

Disciplinary Procedures in TAFISA's Work

These disciplinary procedures address voluntary office-bearers (including TAFISA Board Members, for the avoidance of doubt), staff of TAFISA, TAFISA Member Organisations, representatives of TAFISA Member Organisations, representatives of TAFISA Events' Hosts and participants in TAFISA Events.

1. Applicability

These Disciplinary Procedures are designed to provide a set of disciplinary processes and measures should violations or breaches of the following TAFISA Regulations occur:

- TAFISA Statutes
- Code of Conduct for Integrity
- Safeguarding Policy
- Code of Ethics

(hereinafter referred to as the "TAFISA Regulations")

Observance of the TAFISA Regulations is vital to the integrity of Sport for All and TAFISA.

TAFISA and each of its Representatives e.g. Elected and Appointed Officers; Board Members, Commissioners, Special Advisors, Members of TAFISA Commissions, Employees, Consultants; Volunteers, Trainers; Experts; Facilitators, etc., as well as Member Organisations and representatives of Member Organisations and Events Hosts and any participant in TAFISA events must undertake to respect and to ensure respect, to comply and to ensure compliance with TAFISA Regulations, and undertake to be sanctioned in case of violation of TAFISA Regulations.

These Disciplinary Procedures shall apply exclusively to any individual who, in any capacity, acts on behalf of, represents, participates in, contributes to, or is otherwise connected with TAFISA activities or events.

TAFISA is not responsible for investigating, judging or sanctioning violations and breaches of TAFISA Member Organisations' regulations; it is the sole responsibility of TAFISA Member Organisations.

2. The Disciplinary Committee and Appeal Committee

The TAFISA Disciplinary Committee and TAFISA Appeal Committee, as independent each, are entitled to handle all cases arising from the application of these Disciplinary Procedures and shall act in accordance with the TAFISA Regulations.

2.1. *Disciplinary Committee*

The TAFISA Disciplinary Committee is responsible for ensuring that the TAFISA Regulations, core values and ethical principles are upheld. It judges the (mis)conduct of all persons bound by TAFISA Regulations while performing their duties or of all persons participating in TAFISA Events.

Furthermore, the committee is responsible for:

- evaluating complaints,

- appointing investigation officers to investigate complaints
- conducting hearings, where applicable
- Rendering decisions on the case and issuing any sanctions.

It is free to open preliminary proceedings at its own discretion at any time, as well as based on a filed complaint (which may not be challenged) and may impose sanctions to any individual.

All proceedings are conducted in English. TAFISA is not responsible for providing translation or translators; Complainants and Respondents are responsible for arranging their own translators and translations if needed.

2.1.1. Investigation Officers

Investigations Officers are appointed case-by-case by the Disciplinary Committee. They must be independent and free from any conflict of interest or other connection that could affect their impartiality. They are responsible for:

- conducting investigations on violations or breaches of TAFISA Regulations and requesting additional documents and information, if necessary
- establishing the required standard of proof
- reporting to the Disciplinary Committee

2.2. Appeal Committee

The Appeal Committee is responsible for the handling of appeals against decisions of the TAFISA Disciplinary Committee, which any other TAFISA regulations do not define as final.

2.3. Composition & Term of Appointment

Pursuant to Chapter XVII Article 4 of the TAFISA Statutes, the TAFISA Disciplinary Committee members and TAFISA Appeal Committee members are elected by the TAFISA General Assembly for a 4 (four) year term and can serve a maximum of 3 (three) terms. Each of the committees is composed of 3 (three) to 5 (five) ordinary members (with a minimum of one man and one woman) coming from a minimum of three continents, and 1 (one) to 3 (three) supplementary members. In addition, the TAFISA Good Governance Officer holds an additional seat in the TAFISA Disciplinary Committee, without voting rights.

The chairperson of each committee is elected by the respective members of the committee on its constitutive meeting. In case the chair of the committee is unable to participate in a meeting or to be part of any disciplinary case under these Disciplinary Procedures, his/her duties shall be performed by the senior member of the committee as substitute chair. In case an ordinary member of the committee is unable to act or to be part of a disciplinary case under these Disciplinary Procedures, the committee shall proceed with its work with less members, however with minimum of three members. If less than three committee members are available, a supplementary member shall perform functions.

