

Statutes

2.9. ENFORCEMENT STANDARDS FOR FAI MEMBERS AND BODIES

2.9.1. VIOLATIONS, PENALTIES AND APPEALS

2.9.1.1. All members and bodies of FAI are obligated to enforce the Statutes, By-Laws and Sporting Code. The following penalties shall apply in cases where the Statutes, By-Laws or Sporting Code have been knowingly or wilfully violated:

2.9.1.1.1. - A violation by an individual member of an FAI member organisation shall, when referred to and verified by that organisation, be appropriately punished by admonition, reprimand, a fine, suspension or cancellation of the individual's Sporting Licence as set forth in this Chapter.

2.9.1.1.2. - A violation by an FAI member organisation or other FAI body or one of its individual members shall, when referred to and verified by the FAI President, upon a decision by the Executive Board, be appropriately punished by admonition, reprimand, a fine, suspension, withdrawal of Sporting Powers, or expulsion as set forth in this Chapter. A right of appeal to the FAI General Conference against the decision of the Executive Board exists as set forth in this Chapter.

2.9.1.1.3. - An FAI member organisation that fails to deal appropriately with individual member violations or ceases to carry out its obligations to FAI, including payment of dues, shall, upon a decision by the Executive Board, be appropriately punished by admonition, reprimand, a fine, suspension, withdrawal of Sporting Powers or expulsion as set forth in this Chapter. A right of appeal to the FAI General Conference against the decision of the Executive Board exists as set forth in this Chapter.

2.9.1.1.4. - In addition to the above penalties, individuals and bodies shall be subject to applicable civil laws.

2.9.1.1.5. - Any decisions made by the appropriate highest FAI authority may be submitted exclusively by way of appeal to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of Sports-Related Arbitration. The time limit for appeal is twenty-one days after the reception of the decision concerning the appeal.

2.9.2. Detailed procedures for implementing these penalties and for filing appeals are set forth below.

2.9.2.1. VIOLATIONS BY INDIVIDUAL MEMBERS OF FAI MEMBER ORGANISATIONS

2.9.2.1.1. When an FAI Member organisation is notified, or otherwise becomes aware, of a possible violation of the FAI Statutes, By-Laws or Sporting Code by one or more of its individual members, the head of that organisation shall appoint one or more of its officers to investigate the allegation(s).

2.9.2.1.2 The investigation shall seek, within forty five days, to ascertain the following :

2.9.2.1.2.1. - The facts;

2.9.2.1.2.2 - Any extenuating circumstances;

2.9.2.1.2.3. - Whether the alleged violation was willingly or knowingly committed;

2.9.2.1.2.4. - Recommended penalty, if any.

2.9.2.1.3. Upon receipt of the investigation report, the head of the organisation shall notify the alleged violator if no penalty was recommended, in which case the matter shall be closed. No penalty shall be imposed if none was recommended by the investigating individual(s).

2.9.2.1.4. Should a penalty be recommended, the head of the organisation shall convene a meeting of that organisation's board of directors or executive committee to decide whether the recommended penalty or another penalty shall be imposed. Decision shall be taken on an absolute majority vote.

2.9.2.1.5. The head of the organisation shall notify the violator of the penalty voted. That individual may:

2.9.2.1.5.1. - accept the penalty without comment; or

2.9.2.1.5.2. - accept the penalty with a formal comment; or

2.9.2.1.5.3. - appeal against the penalty to the appropriate FAI body.

2.9.2.1.6. Annual reports on penalties imposed during the previous calendar year shall be forwarded to FAI by January 31 of each year.

2.9.2.2. VIOLATIONS BY AN FAI MEMBER ORGANIZATION

2.9.2.2.1. When FAI is notified or otherwise becomes aware, of a possible violation of the FAI Statutes, By-Laws or Sporting Code by one or more of its Members, the FAI Secretary General shall inform the Executive Board and shall determine whether or not the complaint or other notification received appears legitimate and worthy of investigation. If this is the case, the Member(s) concerned shall be invited to make comments, and any complaining party shall in turn be invited to comment on those responses. If these do not satisfactorily resolve the issue, the Secretary General shall then invite the FAI President to appoint a Board of Inquiry consisting of three individuals to investigate the allegation(s). The Board of Inquiry shall invite all parties involved to submit evidence to the hearings, and if necessary to attend hearings in person. Each party shall pay their own expenses to attend hearings.

