UIPM DISCIPLINARY RULES

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CHAPTER I. - LEGAL BASIS AND APPLICABILITY

1.1 These Rules are issued on the basis of Article 17 N° 4 and Article 29 of the UIPM Statutes and on Articles 6.1 lit (l) of the UIPM Rules on Internal Organisation.

1.2 These Rules are applicable to all Members of the UIPM, their members and each participant in the activity of the UIPM or any of its national federations by virtue of the participant's membership, accreditation or participation in the UIPM or its national federation activities or competitions.

CHAPTER II. - DEFINITIONS

2.1 Athletes are subject to disciplinary punishments.

2.2 Coaches, trainers, officials and staff of the UIPM and its Members, individual members of the UIPM and members of the UIPM Committees as well as any other participant under article 1.2 above are subject to disciplinary measures.

2.3 The 15 top ranked athletes, male as well as female, on the World Ranking List in Modern Pentathlon and Biathle, as of 1 January each year, and the gold medal winners at the previous World Championships, if not included on the World Ranking List, form the UIPM Registered Testing Pool.

CHAPTER III. - CONDUCT LEADING TO DISCIPLINARY PUNISHMENTS AND DISCIPLINARY MEASURES

3. Disciplinary punishments and disciplinary measures are imposed for:

a) violations of the principles of fair play and for unsporting conduct, for offences against the UIPM Competition Rules, as far as penalties are not imposed, and against the UIPM Medical Rules;
b) violations of the UIPM Statutes, the UIPM Rules on Internal Organisation, any other Rules of the UIPM as well as for offences against resolutions of the UIPM bodies;
c) endangering or impairing the reputation or the interests of the UIPM and for impairing the contractual relations of the UIPM;
d) offences against the UIPM, its bodies, its Members, and other persons connected with it.

CHAPTER IV. - PRE-REQUISITES FOR DISCIPLINARY PUNISHMENTS AND DISCIPLINARY MEASURES

4.1 With the exception of doping matters, a person who culpably, that means voluntarily or negligently, infringe the rules will be subject to disciplinary punishments or disciplinary measures. For doping matters, the concept lying behind the World Anti Doping Code and the UIPM Medical Rules article 1.2.2 applies.

4.2 With the exception of doping matters, in case of negligible violation, the competent UIPM body may refrain from imposing a disciplinary punishment or a disciplinary measure and may instead rebuke or impose a correction.

4.3 With the exception of doping matters, the respective UIPM bodies may refrain from a disciplinary punishment or impose a milder disciplinary punishment if the athlete makes great attempts to repair the damage that has been caused regarding the sporting community or the victim.

4.4 If a person establishes in an individual case involving an anti-doping rule violation of the UIPM Medical Rules that he bears no fault or negligence for the violation, the otherwise applicable period of ban shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in an athlete's Specimen in violation of Article 1.2.2 of the UIPM Medical Rules, the athlete must also establish how the Prohibited Substance entered the athlete's system in order to have the period of ban eliminated. In the event this Article is applied and the period of ban otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of ban for multiple violations under Chapter V below.

4.5 If a person establishes in an individual case involving an anti-doping rule violation of the UIPM Medical Rules that he bears no significant fault or negligence, then the otherwise applicable period of ban may be reduced, but the reduced period of ban may not be less than one-half of the minimum period of ban otherwise applicable. If the otherwise applicable period of ban is a lifetime, the reduced period under this Article may be no less than eight years. When a Prohibited Substance or its Markers or Metabolites is detected in an athlete's Specimen in violation of Article 1.2.2 of the UIPM Medical Rules, the athlete must also establish how the Prohibited Substance entered the athlete's system in order to have the period of ban reduced.

4.6 In an individual case where an athlete or other person has provided substantial assistance to the UIPM or any other Anti-Doping Organisation, criminal authority or professional disciplinary body which results in their discovering or establishing an anti-doping rule violation under the UIPM Medical Rules by another person or which results in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another person a part of the period of ban may be

suspended prior to a final appellate decision or the expiration of the time to appeal. After a final appellate decision or the expiration of time to appeal, a part of the otherwise applicable period of ban may only be suspended with the approval of WADA. The extent to which the otherwise applicable period of ban may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the athlete or other person and the significance of the substantial assistance provided by the athlete or other person to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of ban may be suspended. If the otherwise applicable period of ban is a lifetime, the non-suspended period under this article must be no less than eight years. In any event of suspension under this article, the UIPM Secretary General shall promptly provide a written justification for the UIPM decision to each Anti-Doping Organisation having a right to appeal the decision. If subsequently it is reinstated by the UIPM Executive Board any part of the suspended ban period because the athlete or other person has failed to provide the substantial assistance which was anticipated, the athlete or other person may appeal the reinstatement to the UIPM Court of Arbitration. (see art 10.5.3 WADC)

4.7 Where an athlete or other person voluntarily admits the commission of an anti-doping rule violation under the UIPM Medical Rules before having received notice of a Sample collection which could establish an anti-doping rule violation or before having received notice of any act investigation directed against the athlete or other person in connection with an anti-doping rule violation and that admission is the only reliable evidence on the violation at the time of admission, then the ban period may be reduced, but not below one-half of the ban period otherwise applicable. (see art 10.5.4 WADC)

