parties.

A party may, by reasoned application to the single judge or to the president of the panel, request an extension or modification of a time limit. However, there is no right to such an extension or modification. The time limit for appeal referred to in article 5.2.1.1 of this Code may not be extended.

Proceedings before the CAI comprise a written phase and an oral phase. Without prejudice to respect for the rights of the parties, the oral phase may be dispensed with at the proposal of one of the parties or of the single judge or the president of the panel. The elimination of this phase requires the consent of all the parties.

5.2.2.2 Junction

Several related cases of the same nature may be joined at each stage of the proceedings.

Consolidation is decided at the discretion of the single judge or the president of the panel.

Joined cases may be separated again by decision of the single judge or the president of the panel in the case

5.2.2.3 Provisional measures

A party may apply to the single judge or to the president of the panel for a stay of execution of the contested decision, as well as for interim measures, by means of a reasoned application addressed to.

In deciding whether to grant the measures requested, the single judge or the president of the panel shall take into account the risk of irreparable harm to the applicant, the prospects of success of the application on the merits and the importance of the applicant's interests as compared with those of the defendant.

At the reasoned request of a party, the decision granting or refusing provisional measures may be modified at any time in the event of change in circumstances by the single judge or the president of the panel.

5.2.2.4 Expedited procedure

In justified cases of urgency, the introduction of an expedited procedure may be requested by one of the parties by means of a reasoned application addressed to the single judge or to the president of the panel or may be decided by the single judge or the president of the panel on his own initiative.

5.2.3 Written phase of the procedure

5.2.3.1 Appellant's Grounds of appeal

Within 10 days following the notice of appeal, the appellant shall submit his full grounds of appeal to the Secretariat General.

The grounds shall contain: a. a detailed description of the subject of the dispute and the relevant facts; b. the FIM rules likely to be applicable; c. the appellant's claims and d. his arguments in support thereof. Where appropriate, the written and recorded evidence relied upon by the appellant and a copy of the contested decision shall be annexed to the statement of case.

5.2.3.2 Defendants' Grounds in response

In accordance with the procedural timetable established at the start of the case, the parties may file a statement of defence with the Secretariat General.

Statements in response and annexes thereto must be drafted in the language of the proceedings. They must comply with the content requirements set out in article 5.2.3.1 of this Code for the appellant's Grounds of appeal.

5.2.3.3 Evidence production

If it is not possible to request evidence directly from the person holding it, or if a party refuses to provide evidence, a request to this effect may be made to the single judge or president of the panel, identifying the document concerned with sufficient precision and justifying its usefulness for the case.

5.2.3.4 Transmitting and exchanging entries

In principle, the parties may only file one written submission with annexes, either in appeal or in response.

However, on a reasoned application to the single judge or the president of the panel, they may be authorised to submit other written submissions, documents or exhibits to the CAI, in particular, if new matters of fact or law have come to light during the proceedings. The single judge or the president of the panel will allow or not the parties to submit other written submissions and sets the time limits within which these new written submissions must be produced.

The parties shall send all their submissions, documents and exhibits to the Secretary General, who is their single point of contact. The Secretary General is then responsible for making them available to the other parties or for forwarding them to the relevant addressee. This also applies to applications addressed to the single judge or to the president of the panel. The parties are invited to address all questions relating to the proceedings to the Secretary General, who is not, however, empowered to substitute his own assessment for that of the judges.

The parties must send a copy of their written submissions, documents and exhibits to the Secretariat General by e-mail with a request for acknowledgement of receipt, addressed to: secretariat.cai@fim.ch

5.2.3.5 Confidentiality

At the reasoned request of a party, appropriate measures may be taken by the single judge or the president of the panel to ensure the confidentiality of certain information.

5.2.4 Oral phase of the procedure

5.2.4.1 Identity of hearing participants

Within the time limit specified in the procedural timetable and in advance of the hearing, the parties shall indicate to the Secretary General the identity of all persons who will participate on their behalf, as well as their role and relationship with the parties. In particular, they must indicate the identity of any witnesses or experts they wish to call.

5.2.4.2 Hearing timetable

A provisional timetable for the hearing is drawn up by the Secretary General, in agreement with the single judge or the president of the panel and sent to the parties. It may be amended at any time by decision of the single judge or the president of the panel, on his own initiative or at the request of a party.