In case of death, resignation, or permanent inability to perform his/her function, the member shall be replaced by a supplementary member until the end of the mandate. The TAFISA Board of Directors shall appoint the supplementary member according to the votes received during the respective committee election.

2.4. Ethical Standards

Members of the Disciplinary Committee and Appeal Committee, and Investigation Officers shall adhere to the principles outlined in the TAFISA Statutes, Bylaws and Code of Ethics.

The members of these committees and Investigation Officers and their immediate family members cannot act in any other formal or informal position within the TAFISA Governing Bodies, nor shall they represent a member organisation or exercise voting rights in the General Assembly. The members of these committees and Investigation Officers shall act honestly, professionally, entirely independently, and must avoid third-party influence. They must be independent of the parties involved in any proceedings. They must sign an official declaration at the start of each term undertaking to exercise their function independently and impartially.

Members of these committees and Investigation Officers shall decline to participate in any action concerning a matter where there are serious grounds for questioning their impartiality or where any conflict-of-interest or any other conflict exists or is perceived to exist. They are required to disclose any potential conflicts of interest at the earliest opportunity. If a conflict-of-interest is discovered during the proceedings, they shall declare it immediately withdraw themselves from the proceedings.

The members of these committees and Investigation Officers shall ensure that everything disclosed to them during the course of their duty remains confidential (facts of the case, contents of the deliberations, and decisions taken); only the content of those decisions already notified to the addressees may be made public.

2.5. *Decision-Making*

The TAFISA Disciplinary Committee and TAFISA Appeal Committee shall decide by simple majority of committee members present and entitled to vote.

2.6. *Reporting*

The TAFISA Disciplinary Committee and TAFISA Appeal Committee shall inform to the TAFISA Board of Directors on completed cases and sanction upon their conclusion.

They shall present, every two years, a report on their activities to the TAFISA General Assembly.

3. Jurisdiction

3.1. *Cases Related to TAFISA-sanctioned events.*

Note: TAFISA-sanctioned events are any events (including project/Board/Commission meetings, courses, trainings, Congresses, Games, forums, conferences, workshops, etc.) organized by TAFISA itself, or by TAFISA members that have the right – defined in a contract with TAFISA – to organize a TAFISA-sanctioned event.

The Disciplinary Committee should begin jurisdictional analysis from the premise that it does not have jurisdiction. In order for the Disciplinary Committee to exercise jurisdictions over cases related to TAFISA-sanctioned events, the conduct that is the subject of the Action must have a nexus with a TAFISA-sanctioned event or TAFISA-owned property or spaces. Having a nexus means having a connection that is more than merely incidental.

1. This can include, but is not limited to, the planning of the event, execution of the event, participation in the event, or peripheral matters related to the events.
2. It can also include incidents that take place on TAFISA-owned social spaces, through the use of TAFISA-owned properties such as TAFISA online hubs (e.g. KESCAB), regardless of whether it is tied to a given TAFISA-sanctioned event.
3. It does not include interpersonal conflicts between individuals that are wholly or mostly outside the context of TAFISA-sanctioned events.

3.2 *Cases related to Breach of TAFISA Regulations outside of TAFISA-sanctioned events*

Outside of TAFISA-sanctioned events, the jurisdiction of the Disciplinary Committee is limited to incidents involving TAFISA Official representatives as perpetrators including, but not limited to: Elected and Appointed

Officers; Board Members, Commissioners, Special Advisors, Members of TAFISA Commissions, TAFISA Member Organisations, representatives of Member Organisations, Employees, Consultants; Volunteers, Trainers; Experts; Facilitators.

4. Disciplinary Proceedings

Any infringement or violation of TAFISA Regulations, regardless of whether they have been committed deliberately or negligently, by persons bound by these Regulations or attending a TAFISA Event, is punishable. Acts amounting to attempt are also punishable.

4.1. Complaints

The following persons or legal entities (the 'Complainant') may file a report ('Complaint') to the Disciplinary Committee against any individual (Respondent) in violation or breach of TAFISA Regulations, provided the Respondent is within the scope of applicability (article 1) of these Disciplinary Procedures:

- A TAFISA Event Participant (in respect of matters arising during or resulting from an event at which he/she participated in).
- A TAFISA Representative
- A TAFISA Safeguarding Officer
- The TAFISA Board of Directors by means of a resolution
- The TAFISA General Assembly by means of a resolution.
- A TAFISA Member Organisation: the Complaint must be signed by the legal representative of the TAFISA Member
- The Organising Committee or Host of a TAFISA event through the Event Delegate assigned to that Event or the legal Representative.