4.8 Before applying any reduction or suspension under articles 4.4. – 4.7 above the otherwise applicable ban period shall be determined. If the athlete or other person establishes entitlement to a reduction or suspension of the ban period under two or more of the articles 4.4 – 4.7 above, then the ban period may be reduced or suspended, but not below one-fourth of the otherwise applicable ban period. (see art 10.5.5 WADC)

4.9 If the UIPM Executive Board establishes in an individual case involving an anti-doping rule violation other than violations under articles 1.2.8 (Trafficking or Attempted Trafficking) and 1.2.9 (Administration or Attempted Administration) that aggravated circumstances are present which justify the imposition of a ban period greater than the standard sanction, then the ban period otherwise applicable shall be increased up to a maximum of four years unless the athlete or other person can prove to the comfortable satisfaction to the UIPM Executive Board that they did not knowingly commit the anti-doping rule violation. An athlete or other person can avoid the application of this article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by the UIPM. (see art 10.6 WADC)

CHAPTER V. – RULES FOR CERTAIN POTENTIAL MULTIPLE ANTI-DOPING RULE VIOLATIONS

5.1 A second rule violation may be considered for sanctioning only if the UIPM can establish that the athlete or person under Article 2.2 above committed the second rule violation after the athlete or person under Article 2.2 above received notice, or after the UIPM made a reasonable attempt to give notice, of the first rule violation; if the UIPM cannot establish this, the violations shall be considered as one single first violation, and the disciplinary punishment or disciplinary measure imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances according to article 4.9 above. (see art 10.7.1 WADC)

5.2 If, after the resolution of a first anti-doping rule violation, the UIPM Executive Board discovers facts involving an anti-doping rule violation by the athlete or other person

which occurred prior to notification regarding the first violation, then the UIPM Executive Board shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all competitions dating back to the earlier anti-doping rule violation will be disqualified as provided in chapter VI below. To avoid the possibility of a finding of aggravating circumstances according to article 4.9 above on account of the earlier-in-time but later-discovered violation, the athlete or other person must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which they are first charged. The same rule shall also apply when the UIPM Executive Board discovers facts involving another prior violation after the resolution of a second anti-doping rule violation. (see art 10.7.4 para 2 WADC)

5.3 Where a person, based on the same Doping Control, is found to have committed an anti-doping rule violation under Article 7.8.1 and another under Article 7.8.2 below, the athlete shall be considered to have committed a single rule violation, but the sanction imposed shall be based on the Prohibited Substance and Method that carries the most severe sanction.

5.4 Where a person is found to have committed two separate rule violations, one involving Article **7**.8.1, and the other involving Article **7**.8.2 below, the period of ban imposed for the second offence shall be at a minimum two years and at a maximum three years. Any person found to have committed a third offence involving any such combination shall receive a lifetime ban.

5.5 For purposes of this chapter V, each anti-doping rule violation must take place within the same eight-year period in order to be considered multiple violations. (see art 10.7.5 WADC)

CHAPTER VI. – INVALIDATION OF RESULTS

6.1 An anti-doping rule violation in connection with an In-Competition test automatically leads to invalidation of the results obtained in that competition with all resulting consequences, including forfeiture of any medals, points and prizes. (see art 9 WADC)

CHAPTER VII. – DISCIPLINARY PUNISHMENTS

Disciplinary punishments that may be imposed are:

7.1 REPRIMANDS

A Reprimand shall be imposed in case of:

a) jeopardising or defaming the honour or reputation of the UIPM or its interests;
b) insulting the UIPM, its bodies, its members, its members' bodies or guests of the UIPM;
c) insignificant violations of rules for which there is not an expressly stated more severe disciplinary punishment;
d) insignificant violations of the principles of fair play or the requirements of sportsmanship, for which there is not stated a penalty;
e) as a minimum on athletes who can establish that the Use of any Specified Substance under the WADA Prohibited List was not intended to enhance sport performance, as a replacement of the period of ban found in Article 7.8.1 below.

7.2 EXPULSION

In addition to any penalty imposed on him, an athlete shall be expelled from the competition venue at any time for disturbing the maintenance of order by gesture, attitude or words after or without prior reprimand.

7.3 DISQUALIFICATION

7.3.1 An athlete shall be disqualified for any serious violation of the principles of fair play or the requirements of sportsmanship for which there is not stated any other disciplinary punishment.

7.3.2 If a member of a team is disqualified, also the team shall be disqualified from the competition.

7.4 DISQUALIFICATION FOR ANTI-DOPING RULE VIOLATIONS

7.4.1 An athlete having been found of having committed an anti-doping rule violation shall be disqualified from all competitions the athlete participated since the collection of a positive Sample and from a competition where the anti-doping rule violation occurred or is connected with. All medals, points and prizes achieved at these competitions shall be forfeited. The medals, points and prizes shall be reallocated to the next ranked athlete who moves into the position of the disqualified athlete. The athletes ranked behind move forward accordingly. It is a condition for regaining eligibility that the athlete disqualified will have repaid all prizes forfeited under this article. (see art 10.8 WADC)

7.4.2 If the athlete to be disqualified establishes that he/she bears no fault or negligence for the anti-doping rule violation, the athlete's individual results in competitions other than the competition in which the anti-doping rule violation occurred shall not be disqualified unless they were likely to have been affected by the athlete's anti-doping rule violation. (see art 10.1.1 WADC)

7.4.3 If a member of a team is disqualified for having committed an anti-doping rule violation, also the team shall be disqualified from all competitions the team participated since the collection of a positive Sample and from the competition where the anti-doping rule violation occurred or is connected with. Where a member of a team has been notified of an anti-doping rule violation in connection with a competition, the Medical Delegate or DCO responsible for the competition shall conduct appropriate target testing of the team during the competition period. (see art 11 WADC)

7.5 FINES

7.5.1 Fines are imposed on those who seriously violate the UIPM Statutes, Rules and decisions of the bodies and other competent agents of the UIPM. Those who damage the interests and reputation of the UIPM may also be fined. They will be fined from 45 USD - 600 USD. The fines become the property of the UIPM.

