

PART 12 DISCIPLINE AND PROCEDURES

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PART 12 DISCIPLINE AND PROCEDURES

- 12.0.000** Unless specifically provided for in the UCI Regulations, this part governs:
- infringements to the UCI Constitution and Regulations as well as disciplinary action and procedures relating thereto;
 - competence and procedures in terms of disputes.

(text modified on 1.01.10).

I Chapter **DISCIPLINE**

§ 1 **Infringements**

Proof

- 12.1.001** Infringements of the UCI Regulations may be demonstrated by any form of proof.
- 12.1.002** Statements made by commissaires in reports and minutes shall be deemed probatory unless proven otherwise.
- 12.1.003** All officials shall be duty-bound to report any infringements they observe to the UCI or to the National Federation concerned, depending which of those entities is the competent instance.

National Federations shall report to the UCI or to the competent National Federation any infringements they may observe and which fall within the competence of the disciplinary jurisdiction of UCI bodies or of the National Federation.

(text modified on 16.07.98; 1.09.03).

Various infringements

- 12.1.004** (1) Anyone who behaves in an incorrect or dishonest fashion with regard to any other, or who fails to keep a promise or to meet contractual or other obligations in the domain of cycling shall be penalised by a suspension of up to three months and/or a fine of between CHF 100 and CHF 10,000.

Furthermore, the Disciplinary Commission may impose the following sanctions, in conjunction or not with the penalties above:

1. On a trade team: its registration may be withdrawn or suspended for a determined period. A trade team may also be relegated to a lower class.
2. On an organiser: the organiser's event may be relegated to a lower class.
3. In any case, the Disciplinary Commission may impose any of the sporting or administrative penalties outlined in paragraph 2 below.

(2) Without prejudice to the powers of the Disciplinary Commission, the President of the UCI or in his absence, a vice-president may, in the cases listed in paragraph 1, impose sporting or administrative penalties such as

- elimination or temporary neutralisation of points won or to be won for a classification
- exclusion from participation in world championships, continental championships or Olympic Games
- exclusion from official ceremonies
- exclusion from UCI commissions.

These penalties may also be applied to the group (trade team, team, national federation, etc.) to which the offender belongs and to its other members.

Furthermore, the UCI President may overrule or suspend any UCI decision for which the conditions are not respected or where the matters taken into account when that decision was taken prove to be incorrect or incomplete.

The President's decision shall be applied without further procedure other than a period of notice.

Within eight days of receiving the UCI President's decision, the interested party may submit an appeal to the Court of Arbitration for Sport (CAS) by registered mail. The act of appealing shall not suspend the execution of the UCI President's decision, but the appellant may submit a request for a suspension to CAS.

(3) If grave or urgent circumstances justify it in the interests of cycling, the president of the UCI, or, in his absence, a vice-president, may provisionally suspend any licence-holder.

Within eight days of receiving the UCI President's decision, the interested party may submit an appeal to CAS. This appeal shall not suspend the execution of the UCI President's decision.

(text modified on 16.07.98; 1.01.10).

Forms of infringement

12.1.005 Anyone subject to UCI Regulations shall be suspended for a minimum of one and a maximum of six months, who:

1. behaves in a violent manner or uses defamatory or abusive language to or about a commissaire, a UCI body or its members or, in general, anyone performing a function provided for in the UCI Constitution or Regulations,
or
2. behaves in such a way as to blemish the image, the reputation or the interests of cycling or the UCI,
or
3. without valid reason, fails to respond when convened or summoned by a UCI authority or disciplinary body.

12.1.006 Any form of fraud not specifically penalised by a particular provision of the UCI Regulations shall be penalised as follows:

1. Licence-holder (except organiser): suspension of between one month and one year and a fine of between CHF 200 and CHF 10,000;

2. Trade Team, club or other association or sporting group or an organiser: suspension of between one month and one year and a fine of between CHF 1,000 and CHF 100,000.

In the case of a repetition of the same offence within two years, the above penalties shall be doubled; in a serious case, final debarment may be pronounced in addition to the fine.

- 12.1.007** Any infringement committed by a licence-holder of a provision of the UCI Regulations - including any race incident - that is not specifically penalised, shall carry a fine of between CHF 100 and CHF 10,000.

(text modified on 1.01.10).

- 12.1.008** In the case of an infringement committed by an organizer during the same race on the Continental or World Calendar in two consecutive years, the UCI Management Committee may in addition refuse to include that race on the Calendar for a year or, where the race has already been put on the calendar by the Professional Cycling Council, remove it from the calendar.

In the case of an infringement committed the first time a race is run after a year's suspension, that race may be banned from the Calendar for a further year.

For the purpose of this article, a race shall be considered the same race if organised directly or indirectly by the same organiser during the same period and following the same course as that of the banned race or a course adjacent to it. In case of disagreement, the CAS decision shall be final.

(text modified on 2.03.00; 6.04.05; 1.01.10).

- 12.1.009** Any infringement of a provision of the UCI Regulations that is not specifically penalised and which is committed by a Trade Team, an employer, a club, association or other person or entity maintaining a relationship with riders with a view to the practice of cycling, shall carry a fine of between CHF 100 and CHF 10,000.

Race incidents

- 12.1.010** Race incidents shall be all offences as are designated as such in the Regulations as well as any behaviour at variance with the Regulations occurring during the race and not specifically penalised.

(text modified on 1.01.97).

- 12.1.011** Race incidents committed during World and Continental calendar races shall be punished by the Commissaires Panel, but it may not hand down suspensions.

Suspensions as well as race incidents, in case the latter were not noted by the commissaires, shall be judged and punished by the UCI Disciplinary Commission provided that the case is referred to the UCI Disciplinary Commission within two months of the end of the event.

(text modified on 1.01.97; 1.01.10).

- 12.1.012** Decisions by the Commissaires Panel or the referee on race incidents shall not be open to appeal unless a fine exceeding CHF 200 is imposed.

In this case, licence-holders may lodge an appeal with the UCI Disciplinary Commission, which decides in the last instance. The appeal shall be lodged within ten days of the end of the race.

The Disciplinary Commission shall within eight days inform the UCI that the appeal has been lodged. A copy of the appeal decision shall be sent to the UCI within an eight-day deadline.

(text modified on 1.01.00; 1.01.10).

12.1.013 If a race incident is penalised by a suspension, the suspension shall be pronounced by the UCI Disciplinary Commission.

If the suspension is accompanied by another penalty, with the exception of a fine, the Commissaires Panel shall impose the other penalty provisionally. The appropriate body for imposing the suspension shall take the final decision which shall be open to such appeal as provided for.

(text modified on 1.01.97; 1.01.10).

Technological fraud

12.1.013 bis Technological fraud is an infringement to article 1.3.010.

Technological fraud is materialised by:

- The presence, within or on the margins of a cycling competition, of a bicycle that does not comply with the provisions of article 1.3.010.
- The use by a rider, within or on the margins of a cycling competition, of a bicycle that does not comply with the provisions of article 1.3.010.

All teams must ensure that all their bicycles are in compliance with the provisions of article 1.3.010. Any presence of a bicycle that does not comply with the provisions of article 1.3.010, within or on the margins of a cycling competition, constitutes a technological fraud by the team and the rider.