2.9.2.2.2. The investigation shall seek, within ninety days, to ascertain the following :

2.9.2.2.2.1. - The facts;

2.9.2.2.2.2. - Any extenuating circumstances;

2.9.2.2.2.3. - Whether the alleged violation was wilfully or knowingly committed;

2.9.2.2.2.4. - Recommended course of action. This may include, but shall not be limited to:

- rejection of the complaint ;

- setting of a time-limit by which all parties involved must have remedied the situation;

- financial penalties

- recovery of sporting powers from the FAI Member to FAI;

- recommendation to General Conference for admission of additional Associate Members in a country where an FAI Member is in violation of FAI Statutes, By Laws or Sporting Code.

- recommendation to General Conference for a Member's suspension or expulsion.

2.9.2.2.3. Upon receipt of the investigation report, the FAI President shall notify the alleged violator if no penalty was recommended, in which case the matter shall be closed. No penalty shall be imposed if none was recommended by the Board of Inquiry.

2.9.2.2.4. Should a penalty be recommended, the FAI President shall report the matter to the FAI Executive Board for decision as to the recommended penalty or another penalty. Decision shall be taken by majority vote of the Executive Board.

2.9.2.2.5. The FAI President shall notify the FAI member organisation involved. That member may :

2.9.2.2.5.1. - accept the penalty without comment; or

2.9.2.2.5.2. - accept the penalty with a formal comment; or

2.9.2.2.5.3. - file an appeal to the General Conference for consideration at the next meeting of the Conference.

General Section

6.2 PENALTIES AND DISQUALIFICATIONS

6.2.1 A competitor may be penalised or disqualified from participation in a Sporting Event in accordance with provisions designated by the ASC concerned.

6.2.2 Penalties may be imposed for Technical Infringements (including, but not limited to, failure to comply with rules caused by mistake or other inadvertence), Serious Infringements (including, but not limited to, dangerous or hazardous behaviour or actions) and Unsporting Behaviour (including, but not limited to, cheating or unsporting behaviour, including deliberate attempts to deceive or mislead officials, bringing FAI into disrepute, wilful interference with other competitors, falsification of documents, use of forbidden equipment or prohibited drugs and violations of airspace) at the discretion of the ASC concerned.

6.2.3 The ASC concerned shall decide where, when and how any penalties or disqualifications from participation are applied.

6.2.4 The ASC concerned shall decide how notification of any penalties and disqualifications will be published.

Code of Ethics

Breaches of Code of Ethics

Any breaches of this Code will be considered by the FAI Executive Board, advised by the FAI Executive Director responsible for Ethics. Action may be taken in accordance with FAI Enforcement Procedures (By Laws Chapter 6).

CIAM

C.19 PENALTIES

CIAM Bureau or contest officials are entitled to apply penalties to participants (team managers, competitors, helpers, callers, mechanics, ...) or officials for any infringements of the FAI Sporting Code according to FAI Sporting Code General Section 6.2. Unless specified otherwise, infringements are punishable regardless of whether they have been committed deliberately or negligently.

C.19.1 Penalties imposed by the contest director Penalties may be imposed by the contest director, with the consent of the FAI Jury, for:-Technical Infringements (including, but not limited to, failure to comply with rules caused by mistake or oversight).-Serious infringements (including, but not limited to, dangerous or hazardous behaviour or actions);-Unsporting behaviour (including, but not limited to cheating, deliberate attempts to deceive or mislead officials, bringing FAI into disrepute, wilful interference with other competitors, falsification of documents, use of forbidden equipment or prohibited drugs and violations of airspace). Once a competitor is called to the flight line or the flying circle for an official attempt, smoking or consuming alcoholic drinks is also considered as unsporting behaviour, until the attempt is finished.

C.19.1.1 Range of penalties The severity of the penalties imposed may range from a minimum loss of points to disqualification, as appropriate to the offence.

a) Technical Infringements. Unless a different penalty is detailed in the dedicated Sporting Code Section 4 Volumes, technical infringements of rules or failure to comply with requirements caused by mistake or oversight where no advantage has been gained or could have been gained by the competitor concerned should, as a guide, carry penalties leading to a reduction of not less than 2 % of the best score or maximum available score for the task. However if the competitor is making use of a model, equipment or fuel which does not conform in all respects to the rules and regulations of the event or which has not been verified by the organisers, he shall be disqualified from the contest.