7.6 SUSPENSION

In case of a blood test showing the final results of haemoglobin exceeding 17 g/dl in male and 16 g/dl in female athletes or haematocrit values exceeding 50% for male athletes and 47% for female athletes, the respective athlete will be suspended for health reasons with immediate effect from the respective competition for a period of 15 days until a blood re-control shows haemoglobin values below 17 g/dl for male and 16 g/dl for females athletes and haematocrit values below 50% for male and 47% for female athletes.

7.7 MANDATORY PROVISIONAL SUSPENSION IN CASE OF AN ANTI-DOPING RULE VIOLATION

7.7.1 In case an A Sample adverse analytical finding is received for a prohibited substance, other than a specified substance, which is not justified by a TUE or entitlement to a TUE and which is not caused by apparent departure from the International Standard for Testing or International Standard for Laboratories, the UIPM Executive Board by decision on the phone or video conference after having heard the athlete concerned by phone or video shall impose a provisional suspension. (see art 7.5.1 WADC)

7.7.2 In case an A Sample adverse analytical finding is received for a prohibited substance, which is a specified substance, and which is not justified by a TUE or entitlement to a TUE and which is not caused by apparent departure from the International Standard for Testing or International Standard for Laboratories, the UIPM Executive Board by decision on the phone or video conference after having heard the athlete concerned by phone or video may impose a provisional suspension. (see art 7.5.2 WADC)

7.7.3 The provisional suspension shall remain in effect until the start of execution of the respective disciplinary punishment or until the decision of the Executive Board in the regular procedure stating that no anti-doping rule violation has been committed or that no fault and negligence have been given. If the subsequent B Sample analysis does not confirm the results of the A Sample analysis the provisional suspension ends on the day of the communication of the results of the B Sample analysis to the UIPM Secretary General. (see art 7.5.2 WADC)

7.8 BAN

7.8.1 A ban of two years will be imposed on athletes who are found having violated Articles 1.2.2 (Presence of a Prohibited Substance or its Metabolites or Markers), 1.2.3 (Use or attempted use of a Prohibited Substance or Prohibited Method), 1.2.4 (Refusing or failing to submit to Sample collection), 1.2.6 (Tampering with Doping Control) or 1.2.7 (Possession of Prohibited Substances and Methods) of the UIPM Medical Rules, in or out of competition. Athletes who are found having been doped in such a way a second time shall be banned from 8 years to lifetime from UIPM competitions, in case of aggravated circumstances for lifetime. A third time will result in a lifetime ban from UIPM competitions, unless already so banned before. (see arts 10.2 and 10.7.1 WADC)

7.8.2 A sanction of at a minimum a reprimand and at a maximum a ban of two years as a replacement of the period of ban found in Article 7.8.1 above shall be imposed on athletes who can establish how a Specified Substance entered their body or came into their possession and that the Use of any Specified Substance under the WADA Prohibited List was not intended to enhance sport performance. Athletes who are found having used one of these substances a second time will be banned for a period from 2 – 4 years, in case of aggravated circumstances from 4 – 5 years. Any other additional offence of this kind will result in a lifetime ban from UIPM competitions. To justify any elimination or reduction, the athletes must produce corroborating evidence in addition to their word which establishes to the comfortable satisfaction of the UIPM Executive Board the absence of intent to enhance sport performance or mask the use of a performance-enhancing substance. The athlete's degree of fault shall be the criterion considered in assessing any reduction of the ban period. (see art 10.4 WADC)

7.8.3 A ban of a minimum one year and at a maximum two years shall be imposed on athletes belonging to the UIPM Registered Testing Pool or having been selected for Target Testing who are found of having committed any combination of three Whereabouts Filing Failures and/or Missed Tests under the UIPM Medical Rules in a 18-month period and based on the athlete's degree of fault. Athletes who are found of having committed a second combination of three Whereabouts Filing Failures and/or Missed Tests in a 18-month period shall be banned for a period from 6 – 8 years, in case of aggravated circumstances from 10 years to lifetime. A third time of such combination in an 18-month period will result in a lifetime ban from UIPM competitions. (see arts 10.3.3 and 10.7.1 WADC)