All riders must ensure that any bicycle that they use is in compliance with the provisions of article 1.3.010. Any use by a rider of a bicycle that does not comply with the provisions of article 1.3.010, within or on the margins of a cycling competition, constitutes a technological fraud by the team and the rider.

Any technological fraud shall be sanctioned as follows:

1. Rider: disqualification, suspension of a minimum of six months and a fine of between CHF 20'000 and CHF 200'000.
2. Team: disqualification, suspension of a minimum of six months and a fine of between CHF 100'000 and CHF 1'000'000.

(article introduced on 30.01.15)

§ 2 Penalties

General provisions

- 12.1.014** With the exception of warnings and blame, a penalty for an infringement of the UCI Regulations may be handed down only under the terms of a provision of the UCI Constitution or Regulations in effect at the time of the infringement.

(text modified on 1.01.10).

- 12.1.015** National Federations may not introduce other penalties for infringements of the UCI Constitution and Regulations.

- 12.1.016** Any authority that has to pronounce on an infringement of UCI Regulations shall impose the penalties provided, once the facts have been established. No penalty may be suspended save in such cases and on such conditions as provided for in the UCI Regulations themselves.

- 12.1.017** Unless otherwise provided or in application of article 11.2 of the UCI Constitution, penalties provided for under the UCI Regulations and penalties pronounced by National Federations on the basis of their own regulations, inasmuch as they comply with UCI Regulations, shall be enforceable in the territories of all UCI member National Federations.

- 12.1.018** National Federations shall ensure that penalties handed down be implemented once they become enforceable.

- 12.1.019** If the same incident constitutes an infringement of several provisions, the penalties provided for by each of those provisions shall be added, on the understanding that they all be penalties of the same nature and that the total penalty does not exceed the highest maximum penalty provided for.

- 12.1.020** Anyone subject to the UCI Regulations shall refund any amount or fine that the UCI, a National Federation or an organiser might have to pay to a third-party because of the action of that offending party. The party shall be automatically suspended if the refund is not made within 30 days of first request and for as long as the amount is not refunded in full.

If need be, the bank guarantee deposited at the UCI shall be drawn upon.

(text modified on 1.01.99; 1.01.10).

- 12.1.021** In stages races, all punishments and penalties shall count against individual general classifications. They may, depending on the gravity of the infringement, and if so decided by the Commissaires Panel, be applied to individual stage classifications.

If in the judgement of the Commissaires Panel, an infringement committed by a rider gives an advantage to the general classification by time of his team, a time penalty of 30 seconds shall also be applied to the team.

(text modified on 1.01.00; 1.01.04).

Disqualification

- 12.1.022** The disqualification of a rider shall incur invalidation of results and his being eliminated from all classifications and losing all prizes, points and medals in the race in question.

Disqualification may take the form of a rider being forbidden to take the start if the infringement is observed before the start of the race or that of his elimination from the race if discovered during the course of the race.

If the refused start or disqualification are not acted upon in due time, the offence shall be penalised by an elimination or a disqualification as appropriate.

Unless expressly stated in a clause, the place of the disqualified rider or trade team is taken by the next rider or trade team in the ranking, in order that all places are always occupied.

In a track event in which two or more riders or teams compete directly with each other, no rider or team can take the place of a disqualified rider or team if they have not met in direct competition in the affected round.

(text modified on 13.8.04; 1.10.10; 1.10.12).

- 12.1.023** Any rider eliminated from a stage race shall not be permitted to participate in any other competition for the duration of the race for which he was penalised, on pain of a 15 day suspension and a fine of CHF 200 to CHF 1'000.

Warning or reprimand

- 12.1.024** A warning or reprimand can be handed down by a commissaire or UCI authority to anyone guilty of a minor act of negligence or fault, if attenuating circumstances so justify.

(text modified on 30.01.09).

Blame

- 12.1.025** A blame may be delivered by UCI authorities to anyone failing to meet the obligations imposed by sporting ethics, morals or loyalty to cycling.
- 12.1.026** A blame may be published in the UCI "Information" bulletin and/or, should the UCI so require, in the official publications of National Federations.

Fine

- 12.1.027** The amount of the fines cited in UCI Regulations is given in Swiss francs (CHF). In the case of payment in any other currency, the sum transmitted shall correspond at least to the amount in CHF, net of all expenses, at the current rate on the day of the payment.

(text modified on 1.01.10).

- 12.1.028** The Management Committee can decide to reduce the amount for fines set under the UCI regulations for such continents or countries as it may determine.

(text modified on 1.01.98).

- 12.1.029** Fines due to the UCI shall be paid within one month of the notification of invoice. This invoice may legitimately be sent either to the offender, to his trade team, to his club or to his national federation.

Other fines shall be paid within three months of the punishment becoming enforceable.

If payment is not received by the due date, the total amount of the fine shall automatically be increased by 20%.

If the total sum due is not settled in full one month after the due date, the offender shall be suspended automatically until the total sum is paid. If the offender is already subject to suspension for another reason, the period of suspension for non-payment shall be added to the term of that suspension.

(text modified on 1.01.02; 1.01.10).

- 12.1.030** The Trade Team or the sports association of which the offender is member shall be held jointly and severally liable for payment of any fines imposed on licence-holders for infringements of the UCI regulations as well as for any amount referred to in article 12.1.020.

If need be, the bank guarantee deposited at the UCI shall be drawn upon.

(text modified on 1.01.99; 1.01.10).

- 12.1.031** Fines imposed for race incidents referred to under article 12.2.001 shall go to the organiser's National Federation.

Fines imposed for offences referred to under article 12.2.002 shall go to the National Federation that issued the licence in question.

Other fines shall go to the UCI and shall be paid directly into its bank account. Where determined by the Management Committee the recovery of fines may be entrusted to the organiser's national federation in accordance with such procedures as the Management Committee may lay down.

(text modified on 29.01.98).

Suspension

- 12.1.032**
- 1) Suspension shall deprive the suspended party of the right to participate, in any capacity whatsoever, in sporting activities organised under UCI, Continental Confederations and National Federations Regulations and in any activities of the UCI, Continental Confederations, National Federations and their various authorities or affiliated entities.
 - 2) Suspension decided in pursuance of the UCI Regulations may incur consequences for the practice of other sports, according to the regulations of the governing bodies of such other sports or according to applicable laws.
 - 3) During its suspension, the licensee remains responsible of any breach to UCI Regulations and remains under the authority of the UCI Disciplinary instances.
 - 4) During the period of suspension, no financial contribution shall be granted by the National Federation to the rider and the rider shall not accept any financial contribution or other advantages related to the practice of his sport.
 - 5) Further and specific consequences of a suspension decided in pursuance of the UCI anti-doping rules are laid down in articles 320 to 323 of the anti-doping Regulations.

(text modified on 13.8.04; 1.01.09).

12.1.033 In the case of the suspension of a Trade Team, a club, an association or other such entity, all licence-holders that are members or in any way related thereto shall also be suspended, unless authorisation be given by the UCI Executive Committee to exercise their activities on an individual basis, if need be on conditions to be set by the Executive Committee.

12.1.034 Without prejudice to the application of article 12.1.017, suspension shall entail the withdrawal of the licence for the duration of the suspension.

