



Bylaws of Dispute Resolution & Disciplinary Actions

In effect as of January 2015

Article 1: General

1.1 Scope: Bylaws for Dispute Resolution & Disciplinary Actions (these "Bylaws") are promulgated in accordance with and as a supplement to Article 29 and Article 30 of the WTF Statutes (the "Statutes").

(A) Unless otherwise provided herein appeal under these Bylaws are the sole means for resolution by any persons subject to WTF statutes, regulations, etc., of relevant WTF-related disputes or disciplinary actions.

(B) Unless otherwise provided herein resolutions or actions under these Bylaws are final.

(C) Except as provided herein, appeal of decisions taken under these Bylaws can be made only to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, in accordance with the CAS Code of Sports Related Arbitration. The number of arbitrators shall be three. The language of the arbitration shall be English.

Article 2: Dispute Resolution

2.1 Dispute Resolution: These Bylaws provide for resolution of WTF-related disputes among members and related parties or between members or related parties and the WTF.

2.2 WTF-Related Disputes: WTF-related disputes include but are not limited to disputes that arise related to WTF membership, participation in WTF-Promoted or Sanctioned championships, and that involve the interpretation of the Statutes or other WTF rules, codes, bylaws, or regulations.



2.3 Members: WTF members include WTF Continental Unions (“MNAs), WTF Member National Associations (“MNAs”) including all levels of membership provided in Article 14 of the Statutes, and the individual members of national delegations to WTF Promoted and Sanctioned events.

2.4 Related Parties: These Bylaws shall apply to all persons who participate or assist in WTF events and activities, and each shall be automatically bound by, and be required to comply with, these Bylaws by virtue of such participation or assistance.

Article 3: Disciplinary Action

3.1 Disciplinary Action: These Bylaws govern offences submitted for the assessment of the WTF. Such offences include, but are not limited to, the following:

- (A) Violation of the Statutes, Competition Rules, Ethics Code, or other WTF rules, regulations, bylaws, or directives.
- (B) Unsportsmanlike conduct
- (C) Aggressive behavior, including verbal, physical or sexual abuse
- (D) Corruption or embezzlement
- (E) False declarations when entering a competition or as a candidate for an election

Article 4: Procedure

4.1 Process: Dispute Resolution and Disciplinary Action under these Bylaws shall follow the following process:



- (A) A complete and properly formatted complaint is received by the WTF. The Complaint must be addressed to the WTF President or Secretary General.
- (B) The WTF shall within a reasonable period determine whether or not to proceed with an investigation related to the complaint. The decision to proceed is solely at the discretion of the WTF. The WTF shall do one of the following:
 - i. Decide not to proceed and issue a letter to the Complainant describing why the Complaint is not being acted upon (for instance, because of a lack of factual support or a failure to invoke an appropriate rule or regulation), and if appropriate request additional information in order to reconsider the action; or
 - ii. Decide to proceed and give notice to the Complainant and the accused regarding the initiation of an investigation, and the details of the subsequent process, in compliance with Article 5.1 (Principles) below.
 - iii. Decline to proceed and suggest that the parties seek an alternative, more appropriate venue in which to air the dispute.
- (C) If the decision is to proceed, then an ad-hoc committee or hearing panel will be formed and/or notice will be given to the Juridical Committee, Ethics Committee, or any other relevant WTF committee.

4.2 The Complainant:

- (A) Any person, individual or entity, whether or not they are a member of the WTF, can present a complaint to the WTF if they are personally the victim of one of the offences listed in Bylaw 3.1 above.
- (B) Members of the WTF Council or the President or Secretary General of a CU or MNA can state the existence of an offence susceptible of being pursued by the WTF for disciplinary action.
- (C) Any member of the WTF or any party to an agreement for WTF dispute resolution can present a request for the resolution of a relevant dispute as



provided in Bylaw 2 or 3 above.

4.3 Form of the Complaint:

- (A) The complaint must be in English and addressed to the WTF President or Secretary General within 20 days following the incriminating acts or the date of their discovery. This filing deadline can be waived by the WTF President upon recommendation by the Juridical Committee upon the showing of extraordinary circumstances. The postmark of the envelope or the reception stamp of the fax establishes the time.
- (B) The Complaint must note:
 - i. the name, title, address and nationality of the individual(s) (or entity) making the complaint(s);
 - ii. the name, title, address and nationality of the individual(s) (or entity) being prosecuted or the indication that their address is unknown;
 - iii. a summary of the facts, the objectives of the complaint, with an indication of the WTF rule or principle infringed;
 - iv. the relief sought; and
 - v. the signature of the complainant.
- (C) The complaint can be supplemented by supporting evidence of documentation necessary for the investigative file. If the supporting evidence or documentation is in a language other than English, the WTF at its sole discretion may require that English translations be provided by the submitting party.
- (D) The complaint must be accompanied by a non-refundable \$500 processing fee. This fee can be waived based on special circumstances. To receive such a waiver the complainant must provide adequate grounds.
- (E) In addition to the processing fee the WTF may require that a complainant submit an amount equal to the reasonable expected cost to the WTF of



hearing the complaint (for instance, economy-class airfare and business-level hotel accommodations for committee/panel members). This amount, if required, will be refunded to the complainant if successful.