7.8.4 An athlete may only be declared to have committed a Filing Failure, where the UIPM following the results management procedure set out in articles 4.4 and 4.5 UIPM Medical Rules, can establish (see IST)

i) that the athlete was duly notified that he/she was designated for inclusion in the UIPM Registered Testing Pool, of the consequent requirement to make Whereabouts Filings and of the consequences of any failure to comply with that requirement;

ii) that the athlete failed to comply with that requirement by the applicable deadline, either by not having made any such filing, or by having made an incomplete or inaccurate filing. Such failure to comply must be notified no later than 14 days after the date of discovery by the UIPM Secretary General inviting a response within 14 days of receipt of the notice. In the notice the athlete shall be warned that unless the athlete persuades the UIPM that there has not been any Filing Failure, then an alleged Whereabouts Failure will be recorded against the athlete, and of the consequences to the athlete if the UIPM Executive Board upholds the alleged Whereabouts Failure. Where the athlete disputes the apparent Filing Failure, the UIPM Secretary General must re-assess the facts and must advise the athlete, by letter sent no later than 14 days after receipt of the athlete's response, whether or not the UIPM maintains there has been a Filing Failure. If no response is received from the athlete by the relevant deadline, or if the UIPM maintains that there has been a Filing Failure, the UIPM Secretary General shall send notice to the athlete that an alleged Filing Failure is to be recorded against the athlete and shall advise the athlete that he/she has the right to an administrative review of that decision. Where it is requested by the athlete, such administrative review shall be conducted by the UIPM President. The review shall be based on written submissions only and shall be completed within 14 days of receipt of the athlete's request and the decision shall be communicated to the athlete by letter sent no more than 7 days after the decision is made. If it appears, upon such review, that the requirements for a Filing Failure have not been met, then the alleged Filing Failure shall not be treated as a Whereabouts Failure for any purpose. If no request for an administrative review has been submitted or if the review confirms a Filing Failure, the UIPM Secretary General shall record a Filing Failure and shall notify the athlete, the athlete's National Federation and National Anti-Doping Organisation and WADA of that Filing Failure and the date of occurrence;

iii) in the case of a second or third Filing Failure in the same 18 month period that the athlete was given notice of the previous Filing Failure and failed to rectify that Filing Failure by the deadline specified in that notice; and

iv) that the athlete's failure to comply was at least negligent. For these purposes, the athlete will be presumed to have committed the failure negligently upon proof that he/she was notified of the requirement yet failed to comply with it. That presumption may only be rebutted by the athlete establishing that no negligent behaviour on his/her part caused or contributed to the failure.

7.8.5 An athlete may only be declared to have committed a Missed Test where the UIPM Executive Board can establish that: (see IST)

i) when the athlete was given notice that he/she had been designated for inclusion in the UIPM Registered Testing Pool, he/she was advised of his/her liability for a Missed Test if he/she was unavailable for testing during the 60-minute time slot specified in his/her Whereabouts Filing at the location specified for that time slot;

ii) a DCO attempted to test the athlete on a given day in the quarter, during the 60-minute time slot specified in the athlete's Whereabouts Filing for that day, by visiting the location specified for that time slot and that during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances to try to locate the athlete, short of giving the athlete any advance notice of the test;

iii) that the athlete's failure to be available for testing at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the athlete will be presumed to have been negligent upon proof of the matters set out in article 7.8.5 i) and ii). That presumption may only be rebutted by the athlete establishing that no negligent behaviour on the athlete's part caused or contributed to the athlete's being unavailable for testing at such location during such time slot and failing to update the athlete's most recent Whereabouts Filing to give notice of a different location where the athlete would instead be available for testing during a specified 60-minute time slot on the relevant day.

iv) To ensure fairness to the athlete, where an unsuccessful attempt has been made to test an athlete during one of the 60-minute time slots specified in the athlete's Whereabouts Filing, any subsequent attempt to test that athlete (by the UIPM or any other Anti-Doping Organisation) may only be counted as a Missed Test against that athlete if that subsequent attempt takes place after the athlete has received notice of the original unsuccessful attempt.

v) The DCO fur the purposes of article 7.8.5 ii) above shall file an Unsuccessful Attempt Report with the UIPM, setting out the details of the attempted Sample collection, including the date of the attempt, the location visited, the exact arrival and departure times at the location, the step(s) taken at the location to try to find the athlete, including details of any contact made with third parties, and any other relevant details about the attempted Sample collection. If it appears from such report that all requirements relating to Missed Tests are satisfied, then no later than 14 days after the date of the unsuccessful attempt, the UIPM Secretary General must send notice to the athlete of the unsuccessful attempt, inviting a response within 14 days of receipt of the notice. In the notice the athlete shall be warned that unless the athlete persuades the UIPM that there has not been any Missed Test, then an alleged Missed Test will be recorded against the athlete, and of the consequences to the athlete. Where the athlete disputes the apparent Missed Test, the chairperson of the UIPM Medical Committee and the UIPM Secretary General must re-assess whether all requirements for a Missed Test under the UIPM Medical Rules are met and the UIPM Secretary General must advise the athlete, by letter sent no later than 14 days after receipt of the athlete's response, whether or not UIPM maintains that there has been a Missed Test. If no response is received from the athlete by the relevant deadline, or if UIPM maintains that there has been a Missed Test, the UIPM Secretary General shall send notice to the athlete that an alleged Missed Test is to be recorded against the athlete. At the same time the UIPM Secretary General shall advise the athlete that he/she has the right to request an administrative review of the Alleged Missed Test. The Unsuccessful Attempt Report must be provided to the athlete at this point if it has not been provided earlier in this process.

vi) Where requested, the UIPM President shall conduct such administrative review based on written submissions alone, and shall consider whether all requirements for a Missed Test are met. If necessary, the relevant DCO may be asked to provide further information to the UIPM President. The review shall be completed within 14 days of receipt of the athlete's request and the decision shall be communicated to the athlete by letter sent no more than 7 days after the decision is made. If it appears to the UIPM President that the requirements have not been met, then the unsuccessful attempt to test shall not be treated as a Missed Test for any purpose. If the UIPM President finds, however, that a Missed Test is given or if the athlete does not request an administrative review of the alleged Missed Test by the relevant deadline, the UIPM Secretary General shall record an alleged Missed Test against the athlete, the athlete's National Federation and National Anti-Doping Organisation and WADA of that alleged Missed Test and the date of its occurrence and shall initiate decision by the UIPM Executive Board on the legal consequences of this Missed Test if it is the third Missed Test in a 18 month-period.