The person suspended shall not, upon expiry of the period of suspension, be returned his licence or given a new licence and shall not be eligible to participate in cycling events in whatever capacity if he has not fulfilled all his obligations under the present regulations or under any decision taken in accordance therewith.

(text modified on 1.01.09).

12.1.035 Any participation of a suspended license-holder in a cycling event shall be deemed null and void. The license-holder shall be punished by a fine of CHF 1'000 to 5'000 notwithstanding any other penalties that could be applied for infringements committed during the unauthorized participation.

In addition the period of suspension which was originally imposed shall start over again as of the date of the offending participation.

The new period of suspension may be reduced if the licence-holder establishes that he bears no significant fault or negligence, as defined in article 297 and annex I of the anti-doping Regulations, for violating the prohibition against participation. The reduction shall not be set so that the total suspension is less than 125 per cent of the original suspension. The determination of whether the licence-holder has violated the prohibition against participation, and whether a reduction for no significant fault or negligence is appropriate, shall be made by the disciplinary commission.

If the suspension was imposed under UCI's anti-doping rules, this article shall also apply in case of a participation that violates the prohibition against any participation referred to in articles 320 and 321 of the anti-doping rules. The appeal against the decision of the disciplinary commission shall be made to CAS as provided in article 329.7 of UCI's anti-doping Regulations.

(text modified on 1.01.09).

12.1.036 Any decision imposing a suspension and any appeal procedure against such a decision shall automatically stipulate the starting and ending dates of the period of suspension to be served even if, in the case of an appeal, the substance of the appeal is not examined (withdrawal of the appeal, inadmissible or belated appeal, etc.).

Subject to the article 12.1.037, the start of the period of suspension shall be set within a week of the expiry of the possible appeal period.

(text modified on 1.01.10).

12.1.037 The suspension shall be effective in matters sporting. It shall be enforced during a period of normal activity by the party concerned. For that purpose, the suspension may be spread over several parts of the year.

- 12.1.038** A National Federation, a body of which hands down a suspension, shall inform the UCI as soon as the suspension becomes enforceable.

The National Federation shall indicate:

1. the identity of the rider (surname, first name, address, nationality, National Federation, category, licence number)
2. the authority that handed down the suspension
3. the incident for which the penalty was imposed
4. the start and end of the suspension period.

The UCI shall be immediately informed of any amendment to the conditions of a suspension as originally communicated to it.

The present article shall not apply to riders who have not yet participated in a World or Continental Calendar race.

§ 3 Scale of penalties for race incidents

- 12.1.039** Notwithstanding the penalties as listed hereunder, the licensee who commits a serious fault, may immediately be disqualified by a commissaire.

If the race incident is a behaviour which harms the image, the reputation or the interests of cycling or the UCI, the licensee will also be summoned in front of the Disciplinary Commission and penalised according to article 12.1.005.2.

(text modified on 1.01.04).

- 12.1.040** Without prejudice to article 12.1.039 race incidents which refer to the following table are sanctioned as outlined in the table.

The table applies to all races. However, for national races, the respective national federations can set lower fines than those stipulated in the column "other races" of the table.

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Discipline	Events	
Road	World Championships – Elite Men Olympic Games – Elite Men World calendar Class HC and 1 – Elite Men	Other events
Track	Elite World Championships Men Elite World Cup Elite 6-days; Other Elite events	Other events
Cyclo-cross	Elite World Championships World Cup; Class 1	Other events
Mountain bike	Elite World Championships Olympic Games; World Cup	Other events
Para-cycling	World Championships Paralympic Games World Cup	Other events
Race incidents		
1. Signature check		
1.1. Start without signature check	eliminated or disqualified and 100	eliminated or disqualified and 30
1.2. Team not respecting team order for signature check	Rider: 100 Team Manager: 500	
2. Bicycle		
2.1. Presentation at the start of a race or race stage with a bicycle not in conformity with the regulations	start refused	start refused
2.2. Use of a bicycle in a race which is not in conformity with the regulations	eliminated or disqualified	eliminated or disqualified
3. Clothing		
3.1. Wearing of non essential items (art. 1.3.033)	start refused	start refused
3.2. Rider at the start without mandatory helmet	start refused	start refused

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3.3. Rider taking off the mandatory helmet during the race	disqualified and 100	disqualified and 50
4. Number, epaulet, cycle plate or frameplate changed or badly positioned		
4.1. One-Day Race	Rider: 50	Rider: 30
4.2. Stage Race	1 st offence: 50 2 nd offence: 200 3 rd offence: elimination	1 st offence: 30 2 nd offence: 50 3 rd offence: elimination
5. ID number or frameplate invisible or unrecognisable • One-Day Race • Stage Race	Rider: 100 1 st offence: 100 2 nd offence: 200 3 rd offence: elimination	Rider: 100 1 st offence: 100 2 nd offence: 200 3 rd offence: elimination
6. Non-return of rider's number after dropping out	Rider: 50	Rider: 50
7. Putting on or taking off a garment against the Regulations	Rider: 50 Team Manager: 200	Rider: 30 Team Manager: 100
8. Non-regulation assistance to a rider of another team	Each rider concerned:	Each rider concerned:
8.1. One-Day Race	Elimination + 200	Elimination + 100
8.2. Stage Race	200 per offence and 2', 5' and 10' penalty and elimination + 200 from 4 th offence Any other licence-holder: 200	100 per offence and 2', 5' and 10' penalty and elimination + 100 from 4 th offence Any other licence-holder: 50
9. Flying relay	Each rider involved:	Each rider involved:
9.1. Between team-mates:	200	100
9.1.1. One-Day Race	For offence in last km: 200 + relegation to end of his field	For offence in last km: 100 + relegation to end of his field

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9.1.2. Stage Race	200 and 10'' per offence. For offence in last km of stage: 200 + 30'' and relegation to the last place in his group	100 and 10'' per offence. For offence in last km of stage: 100 + 30'' and relegation to end of his field
9.2. Between riders from different teams:		
9.2.1. One-Day Race	Elimination and 200	Elimination + 100
9.2.2. Stage Race	200 + 1' Elimination for offence during last stage or for 2 nd offence	100 + 1' Elimination for offence during last stage or for 2 nd offence
10. Sprint		
10.1. Deviating from selected lane, endangering other riders		
10.1.1. One-Day Race	Disqualification + 200	Disqualification + 100
10.1.2. Stage Race	1 st offence: relegation to the last place in his group, point classification penalty equal to the points awarded to the first place of the stage, 200 + 30'' in general class. 2 nd offence: relegation to last place in the stage, point classification penalty equal to the points awarded to the first place of the stage, 200 + 1' in general class. 3 rd offence: elimination + 200	1 st offence: relegation to the end of his field, + 100 + 30'' in general classification 2 nd offence: relegation to end of stage + 100 + 1' in general classification 3 rd offence: elimination + 200
10.2. Irregular Sprint		
10.2.1. One-Day Race	Relegation to the last place in his group + 200	Relegation to the last place in his field + 100
10.2.2. Stage Race	1 st offence: relegation to the last place in his group + 200 2 nd offence: relegation to last place in the stage + 200 3 rd offence: elimination + 200	1 st offence: relegation to end of his field + 50 2 nd offence: relegation to end of stage + 100 3 rd offence: elimination + 200
Moreover, the Commissaires Panel may, in particularly serious cases, eliminate and fine a rider with 200 on the first offence		
10.3. Pulling jersey		
10.3.1. One-Day Race	Rider: 200	Rider: 50
10.3.2. Stage Race	200 + 10'' per offence	50 + 10'' per offence