Article 5: General

5.1 Principles: In all investigations conducted under these bylaws, the parties shall be accorded:

- (A) Notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be true.
 - (i) For members of WTF Member National Associations (“MNAs”), notice by the WTF under these Bylaws to a person who is under the jurisdiction of an MNAs may be accomplished by delivery of the notice to the MNAs concerned. The MNAs shall be responsible for making immediate contact with the Participant to whom the notice is applicable.
- (B) Reasonable time between receipt of the notice of charges and the issuance of any decision within which to prepare a defense.
- (C) Investigation and findings by a disinterested hearing panel. The hearing panel shall be appointed by the WTF. “Disinterested” means that the hearing panel members shall have had no prior involvement with the case and shall not, unless otherwise agreed between the parties, be from the same country as any of the parties.
- (D) If a hearing is deemed necessary, the right to have the hearing conducted at a time so as to make it practicable for the person charged to attend.
- (E) The right to be assisted in the presentation of one’s case at the hearing.
- (F) The right to call witnesses and present oral and written evidence and argument at a hearing.



- (G) The right to confront witnesses, including the right to be provided the identity of the witnesses in advance of the hearing.
- (H) The right to have a record made of the hearing if desired.
- (I) A written decision, with reasons for the decision, based solely on the evidence of record, issued in a timely fashion.

6. Appeal:

6.1 Appeal for Reconsideration: Appeal under these Bylaws must in the first instance be submitted to the WTF. The following shall apply to such Appeals for Reconsideration:

- (A) Appeals are to be submitted in accordance with Article 4.3(B) above.
- (B) Appeals must be submitted within 20 days of the contested resolution, decision, or action.
- (C) Once an appeal is received the WTF President or Secretary General will within a reasonable period and upon recommendation by an appropriate committee determine whether or not the submitted appeal should be considered.
- (D) If there is a determination to consider the appeal, the appeal shall be submitted to an Ad-Hoc Committee of Appeal ("Appeal Panel") consisting of no less than five persons, including no less than three WTF Council Members and at least one person with relevant legal training or experience (preferably a licensed attorney).
- (E) Except as otherwise provided in these Bylaws, the Appeal Panel shall have the discretion to determine the appropriate level of review in consideration of the evidence and rationale presented by the appealing party. The Appeal Panel shall issue a decision regarding the appeal within a reasonable time and in accordance with Article 5(I) above.
- (F) Appeal of the decision of the Appeal Panel (or the decision by the WTF to not consider a timely-filed appeal) may be made only to the CAS.

7. Guidance:

7.1 Regarding fact finding and decision making:

- (A) The moving party has the burden to establish facts by a preponderance of the evidence. Credibility of the parties and witnesses is a consideration that can be taken into account by the finder of facts.
- (B) Upon appeal, the Ad Hoc Committee of Appeal has the ability to conduct a de novo review of the facts and the law, including the introduction of new evidence if compelling reason can be shown as to why the new evidence was not introduced during the initial investigation process. In absence of significant new evidence appropriate deference shall be given to the initial fact finding body, whose findings shall not be overturned except by a showing of clear and convincing evidence by the moving party.
- (C) The designated reviewing committee, whether on initial hearing or upon appeal, has broad discretion to determine the scope and method of its investigation. The committee shall not be bound by judicial rules governing the admissibility of evidence and facts may be established by any reliable means, including but not limited to, admissions, evidence of third parties, witness statements, expert reports, documentary evidence and other analytical information.
- (D) The reviewing committee has, at the committee's sole discretion, the right to issue formal requests for information to any party to the investigation as well as related persons.
- (E) The reviewing committee shall be entitled to draw an inference adverse against any party if that party fails to appear in front of the Hearing Panel if requested to do so a reasonable time in advance of the hearing, or fails to comply with any information request that has been submitted in accordance with these Bylaws.
- (F) Failure of any WTF member to cooperate with any reasonable investigation, including failing to provide any information and/or documentation requested by the WTF that may be relevant to an investigation, can in itself be subject to investigation and sanction.
- (G) For additional guidance on decision making refer to Article 29.6 of the WTF Statutes.



- 7.2 For the avoidance of doubt it is hereby confirmed that the WTF maintains a separate right of action for investigation and sanction under Article 29 of the WTF Statutes. The time limit provided under 4.3(A) above does not apply to this separate right of action. Appeals to decisions made under the WTF's separate right of action are to be made in accordance with Articles 6 and 7 of these Bylaws.
- 7.3 For the avoidance of doubt it is hereby confirmed that decisions made under the WTF Anti-Doping Rules are directly appealable to the CAS under the provisions of those rules.
- 7.4 For the avoidance of doubt it is hereby confirmed that decisions made under the WTF Competition Rules and Interpretations are directly appealable to the CAS under the provisions of those rules.
- 7.5 For the avoidance of doubt it is hereby confirmed that decisions made under the WTF Bylaws on Betting and Anti-Corruption are directly appealable to the CAS under the provisions of those rules.