5.2.4.3 Hearing publicity

In principle, the hearing shall be public. However, the single judge or the president of the panel may decide otherwise in exceptional cases.

The Secretariat General may also take steps (prior registration, accreditation, etc.) to ensure that the hearing is conducted in an orderly fashion.

5.2.4.4 In person and remote hearings

In principle, hearings are held in person at the FIM headquarters. However, at the request of one of the parties or at the initiative of the single judge or the president of the panel, the hearing may take place by means of a videoconference, telephone conference or through any other means of communication. Such a method of conducting a hearing shall only take place with the consent of all parties involved.

A party, witness or expert, or any other person wishing to attend the hearing, may be authorised to attend and, where appropriate, take part in the hearing by videoconference or any other means of communication, on a reasoned request addressed to the single judge or the president of the panel.

5.2.4.5 Conduct of the hearing

The hearing is held by the single judge of the case or by the panel of judges and presided over by the president of the panel.

The hearing shall be conducted in the language of the proceedings. Should one of the parties, or one of his witnesses or experts, wish to use another language, he shall provide the necessary interpreters at his own cost.

Once the single judge or the president of the panel has opened the proceedings, in accordance with the adversarial principle, he will invite the parties involved to state their respective cases without the witnesses being present.

The CAI shall hear the various witnesses and experts in order to complete the evidence. The parties involved in the case shall have the right to question all witnesses and experts on their testimonials and reports.

Any member of the panel may, at any time during the hearing and with the president's approval, question any parties, witnesses and experts involved.

After the closure of the hearing, the parties are no longer authorised to submit any additional evidence unless the single judge or the president of the panel decides otherwise.

5.2.4.6 Witnesses and experts

Each party is responsible for the convening and appearance of his own witnesses and experts, as well as their expenses unless decided otherwise by the CAI.

The CAI may summon witnesses or experts. Their identity will be communicated to the parties in advance. Any costs incurred by them are included in the costs referred to in article 5.2.6 of this Code.

Testimonials and reports shall be given freely. The witnesses may only testify to the facts they know and shall not be allowed to express an opinion, unless the CAI should regard them as experts on a particular subject and should ask them to do so.

After having made their testimonials and reports, the witnesses and experts may not leave the courtroom, except with the agreement of the single judge or the president of the panel and shall not be allowed to speak to any other witness or expert who has still to make testimonials and reports.

5.2.4.7 Absence from the hearing

The parties summoned to the hearing must appear in person, by their authorised representatives in the case of a legal entity or be represented by counsel.

If any of the parties duly convened do not appear, judgment can be rendered by default.

The appellant must be present or duly represented. Failing this, the appeal will not be admissible and the costs shall be borne by the appellant.

5.2.5 CAI decision

5.2.5.1 Date of pronouncement

In principle, the CAI shall give its decision within 3 months of receiving the Grounds of appeal.

5.2.5.2 Deliberations

Decisions of the CAI will be reached in camera, without the presence of the FIM or any party, by a simple majority of votes. All members will have equal voting rights and abstention is not permitted.

Each member of the panel, or the single judge, binds himself to keep all deliberations secret.

5.2.5.3 Content of the decision

The CAI's decisions are reasoned and shall contain in particular: a. the name of the judge or judges hearing the case; b. the date of the hearing and the date of the decision; c. the names of the parties who took part in the proceedings and, where applicable, their representatives; d. a statement of the facts; e. the grounds; f. the operative part, including, where applicable, the apportionment of costs relating to the proceedings; g. the signature of the single judge or the president of the panel.

5.2.5.4 Effect of the decision

Unless the CAI decides otherwise, its decisions are enforceable as soon as they are notified.

5.2.5.5 Notification of the decision

Decisions must be notified to all parties concerned in writing, by registered letter with acknowledgement of receipt and by e-mail with acknowledgement of receipt. They must also be communicated to all the FMNs of the parties involved.

5.2.5.6 Rectification of the decision

After notification of the decision to the parties, the CAI may, on its own initiative or at the request of one of the parties, rectify any clerical error contained in the grounds or in the operative part of its decision, without, however, altering or modifying its meaning.

5.2.5.7 Publication of the decision

The decisions of the CAI are published on the FIM website, unless the CAI decides otherwise. It may also decide that publication will be in summary form or anonymised if the circumstances so justify.