7.8.6 On athletes having been found having violated Articles 1.2.8 (Trafficking) or 1.2.9 (Administration of a Prohibited Substance or Prohibited Method) of the UIPM Medical Rules a ban of a minimum of four years up to lifetime shall be imposed. Any such anti-doping rule violation involving a Minor shall be considered a particularly serious violation. Athletes found having committed any such anti-doping rule violation are also excluded from any function within UIPM for life. In addition, any such violation which also violates non-sporting-laws and regulations shall be reported to the competent administrative, professional or judicial authorities. Such rule violation committed a second time will lead to a lifetime ban. (see arts 10.3.2 and 10.7.1 WADC)

7.8.7 The ban shall begin on the day when the ban has been imposed. Any period of provisional suspension shall be credited against the total ban period imposed. Where there have been substantial delays in the hearing process or other aspects of doping control not attributable to the athlete, the UIPM Executive Board may start the ban period at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. Where the athlete promptly, i.e. before competing again, admits the anti-doping rule violation after being confronted with it by the UIPM, the ban period may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each such case of earlier start because of the athlete's admission, the athlete shall serve at least one-half of the ban period going forward from the date of the UIPM Executive Board's ban decision or the date the sanction is otherwise imposed, The ban will include all official UIPM competitions and the Olympic Games which might take place during the period of sanction as well as all competitions of a signatory to the World Anti-Doping Code, a signatory's member organisation or a club or other member organisation of a signatory's member organisation or competitions authorized or organised by any professional league or any international- or national-level Event organisation. In case of any ban other than based on Article 7.8.2 above the athlete will lose all sport-related financial support or other sport-related benefits from the UIPM and the respective Member Federation. An athlete banned for a period longer than four years may, after completing four years of the period of ban, participate in local sports events in a sport other than sports subject to the jurisdictions of the UIPM and its Member Federations, but only as long as the local sport competition is not at a level that could otherwise qualify such person directly or indirectly to compete in or accumulate points towards a national championship or international competition. An athlete subject to a ban period shall remain subject to testing. (see art 10.9 WADC)

7.8.8 Where an athlete who has been banned violates the prohibition against participation during ban period, the results of such participation shall be annulled and the ban period which was originally imposed shall start over again as of the date of violation. This shall be determined by the UIPM Executive Board. The Board may reduce the new ban period according to article 4.4 above. (see art 10.10.2 WADC)

7.8.9 As a condition to regaining eligibility at the end of a specified period of ban, an athlete must, during any period of ban, make himself available for Out-of-Competition testing by the UIPM, the applicable Member Federation, and any other Anti Doping Organisation having testing jurisdiction, and must provide current and accurate whereabouts information as provided in Article 4.5 of the UIPM Medical Rules. If an athlete subject to a period of ban retires from sport and is removed from Out-of-Competition testing pools and later seeks reinstatement, the athlete shall not be eligible for reinstatement until the athlete has notified the UIPM and the applicable Member Federation and has been subject to Out-of-Competition testing for a period of time equal to the period of ban remaining as of the date the athlete had retired. During such remaining period of ban, a minimum of two tests must be conducted on the athlete with at least three months between each test. The respective Member Federation shall be responsible for conducting the necessary tests, but tests by any Anti Doping Organisation may be used

to satisfy the requirement. The results of such tests shall be reported to the UIPM. In addition, immediately prior to the end of the ban period, an athlete must undergo an Out-of-Competition test by the UIPM. Once the period of an athlete's ban has expired, and the athlete has fulfilled the conditions of reinstatement, then the athlete will become automatically re-eligible and no application by the athlete or by the athlete's National Federation will then be necessary.

7.8.10 No ban may be imposed for a violation of the UIPM Medical Rules unless the respective procedure is commenced within eight years from the date the violation occurred.

7.9 REFUSAL OF BLOOD-TEST OR DOPING CONTROL

An athlete who fails or refuses to submit to blood or urine anti-doping control after having been requested to do so, will be treated as if evidence of doping, of excessive use of alcohol or of exceeded haematocrit values in the blood would have been established. In these cases culpability is legally assumed.

7.10 RETURN OF A PRIZE

If an athlete or a team is disqualified after having been awarded a prize, the prize must be returned to the Competition Jury to be awarded to the next athlete or team in the final placing as soon as possible, at the latest at the next competition.

7.11 CONFISCATION OF EQUIPMENT Any equipment which does not correspond to the Rules and is used by an athlete is confiscated by the Competition Jury and delivered to the respective National Federation at the end of the competition season.

CHAPTER VIII. - DISCIPLINARY MEASURES
Disciplinary measures are imposed on persons listed under Article 2.2 above:

8.1 REPRIMAND

8.1.1 A reprimand is given for insignificant offences against the Statutes and Rules of the UIPM or against decisions of the bodies of the UIPM and when endangerment or damage is done to the reputation or interests of the UIPM.

