



Based on Article 22 paragraph 7 of the Articles of Association, the General Assembly of Swiss Hockey issues the following

Swiss Hockey Judicial Regulations

Swiss Field Hockey Association,
Fédération Suisse de Hockey sur Gazon,
Swiss Hockey Federation in Prato

1. General Provision

1.1. Basics

Art. 1 Material scope of application

The provisions of these regulations shall apply to all judicial proceedings insofar as the judicial regulations are designated as authoritative in the statutes.

In the event of violations of the doping regulations, Article 49 of the statutes applies.

Art. 2 Personal scope of application

The Judicial Regulations apply to the persons specified in Article 7 of the Statutes.

Art. 3 Supplementary procedural law

To the extent that these regulations do not contain any provisions, the procedural provisions of the Tribunal Arbitral du Sport (CAS - Code de l' arbitrage en matière de sport) shall apply by analogy.

Art. 4 Sanctions

The judicial bodies of Swiss Hockey may impose the sanctions provided for in Articles 47 and 48 of the Statutes.

organization of the legal system

Art. 5 Judicial Organs

There are the following judicial bodies:

- a) Association Court (VG),
- b) Disciplinary Commission (DK)
- c) Other bodies according to the regulations of Swiss Hockey

The judicial bodies organise themselves autonomously within the framework of the provisions of the relevant regulations.

Art. 6 Eligibility and Term of Office

Members of the associations admitted in accordance with Article 9(a) and members in accordance with Article 9(b) and (c) of the statutes are eligible to be elected as members of the judicial bodies. A member of a judicial body cannot simultaneously belong to another judicial body or to the VV.

The term of office is 3 years. Re-election is permitted. In the case of a replacement election, the election is valid until the end of the current term of office. The provisions of the statutes remain reserved.

Art. 7 Composition and election of the VG

The composition and election of the Association Court are governed by Articles 22 and 38 of the Association.

Art. 8 Composition and election of the DK

The disciplinary committee consists of the president, 2 members and 2 substitute members. A maximum of 2 people from the same club may belong to the disciplinary committee. They are elected by the association's board of directors (VV).

Art. 9 Quorum and Compulsory Voting

The judicial bodies generally decide in a three-person composition, with each member being obliged to vote. Decisions not to intervene are reserved, which are made independently by the person in charge of the proceedings. Decisions which are expressly assigned to a single person are also reserved.

Article 10 Duty of confidentiality

The members of the judicial bodies must maintain confidentiality regarding everything that they learn in the exercise of their duties and that is not mentioned in the grounds of a decision. In particular, they are bound by the confidentiality of deliberations.

Art. 11 Administration

The administrative tasks are carried out by the judicial authorities themselves. The procedural files must be archived for 10 years.

1.2. Procedural rules for all procedures

Art. 12 Initiation of proceedings

In principle, proceedings can be initiated by submitting an electronic submission to the official address of Swiss Hockey, which will forward the submission to the competent judicial authority.

Art. 13 Forwarding to the competent judicial authority

Submissions to an incompetent body pursuant to Article 17 of the Statutes must be forwarded to the competent judicial body. The submission to the incompetent body is decisive.

Art. 14 Legitimation & Party Status

Requests shall only be accepted if there is a legitimate legal interest in an assessment and if a party is directly aggrieved by a decision.

Any natural or legal person to whom this Regulation applies may have the status of a party and the capacity to be a party.

Art. 15 Procedural Management

The President is responsible for conducting the proceedings. In the event of his absence (abstention, illness, etc.), the Vice President or another member is responsible for conducting the proceedings in accordance with the principle of seniority. The Procedural Director may delegate his duties, takes the appropriate measures and ensures that the procedural rules and his orders are followed.

Art. 16 Obligation to complete proceedings and suspension

The judicial authorities must carry out the tasks assigned to them in a timely manner. Proceedings may be suspended temporarily for sufficient reasons.

Art. 17 Official and Investigative Maxim

The proceedings before the judicial authorities are governed by the official and investigative principles. This does not apply to proceedings before the Administrative Court, where the disposition and negotiation principles apply. In any case, however, all parties involved in the proceedings and all those subject to Swiss Hockey's rules are obliged to contribute to clarifying the facts of the case at the request of a judicial authority. The judicial authorities can punish breaches of duty in this regard with fines of up to CHF 100.00.

Art. 18 Right to be heard

The judicial authorities must ensure that the parties involved in the proceedings are given the opportunity to be heard in an appropriate manner.

Art. 19 Abstention

A reason for disqualification exists if there are concrete and serious doubts about the independence or impartiality of the member of a judicial body, in particular if a member of the judicial body belongs to the same association as the party affected by the decision. The complaint of violation of the disqualification provisions must be combined with any legal remedy against the decision in the matter.

Art. 20 Representation and Obligation to Attend

Representation is possible in proceedings before the Administrative Court. Party representatives must identify themselves with a written power of attorney upon request.

The judicial body can require the party to appear in person. The judicial body can punish breaches of this obligation with fines of up to CHF 100.00.

Art. 21 Delivery addresses

All clubs accepted by Swiss Hockey are obliged to provide the Swiss Hockey office with a binding postal address and electronic delivery address to which deliveries can be made legally. Delivery to the last reported address is considered legally valid delivery.