Decisions may be the subject to a press release by the CAI or the FIM.

The persons or bodies named in the various media in which the decision is published have no action against the FIM, the CONU or the FMN concerned, nor against any person who made the said publication.

5.2.6 Procedural costs

5.2.6.1 Determination of procedural costs

The costs of the proceedings include all costs, fees and disbursements relating to the proceedings before the CAI from the time of referral to the delivery of the decision. However, they do not include defence costs and/or fees or costs relating to witnesses or experts, which remain the responsibility of the parties, unless the CAI decides otherwise.

The award of costs shall be determined in the decision that concludes the proceedings. The costs of the proceedings shall be awarded against the losing party, unless the CAI decides otherwise. If several parties are unsuccessful, the CAI shall decide how the costs are to be shared.

The exact amount of the costs is subsequently calculated by the CAI Secretariat General. They may be set at a flat rate.

5.2.6.2 Payment of fines and costs

Financial measures (procedural costs or fines) pronounced by the CAI must be paid within 30 days of notification of the decision or receipt of the corresponding invoice.

In the event of late payment or absence of payment, the person or body affected by the decision shall be automatically suspended from participation in all FIM activities, until such time as full payment has been received by the Secretariat General, unless the judging panel decides otherwise.

5.3 Advisory opinion

At any time, an FMN or a body of the FIM may refer to the CAI in order to obtain an advisory opinion on a legal question concerning the codes and regulations of the FIM. However, the question raised must not relate to a pending case.

5.3.1 Referral to the CAI

The request for an advisory opinion must be sent, in one of the two official languages of the FIM, by registered letter with acknowledgement of receipt, e-

mail with acknowledgement of receipt or special courier with proof of delivery to the Secretariat General.

It may contain: a. a detailed description of the relevant facts; b. the FIM rules concerned; c. the question and the reasons for it and d. the position, if any, of the requesting party and his arguments in support of it.

5.3.2 Organisation of the procedure

The Secretary General, in agreement with the single judge or the president in charge of the opinion, sets, if needed, a provisional timetable. This is sent to the parties together with a notice to attend the hearing, if such a hearing needs to be organised.

5.3.4 CAI opinion

5.3.4.1 Deliberations

Opinions of the CAI will be reached in camera, without the presence of the FIM or any party, by a simple majority of votes. All the judges in charge of the opinion will have equal voting rights and abstention is not permitted.

Each member of the panel, or the single judge, binds himself to keep all deliberations secret.

5.3.4.2 Content of the opinion

The CAI's opinions are reasoned and may contain in particular: a. the name of the judge(s) in charge of the opinion; b. the names of the parties who took part in the proceedings and, where applicable, their representatives; c. a statement of the facts; d. the reasons and e. the signature of the single judge or the president in charge of the opinion.

5.3.4.3 Effect of the opinion

CAI opinions are not binding.

5.3.4.4 Notification of the opinion

Opinions must be notified to all parties concerned in writing, by registered letter with acknowledgement of receipt or by e-mail with acknowledgement of receipt. They must also be communicated to all the FMNs of the parties involved.

5.3.4.5 Publication of the opinion

Opinions may be published on the FIM website, unless the CAI decides otherwise.

They may be the subject of a press release from the CAI or the FIM.

5.3.5 Procedural costs

The costs of the proceedings include all costs relating to the proceedings before the CAI from the time the case is referred to it until the opinion is issued. However, they do not include defence costs or fees or costs relating to witnesses or experts, which are borne by the parties unless the CAI decides otherwise.

These costs will be fixed by the Secretariat General and shall be borne by the requesting party or parties.

6. RECIPROCITY OF SANCTIONS

As a consequence of the agreement of reciprocity concluded on 30 April 1949 between the four organisations controlling motorised sports internationally, i.e., in addition to the FIM:

- the Fédération Internationale de l'Automobile (FIA)
- the Fédération Aéronautique Internationale (FAI)
- the Union Internationale Motonautique (UIM),

penalties of suspension or exclusion may also be applied to one or another of the sports represented by the above organisations, upon request of the FIM.

7. LAW OF MERCY

The Board of Directors, after consultation with the LJI Director or upon a proposal from the latter, may mitigate or completely dispense with the penalty of a person after having exhausted all the appeal procedures.