8.2 FINES

8.2.1 Fines are imposed on those who seriously violate the UIPM Statutes, Rules and decisions of the bodies and other competent agents of the UIPM. Those who damage the interests and reputation of the UIPM may also be fined. They will be fined from 45 USD - 600 USD.

8.2.2 Persons responsible for a horse and the owner of a horse, which has been found doped under the UIPM Medical Rules, are fined from 45 – 600 USD.

8.2.3 The fines become the property of the UIPM.

8.3 EXPULSION

Spectators, persons under Article 2.2 above, and other persons accompanying an athlete can be expelled from the venue for interfering with the maintenance of good order by the chairman of the Competition Jury.

8.4 BAN

8.4.1 A ban of two years will be imposed on persons under Article 2.2 above who are found having violated Articles 1.2.2 (Presence of a Prohibited Substance or its Metabolites or Markers), 1.2.3 (Use or attempted use of a Prohibited Substance or Prohibited Method), 1.2.4 (Refusing or failing to submit to Sample collection), 1.2.6 (Tampering with Doping Control) or 1.2.7 (Possession of Prohibited Substances and Methods) of the UIPM Medical Rules, in or out of competition. Persons who are found having committed such rule violation a second time shall be banned from 8 years to lifetime from UIPM competitions, in case of aggravated circumstances for lifetime. A third time will result in a lifetime ban from UIPM competitions, unless already so banned before. (see arts 10.2 and 10.7.1 WADC)

8.4.2 A sanction of at a minimum a reprimand and at a maximum a ban of two years as a replacement of the period of ban found in Article 8.4.1 above shall be imposed on persons under Article 2.2. above who can establish how a Specified Substance entered an athlete's body or came into their possession and that the Use of any Specified Substance under the WADA Prohibited List was not intended to enhance sport performance. Persons who are found having committed such rule violation a second time will be banned for a period from 2 – 4 years, in case of aggravated circumstances from 4 – 5 years. Any other additional offence of this kind will result in a lifetime ban from UIPM competitions. To justify any elimination or reduction, the ´persons must produce corroborating evidence in addition to their word which establishes to the comfortable satisfaction of the UIPM Executive Board the absence of intent to enhance sport performance or mask the use of a performance-enhancing substance. The person's degree of fault shall be the criterion considered in assessing any reduction of the ban period. (see art 10.4 WADC)

8.4.3 A ban of a minimum one year and at a maximum two years shall be imposed on persons corroborating with athletes belonging to the UIPM Registered Testing Pool or having been selected for Target Testing in any combination of three Whereabouts Filing Failures and/or Missed Tests under the UIPM Medical Rules in a 18-month period, and based on the person's degree of fault. Persons who are found of having committed any second combination such rule violations in an 18-month period shall be banned for a period from 6 – 8 years, in case of aggravated circumstances from 10 years to lifetime. A third time will result in a lifetime ban from UIPM competitions. (see arts 10.3.3 and 10.7.1 WADC)

8.4.4 On persons under Article 2.2 above having been found having violated Articles 1.2.8 (Trafficking) or 1.2.9 (Administration of a Prohibited Substance or Prohibited Method) of the UIPM Medical Rules a ban of a minimum of four years up to lifetime shall be imposed. Any such anti-doping rule violation involving a Minor shall be considered a particularly serious violation and shall result in a lifetime ban, in case of a Specified Substance in a ban of a minimum of eight years up to lifetime. Persons found having committed any such anti-doping rule violation are also excluded from any function within UIPM for life. In addition, any such violation which also violates non-sporting-laws and regulations shall be reported to the competent administrative, professional or judicial authorities. Such rule violation committed a second time will lead to a lifetime ban. (see arts 10.3.2 and 10.7.1 WADC)

8.4.5 The ban shall begin on the day when the ban has been imposed. Where there have been substantial delays in the hearing process or other aspects of doping control not attributable to the person under Article 2.2 above, the UIPM Executive Board may start the ban period at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. Where the person promptly admits the anti-doping rule violation after being confronted with it by the UIPM, the ban period may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each such case of earlier start because of the person's admission, the person shall serve at least one-half of the ban period going forward from the date of the UIPM Executive Board's ban decision or the date the sanction is otherwise imposed, The ban will include participation in any capacity at all official UIPM competitions and the Olympic Games which might take place during the period of sanction as well as all competitions of a signatory to the World Anti-Doping Code, a signatory's member organisation or a club or other member organisation of a signatory's member organisation or competitions authorized or organised by any professional league or any international- or national-level Event organisation. In case of any ban other than based on Article 8.4.2 above the person will lose all sport-related financial support or other sport-related benefits from the UIPM and the respective Member Federation. A person banned for a period longer than four years may, after

completing four years of the period of ban, participate in local sports events in a sport other than sports subject to the jurisdictions of the UIPM and its Member Federations, but only as long as the local sport competition is not at a level that could otherwise qualify athletes towards a national championship or international competition. (see art 10.9 WADC)

8.4.6 Where a person under Article 2.2 above who has been banned violates the prohibition against participation during ban period, the ban period which was originally imposed shall start over again as of the date of violation. This shall be determined by the UIPM Executive Board. The Board may reduce the new ban period according to article 4.4 above. (see art 10.10.2 WADC)

8.4.7 No ban may be imposed for a violation of the UIPM Medical Rules unless the respective procedure is commenced within eight years from the date the violation occurred.

