



International  
Handball  
Federation

## **II.**

# **Legal Provisions**

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## ARTICLE 1

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### **I. Generalities / Principles / Jurisdiction**

#### **1.1. Generalities**

1. These provisions shall apply in conjunction with the International Handball Federation (IHF) Statutes, upon which they are based. They shall be binding on all Continental Confederations, Member Federations and their affiliated groups and members.
2. Under the terms of these provisions, Continental Confederations and Member Federations shall undertake to introduce legal regulations comprising detailed rules and procedures for their own area of jurisdiction and complying with the IHF stipulations.
3. Continental Confederations and Member Federations shall have their own appeal authorities for settling disputes on the basis of these provisions. These authorities are authorised to act only with respect to disputes that fall within their own area of jurisdiction. In order to appeal against a Continental Confederation ruling, as far as the corresponding legal provisions allow, the case may be submitted in a third appeal to the IHF Arbitration Tribunal (see Article 2.2.9.). Appeal authorities at Continental Confederation level are to submit a brief account of all cases heard to the IHF (with details of their rulings and the reasons for their rulings).

#### **1.2. Principles**

1. IHF appeal authorities (see Article 2) are independent bodies selected or appointed by the Congress. They are bound exclusively by the terms of the IHF Statutes, Regulations and Provisions. In the absence of suitable stipulations for a dispute in these provisions, the appeal authorities shall rule on the merits of the individual case. Such rulings shall not automatically constitute new rules and regulations.
2. IHF appeal authorities may only act in response to a request. They may not institute proceedings of their own volition.

### 1.3. Jurisdiction

1. Players, officials, clubs, National and Continental Confederations shall be subject to the sole jurisdiction of the statutory IHF appeal authorities for sports in disputes affecting the statutes, regulations and provisions or rulings by IHF bodies.
2. IHF appeal authority rulings are binding for all Continental Confederations and Member Federations concerned.
3. Rulings of the IHF appeal authorities, Continental Confederations and National Federations may not be challenged in the civil courts. In special cases, e.g. for problems associated with anti-doping testing or complaints by individual athletes, an appeal may be made to the Court of Arbitration for Sport (CAS).



## ARTICLE 2

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### II. IHF Appeal Authorities

#### 2.1. Disciplinary Commission and Jury

1. The appropriate Disciplinary Commission and Jury shall be responsible for settling disputes at international events (Olympic Games, World Championships and World Cups).
2. The Disciplinary Commission shall consist of a Chairperson and three other members all of whom are designated by the Council before every IHF event. Three persons of the Disciplinary Commission must concur to decide. These persons may not be associated with any interested party.
3. The Jury shall consist of the highest serving IHF representative present at the event and two officials or technical delegates appointed by him. None of the Jury members may be associated with the Disciplinary Commission or any interested party.
4. Chairmen and members of the Disciplinary Commission and Jury shall be appointed in accordance with the procedure described in Articles 2.1.2. and 2.1.3. In the absence of two or more members of the Disciplinary Commission, the IHF President or a representative appointed by him shall delegate suitable Council members to serve on the Disciplinary Commission.
5. The Disciplinary Commission shall act as the first stage of appeal and handle protests filed at international events against rulings and actions both on and off the field.  
The Disciplinary Commission shall advise on possible disciplinary actions in the following cases:

- where a player commits an assault on or off the field (see Rule of the Game 16) and is sent off definitely as a result;
- where a referee report exists;
- where an IHF technical delegate reports a case of failure by referees to penalise for a breach of regulations which was drawn to their attention.

Furthermore, the Disciplinary Commission shall also be responsible for petitions associated with the following:

- participation of suspended or unauthorised players;
  - judging of a game where a breach of the rules may have been decisive for the outcome of the game;
  - doping violations;
  - unsportsmanlike conduct off the field, such as failure by teams to attend an award ceremony or failure by coaches or officials to attend press conferences;
  - intentional improper conduct (wilful destruction of property, etc.).
6. The Jury will handle cases of recourse against Disciplinary Commission rulings. They will have the final word as the second stage of appeal during international events.
  7. The Disciplinary Commission and Jury shall be guided by the following underlying principles when making judgement.
    - a. Referee determinations on facts shall be final.
    - b. Breach of the rules or unjustified action by referees, scorekeepers, timekeepers, technical delegates and officials can only give rise to a replay if the appeal authority judges the consequences to be decisive for the outcome of the game.
  8. Individuals, clubs or Member Federations may appeal to both the Disciplinary Commission and Jury.
  9. The petitioner shall pay the following sums to the IHF for the services of the appeal authorities
    - Protest CHF 500.00 (Swiss francs)
    - Recourse CHF 1,500.00 (Swiss francs)

The aforementioned fees shall be payable at the time of filing of the action.
  10. Fees will not be refundable by the IHF on rejection of an appeal. Withdrawal or acceptance of an appeal will entitle the petitioner to a refund of the fee paid and the IHF will cover the procedural costs incurred.
  11. A protest is to be filed in writing within one hour of the end of a game. Recourse may be sought in writing within two hours of receipt of a board ruling. The actual time of handover in person shall be governing in this context. A copy of the submission will be countersigned as confirmation of receipt.
  12. The Disciplinary Commission and Jury are only involved in oral hearings. The parties involved have the right to be heard. A written transcript of the ruling is to be sent to

the parties involved. Petitioners are to confirm receipt of rulings by the Disciplinary Commission or Jury in writing.

## **2.2. Arbitration Commission and Arbitration Tribunal**

1. Disputes about business activities between Member Federations and Continental Confederations (see Article 2.2.7.) and the latter and the IHF or disputes arising out of international events shall come under the jurisdiction of the Arbitration Commission and Arbitration Tribunal.
2. The Arbitration Commission shall consist of a Chairperson and ten members elected by the Congress. Each Continental Confederation shall have at least one member among the 10 Arbitration Commission members. Three persons who may not be associated with any interested party must concur to decide.
3. The Arbitration Tribunal shall consist of a Chairperson and ten members elected by the Congress. Each Continental Confederation shall have at least one member among the 10 Arbitration Tribunal members. Three persons who may not be associated with any interested party must concur to decide.
4. Both Chairmen and the members of the Arbitration Commission and the Arbitration Tribunal shall be elected by the Congress. The Continental Confederations, the Member Federations and the Council shall be entitled to make nominations.
5. Chairmen and members of the Arbitration Commission and Arbitration Tribunal may not exercise any other function within the IHF or the Continental Confederations. They must be able to demonstrate their capability to perform the specific function by means of their specialist knowledge and experience.
6. Should the Chairperson of the Arbitration Commission or Arbitration Tribunal resign mid-term, the Council may appoint a temporary Chairperson pending the election of a new Chairperson at the next Congress. If a member resigns from either of these two bodies, the Council shall appoint a successor at the proposal of the respective Chairperson.
7. The Arbitration Commission will mediate in disputes about business activities between IHF Member Federations and Continental Confederations and the latter and the IHF on request. Disputes involving a single continent shall come under the jurisdiction of the appropriate Continental Confederation's appeal authority. The IHF Arbitration Tribunal as last appeal authority may – if authorised by corresponding legal provisions – be invoked in an appeal against their final ruling.
8. The Arbitration Tribunal handles appeals against rulings of the Arbitration Commission or the Continental Confederation's appeal authority. The former shall have the final word as the second stage of appeal.