Art. 22 Delivery

In principle, legal services are delivered by the judicial authorities in a legally effective manner (triggering a deadline) to the electronic delivery address of the club to which the affected party belongs, which is stored at the Swiss Hockey office. This does not apply to final decisions, which must be delivered to the club and also to the affected party by A-Post Plus, whereby written delivery to the club triggers a deadline.

Art. 23 Deadlines

The start, calculation and compliance with the time limits are governed by Articles 90 and 91 of the Federal Code of Criminal Procedure (SR 312.0).

Art. 24 Suspensive effect

Legal remedies have a suspensive effect. The director of proceedings may withdraw the suspensive effect in justified cases.

Art. 25 Procedural language

Submissions can be submitted in the respective national language. The judicial bodies usually write their documents in German.

Art. 26 Written nature of the procedure

In principle, the procedure is carried out in writing.

Art. 27 Evidence and free evaluation of evidence

Evidence is usually documents and written information from the parties and witnesses. In exceptional cases, other evidence is admissible in accordance with the Federal Code of Criminal Procedure.

The judicial authorities assess the evidence freely according to their conviction gained from the entire proceedings.

Art. 28 Decision

A decision is usually made by a majority of votes as a circular decision. Decisions that are expressly assigned to a single person are reserved. The decision is made in writing and must contain the following: the name of the judicial body and the names of the participating members, the date of the decision, the name of the party(s), the legal claims, a description of the facts, the reasons for the decision, the legal ruling, the regulation of the procedural costs, any instructions on legal remedies and the signature of the person in charge of the proceedings and a member of the judicial body.

Art. 29 Decision announcement

The decision will be opened upon valid delivery.

Art. 30 Contestability

Decisions of the DK are subject to appeal, unless they concern the following disciplinary measures:

- a) Reprimand;
- b) Withdrawal of right to play or suspension for a maximum of two games;
- c) Fines of up to CHF 200.00.

Decisions of other judicial bodies are subject to appeal provided that an appeal is expressly provided for. All other decisions are final.

Art. 31 Procedural costs

The Administrative Court charges procedural costs. All other procedures are free of charge. Party compensation is excluded.

2nd Disciplinary

Commission

Art. 32 Jurisdiction

The DK is generally responsible for the first instance assessment of all incidents relevant to disciplinary law according to the statutes or regulations of Swiss Hockey, unless another judicial body is expressly responsible for this. Insofar as violations of norms are regulated in a catalogue of penalties according to the match report, the sanctions provided for are pronounced on behalf of the DK by the responsible body of Swiss Hockey (in particular the managing director or TD).

Art. 33 Initiation of the procedure

The proceedings before the DK are initiated by submitting the match report with a description of the incidents relevant to disciplinary law or at the request of a body of Swiss Hockey.

Art. 34 Non-admission

If the basic formal requirements are not met or if a disciplinary measure is clearly not justified, the DK will not take any further action on the incident and will inform the person making the complaint of this, giving a summary explanation.

Art. 35 Order of an oral judgment consultation

In exceptional cases, the presiding judge may order an oral deliberation of the judgment. The deliberation of the judgment is not public.

Art. 36 Sanctions and catalogue of penalties

The DK is authorized to impose all disciplinary measures provided for in the statutes. It can combine the measures. In order to regulate frequently occurring incidents relevant to disciplinary law, the DK issues a catalogue of penalties, which must be approved by the VV.

3rd Association

Court

Art. 37 Jurisdiction

The Association Court is responsible for dealing with appeals against contestable decisions of the DK or other judicial bodies of Swiss Hockey.

Art. 38 Introduction

The proceedings before the Administrative Court are initiated by the filing of an appeal by the party concerned.

Art. 39 Formal requirements

The appeal must contain a request and a statement of reasons. It must state which points are being contested, which reasons suggest a different decision and which evidence is being used. The contested decision must be attached in an appropriate form and reasons for compliance with the deadline must be given.

Art. 40 Appeal period

The appeal period is 5 days.

Art. 41 Advance

Within the appeal period, an advance payment of CHF 250.00 must be paid into the Swiss Hockey postal checking account.

Art. 42 Non-admission

If the formal requirements are not met, if the appeal deadline is not observed or if the advance payment is not made on time, the appeal will not be accepted.

Art. 43 Lower Court and Files

The person in charge of the proceedings informs the lower court about the appeal and consults its files. He or she may request a hearing from the lower court.

Art. 44 Oral procedure

In exceptional cases, the presiding judge may order an oral hearing and/or an oral deliberation on the judgment. The deliberation on the judgment is not public.

Art. 45 Binding to the party's applications

The Administrative Court is not bound by the parties' applications. A more severe disciplinary measure is excluded.

Art. 46 Referral to the CAS

Only decisions of the VG imposing disciplinary measures of indefinite duration and disputes which are of great importance to the association members or the association are not final and can be referred to the CAS.

4. Final provisions

Art. 47 Further regulations

In addition to the above-mentioned Judicial Regulations, applicable provisions are contained in particular in the statutes, the game rules, the referee regulations and the fee catalogue.

Art. 48 Entry into force and transitional provisions

The VV determines when the decision comes into force. Existing associations must be granted at least 30 days from the date of the decision until it comes into force to inform the office of the relevant delivery address in accordance with Art. 21. Any proceedings already pending at the relevant authority will continue to be handled in accordance with the previous provisions.

Swiss Hockey

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