

CSIT COURT OF ARBITRATION REGULATIONS

SECTION 1: THE COURT OF ARBITRATION

1. JURISDICTION

Acc. to Art. 16 of the statutes the Court of Arbitration (CoA) is the body of the CSIT with jurisdiction for settling disputes via arbitration and deciding on the breach of the CSIT Regulatory Framework.

2. COMPOSITION

- 2.1 The Court of Arbitration is composed of four (4) members, among them one Head of the Court of Arbitration. The list of the members is made available to the public.
- 2.2 The Head of CoA represents the Court of Arbitration, appoints members to cases and takes all necessary actions for the smooth running of the Court of Arbitration.

3. APPOINTMENT TO A PANEL

- 3.1 The Head of CoA appoints a panel for each case, which is composed of 3 members. One of them is appointed as Chairman by the Head. The Chairman conducts the proceedings.
- 3.2 The members are appointed to a case so the requirements of independence, impartiality and competence are fulfilled.
- 3.3 The appointed members shall submit to the Head of CoA any items which are likely to raise doubts regarding the fulfilment of the requirements mentioned in article 3.2 and the Head shall decide then.
- 3.4 Once all preliminaries of the appointment are accomplished, the panel is installed.
- 3.5 When a member is unable to fulfil the tasks related to the appointment or fulfil them according to the requirements mentioned in the present regulations, a new member is appointed.
- 3.6 When a member is replaced according to article 3.5, the stages of the proceedings prior to the replacement remain valid.

SECTION 2: PROCEEDINGS BEFORE THE COURT OF ARBITRATION

4. GENERAL PROVISIONS

4.1 Scope

- 4.1.1 Any proceedings are conducted according to these regulations, with the edition in force at the time of the start of such proceedings.
- 4.1.2 Any emergency proceedings are conducted in the spirit of these regulations within a time as short as possible. The emergency is evaluated by the Head of CoA and based on the documents submitted by the parties.

4.2 Fundamental procedural rights

- 4.2.1 Any proceedings are conducted in accordance with fundamental procedural rights, such as the right to be heard or the right to review evidences.
- 4.2.2 When a situation is not settled by these regulations, the panel shall settle it in accordance with the sports doctrine.

4.3 Language

- 4.3.1 The working language is English.
- 4.3.2 Any documents not in English are submitted with an official or certified translation.

4.4 Claim form

The Claim form contains the following items:

- 4.4.1 Full identification of the parties
- 4.4.2 Full identification of the counsel and/or representative with the relevant documentation
- 4.4.3 Documentation evidencing the competence of the Court of Arbitration
- 4.4.4 Detailed explanation of the facts and grounds
- 4.4.5 Request for relief
- 4.4.6 Evidences supporting the claim
- 4.4.7 Acknowledgement of the requirements related to the proceedings
- 4.4.8 Date and signature

4.5 Counsel and representation

- 4.5.1 Each party may represent itself or to be represented or assisted by an individual of its choice, without any specific personal requirements.
- 4.5.2 A power of representation shall evidence such representation or assistance.
- 4.5.3 Upon request of the panel, a party shall be personally present.

4.6 Procedure

- 4.6.1 The Claimant sends the Claim form to the Court of Arbitration Secretariat. The proceedings start after the fulfilment of the requirement mentioned in article 4.9.2.
- 4.6.2 The Court of Arbitration Secretariat communicates the Claim form to the Respondent and invites the latter to send its reply.
- 4.6.3 The panel may request and/or allow additional replies and, according to article 4.11, hearing and/or pleading from the Claimant and Respondent.
- 4.6.4 The panel shall declare the closing of the discussion. After such closing, no more data shall be accepted, unless requested or approved by the panel.

4.7 Notification

- 4.7.1 Any notice, request, decision or other information is notified in writing. It is either sent by post, email or delivered personally; electronic communication is preferred.
- 4.7.2 The sender shall be able to evidence the receipt.

4.8 Time limit

- 4.8.1 Any proceedings are conducted within the time limits set by the panel or as mentioned in these regulations. A panel may extend the time limit.
- 4.8.2 The computation of a time limit starts the day of the decision, request or event, at midnight. It ends the last day, at midnight.
- 4.8.3 When a time limit is expressed in weeks, it ends the day of the last week which name corresponds to the day of the decision, request or event.
- 4.8.4 When a time limit is expressed in months or years, it ends the day of the last month or last year which has the same date than the day of the decision, request or event. Without any date it ends on the last day of the month.
- 4.8.5 When a time limit is expressed in months and days, full months are counted first, then the days or part of the months. For the calculation, a month is considered to be composed of 30 days.
- 4.8.6 Public holidays are taken into account for the calculation of a time limit. A time limit ending on a Saturday, Sunday or legal public holiday is extended until the next working day.