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10.3.3. During last km of the event	Disqualification + 200	Disqualification + 100
10.3.4. During last km of a stage	1 st offence: 200 + 20" 2 nd offence: 200 + elimination	1 st offence: 100 + 20" 2 nd offence: 100 + elimination
11. Pushing		
11.1. Pushing off against car, motorcycle, rider	Rider:	Rider:
11.1.1. One-Day Race	50 per offence	30 per offence
11.1.2. Stage Race	50, 5 penalty points in points classification and 10" per offence	30 + 10" per offence
11.2. Pushing amongst team-mates	Each rider involved:	Each rider involved:
11.2.1. One-Day Race	50 per offence	30 per offence
11.2.2. Stage Race	50 + 10" per offence	30 + 10" per offence
11.3. Pushing a member of another team	Pushing rider:	Pushing rider:
11.3.1. One-Day Race	200 + elimination	50 + elimination
11.3.2. Stage Race	200 + 10" penalty Elimination for offence during last stage or for 2 nd offence Other licence-holder: 200	50 + 10" penalty Elimination for offence during last stage or for 2 nd offence Other licence-holder: 200
11.4. Being pushed by a spectator	Rider: 20	Rider: warning
12. Wilful obstruction of a rider or a team car	Rider:	Rider
12.1. One-Day Race	200 + elimination	50 + elimination
12.2. Stage Race	200 and 10" 200 + elimination on 2 nd offence; For offence during last km of stage: 200, 30" and relegation to last place in the stage; for offence in last stage and for offence against one of the 1 st 10 riders placed: 200 + elimination Other licence-holder: 1000	50 and 10" 50 + elimination on 2 nd offence; For offence during last km of stage: 100, 30" and relegation to end of stage; for offence in last stage and for offence against one of the 1 st 10 riders placed: 100 + elimination Other licence-holder: 200

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13. Prohibited assistance to another rider during a circuit finish	Riders involved:	Riders involved:
13.1. One-Day Race	200 + elimination	100 + elimination
13.2. Stage Race	200 + relegation to last place in the stage 200 + elimination for offence during last stage or for 2 nd offence	100 + relegation to last place in the stage 100 + elimination for offence during last stage or for 2 nd offence
14. Wilful deviation from the course, attempt to be placed without having covered the entire course by bicycle, resuming the race after having accepted a lift in a vehicle or on a motorbike	Rider: 200 + elimination	Rider: 100 + elimination
14bis. Use of sidewalks/pavements, paths or cycle paths that do not form part of the course	rider: 200 and/or elimination	rider: 100 and/or elimination
15. Unintentional detour of the circuit constituting an advantage	time trial: 20" penalty stage race: downgrading to the last place in the peloton on-day event: eliminated	time trial: 20" penalty stage race: downgrading to the last place in the peloton on-day event: eliminated
16. Passing a level crossing which is already down	eliminated	eliminated
17. Cheating, attempted cheating, collusion between riders of different teams	Each rider involved:	Each rider involved:
17.1. One-Day Race	200 + elimination	100 + elimination
17.2. Stage Race	200 + 10' penalty + elimination for offence during last stage or for 2 nd offence Any other licence-holder; whether author, participant or accomplice: 200 + elimination	100 + 10' penalty + elimination for offence during last stage or for 2 nd offence Any other licence-holder; whether author, participant or accomplice: 100 + elimination

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18. Rider holding on to his team's vehicle:	Rider: elimination and 200 Team Manager: elimination and 200 Team: exclusion of the vehicle for the duration of the race without the possibility of replacement	Rider: elimination and 100 Team Manager: elimination and 100 Team: exclusion of the vehicle for the duration of the race without the possibility of replacement
Rider holding on to some other motor vehicle:	Rider: elimination and 200 Other licence-holder responsible for the vehicle: elimination and 200 If the vehicle is that of another team: elimination of the team manager of that team and exclusion of the vehicle for the duration of the race without the possibility of replacement	Rider: elimination and 100 Other licence-holder responsible for the vehicle: elimination and 100 If the vehicle is that of another team: elimination of the team manager of that team and exclusion of the vehicle for the duration of the race without the possibility of replacement
19. Sheltering behind or falling into the slip stream of a vehicle		
19.1. Briefly	Rider: 30	Rider: warning
19.2. For some time		
19.2.1. One-Day Race	50 + elimination for failure to heed 1 st warning Other licence-holder responsible of the vehicle: 200	30 + elimination for failure to heed 1 st warning Other licence-holder responsible of the vehicle: 100
19.2.2. Stage Race	50 and 20'' penalty per offence Other licence-holder responsible of the vehicle: 200	50 and 20'' penalty per offence Other licence-holder responsible of the vehicle: 100
20. Non-regulation breakdown or medical assistance		
20.1. One-Day Race	Rider: 100; During last 20 km: elimination + 200; failure to respect article 2.3.029: disqualification and 200	Rider: 30; During last 20 km: elimination + 50; failure to respect article 2.3.029: disqualification and 200
20.2. Stage Race	1 st offence: 50 2 nd offence: 100 Following offences: 200. During last 20 km of stage: 200, relegation to the last place in his group, 1' penalty in general classification. Other licence-holder: 200; failure to respect article 2.3.029: disqualification and 200	1 st offence: warning 2 nd offence: 20 Following offences: 100. During last 20 km of stage: 50, relegation to end of his field, 1' penalty in general classification. Other licence-holder: 100; failure to respect article 2.3.029: disqualification and 200

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21. Follower leaning out or holding supplies out of vehicle	Team manager: 1 st offence: 1000 2 nd offence: 2000	Team manager: 1 st offence: 200 2 nd offence: 500
22. Motor-cycle carrying breakdown supplies other than wheels	Motor-cyclist: 200 + elimination	Motor-cyclist: 100 + elimination
23. Unauthorised refreshments		
23.1. One-Day Race <ul style="list-style-type: none"> • in the first 50 km • in the last 20 km 	Rider: 200 Rider: 1000 Other licence-holder: 1000	Rider: 50 Rider: 150 Other licence-holder: 150
23.2. Stage Race <ul style="list-style-type: none"> • in the first 50 km of the stage • in the last 20 km of the stage 	200 200 and 20" per offence 1000 on 3 rd offence Other licence-holder: 1000	50 50 and 20" per offence 150 on 3 rd offence Other licence-holder: 150
24. Non-regulation supply of refreshments	Rider: 50 per offence Other licence-holder: 200 per offence	Rider: 20 per offence Other licence-holder: 50 per offence
25. Breach of regulations concerning vehicle movements during the race	Vehicle driver: 200	Vehicle driver: 100
26. Obstructing the progress of an official car	Rider: 50 Other licence-holder: 100	Rider: 20 Other licence-holder: 50
27. Abandoning a commissaire riding in a Trade Team, National Federation or association vehicle during the race	Team manager: 2000	Team manager: 200
28. Failure to respect instructions by the Race Administration or the commissaires	Rider: 30 to 100 Other licence-holder: 100 to 200	Rider: 30 to 100 Other licence-holder: 50 to 200