9. Individuals, clubs, Member Federations, Continental Confederations and the Council may appeal to the Arbitration Commission and Arbitration Tribunal.
10. The petitioner shall pay the following sums to the IHF for the services of the appeal authorities:
- Appeal CHF 5,000.– (Swiss francs)
  - Final Appeal CHF 10,000.– (Swiss francs)
- The aforementioned fees shall be payable at the time of filing of the action.
11. For both Arbitration Commission and Arbitration Tribunal hearings, staff and material costs incurred, e.g. for travel and accommodation, will be payable in addition to the fees specified in Article 2.2.10.
12. Fees and procedural costs will not be refundable by the IHF on rejection or withdrawal of an appeal. Acceptance of an appeal will entitle the petitioner to a refund of the fee paid and the IHF will cover the procedural costs incurred, unless they are imposed on the party responsible.
13. An appeal may be filed with the Arbitration Commission at the latest up to two months after the disputed event via the IHF Head Office. In this case, the date of the postmark of the registered letter is the date of filing of the appeal. The petitioner is to expect judgement or an interim ruling by the Arbitration Commission within two months of receipt of the petition by the IHF (date as postmark).
14. A final appeal may be lodged against an Arbitration Commission ruling with the Arbitration Tribunal at the latest up to one month after receipt of the ruling.
15. In case of dismissal of a Council/Executive Committee member a protest can be lodged within 30 days, with a simultaneous payment of CHF 2,500.– at the Arbitration Commission.
16. It is possible to appeal to the Arbitration Tribunal against an Arbitration Commission decision regarding a dismissal within 15 days after the receipt of the decision. The appeal shall be submitted together with payment of the appeal fee of CHF 2,500.–.
17. It is up to the Chairperson of the Arbitration Commission and Arbitration Tribunal to opt for oral or written proceedings. The Chairperson may accordingly request oral or written statements (within a specified period in the latter case) from the parties involved. In oral hearings, the parties involved may defend their right to a personal hearing at their own cost on request.



## ARTICLE 3

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### III. Legal Channels

1. There are two parallel alternative ruling bodies within the IHF appeal authority system. The Jury and Arbitration Tribunal both represent the final stage of appeal for their specific area of jurisdiction (see Articles 2.1.1. and 2.2.1.).
2. Members of an appeal authority may only serve at one stage of appeal in any single case.
3. Disputes are to be filed with the appropriate appeal authority with jurisdiction. Disputes within a Member Federation or Continental Confederation are to be heard by their own appeal authorities. The next stage of appeal (either Continental Confederation or the IHF) may only be invoked in case of failure to settle a dispute by one stage. Failure to follow the correct procedure will result in rejection of the case on jurisdictional grounds.



## ARTICLE 4

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### IV. Proceedings

1. The IHF appeal authorities may only act on the basis of a written petition. Before proceedings can be instigated, the Chairperson of the respective appeal authority is to verify the appropriate jurisdiction. Where the appeal authority has no legal jurisdiction, the petition will be rejected and the petitioner will receive information on the options available for legal redress.
2. Each IHF appeal authority shall deliberate with the following composition: a Chairperson and two members who are selected by the Chairperson from the established circle (see Articles 2.1.2., 2.1.3., 2.2.2. and 2.2.3.). They may not be associated with any interested party and may not disclose information to any third party throughout the proceedings. Furthermore, they are obliged to keep confidential the internal appeal authority activities after the end of the proceedings.
3. Oral hearings are not mandatory. The parties involved and in dispute are questioned orally or in writing. They are obliged to disclose information to the relevant appeal authority. Witnesses may be called where necessary.
4. Each appeal authority is to base its findings and judgment on the Regulations Concerning Penalties and Fines as well as on stipulations of other regulations, where they prove relevant to the facts of the case.
5. The judgement by the appeal authority will be established by deliberation and vote. The written transcript of the judgement is to contain the following details:  
Type of legal action requested, particulars of petitioner and case at issue, title of the appeal authority and list of members, type of proceedings (oral or written), time and



place of hearing and of signing of the judgement, text of the judgement (including apportionment of costs) and reasons for the judgement as well as instructions about the right to appeal.

Judgements require the signature of the Chairperson.

The parties in dispute, the IHF Head Office and the relevant Member Federation or Continental Confederation (depending on the parties in dispute) are each to receive a written transcript of the judgement.

6. In case a legal appeal is claimed the proceedings may be delayed.



## ARTICLE 5

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### V. Execution of Judgement

1. Judgement is passed on by the Chairperson of the appeal authority and executed by the IHF Head Office.
2. The relevant Member Federation shall be liable for penalties against players, officials and clubs, and the relevant Continental Confederation shall assume liability in turn for Member Federations.



## ARTICLE 6

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### VI. Ethics Commission

1. The Ethics Commission shall consist of a Chairperson and up to five members deemed necessary.
2. The Ethics Commission shall be elected by the Congress following a proposal from the Council.
3. The function of this body shall be governed by the IHF Ethics Code as established by the IHF Council.