4.9 Costs

- 4.9.1 The costs are composed of a filing fee, which will be fixed by the Executive Committee (EUR 500,-).
- 4.9.2 The Court of Arbitration shall start proceedings only after the effective receipt of the payment of the relevant costs.
- 4.9.3 Unless decided otherwise by the panel, costs and expenses related to the request of a party are borne by this party.
- 4.9.4 At the end of the proceedings costs shall be distributed among the parties, taking into consideration the success of the claim and the behaviour of the parties. The panel invites the parties to submit their list of costs.

4.10 Evidences

- 4.10.1 Any kind of evidence may be submitted.
- 4.10.2 Any evidence submitted to the panel by a party shall be communicated also to the other party.
- 4.10.3 Any evidence not submitted by a party but collected by the panel is communicated to both parties.

4.11 Hearings and pleadings

- 4.11.1 The panel shall determine at its sole discretion - taking into consideration the parties submissions - whether hearings and/or pleadings are to be held or not.
- 4.11.2 The panel may decide to make the organization of a meeting conditional upon the payment of the costs by the parties.
- 4.11.3 The parties are responsible for the appearance and the cost of the witnesses.
- 4.11.4 The panel shall take the minutes of any hearing or pleading and sign them.

4.12 End of the proceedings – award

- 4.12.1 The panel shall decide taking into account the CSIT Regulatory Framework, the principles of justice and fairness (*ex aequo et bono*), the general principles of Law and any other data, principle, agreement or rule the panel deems relevant to the case.
- 4.12.2 The decision shall be made by a majority decision. In case of tie, the Chairman has the casting vote.
- 4.12.3 The panel issues a written award based only on the evidences produced during the proceedings.

4.12.4 The award contains the following items:

4.12.4.1 Full identification of the parties, counsels and/or representatives and members of the panel

4.12.4.2 Summary of the claims, facts, arguments raised by the parties and proceedings

4.12.4.3 Grounds of the decision

4.12.4.4 Distribution of the costs and interests

4.12.4.5 Decision

4.12.4.6 Date and place

4.12.4.7 Signature of the members of the panel.

4.12.5 One original of the award or the statement is distributed to each party and one original is kept by the Court of Arbitration.

4.12.6 Obvious mistakes in the award may be corrected.

4.12.7 The panel ends the proceedings also when one of the following situation happens (non-exhaustive list):

4.12.7.1 The Claimant withdraws its claim,

4.12.7.2 The parties agree on the end of the proceedings or reach a written agreement signed by them,

4.12.7.3 The proceedings have no more valid ground.

4.13 Good faith

Any persons involved in proceedings before the Court of Arbitration shall act in good faith and cooperate in determining the facts of the case.

4.14 Breach of the regulations

The consequences of a breach of these regulations are decided by the panel, if not mentioned in these regulations. Such breach may also be considered as a disciplinary offence.

5. DISCIPLINARY ISSUES AND APPEALS

5.1 During the CSIT World Sports Games the Court of Arbitration will function as Disciplinary Commission as well as an Appeal Instance.

5.2 Disciplinary issues

5.2.1 The proceedings are managed according to the Disciplinary Regulations.

5.2.2 The Disciplinary Commission is competent to judge in any case which will be submitted in one of the following ways:

5.2.2.1 Referees report

5.2.2.2 Complain from the official observer

5.2.2.3 Complain from any CSIT official

5.2.3 The Disciplinary Commission will judge the case in one sitting.

5.2.4 The Disciplinary Commission will also be competent to approve or to cancel or to fix the result of the match, as a consequence of a decision.

5.3 Appeals

5.3.1 An appeal should be filed no later than two hours after the end of the competition.

5.3.2 The statement of appeal contains the following items:

- 5.3.2.1 Full identification of the parties
- 5.3.2.2 Full identification of the counsel and/or representative with the relevant documentation
- 5.3.2.3 Detailed explanation of the facts and grounds
- 5.3.2.4 Evidences supporting the appeal
- 5.3.2.5 Request for relief
- 5.3.2.6 Acknowledgement of the requirements related to the proceedings

6. MISCELLANEOUS

The General Assembly shall approve any amendment to this regulation.

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