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28.1. Failure to respect instructions concerning a vehicle	<p>One-Day races: vehicle sent to back of motorcade for the entire race in question</p> <ul style="list-style-type: none"> • Stage races: vehicle sent to back of motorcade for the entire stage in question and for 1 to 3 following stages depending on gravity of offence 	<p>One-Day races: vehicle sent to back of motorcade for the entire race in question</p> <ul style="list-style-type: none"> • Stage races: vehicle sent to back of motorcade for the entire stage in question and for 1 to 3 following stages depending on gravity of offence
29. Insults, threats, unseemly behaviour	Any licence-holder: 50 to 200	Any licence-holder: 50 to 200
30. Acts of violence		
30.1. Among riders	<p>200 per offence + 1' penalty per offence in stage races</p> <p>Elimination for particularly serious aggression</p>	<p>100 per offence + 1' penalty per offence in stage races</p> <p>Disqualification for particularly serious aggression</p>
30.2. Towards anyone else	<p>Rider: elimination and 200</p> <p>Other licence-holder: 5000</p>	<p>Rider: elimination + 100</p> <p>Other licence-holder: 1000</p>
31. Theft of food, drink or any other goods during the race	Any licence-holder: 1000	Any licence-holder: 300
32. Carrying a glass container	Any licence-holder: 50	Any licence-holder: 30
33. Illegal or dangerous throwing of an object The throwing of an object into the crowd	<p>Any licence-holder: 50</p> <p>Other offence during the same race: 50 to 200 (the penalty is applied to the team if the rider cannot be identified individually)</p>	<p>Any licence-holder: 30</p> <p>Other offence during the same race: 30 to 120 (the penalty is applied to the team if the rider cannot be identified individually)</p>
34. Discarding a glass object	Any licence-holder: elimination + 100	Any licence-holder: elimination + 50
35. Recrossing the finishing line in the direction of the race while still wearing a number panel	Rider: 30	Rider: warning
36. Failing to attend official ceremonies		
<ul style="list-style-type: none"> • World Cup event • Other event 	<p>Rider: 200 + forfeiture of prizes and World Cup points earned in the race</p> <p>Rider: 200 + forfeiture of prizes</p>	Rider: 100+ forfeiture of prizes
37. [abrogated]		

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<p>37bis. Mechanical assistance, refreshments and behaviour of a team manager and/or a rider which damages the image of cycling</p> <p>(For instance: «sticky bidons», mechanical check not properly done when stationary, etc.)</p>	<p>1^{re} infringement:</p> <ul style="list-style-type: none"> • Team Manager : 30 to 100 • Rider: 30 to 100 <p>2^einfringement at the same stage or race:</p> <ul style="list-style-type: none"> • Team Manager:100 • One-day race: vehicle demoted to the last place for the entire race concerned • Stage race: vehicle demoted to the last place in the stage concerned • Rider: 100, 5 penalty points in points classification and 10'' <p>3^e infringement at the same stage or race:</p> <ul style="list-style-type: none"> • Team Manager: 200, excluded from the competition • Team: vehicle excluded until the end of the race without the possibility of being replaced • Rider: 200, 5 points in the points classification and 10'' 	<p>1^{re} infringement:</p> <ul style="list-style-type: none"> • Team Manager : 20 to 100 • Rider: 20 to 100 <p>2^einfringement at the same stage or race:</p> <ul style="list-style-type: none"> • Team Manager:100 • One-day race: vehicle demoted to the last place for the entire race concerned • Stage race: vehicle demoted to the last place in the stage concerned • Rider: 100, 5 penalty points in points classification and 10'' <p>3^e infringement at the same stage or race:</p> <ul style="list-style-type: none"> • Team Manager: 200, excluded from the competition • Team: vehicle excluded until the end of the race without the possibility of being replaced • Rider: 200, 5 points in the points classification and 10''
<p>ROAD STAGE RACES</p>		
<p>38. Failure to wear an awarded leader's jersey or one-piece</p>	<p>Rider : start refused or elimination + 200</p>	<p>Rider : start refused or elimination + 50</p>
<p>39. Demonstration or collusion to avoid being eliminated</p>	<p>Rider : 200 to 1000</p>	<p>Rider : 50 to 200</p>
<p>INDIVIDUAL ROAD TT EVENTS</p>		
<p>40. Riders failing to respect regulation distances and gaps</p>	<p>Rider: 100</p>	<p>Rider: 30</p>
<p>40.1.Slip-streaming</p>	<p>100 and time penalty as table in article 12.1.041</p>	<p>30 and time penalty as table in article 12.1.041</p>
<p>41. Following vehicle failing to respect a distance of 10 m</p>	<p>Team manager: 200 Rider: 20''</p>	<p>Team manager: 100 Riders: 20''</p>

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42. Breach of provisions concerning the circuit and warming up	Team manager: 200 Rider: 100 Organiser: 500	Team manager: 100 Rider: 30 Organiser: 150
TEAM ROAD TT EVENTS		
43. Riders failing to respect regulation distances and gaps	Each rider: 100	Each rider: 30
43.1.Slip-streaming	Each rider: 100 and time penalty as table in article 12.1.041	Each rider: 30 and time penalty as table in article 12.1.041
44. Pushing amongst riders of the same team		
44.1.Normal Race	Elimination of team + 200 per rider involved	Elimination of team & 50 per rider involved
44.2.Stage Race	1' penalty in stage classification for each rider in the team + 200 per rider involved	1' penalty in stage classification for each rider in the team + 50 per rider involved
45. Following vehicle failing to respect a distance of 10 m	Team manager: 200 Each rider in the team 20"	Team manager: 100 Each rider in the team 20"
46. Breach of provisions concerning the circuit and warming up	Team manager: 200 Rider: 100 Organiser: 500	Team manager: 100 Rider: 30 Organiser: 150
CYCLO-CROSS RACES		
47.1.Non-regulation exchange of material	Elimination	Elimination
47.2.Passage in the pit area without changing material	Elimination	Elimination
48. Rider failing to respect the starting order set in article 5.1.043	100	100
49. Rider continuing in race after having been overtaken in the case of article 5.1.051	100	100
50. Unauthorised refreshments	Disqualification	
MOUNTAIN BIKE EVENTS		
51. Non-regulation assistance	Elimination	Elimination

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52. Acts of violence	Elimination	Elimination
53. Rider's failure to respect start rules	100	100
54. Use of radio links or other remote means of communication	Start refused	Start refused
55. Delayed or overhauled rider continuing the race in violation of the regulation	Elimination	Elimination
56. Failure to use the handlebar plate during training	100	100

(text modified on 1.01.00; 1.01.02; 1.01.03; 5.05.03; 1.01.04; 1.01.05; 1.01.06; 1.01.07; 1.01.09; 1.07.10; 1.10.10; 1.07.11; 1.10.11; 1.10.13; 7.03.14; 16.06.14; 1.01.15).