8.5 REMOVAL FROM DUTIES

8.5.1 Persons listed in Article 2.2 above whom seriously violate time and again the UIPM Statutes, the UIPM Rules or decisions made by UIPM bodies or other authorities of the UIPM shall be removed from their UIPM function.

8.5.2 The owner of a horse that has been found doped under the UIPM Medical Rules will be excluded for life from ever providing any horse for UIPM competitions.

CHAPTER IX. – SANCTIONS ON MEMBER FEDERATIONS AND ORGANISING COMMITTEES

9.1 A member federation which does not inform the UIPM Medical Committee on the use of admissible substances, which must be registered before the start of a competition in writing, will be sentenced to a fine of USD 300 in case the use is found out at the occasion of an anti-doping control by the laboratory.

9.2 A fine of 300 USD will be imposed on a member federation if more than one athlete or other person from a National Federation commits a violation of the UIPM Medical Rules during a year.

9.3 A member federation is obligated to reimburse the UIPM for all costs including, but not limited to, laboratory fees, hearing expenses and travel related to the violation of the UIPM Medical Rules by an athlete or person under Article 2.2 above affiliated with that National Federation.

9.4 An Organising Committee which violates its obligations under the UIPM Competition Rules and UIPM Medical Rules will be fined USD 300.

9.5 The fines become the property of the UIPM.

CHAPTER X. - ORGANS AND SUBJECT MATTER JURISDICTION

10.1 Disciplinary power is exercised in first instance by the Competition Jury and the UIPM Executive Board.

10.2 The UIPM Executive Board is responsible for the imposition of disqualification in cases of anti-doping rule violations, suspensions, provisional suspensions, bans and fines as well as removal from duties. The Competition Jury is responsible for the imposition of all other disciplinary punishments and disciplinary measures. For the composition of and procedure before the Competition Jury see Article 1.17.6 UIPM Modern Pentathlon Competition Rules.

10.3 Appeal against disciplinary decisions of the Competition Jury may be lodged with the Jury of Appeal; appeal against disciplinary and other decisions of the UIPM Executive Board may be lodged with the UIPM Court of Arbitration. For the composition of and procedure before the Jury of Appeal see Article 1.17.7 UIPM Modern Pentathlon Competition Rules.

CHAPTER XI. - UIPM COURT OF ARBITRATION

11.1 Composition

The UIPM Court of Arbitration as an independent institution is made up of three arbitrators. At least the chairperson must have the qualification of a Judge or similar legal experience.

11.2 Nomination, Seat

11.2.1 Each member federation of the UIPM has the right to nominate two arbitrators who form a list of arbiters where from the UIPM Court of Arbitration will be composed for each individual case. The nominations are to be sent by registered mail to the UIPM Secretary General. A nomination must be withdrawn and replaced by another in case of death or long-term disability of the nominated person.

11.2.2 The UIPM Secretary General functions as depositary for the list of arbitrators and informs the UIPM members every year by 1st of January of the actual names on the list.

11.2.3 The seat of the UIPM Court of Arbitration and place of hearings before it is Monaco. The subsidiary law for application is the law of Monaco.

11.3 Competences

The UIPM Court of Arbitration is responsible

a) to arbitrate controversies between the UIPM and its Member Federations;

b) between UIPM Member Federations;

c) to decide on appeals against disciplinary punishments and disciplinary measures as well as other decisions imposed by the Executive Board;

d) to decide on appeals against decisions of Executive Boards of Continental Confederations;

e) to decide on controversies under UIPM contracts and agreements as well as under declarations within UIPM.

11.4 Establishment

11.4.1 In a concrete case under Article 11.3 lit a) of these Rules one arbitrator out of the list of arbiters is appointed by the UIPM Executive Board, the other member is appointed by the respective UIPM Member Federation. In a concrete case under Article 11.3 lit b) of these Rules each of the two UIPM Member Federations appoints one arbitrator out of the list of arbiters. In a concrete case under Article 11.3 lit c) of these Rules one arbitrator out of the list of arbiters is appointed by the appellant, the other is appointed by the UIPM Executive Board. In a concrete case under Article 11.3 lit d) of these Rules one arbitrator out of the list of arbiters is appointed by the appellant, the other is appointed by the respective Executive Boards of Continental Confederations. In a concrete case under Article 11.3 lit e) of these Rules one arbitrator out of the list of arbiters is appointed by the UIPM Executive Board, the other is appointed by the legal representative of the other party/parties to the dispute.

11.4.2 Within ten days of the appointment of the second arbitrator, both arbitrators have to agree on a chairperson. If the nomination of a chairperson does not occur during the 10-

day time limit or if the two arbitrators cannot agree on a time limit in which the chairperson will be nominated then the chairperson will be appointed by the President of the ICAS Lausanne on the motion of a party.

CHAPTER XII. - PROCEDURE FOR THE EXECUTIVE BOARD

12.1 A decision on a disciplinary punishment or disciplinary measure which falls in the competence of the UIPM Executive Board is taken after the person concerned has been heard in the next ordinary session or in an extraordinary session of the UIPM Executive Board. For the procedure, the UIPM Statutes and the UIPM Rules on Internal Organisation apply.

