

The background of the cover features a series of curved, parallel lines in shades of blue, purple, and grey, creating a sense of motion and depth. The WBSC logo is prominently displayed in the center.

WBSC

WORLD
BASEBALL SOFTBALL
CONFEDERATION

Game Time!

DISCIPLINARY BY-LAWS

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CHAPTER 1 PREAMBLE

Article 1 Preamble

1.1 The World Baseball Softball Confederation (WBSC) is a worldwide organisation made up of Federations, Associations and Organisations which, voluntarily and in the full knowledge of their responsibilities, abide by, respect and observe WBSC's Statutes, By-Laws, Rules and Regulations.

1.2 Despite the goodwill, positive attitude and sense of cooperation present in the work of the WBSC, conflicts and disputes arise in the normal operation of the WBSC that need to be resolved through legally well-founded and approved actions and processes. The WBSC Executive Board (WBSC EB) has determined the following By-Laws to apply.

Article 2 Terminology

In these By-Laws, the following terminology and defined terms are used:

2.1 Individual includes athletes, coaches, umpires, officials and managers who, in any capacity or activity, act on behalf of or represent a Member of the WBSC, recognise, accept and promise to observe all the legal provisions of the WBSC and the specific regulations of its member organisations.

2.2 Panel means a group of independent individuals with legal and/or integrity expertise who are appointed by the WBSC EB to examine the case (**Case**) and make a recommendation to the WBSC EB for the WBSC EB's decision. A Panel can be of up to three (3) persons each of whom must be without conflict of interest to the alleged violation and who may, but do not have to, be members of the WBSC EB and must be of a different nationality to the persons concerned. Any member of an appointed Panel shall be excluded from voting on matters connected with the Case.

CHAPTER 2 PRINCIPLES OF CONDUCT

Article 3 Authority

3.1 The jurisdiction to hear a disciplinary matter, appeal, grievance, complaint or a dispute involving a Member, Participant or Official, is vested in the WBSC EB or as the WBSC EB may have delegated.

3.2 The WBSC may take disciplinary measures against a Member or an individual representing a Member or the WBSC itself in the following instances:

- 3.2.1 A violation of the Statutes of the WBSC.
- 3.2.2 A violation or failure to observe the By-Laws, Rules and Regulations of the WBSC.
- 3.2.3 Failure to observe the Principles and Rules set out in the WBSC Integrity Code.
- 3.2.4 Proven conduct that damages the image, prestige and authority of the WBSC.
- 3.2.5 Serious misconduct during official competitions or activities of the WBSC or outside of them.
- 3.2.6 Failure to observe the agreements and decisions of the Member of the WBSC.
- 3.2.7 Repeated failure to meet the responsibilities and obligations of their position.
- 3.2.8 Commission of serious offences against sporting morals and ethics.

Article 4 General Disciplinary Proceedings and Penalties

4.1 If the WBSC EB of the WBSC becomes aware of an alleged violation for any of the reasons given in Article 3.2, it may appoint a Panel to examine the Case, to gather necessary additional information and make a recommendation to the WBSC EB on the Case which shall then make a ruling on the Case.

- 4.1.1 If the WBSC EB considers that the seriousness of the Case does not warrant the application of a disciplinary measure, that decision of the WBSC EB must be recorded in the official Minutes of the WBSC EB meeting in which the matter was discussed.
- 4.1.2 If the WBSC EB considers that the information it has available is sufficient and that the facts of the Case have been reliably proven, the WBSC EB shall take a decision about the disciplinary measure to be applied.
- 4.1.3 If the WBSC EB considers that the evidence of the alleged violation is insufficient, the Panel appointed will be requested by the WBSC EB to gather more information and investigate the Case in further detail.

4.2 At the same time as the Case is submitted to the Panel, the WBSC EB shall officially notify the Member or individual(s) involved in the alleged violation of the nature of the matter, that the investigation process has begun and that the Member or Individual(s) and/or their legal counsel must submit any materials or proof requested to the Panel, along with any other items it considers germane to the Case.