UCI CYCLING REGULATIONS

12.1.041 Table of time penalties in Road Time Trial races

TABLE OF TIME PENALTIES IN TIME TRIAL RACES

Dist. en metres	SPEED IN KPH																															
	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	
50	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3	
100	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	4	4	4	4	4	5	5
150	1	1	1	1	1	2	2	2	2	2	3	3	3	3	3	3	4	4	4	4	4	4	5	5	5	5	5	5	5	5	6	6
200	2	2	2	2	2	2	3	3	3	3	3	4	4	4	4	4	5	5	5	5	5	5	6	6	6	6	6	6	6	7	7	7
250	2	2	2	2	3	3	3	3	4	4	4	4	4	4	5	5	5	5	5	6	6	6	6	7	7	7	7	7	8	8	8	9
300	2	2	3	3	3	3	4	4	4	4	4	5	5	5	6	6	6	7	7	7	7	8	8	8	9	9	9	10	10	11	12	
350	3	3	3	3	3	4	4	4	5	5	5	5	6	6	6	7	7	7	7	8	8	8	9	9	10	11	11	12	13	14	15	
400	3	3	3	3	4	4	4	5	5	5	5	6	6	7	7	8	8	9	9	9	10	10	11	12	13	14	15	16	17	18	19	
450	4	4	4	4	5	5	5	6	6	6	6	7	7	8	8	9	10	11	11	12	12	13	14	15	16	17	18	19	20	22	23	
500	4	4	4	5	5	5	6	6	7	7	7	8	8	9	9	10	11	12	12	13	14	15	16	17	18	20	21	22	24	26	28	
550	5	5	5	6	6	6	7	7	8	8	8	9	10	10	11	12	13	14	15	16	16	17	18	20	22	24	26	27	29	31	33	
600	5	5	6	6	7	7	8	8	9	9	10	11	11	12	12	13	14	15	16	17	19	20	21	23	25	27	29	31	33	35	38	
650	6	6	6	7	7	8	8	9	10	11	12	12	13	14	15	16	17	18	20	22	23	25	27	29	31	33	35	37	40	43		
700	6	6	7	7	8	8	9	9	10	12	13	14	15	16	17	18	19	20	21	23	25	27	29	31	33	36	38	40	42	46	49	
750	6	7	7	8	8	8	9	10	11	13	14	15	16	17	18	20	21	22	24	26	28	30	32	35	37	40	42	44	47	50	55	
800	7	7	7	8	9	9	10	11	12	14	15	16	17	19	21	23	24	25	27	29	31	33	36	39	42	45	47	49	52	56	61	
850	7	7	8	9	9	10	11	13	14	15	17	18	19	21	23	25	27	29	31	33	35	37	40	43	47	50	53	56	59	62	68	
900	7	8	9	10	11	12	13	14	15	17	19	20	22	24	26	28	30	32	34	36	39	42	45	48	51	55	58	61	65	69	75	
950	8	9	10	11	12	13	14	15	17	19	21	23	25	27	29	31	33	35	37	39	42	45	48	51	55	60	64	67	71	75	82	
1000	8	9	11	12	13	14	15	17	19	21	23	25	27	29	31	34	36	38	40	43	46	49	52	56	60	64	68	72	77	82	90	

II Chapter POWERS AND PROCEDURES IN DISCIPLINARY MATTERS

§ 1 Generalities

12.2.001 Race incidents committed during National Calendar races shall be judged and penalised by the National Federation of the race organiser according to its regulations.

12.2.002 Other breaches of the UCI Regulations committed during or in relation with a National Calendar event shall be judged and penalised by the National Federation that issued the license to the offender.

The penalties to be handed down shall be those provided for in the UCI Regulations. The procedure shall be that provided for in the regulations of the National Federation.

12.2.003 Race incidents committed during World and Continental Calendar races shall be judged and penalised according to Arts. 12.1.010 *et seq.*

12.2.004 Unless specially provided, other breaches of UCI Regulations shall be judged and penalised by the Commissaires Panel or by the Disciplinary Commission according to the following rules.

12.2.004 bis The competent National Federation is determined in accordance with the time of the facts, even if the individual obtains a license from another federation before or during the disciplinary procedure.

(article introduced on 1.09.03).

§ 2 Commissaires Panel

12.2.005 The Commissaires Panel shall, in a World or Continental Calendar event be empowered to judge and penalise any offence, excepting such offences as be committed by a National Federation or by an organiser regarding the event under its supervision and which is punishable by a fine, a refused start or a disqualification or any combination thereof.

The Commissaires Panel may pass judgement on any offences of which it becomes aware up to the moment that it is disbanded.

(text modified on 1.01.03).

12.2.006 The Commissaires Panel may judge the matter only if the offending party has had a chance to defend his point of view or if, being present when summoned, he fails to respond.

12.2.007 Decisions handed down by the Commissaires Panel are final and not open to appeal.

An appeal before the Disciplinary Commission is possible only in the case the Commissaires Panel imposed a fine exceeding CHF 200.

(text modified on 1.01.10).

12.2.008 Decisions shall be noted in the report by the Commissaires Panel. Except when a copy of the decision has been delivered to the person penalised in return for an acknowledgement of receipt, the Chief Commissaire shall inform the offending party's National Federation of the decision within eight days of the end of the event. The National Federation shall notify the offending party of the decision by registered letter sent by latest the day after the reception of the notification referred to above.

12.2.009 An appeal may be lodged with the Disciplinary Commission against any decisions carrying a fine exceeding CHF 200.

12.2.010 The appeal shall be lodged by registered letter within thirty days of the notification of the decision to the offender.

(text modified on 1.01.10).

12.2.011 The appeal to the Disciplinary Commission shall suspend execution of the decision of the Commissaires Panel.

12.2.012 The decision of the Disciplinary Commission on an appeal may not be further appealed.

§ 3 Disciplinary Commission

12.2.013 Unless otherwise provided, the Disciplinary Commission shall have jurisdiction to judge and penalise breaches of the UCI Regulations. Nevertheless the Disciplinary Commission shall declare itself incompetent if the same offence was judged by the Commissaires Panel under Art. 12.2.005, notwithstanding its jurisdiction in appeal cases against decisions by the Commissaires Panel.

12.2.014 Besides the exception of article 12.2.009, matters shall be placed before the Disciplinary Commission by the UCI.

(text modified on 1.01.10).

12.2.015 If the offence is or can be penalised by only a fine, the UCI may propose to the offending party payment of the fine provided for in the Regulations. If payment is made, the disciplinary action shall be deemed closed.

12.2.015 bis The Disciplinary Commission shall exercise the powers of the Management Committee in imposing fines on National Federations. The power of the Management Committee to suspend National Federations may not be delegated.

(article introduced on 1.01.10).

Rules of Procedure of the Disciplinary Commission

12.2.016 The Disciplinary Commission shall be composed of a Chairman and a number of members appointed by the UCI Management Committee.

Each matter brought before the Disciplinary Commission shall be heard by a panel comprising one or three members (hereinafter called panel) designated by the Chairman of the Disciplinary Commission. Any member of the panel having a direct or indirect interest in the matter at issue shall ask to be replaced.

(text modified on 1.01.10).

- 12.2.017** Any matter shall be addressed to the Disciplinary Commission at the UCI headquarters and shall at least include the details (in particular the complete name and address) of the offending party and the description of the incident as well as – in appeal cases against decisions by the Commissaires Panel according to article 12.2.009 – a copy of the challenged decision of the Commissaires Panel.