b) Serious Infringements. Unless a different penalty is detailed in the dedicated Sporting Code Section 4 Volumes, serious infringements, including dangerous or hazardous actions or repetitions of lesser infringements should, as a guide, carry minimum penalties leading to a reduction of not less than 5 % of the best score or maximum score for the task.

c) Unsporting behaviour. Cheating or unsporting behaviour, including deliberate attempts to deceive or mislead officials, wilful interference with other competitors, falsification of documents, use of forbidden equipment or prohibited drugs, violations of airspace, or repeated serious infringements of rules should, as a guide, result in disqualification from the contest. Unsporting behaviour is also to be considered as any conscious effort by a participant, directly involved with a national team, to influence, intimidate, or threaten contest officials or other competitors or teams, with the intent of gaining an advantage over other competitors or teams, irrespective if this occurs directly before, during, or directly after the sporting event, and this behaviour may result in disqualification of the individual or the team from the contest.

d) Disqualification from the contest. All competitors making use of a model, equipment or fuel which does not conform in all respects to the rules and regulations of the event or which have not been verified by the organiser shall be disqualified from the contest.

C.19.1.2 Information and publication The FAI Jury shall notify the concerned competitor and/or the team manager immediately after a penalty decision and quote the reasons for the penalty. Penalties shall be listed on the score sheet of the day on which the penalty was given.

C.19.2 Penalties imposed by CIAM Bureau. Penalties may also be imposed by the CIAM Bureau, after an infringement is reported to the CIAM Bureau. A report may be, but is not limited to the FAI Jury report. In that case, the CIAM Bureau shall decide where, when and how any penalties or disqualifications from participation are applied

C.19.2.1 Types of penalties

The following penalties may be imposed on participants or officials by CIAM Bureau:

a) a warning, admonishment or reprimand;

b) a direction not to compete or participate or officiate in a particular event or events or class (or types of event or classes) for a specific period of time;

- c) recommendation to FAI executive Board for suspension of the FAI Sporting License for a specific period of time;
- d) disqualification from a particular event or events or class (or types of event or classes);
- e) removal from the international judges list for a specific period of time;f)any sanction set out in the FAI Code of Ethics;
- g) any other sanction which is within the powers of FAI or the NAC to impose.

C.19.2.2 Publication CIAM Bureau shall decide where, when and how any penalties or disqualifications from participation are applied and published.

5.4 PENALTIES

Except as specifically provided in 5.2.5 and 5.2.8, a competitor or team may be penalised by the MD, with the consent of the Jury, in accordance with the principles set out in the Sporting Code, General Section, 6.2. The procedure and penalties are as follows:

(1) The MD will determine whether the infringement is Technical, Serious or Unsporting Behaviour.

- A Technical Infringement is an infringement of the rules or a failure to comply with requirements, caused by mistake or inadvertence where no advantage has accrued or could have accrued to the competitor or team concerned.
- A Serious Infringement includes dangerous or hazardous actions and any repetition of a Technical Infringement.
- Unsporting Behaviour includes cheating or unsporting behaviour, including deliberate attempts to deceive or mislead officials, bringing FAI into disrepute, wilful interference with other competitors, falsification of documents, use of forbidden equipment or prohibited drugs, tampering with (camera) equipment, violations of airspace, or repeated Serious Infringements.

(2) When the severity of the infringement has been established and confirmed by the Jury, penalties will apply as follows:

(a) Technical Infringement

(1) (a) AL and ST For each technical infringement by a competitor, a penalty equal to 20% (rounded down) of the maximum score for an individual competition jump, will be added in determining the actual final event score of that competitor.

(b) AL For each technical infringement by a team, a penalty equal to 80% (rounded down) of the maximum score for an individual competition jump, will be added in determining the actual final event score of that team.

(2) FS, VFS, IFS, IVFS, CF, AE, IAE, SP, CP, and WS

For each technical infringement by a competitor or team, a penalty equal to 20% (rounded down) of the highest score of the team, to which the competitor belongs, or of the individual competitor for any competition jump/performance up to the time of the infringement will be deducted in determining the actual final event score of that team or that competitor.

(b) Serious Infringement

(1) (a) AL and ST For each serious infringement by a competitor, a penalty equal to 50% (rounded down) of the maximum score for an individual competition jump, will be added in determining the actual final event score of that competitor.

(c) AL For each serious infringement by a team, a penalty equal to 20% (rounded down) of the maximum score for an individual competition jump, will be added in determining the actual final event score of that team.