The Complaint is to be made in writing, in English language, addressed to the Disciplinary Committee and must:

- Be made via filling in a Complaint Form
- Be submitted as soon as reasonably possible, and in any case no later than six (6) months from the events. In justified cases, the Disciplinary Committee can decide by a simple majority of members present and eligible to vote, whether to accept Complaints more than six months after the events. The Disciplinary Committee shall provide a proper justification for their decision.

A deposit administration fee decided by the TAFISA Board of Directors shall be paid to TAFISA when submitting a Complaint or Appeal. The deposit would be reimbursed if the Complaint or Appeal is deemed justified and is accepted as a case by the Disciplinary or Appeal Committee, and retained if it is found to be unfounded or abusive.

Except from the written form, the complaint does not have to follow any further formal requirements.

A complainant may request the assistance of the Safeguarding Officer(s) in understanding these disciplinary procedures, in pursuing resolution short of lodging a complaint, if appropriate, and in formulating the written complaint. Should a Complainant choose to retain legal counsel at any stage of a complaint or appeal, it shall be at the Complainant's own expense.

All of the Articles of these Disciplinary Procedures apply also to any disciplinary proceedings against Respondents.

TAFISA is committed to protecting all voluntary office bearers, its staff and representatives of Member Organizations and will take action against individual(s) responsible for malicious or vexatious allegations. Unfounded, vexatious and/or malicious Complaints brought against any Respondent will be subject to disciplinary action under these Disciplinary Procedures. The Chairperson of the Disciplinary Committee is responsible for these cases.

4.2. *Analysis of the Complaint and Jurisdictional Determination*

On receiving the Complaint, the chair of the Disciplinary Committee, or in case of his/her absence the substitute chair of the Disciplinary Committee, will conduct a check to ensure that:

- It has jurisdiction to act.
- It complies with and fulfils the requirements set out in Articles 3 and 4.1; and
- There are sufficient grounds to move forward with disciplinary proceedings (prima facie analysis of the Complaint).

If the Disciplinary Committee finds that the complaint does not fulfil the requirements of Articles 3 and 4.1 or does not provide sufficient grounds, the complaint will be dismissed, and no disciplinary proceedings will be started. The Disciplinary Committee will communicate in writing to the Complainant the reasons for the decision. The Disciplinary Committee may request further information from the Complainant before deciding whether the complaint provides sufficient grounds to proceed. If the Complaint is rejected due to a lack of evidence, the investigation may be re-opened within 12 months of the rejection, if new evidence or facts emerge that suggest a breach of the TAFISA Regulations has occurred.

If the Disciplinary Committee finds that the complaint fulfils the requirements of Articles 3 and 4.1 and provides sufficient grounds, the Disciplinary Committee will start disciplinary proceedings.

Where appropriate, the Disciplinary Committee may provisionally suspend the Respondent – including but not limited to TAFISA Events and membership of and participation in any and all TAFISA bodies, pending the completion of the disciplinary proceedings.

4.3. *Disciplinary Proceedings*

4.3.1. Notice of Complaint

Within thirty (30) days of receiving the complaint, the Chair of the Disciplinary Committee shall send a Notice of Complaint (by email) to the Respondent, their organisation (if applicable) and any safeguarding officer in charge at the time of the case (if applicable), for their knowledge. This time limit may be extended by the Disciplinary Committee when deemed necessary in light of particular circumstances.

The Notice of Complaint shall:

- Include a summary of the complaint;
- Provide, in attachment or through an indicated weblink, copies of all relevant documents, the Rules, extracts of the infringed rules (if relevant) and any other relevant rules and regulations;
- Enclose the Reply to Complaint form;
- Set out the time limits for replying to the Notice of Complaint;
- Be signed by or on behalf of the Chair of the Disciplinary Committee;
- Explain the reasons behind any extension of the time limit

4.3.2. Reply to Complaint

The Respondent shall reply to the Complaint.

If the Respondent denies the complaint or admits the complaint but wishes to provide information for the Disciplinary Committee to consider before making a decision on the applicable sanction, his/her Reply to

Complaint must be received by the Disciplinary Committee Chair within 21 days of the Respondent's receipt of the Notice of Complaint.