(text modified on 1.01.10).

- 12.2.018** The Chairman of the panel or if applicable its single member shall lead the procedure. He shall send the documents submitted by the claimant to the offending party and grant the latter a deadline in order to present his defense.

The offender shall be able to consult the file and to obtain a copy at his expense.

Except in case of agreement of both parties or decision of the Disciplinary Commission, the parties have to indicate the names of witnesses and experts they would like to have heard at the latest with their respective statements. The party requesting the audition shall meet the travel costs of these persons and shall also ensure that they be summoned to appear.

(text modified on 1.01.10).

- 12.2.019** The Chairman of the panel (or its single member) shall summon the offending party to a hearing. Unless the Chairman of the panel (or its single member) decides otherwise, the hearing shall be held at the UCI headquarters in Aigle. The offending party may submit his defense and may be assisted by an advisor of his choice.

The panel may summon to the hearing and question anyone whose evidence it may deem useful.

Any expenses incurred thereby shall be met by the UCI unless otherwise decided by the panel.

(text modified on 1.01.10).

- 12.2.019 bis** If one party fails to appear at the hearing, the panel shall decide on the basis of the written file on the date of the hearing.

(article introduced on 1.01.10).

- 12.2.020** The panel's decision shall be rendered as soon as possible after the close of the discussions. It shall be adopted by a majority vote and mention the identity of the members who took part in the deliberations. The decision shall be set down in writing, explained and signed by the president of the panel (or its single member). A copy of the decision shall be sent to the offending party by registered mail. The original of the decision shall be lodged with the UCI secretariat.

However, the panel may decide to communicate the holding of the decision to the parties, prior to the reasons.

(text modified on 1.01.10).

- 12.2.021** The proceedings shall be conducted in French or English.

During hearings, the parties may use some language other than the procedural language provided that they meet the cost of simultaneous interpretation which may be provided by their own interpreter.

Appeal

12.2.022 Unless otherwise stipulated, an appeal may be lodged with CAS against decisions of the UCI Disciplinary Commission.

(text modified on 1.01.10).

12.2.023 Said appeal shall be lodged within thirty days of the receipt of the decision and the reasons for it.

(text modified on 1.01.10).

12.2.024 [abrogated on 1.01.10].

12.2.025 An appeal to CAS shall not suspend the enforcement of the decision already taken, save in the case of the application of article 12.2.031.

Nevertheless the appellant may address to CAS a petition that the effect be suspended.

As for the rest, CAS rules concerning appeals procedures are applicable.

(text modified on 1.01.10).

12.2.026 The disciplinary procedure of National Federations in respect of offences referred to in Art.12.2.002 shall guarantee licence-holders a right of defence, involving at least:

- a written summons mentioning the facts with which they are reproached
- a chance to consult the case file
- a hearing where the accused party may submit written and oral defence
- the help of an advisor of their choice
- the right to present witnesses and experts
- a public hearing, unless there be good reason to the contrary
- a written and motivated decision.

12.2.027 The UCI shall be entitled to intervene in a disciplinary procedure pending before the authorities of a National Federation and to give its opinion.

§ 4 National Federations

12.2.028 If the licence-holder does not, according to the regulations of the National Federation, have an opportunity to enter an appeal against a first decision concerning him, he may file an appeal with the UCI Disciplinary Commission if he has been sentenced to effective suspension of a month or more. This appeal shall be entered within 30 days of the communication or, where there is no communication, of the publication of the decision. The UCI Disciplinary Commission decides in the last instance.

(text modified on 1.01.10).

12.2.029 The National Federation shall take disciplinary action against each licence-holder concerned when - ever it learns of a breach of UCI Regulations and which falls within the scope of article 12.2.002.

- 12.2.030** The Federation shall institute proceedings within a fortnight of the moment when it learns of the facts. The decision of the first level disciplinary body shall be handed down in a maximum of two month from the moment when the National Federation learns of the facts. If need be, the decision of the appeal body shall be rendered within a maximum of three month from the same moment, plus the appeal period.

In case of a delay not justified by requirements of the case, the National Federation shall be fined CHF 5'000 per week's delay.

Moreover, in the case of persistent delay and preliminary warning from UCI, the UCI Disciplinary Commission shall decide on the case at the request of UCI. Said decision shall be final and not open to appeal. The cost of such a procedure shall be met by the National Federation of the licence-holder in addition to the fine referred to in the preceding paragraph. This fine shall be due for each week or part thereof until the case is brought before the UCI Disciplinary Commission.

(text modified on 1.01.10).

- 12.2.031** The UCI Management Committee may lodge an appeal with CAS against a final decision adopted by a National Federation if it considers it to be disproportionate or contrary to the UCI Constitution or Regulations. The parties concerned as well as the National Federation shall be summoned to the hearing.

(text modified on 1.01.10).

III

Chapter COMPETENCE AND PROCEDURES IN CASE OF DISPUTES

§ 1 General

12.3.001 Unless otherwise provided, any dispute between licence-holders or persons or authorities subject to the provisions of the UCI Constitution and Regulations over the application or interpretation thereof shall be submitted to the UCI Arbitral Board (hereafter Arbitral Board).

(text modified on 06.04.05; 1.01.10).

12.3.002 The matter shall be brought on petition.

(text modified on 1.01.10).

12.3.003 [abrogated on 1.01.10].

12.3.004 Disputes between National Federations shall be submitted to CAS in accordance with article 75 b of the UCI Constitution.

(text modified on 1.01.10).

12.3.005 Licence-holders and other parties subject to the UCI Constitution and Regulations shall submit all disputes and disagreements to the authorities stipulated in that Constitution and those Regulations.

Any person, organisation or body which fails to carry out the terms of the decision in good time shall be suspended as of right until those terms have been complied with in full.

(text modified on 1.07.00).

12.3.006 No appeal may be brought before the common courts until all the remedies provided for in the UCI Constitution and Regulations have been exhausted.

12.3.007 Any action brought against the UCI before a court shall be brought exclusively before the relevant court of the administrative district (Swiss canton) in which the UCI has its headquarters, even where third-party proceedings are involved. The plaintiff may not avail himself of any connexity whatsoever.

§ 2 UCI Arbitral Board

Remit

12.3.008 Unless otherwise provided, the Arbitral Board shall decide:

- a) any dispute between licence-holders and/or persons and/or entities subject to the provisions of the UCI Constitution and Regulations concerning the application or interpretation thereof;
- b) any other form of contractual dispute between the same parties as far as it is in relation with the sport of cycling and as far as the parties did not expressly agree on a different system of resolution of the dispute. This shall apply particularly to the

contract between riders and teams. In case of doubt, the competence of the Arbitral Board is presumed.

The competences of the Licence Commission and of the Court of Arbitration for Sport (hereafter TAS) are reserved.

(text modified on 06.04.05; 1.01.10).

12.3.009 [abrogated on 1.01.10].

12.3.010 The Arbitral Board shall not be competent in disciplinary affairs, matters regarding doping, matters regarding safety and the conditions of the sport or for matters concerning the World Championships or the Olympic Games.

(text modified on 06.04.05; 1.01.10).

Procedures

Rules of Procedure of the Arbitral Board
(numbering changed!)