12.2 The person concerned and the person's National Federation have to be granted a timely, fair and impartial legal hearing. The athlete or other person concerned has the right to be represented by counsel at their own expense. They have the right to be informed in a fair and timely manner of the asserted anti-doping rule violation and to respond to the asserted anti-doping rule violation and resulting consequences. They have the right to present evidence, including the right to call witnesses and experts. It is up to the Executive Board to accept testimony by telephone or written submission. The athlete and other person concerned have the right to an interpreter at the hearing, with the UIPM Executive Board to determine the identity and responsibility for the cost of the interpreter. The Board shall not be restricted in the admission or evaluation of evidence. (see art 8.1 WADC)

12.3 The decision with its reasons, specifically including an explanation of the reason(s) for any ban period, must be delivered in writing to the person concerned within 14 days of when it passed.

12.4 The costs that accrue from the procedure are borne in case of a conviction by the person concerned or alternatively by his National Federation.

12.5 Hearings held in connection with competitions may be conducted by an expedited process depending on the circumstances of the case. In such case the UIPM Executive Board shall apply article 12.2 above as far as reasonable and feasible. (see art 8.2 WADC)

12.6 The right to a hearing may be waived by the athlete or other person.

CHAPTER XIII. - PROCEEDINGS FOR THE UIPM COURT OF ARBITRATION

13.1 The claimant (appellant) must lodge his claim (appeal) with the UIPM Court of Arbitration in writing by registered letter to the UIPM Secretary General. In the case of appeal this must happen within twenty-one days after the receipt of the respective decision. Within ten days from notice of the decision, such party shall have the right to request from the UIPM Executive Board having issued the decision a copy of the documentation on which the Executive Board relied. If such a request is made within the ten-day period, then the party making such request shall have twenty-one days from receipt of the documentation to file an appeal to the UIPM Court of Arbitration. All claims must set out briefly their nature and the facts relating thereto and must include the appointment of an arbitrator. The UIPM Secretary General must inform on the claim the other party to a controversy or the body against which is appealed without any delay.

13.2 The other party to the controversy must advise of its appointment of an arbitrator within one month after the receipt of the information on a claim by the UIPM Secretary General to him. If this party fails to make this appointment, the claimant may seek the appointment of the second arbitrator by the UIPM Secretary General.

13.3 In their decisions, the arbitrators are bound by the UIPM Statutes, the UIPM Rules on Internal Organisation, the UIPM Competition Rules, UIPM Medical Rules, UIPM Disciplinary Rules, all other UIPM Rules as well as all provisions of substantive law of the Principality of Monaco. To the extent not provided otherwise by the Constitution and Rules of the UIPM, the general Monegasque rules of civil procedure apply to the arbitration proceedings.

13.4 According to the circumstances and with the exception of cases under Article 11.3 lit c) and d), the arbitrators should strive to bring about an amicable settlement. In case of necessity the President of the UIPM Court of Arbitration is authorised to decide upon provisional or conservatory measures.

13.5 The UIPM Court of Arbitration makes its decision after an oral hearing if possible within three months of its constitution. The hearing may be waived by the athlete or other person concerned. (see art 8.3 WADC)

13.6 In the oral hearing, the circumstances of the dispute shall be determined following representations by the claimant or his representative, a representative of the other party to the controversy, any witnesses and any experts nominated by the UIPM Court of Arbitration.

13.7 The admission of other evidence does not require motions by parties.

13.8 The claimant or his representative and the representative of the other party may be present during the examination of witnesses and comment on their testimony.

13.9 Hearings are open to UIPM members.

13.10 The non-appearance of a party does not hinder the carrying out of the procedure.

13.11 The claimant and the other party may avail themselves of the assistance of a legal advisor and an interpreter at any stage of the proceedings.

13.12 Appeals against decisions of the UIPM Executive Board or an Executive Board of a Continental Confederation have no suspensive effect.

13.13 The UIPM Court of Arbitration's decisions with reasons in writing are to be transmitted to both parties to the controversy by registered mail within 14 days of their issue.

13.14 The UIPM Court of Arbitration may also rule on the costs of the proceedings. These can be split among the parties or imposed on one party only. Upon filing of the arbitration request, the claimant shall pay a fee of USD 300, without which the UIPM Court of Arbitration shall not proceed. Upon formation of the Court, the UIPM Secretary General shall fix, subject to later changes, the amount and the method of payment of the advance of costs. Each party shall advance the costs for one arbitrator, half of the costs of the president and the costs for its own witnesses, experts and interpreters.

13.15 There is appeal against decision of the UIPM Court of Arbitration to the Court of Arbitration for Sports (CAS), Lausanne. In addition to the parties involved in the arbitration case, in matters of anti-doping rule violations the National Anti-Doping Organisation of the respective person's country of residence or countries where the person is a national, the International Olympic Committee and the International Paralympic Committee, as far as the decision may have effect in relation to the Olympic Games and Paralympic Games, including decisions affecting eligibility to these Games, and WADA shall have a right to appeal to the CAS. Concerning the time for filing such appeals Article 13.1 above applies accordingly. The filing deadline for an appeal or intervention filed by WADA shall be the later of 21 day after the last of appeal of the

other party under Article 13.1 above or 21 days after WADA's receipt of the complete file relating to the decision. (see art 13.2.3 WADC)

13.16 Where, in a particular case, the UIPM 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 as if the UIPM had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by UIPM. (see art 13.3 WADC)

CHAPTER XIV. - EXEMPTION FROM LIABILITY

Competent organs under these Rules and their members cannot be made liable for claims arising out of the enforcement of the present Rules for Penalties and Disciplinary Measures.

CHAPTER XV. - ENTRY INTO FORCE

This amended version of the UIPM Disciplinary Rules entered into force on 1 January 2009.