The Respondent may request in writing to the Chair of the Disciplinary Committee, within the set time limit above, to extend the time limit for the submittal of the Reply to Complaint. The Disciplinary Committee will decide whether to extend the time limit and will inform the Respondent in writing of its reasoned decision.

If the Respondent does not complete and return the Reply to Complaint within the time limit above (or within an extended time limit), the Disciplinary Committee will make its decision on the complaint (including the sanction) on the basis of the information contained or referred to in the Notice of Complaint and any further evidence obtained under Article 4.3.3.

If the Respondent denies the complaint, in the Reply to Complaint he/she must: State the arguments against the complaint;

- Attach all documents and evidence on which he/she intends to rely;
- Identify all witnesses (if any), including experts on whose evidence he/she intends to rely.
- The Reply to Complaint must be signed by the Respondent or, in case of a minor, by their parent/guardian.
- The Reply to Complaint may be signed by the Respondent's legal counsel holding a valid power of attorney.

Should a Respondent choose to retain legal counsel at any stage of a complaint or appeal, it shall be at the Respondent's own expense.

4.3.3. Investigation & Further Evidence

The Investigation Officer shall review the Complaint and Answer to Complaint and investigate any necessary elements.

The Investigation Officer may, at any stage in the disciplinary proceedings (including before the Notice of Complaint is sent to the Respondent), request further evidence or information on any matter deemed relevant to the complaint. This may include evidence or information from any party, including:

- the Complainant;
- any witness or potential witness;
- any expert;
- the Respondent.

Any further relevant evidence or information obtained by the Investigation Officer shall be disclosed to the Disciplinary Committee and Respondent, who may reply to it within a time limit decided by the Disciplinary Committee.

4.3.4. Hearing

4.3.4.1. Right to Hearing

If the Respondent denies the complaint, he/she has the right to a hearing before the Disciplinary Committee. To exercise this right, the Respondent must inform the Disciplinary Committee in the Reply to Complaint within the time limit indicated in Article 4.3.2. The rules for hearings are set out in Article 4.3.4.2. If the Respondent does not request a hearing:

- The Disciplinary Committee will deal with the complaint on the basis of the information contained or referred to in the Notice of Complaint and the Reply to Complaint and any further evidence obtained under Article 4.3.3. Note: Article 4.3.5 indicates the standard of proof to be used.

- When the Disciplinary Committee has decided whether the complaint has been sufficiently proven or not, it will inform the Respondent in writing. If the complaint has been sufficiently proven, the Disciplinary Committee will give the Respondent a reasoned explanation in writing and will follow the procedure set out below when deciding the sanction to be imposed:
 - The Disciplinary Committee will allow the Respondent to bring forward a submission on the Respondent's position for the Disciplinary Committee to consider when deciding the sanction to be imposed. The Disciplinary Committee must receive this information within fourteen (14) days of the Respondent receiving notice of the Disciplinary Committee's decision. The Disciplinary Committee is not obliged to consider any information submitted outside this time limit.
 - The Disciplinary Committee will decide the sanction to be imposed after the expiry of the 14-day time limit in and will inform the Respondent in writing of its decision.

Note: If the complaint is sufficiently proven, the Respondent may send the Disciplinary Committee any information that he/she wants considered when it decides the sanction to be imposed, even if this information was not provided in the Reply to Complaint.

If the Respondent admits the complaint, he/she may request for the sanction to be decided at a hearing. This request must be made in the Reply to Complaint within the time limit indicated in Article 4.3.2. If the Respondent does not request a hearing, the Disciplinary Committee will decide the sanction to be imposed on the basis of information contained or referred to in the Notice of Complaint and Reply to Complaint and any further evidence. *Note: There is an automatic right to a hearing when the complaint is admitted.*

4.3.4.2. Hearing Procedure

This Article applies to any hearing held to decide whether a complaint is proven or not, or to decide sanctions.

The location/format (in-person or online) and time of the hearing shall be proposed by the Disciplinary Committee and agreed between the Disciplinary Committee and the Respondent. In principle, the hearing shall not take place later than thirty (30) days from the receipt of the Reply to Complaint.