Composition of the panel

12.3.011 Subject to what is stipulated hereafter, matters brought before the Arbitral Board shall be heard by a panel of three members.

One member shall be appointed by the appellant and one by the accused party. The president of the panel shall be appointed by the president of the Arbitral Board.

The appointment by the appellant must be made on request and that by the accused party within the time limit set by the president of the Arbitral Board. If a party should fail to appoint a member then that appointment shall be made by the president of the Arbitral Board.

In the event that there are multiple appellants or persons accused, the appointment shall be made by common agreement between the concerned parties (claimants and/or respectively defendants). Failing an agreement on the appointment of the member and communication of that name within the set deadline, that appointment shall be made by the president of the Arbitral Board.

If the president has appointed a member of the panel, he may not himself form part of the panel.

The president may delegate the other tasks incumbent on him under the rules of procedure to a person appointed according to article 12.3.012 below.

(text modified on 1.01.10).

12.3.012 The members of the panel shall be appointed by the UCI Management Committee.

(text modified on 1.01.10).

12.3.013 The panel shall be composed of a single member in the following cases:

- with the agreement of the parties. In this case the single member shall be appointed by mutual consent of the parties or, failing an agreement on this point, by the president of the Arbitral Board, in any case, among the people appointed according to article 12.3.012
- by decision of the president of the Arbitral Board (particularly in urgent cases or when the disputed sum is less than CHF 50'000).

The sole arbitrator shall not have the nationality of one of the parties, unless the other party agrees so. In this regard, UCI is considered as party without nationality.

The reference to the “president of the panel” or to the “panel” in the present chapter not only includes the “president of the panel” of three arbitrators respectively the complete “panel” of three arbitrators but also, if applicable, its single member, i.e. the sole arbitrator.

(text modified on 1.01.10).

12.3.014 Any arbitrator with a personal interest in a case must withdraw from it.

12.3.015 Any dispute concerning the composition of the panel shall be settled by the president of the Arbitral Board or, if it involves his person, by his deputy.

(text modified on 1.01.10).

Introduction and preparation

12.3.016 Any matter shall be lodged in a petition including:

- i. the surname and first name or denomination of the appellant
- ii. the full address of the domicile or the headquarters of the appellant
- iii. if need be, the elected domicile to which all communications on the procedure will be sent
- iv. the purpose of the petition
- v. the party or parties against whom (which) petition is being brought with his (their) full address(es)
- vi. the reasons for the petition
- vii. the appellant’s signature
- viii. a list of enclosures accompanying the petition.

Items i, ii, iv, v, vi and vii shall be mandatory failing which the appeal shall not be entertained.

(text modified on 1.01.10).

12.3.017 The petition shall be addressed to the Arbitral Board and sent to UCI headquarters. The UCI secretariat shall send one copy of the petition and enclosures to each accused party.

(text modified on 1.01.10).

12.3.018 The president of the panel, or, in case of urgency, the president of the Arbitral Board, shall set the time limits within which the respondent(s) must lodge his(their) response and supporting documents.

Moreover, the president of the panel shall lead the procedure. Where necessary he shall authorise other written exchanges and set the relevant time limits.

Memorandums and the relevant supporting documentation submitted after the set deadlines, shall not be taken into account during the discussions, except with agreement of all the parties or decision of the president of the panel.

(text modified on 1.01.10).

- 12.3.019** Each party shall send its pleadings and supporting evidence, as well as any other communication to the Arbitral Board secretary, to each of the members of the panel and to each other party involved.

(text modified on 1.01.10).

- 12.3.020** Any party wishing to have witnesses or an expert examined shall communicate the identity of such persons at the latest in its last pleading. It shall itself look to convening those persons.

In that case, the other parties shall automatically be entitled to have other witnesses or experts examined. If their last pleading has already been lodged, they shall communicate the identity of persons to be examined as soon as possible.

- 12.3.021** The panel may order any investigative measure.

(text modified on 1.01.10).

- 12.3.022** Should a party waive the presentation of a pleading, an investigative measure or a hearing, it shall make this known as soon as possible.

Hearing

- 12.3.023** The Chairman of the panel shall determine the place and date of the hearing at which the parties as well as, if need be, experts and witnesses will be heard.

The hearing shall be called by fax or by registered letter.

Should the parties give their consent, a decision shall be rendered without a hearing. Even without such consent and if the circumstances justify it, the panel shall decide to render a decision without a hearing, based on the written documents. The decision shall be made after consulting the parties.

(text modified on 1.01.10).

- 12.3.024** In principle, hearings shall take place at the UCI headquarters in Aigle. However, the panel may decide to hold hearings at a different venue. During the hearing the panel may be assisted by a secretary who shall not participate in the deliberations.

(text modified on 1.01.10).

- 12.3.025** Hearings shall be public unless otherwise decided by the panel requested by one of the parties.

- 12.3.026** Each party shall be entitled to be represented by a lawyer or by any other person of his choice. On request, the representative shall give proof of his authorization in writing.

Each party shall be heard as well as any witnesses and experts summoned.

(text modified on 1.01.10).

Non-participation in the procedure

- 12.3.027** The fact that a party duly notified does not participate in the procedure does not hinder the panel from proceeding. This is particularly the case if the defending party or parties do not file their brief or do not appear.

(text modified on 1.01.10).

Decision

- 12.3.028** The decision shall be handed down as soon as possible after the close of discussions. It shall be adopted by a majority vote. It shall mention the identity of the members who took part in the deliberations.

The original of the decision shall be signed by the president of the panel.

(text modified on 1.01.10).

- 12.3.029** The decision shall be dated and explained. However, the panel may announce its decision immediately following its deliberations and give its explanations later.

- 12.3.030** A copy of the decision shall be sent to each party. The original of the decision shall be lodged with the UCI secretariat.

Costs

- 12.3.031** The decision shall mention the cost of the procedure, which include the fees of members of the panel.

- 12.3.032** Costs of the procedure established by the Secretary shall be met by the parties according to the assignment established by the panel. The assignment shall mainly take into account the outcome of the procedure but also all the circumstances. A party may be required to contribute to the costs of the adverse party.

Parties may be asked to pay cash advances at the beginning of or during the procedure. Should the claimant(s) not pay the required cash advances within the set deadline, a final deadline will be set for payment failing that the claim will be considered withdrawn. Should cash advances be required in relation with an investigative measure asked by the parties, the panel shall not proceed to these measures if the cash advances are not paid.

(text modified on 1.01.10).

Procedural language

- 12.3.033** The petition shall be written in French or English. The language of the petition shall be the language in which the proceedings are conducted, except by agreement between the parties or decision by the panel. All procedural documents shall therefore be written in that language, failing which they shall be invalid.

(text modified on 1.01.10).

- 12.3.034** The panel may order the translation of documentary evidence written in any other language than French or English.

(text modified on 1.01.10).

12.3.035 During hearings, the parties may use a language other than the procedural language as far as they meet the costs of the interpretation.

(text modified on 1.01.10).

Appeal

12.3.036 The decisions of the Arbitral Board are subject to an appeal to the Court of Arbitration for Sport in Lausanne (CAS). The appeal must be lodged within thirty days of the receipt of the decision and the reasons for it.

(text modified on 06.04.05; 1.01.10).

IV
Chapter [chapter abrogated on 1.01.10]