(2) FS, VFS, IFS, IVFS, CF, AE, IAE, SP, and WS

For each serious infringement by a competitor or team, a penalty equal to 50% (rounded down) of the highest score of the team, to which the competitor belongs, or of the individual competitor for any competition jump/performance up to the time of the infringement will be deducted in determining the actual final event score of that team or that competitor.

(c) Unsporting Behaviour

The competitor or team will be disqualified from participation in any further competition activity and their name will be deleted from all unofficial and official standings and results.

SAFETY VIOLATIONS

4.8 SAFETY

(1) Any person, including the Judges, may report matters of safety during the running of the competition to the FAI Controller.

(2) A Safety Panel, consisting of the FAI Controller, the MD and the CJ for the particular discipline, will be formed. The FAI Controller is the President of the Safety Panel

(3) The FAI Controller, when aware of any alleged safety violation by an individual competitor or a team (either by direct knowledge or being informed as per (1)) will report the circumstances to the Safety Panel.

(4) The Safety Panel will investigate the allegation and, if it is found by majority decision to be justified, will issue in writing to the competitor or team either:

(a) a "first level safety violation notice" or

(b) a "second level safety violation notice" or

(c) a "third level safety violation notice"

A "first level safety violation notice" will incur no penalty.

A "second level safety violation notice" will result in the maximum or minimum score (as appropriate) for the jump during or after which the safety violation occurred.

A "third level safety violation notice" will result in the disqualification of the competitor or team from the event during which the safety violation occurred. In the case of a competitor or team having entered in more than one event, the disqualification will apply to all those events.

(5) Any penalties imposed in accordance with this section must be recorded in writing and the competitor or team must also be advised of the penalty in writing.

(6) If a "first level safety violation notice" has been issued, a second safety violation must result in a "second or third level safety violation notice".

(7) If a "second level safety violation notice" has been issued, another safety violation must result in a "third level safety violation notice".

(8) These provisions are in addition to any safety or penalty provisions in the Competition Rules.

(9) A decision of the Safety Panel is not subject to protest or appeal to the Jury.

6 PARTICIPANT INCIDENT POLICY

6.1 Policy

This policy provides guidelines for censuring the conduct of competition participants with respect to their behaviour towards CIVL representatives, officials or other competitors at CIVL sanctioned meets.

These participants are competitors, Team Leaders and ground crew. The CIVL representatives are Stewards, Jury members or Technical directors. In addition, other meet officials may be considered CIVL representatives under this policy.

In general, practical rulings and other decisions adversely affect the scores of one or more pilots. These pilots, their Team Leaders or team members may be angered by these decisions.

It is reasonable to expect argument and disagreement on the part of these individuals but abusive language and excessively loud delivery are not acceptable

In addition physical abuse / threats / (hitting, kicking or spitting) is totally intolerable.

The guidelines below are provided for such abusive behaviour.

6.2 Procedure

A full report of the incident must be delivered to the CIVL Bureau as soon as possible after the event. The report should be accompanied by the names and addresses of witnesses if any. The Bureau or a specially appointed committee will review this report, make enquiries and where necessary choose a procedure from the following options.

6.3 Lesser Offences

These offences consist of the use of moderately abusive language or hitting an official with an object not causing physical damage (liquids, paper, dirt, etc.).

Punishment (in order of severity):

- The offending individual and his/her Aero club receives a letter of reprimand from the CIVL
- The offending individual is required to send a letter of apology to the offended official before he is allowed to participate in another CIVL sanctioned event.

6.4 Serious Offences

These offences include the use of excessively abusive language, hitting an official with fists feet or other body parts as well as hitting with solid objects (sticks, rocks, etc.) or otherwise causing bodily abuse (tripping, pushing, etc.)

6.4.1 Punishment

in order of severity:

Note. The punishments in the lesser offences may be invoked as well as the following:

- The offending individual may get a point reduction from his or her score. If the offender is a Team Leader, the point reduction may be for the entire team overall score.
- The offending individual may be banned from CIVL sanctioned events for a specific period of time including a lifetime ban.

The Meet Director has the power to immediately ban or disqualify a pilot for physical attack on any official.

Abusive behaviour is considered unsportsmanlike like conduct and should be treated as such. Likewise abusive behaviour on the part of CIVL official is considered unprofessional conduct and will be dealt with in a similar manner as above.

Punishment will be elimination of the official from the roster of acceptable Steward, Jury, Judge or Technical Directors.