The hearing Disciplinary Committee shall be confidential. In any event, for sensitive cases such as those involving minors or safeguarding violations, the hearing shall not be public.

Hearings will be conducted fairly, and in a manner decided by the Disciplinary Committee. At hearings:

- The Disciplinary Committee may call witnesses (including experts).
- The Disciplinary Committee may accept evidence in writing or by telephone or video call (also during the hearing).
- The Respondent may be represented by legal counsel holding a valid power of attorney, or who has Parental Authority.
- A representative of the Respondent's organisation (if applicable) may participate as observer. Observers must declare their name, role, and relation to the Respondent and may not speak and/or address the Disciplinary Committee, unless addressed by the Disciplinary Committee itself first.
- The Respondent may (subject to compliance with Article 7.4) call witnesses (including experts).
- The Respondent (or his/her representative) may question any witness who has given oral evidence at the hearing.
- The Respondent (or his/her representative) may address the Disciplinary Committee.

The Disciplinary Committee shall render its decision in writing within 14 days of the hearing. The decision and the reasoning shall be sent to the Respondent and his/her organisation (if applicable).

If the Disciplinary Committee decides that the complaint has been proven, it shall render its decision and decide the sanction to be imposed after the hearing. The Respondent will be given the opportunity to put

forward any information that he/she wants the Disciplinary Committee to consider when deciding the sanction.

The Disciplinary Committee may adjourn or postpone a hearing at any time.

Unless the Disciplinary Committee decides otherwise, all hearings will be conducted in English. If the Respondent requires a translator, then he/she must arrange this him/herself. The Disciplinary Committee shall arrange for a translator to be at the hearing, if any witnesses are unable to give evidence in English or in the language chosen by the Disciplinary Committee.

The Respondent will be responsible for all costs relating to the hearing (including but not limited to expenses related to translator, representation, etc.), regardless of the outcome of the hearing.

4.3.5. Standard of Proof

The standard of proof applied by the Disciplinary Committee shall be whether the complaint has been established to its comfortable satisfaction, bearing in mind the seriousness of the allegation made. The Committee must begin from the presumption that the Respondent's conduct does not merit penalty. Only if the evidence presented meets the appropriate standard of proof for the offense class (see article 4.4.2) will the Committee conclude that a sanction is warranted.

Where the Respondent tries to prove any fact, the standard of proof to be applied is the balance of probabilities. When weighing evidence, the Committee will rely on the "clear and convincing" standard of proof. "Clear and convincing" means that the evidence presented is highly and substantially more probable to be true than untrue; and the Committee is convinced it is highly probable that the offense occurred.

Facts established by a court or disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal will be irrebuttable evidence against the Respondent, unless the Respondent establishes that the decision violated essential procedural rules.

The Disciplinary Committee may draw an inference adverse to the Respondent if the Respondent does not attend a hearing or participate in the disciplinary proceedings or answer questions posed by the Disciplinary Committee without good reason (to be determined by the Disciplinary Committee).

4.4. Sanctions

4.4.1. Types of Sanctions

Sanctions imposed by the TAFISA Disciplinary Committee shall be appropriate and proportionate according to the gravity of the violation or breach, and consider the circumstances of the case and previous disciplinary proceedings of the Respondent. Pursuant to the Chapter XVII Article 3 of the TAFISA Statutes, sanctions may be, as follows:

- a warning - Where the conduct requires a response, but the Committee does not believe probation or suspension is appropriate, the Committee may issue a warning letter. This does not affect the Respondent's ability to participate in TAFISA-sanctioned events or TAFISA bodies.
- Fine against a natural person of up to 2.000,00 EUR.
- Fine against a legal entity of up to EUR 10.000,00 EUR.
- a probation – Probation is a period where the Respondent is expected to demonstrate they have learned from their experience by following the rules and avoiding conduct that gives rise to a Case. This does not affect the Respondent's ability to participate in TAFISA-sanctioned events or TAFISA bodies. However, if the breach is repeated, this Disciplinary Committee may review and adapt the sanction at any time.

