

# **A R B I T R A T I O N   C O U R T   O R D E R**

of the International Volkssport Association (IVV)  
in the proposed revision of December 01, 2009

## **§ 1**

### **IVV ARBITRATION COURT**

- (1) The IVV Arbitration Court Board is composed of:
  - a) one chairman
  - b) two assessors
  - c) two reserve assessors
- (2) The members of the board must come from different member associations and cannot be member of the IVV Presidium or the Disciplinary Board. They must be at least 21 years of age. The chairman of the Arbitration Board will at least have passed the first state law examination.
- (3) The Arbitration Board is an independent organ of the IVV.
- (4) It takes the decisions respecting the statutes, the by-laws and the IVV rules.
- (5) Each Arbitration Court process will be debated and decided by 3 members.
- (6) A member of the board cannot take part in a session where he or someone of his family or federation is involved in the proceeding.
- (7) The members of the Arbitration Board, even if they are dismissed as members, must keep silent on the affairs treated by the Board.

## **§ 2**

### **JURISDICTION OF ARBITRATION BOARD**

- (1) The proceeding will start after sending a written motion to the IVV office. Three copies of the motion must be sent to each concerned party. Anonymous motions no matter what are not valid.
- (2) The motion must enclose:
  - Denomination of the parties, federations and persons
  - A brief description of the case
  - The concrete demands and requirements
  - The facts and witnesses
- (3) Right to complain have
  - The IVV Presidium
  - The IVV Congress of delegates
  - The national member federations and single IVV member clubs

- The elected officials
  - The honorary presidents
  - Parties concerned by decisions of the Disciplinary Board
  - National members and single clubs where applications have been denied. Time for filing a motion is four weeks starting with the date of receipt or actual notice of the decision to be recorded.
- (4) Prior to every decision of the Arbitration Board legal hearing must be guaranteed. If this right is not exercised the decision can be taken on behalf of the motions and documents.
  - (5) Decisions of the Arbitration Board are made upon written documentation and can be taken without verbal hearing, exception if a party asks for it or the chairman of the Disciplinary Court takes the decision.
  - (6) The chairman of the Arbitration Board, or an assessor appointed by him, can make investigations for instance ask other information or documents. The involved parties have to carry out such demands.
  - (7) For a verbal hearing the citation delay is two weeks. If a party is not attending the hearing despite the citation the decision can be made in absence.
  - (8) To clarify the case witnesses can be heard by written or by verbal questioning.
  - (9) If the decision is made based on a verbal hearing minutes have to be issued. These minutes have to be signed by the members of the Disciplinary Board. The minutes have to be filed at the IVV Head Office.
  - (10) The deliberations of the Arbitration Board are secret.
  - (11) If one party has credible and important arguments for missing a certain deadline for unavoidable events and made a written demand, the previous state can be restored. Insofar the policy of the civil process order applies. The IVV Arbitration Board takes the decision on demand.

### **§ 3**

#### **COMPETENCE**

The IVV Arbitration Board is competent for:

- (1) decisions in disputes
  - a) between the IVV and its organs,
  - b) between the IVV and the national member associations,
  - c) between national member associations insofar if the subject of the disputes concerns the federation's Law
  - d) between the IVV and its single member clubs
- (2) the expulsion of a national member association or a single member club according to § 6 (4 and 6) of the statutes
- (3) the decision of denial of an application of a national association or a single club.
- (4) an appeal from decisions of the Disciplinary Board.

### **§ 4**

## **Decisions**

- (1) Each decision of the Arbitration Court has to be argued by in writing. The decision has to be signed by all three members of the Arbitration Board.
- (2) The justified decision of the Arbitration Board has to be sent to the concerned parties.
- (3) For decisions of the Arbitration Court on appeals from decisions of the Disciplinary Board the rules in § 4 of the Order of Punishment apply accordingly.

## **§ 5**

### **PROCEEDINGS EXPENSES**

- (1) The proceeding is free of costs insofar as the Arbitration Board decides in a written procedure.
- (2) In case of a decision after a verbal hearing the Arbitration Board decides who has to pay the costs of the proceeding. Expense policy of the civil process order applies.
- (3) Expenses of the proceedings are:
  - travel costs of members of the Arbitration Board, the concerned parties, witnesses and the assignee of the concerned parties.
  - the procedural fee between €200.- and €500.-, which will be evaluated by the Arbitration Board.
- (4) Calculation of the travel costs will be done according to the Rules of Finances and Dues Order.

## **§ 6**

### **EXCLUSION OF LIABILITY**

The IVV, members of its organs and especially the members of the Arbitration Board are not liable for damages caused by work of the Arbitration Board, especially not for adverse affects of a judgment on the suspect.

## **§ 7**

### **CONCLUDING CAUSE**

- (1) The Arbitration Board Order which is part of the statutes will come into force after the acceptance by the Congress of Delegates.
- (2) Proceedings started before the Arbitration Board Order had been changed, will be settled according to the Arbitration Board Order formerly valid.