- a withdrawal of a title, license, or award.
- a censorship – the action of preventing part or the whole of a publication, document, or other kind of communication related to TAFISA from being seen or made available to the public, because it is considered to be offensive or harmful.
- a suspension - Suspension means a specified period during which the Respondent may not participate in TAFISA-sanctioned events or TAFISA bodies, and during which the Respondent may neither run for TAFISA Board elections nor vote in TAFISA General Assembly. A suspension may be followed by probation.
- a prohibition – the act of officially not allowing something
- a ban – A ban means the Respondent is no longer allowed to participate in TAFISA-sanctioned events or TAFISA bodies in any capacity. If the Respondent is a TAFISA Board Member, Commissioner or Special Advisor, their position is revoked.
- Temporary or permanent disqualification from holding office.
- a requirement of an apology.

Sanctions may be imposed individually or in combination and may be subject to conditions and/or requirements. Sanctions may be limited to a geographical area, to one, or a specific area. When necessary, the duration of a sanction shall be defined. The sanction may be increased as deemed appropriate if an infringement or violation has been repeated.

Decisions imposed on a review of the TAFISA Disciplinary Committee by the TAFISA Appeal Committee may be, as follows:

- confirmation of sanction
- revocation of sanction
- aggravation of sanction
- mitigation of sanction

Every effort will be made to deal with a discipline case in the shortest possible timeframe. This will vary according to the time required to investigate the specific case.

The severity of the sanction will be defined by the Disciplinary Committee or Appeal Committee and will depend on the circumstances, the seriousness of the infringement or violation, and any aggravating or mitigating factors being of relevance, including the offender's assistance and cooperation, the motive, the circumstances, and the degree of the offender's guilt. The offender shall have the right to a fair, timely, and impartial hearing either by appearing personally in front of the committee and/or submitting a defence in writing. The committee is free to decide whether the right to be heard may be exercised solely in writing (ordinary mail or email) or orally (in person, use of telephone, or video conference).

Resolution (=sanction) shall include a committee decision together with all relevant information including the scope and duration of any sanction.

All sanctions imposed by the TAFISA Disciplinary Committee shall have immediate effect in case there is not a submitted appeal on the decision.

4.5. Appeal

Both the Complainant and Respondent shall have the right of Appeal.

The time limit to lodge an appeal to the Appeal Committee is within 15 (fifteen) days upon receipt of the resolution. An appeal may be lodged in writing by the party concerned, having a legally protected interest justifying amendment or cancellation of the decision, with the exception of sanctions: (a) warning; (b) reprimand; (c) apology. The Appeal will only be accepted with the accompanied deposit fee (=amount defined by the TAFISA Board of Directors); if the appeal is upheld, the deposit fee will be returned. The decisions of the Appeal Committee shall be irrevocable and binding on all parties concerned.

For the procedure before the TAFISA Appeal Committee, the provisions set out in Articles 4.3.1 – 4.3.5 (with the exception of Article 4.3.3) of these Disciplinary Procedures shall apply, accordingly. The TAFISA Appeal Committee shall not render a de novo decision.

The TAFISA Appeal Committee decision may be appealed against before the Court of Arbitration for Sport (CAS), within 21 (twenty one) days upon receipt of the resolution. All decisions taken by the TAFISA Appeal Committee shall remain in effect while under appeal unless the CAS orders otherwise.

As a general rule, the infringement or violation of the provisions of the TAFISA Regulations may no longer be investigated or prosecuted after a lapse of 5 (five) years. Investigation or prosecution for bribery and corruption, forgery, and/or falsification of any kind of document, or theft is not subject to a statute of limitations.

4.6. *Notices*

Notices given by a Respondent under these rules may be given by e-mail, to an e-mail address provided by the Chair of the Disciplinary Committee for this purpose.

The Disciplinary Committee may give any notice under these rules to the Respondent by e-mail, to an email address provided by the Respondent for this purpose.

The e-mail address of reference should be stored in the TAFISA Database.

4.7. *Minors*

A minor is a person under 18 years old according to their/his/her date of birth. If, under the national law applicable to the Respondent, the age of majority is an age other than 18 years, the Respondent will inform the Disciplinary Committee and provide proof of this and of his/her date of birth.

The Rules will apply to minors with the following modifications:

- All notices sent to the Respondent's address shall be addressed to the Respondent's parent or guardian.
- The Reply to Complaint must be signed by the Respondent's parent or guardian (it may be signed by the Respondent as well).
- The identity of the Respondent will be kept confidential (except to TAFISA officials and the Respondent's organization, if applicable) and he/she will be referred to by an initial in any documents intended for circulation outside TAFISA or the Respondent's organization (if applicable)

4.8. *Protection of Complainants and Witnesses*

The Disciplinary Committee, Appeal Committee and Investigating Officers shall do their utmost to maintain confidentiality of Complainants, Whistle-blowers and Witnesses in order to ensure their full protection.

5. **Urgent Procedure**

5.1. *Purpose*

This procedure is designed to handle urgent disciplinary matters that require immediate action to protect the integrity, safety, and fairness of TAFISA-sanctioned events and participants.

An urgent procedure should aim to be resolved through written submissions; in case a hearing is deemed necessary, the details are described under Article 5.7 below.

5.2. *Application*

This urgent procedure applies to all entities and individuals already covered by these Rules.

5.3. *Cause for Urgent Disciplinary Case*

An urgent disciplinary procedure may be initiated under the following circumstances:

- Serious misconduct during an ongoing event.
- Threats to safety, including violence, harassment, or safeguarding violations.
- Integrity violations, such as fraud, cheating, severe breaches of TAFISA Regulations
- Repeated or flagrant disregard for the TAFISA Code of Ethics and Code of Conduct for Integrity.
- Incidents requiring immediate provisional suspension to protect other participants.

5.4. *Filing and Urgent Complaint*

An Urgent Complaint must be submitted in writing by one of the following:

- The Executive Board
- The President
- The Secretary General
- A TAFISA Event Delegate/Participant

The complaint must include:

- Description of the incident, including date, time, and location.
- Names and details – to the extent possible – of the involved parties (participant, delegate, official, organisation, etc.)
- Supporting evidence, such as photos, videos, or official reports.
- Any witness statements, if available.
- Recommended immediate action, if necessary.

5.5. *Preliminary Review*

Immediate assessment: upon receipt, the Chair of the Disciplinary Committee (or a designated emergency Disciplinary Committee member) will review the complaint within 12 hours to determine:

- Whether the complaint warrants urgent action.
- Whether provisional measures are needed (e.g. suspension).
- Whether additional information is required before proceeding.

Notification to the Respondent: if the complaint is deemed valid, the Notice of Complaint shall be sent within 24 hours to:

- The Respondent
- Their Organisation (if applicable)
- The relevant TAFISA officials overseeing the event separately, for their information.
- The Safeguarding Officer (if applicable)

The Notice of Urgent Complaint will include:

- A summary of the allegations.
- A request for a written response within 48 hours.
- Notification of provisional suspension, if applicable.

5.6. *Urgent Provisional Suspension*

If the severity of the case requires immediate action, the Disciplinary Committee may impose a provisional suspension until a final decision is made. The suspension may include:

- Temporary ban to attend TAFISA events and their facilities
- Temporary removal from TAFISA roles (for officials)

The Disciplinary Committee will review the provisional suspension within 72 hours and determine if it should be upheld or modified.

5.7. Urgent Disciplinary Hearing

If the complaint is not resolved through written submission, the Disciplinary Committee will hold an emergency hearing within five (5) days. The hearing will be:

- Conducted online (videoconference)
- Attended by the Respondent, the Complainant, legal representatives (if applicable), and key witnesses (if applicable).
- Based on available evidence and witness testimony (if any).

Following the hearing, the decision will be delivered by the Disciplinary Committee within 48 hours.

5.8. Sanctions and Final Decisions

If the Disciplinary Committee finds the Respondent guilty of the alleged misconduct, one or more of the sanctions foreseen in Article 4.4 may be imposed.

5.9. Right to Appeal

The Respondent has the right to appeal in accordance with the provisions described under Article 4.5 of these Disciplinary Procedures.

6. Privacy and Confidentiality

All Complaints and documents related to case shall be stored on a cloud-based folder established by TAFISA and only accessible to the Disciplinary Committee, Appeal Committee and Investigation Officers. Such folder shall abide by the GDPR Regulations. The Members of the Disciplinary Committee, Appeal Committee and Investigation Officers shall follow GDPR Regulations in all dealings with privacy in any case, and refrain from storing any documents related to case on their personal and professional devices.

7. Entry into Force

These Disciplinary Procedures entered into force with the passing of a resolution by the TAFISA Board of Directors on March 25th, 2026 and were approved by the TAFISA General Assembly on May 15th, 2026 in Prague, Czech Republic.