- 4.2.1 The Panel has sixty (60) calendar days after its appointment to complete the process and submit its recommendations to the WBSC EB (unless additional time is justifiably needed, in which case the WBSC EB may extend this deadline), which shall make a ruling on the Case, inform the Member or Individual(s) concerned of the results of the investigation and invite the Member or Individual(s) and/or their legal counsel to make any written submission that the Member or Individual(s) considers appropriate. If so requested by the Member or Individual(s), the WBSC EB may give the Member or Individual(s) and their legal counsel the opportunity to address the WBSC EB in person or online (at the discretion of the WBSC EB), and to make any further oral submission that it considers appropriate.
- 4.2.2 The Member or Individual(s) concerned has the right to submit their claims, documents and evidence to the Panel in the manner, on the date and at the time and place determined by the Panel. A failure by Member or Individual(s) concerned to submit their claims, documents and evidence to the Panel, will not prevent the Panel from considering the matter and making a recommendation on the Case.
- 4.2.3 After reviewing the determination or recommendation by the Panel on the Case, the WBSC EB shall make a decision by a simple majority of its members about the application of penalties as defined in these By-Laws.

4.3 The WBSC EB reserves the right, when it deems necessary, to take provisional measures, particularly for the proper administration of justice, to preserve or maintain the activities of the Federation, for reasons of reputation of the sport, safety, security and the protection of individuals or Member, pending its final decision.

4.3.1 Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.

Article 5 Disciplinary Proceedings and Penalties Affecting a Member of the WBSC

5.1 If the penalty involves forfeiture or de-registration of a Member, when it concerns:

5.1.1 an Affiliated Member's membership (i.e., Article 6.4.1 of the Statutes), such measure must be ratified by the Congress that comes immediately after the date when the decision was taken by the WBSC EB. If the seriousness of the violation so warrants, the WBSC EB may decide on an immediate temporary penalty pending a final ratification by the Congress.

5.1.2 an Associated Member's membership (i.e., Article 6.4.2 of the Statutes), such measure must be approved by the WBSC EB without ratification from the Congress.

5.2 The following penalties may be applied to a Member:

5.2.1 Withdrawal of Member status or suspension or withdrawal of all or some of the rights corresponding to that status as per Article 10.2 of WBSC Statutes.

5.2.2 Exclusion or expulsion from Championships, Tournaments or Events of the WBSC for a specific period.

5.2.3 A fine to compensate for damages and costs.

5.2.4 A declaration that such Member is not in Good Standing.

5.2.5 A temporary penalty or a penalty suspending any of the above.

5.2.6 A public warning to be made to all other WBSC Member countries.

5.2.7 A penalty that combines any of the above.

5.3 In every situation provided for in these By-Laws, the Member or Individual(s) involved in the proceedings is excluded from taking part in voting on matters connected with the Case.

Article 6 Disciplinary Proceedings and Penalties Affecting an Individual

6.1 The WBSC is entitled to apply disciplinary measures to an individual who comes under the jurisdiction of a Member and to any individual invested with official representation in a game, tournament or official activity of the WBSC.

6.2 In cases where the penalised Individual holds a position to which that Individual was elected by the Congress and where the penalty applied involves that Individual's dismissal, removal, rights limitation or temporary suspension, such measure must be ratified by the Congress that comes immediately after the date when the decision was taken by the WBSC EB or a specially convened Extraordinary or virtual Congress. If the seriousness of the violation so warrants, the WBSC EB may decide on an immediate temporary penalty pending a final ratification by the Congress.

6.3 The following penalties are applicable to individuals recognised in the By-Laws:

- 6.3.1 Dismissal, removal or suspension from the position to which the Individual was elected by the Congress of the WBSC or appointed by the WBSC President.
- 6.3.2 Dismissal, removal or suspension from taking part in matches, competitions or official activities of the WBSC.
- 6.3.3 A fine commensurate with the seriousness of the violation committed and its financial implications, the sum to be determined by the WBSC EB.
- 6.3.4 Temporary or provisional suspension from any activities under the jurisdiction of the WBSC and its Members.
- 6.3.5 Temporary limitation on holding any positions in the WBSC or its recognised organisations and/or Members for a period determined by the WBSC EB or the Congress, depending on the Case.
- 6.3.6 A warning or any other measure considered morally or ethically appropriate by the WBSC EB or the Congress.
- 6.3.7 A penalty that combines any of the measures described above.

6.4 In application of the procedures set out in these By-Laws applying to individuals, the individual is excluded from taking part in voting on decisions connected with the Individual's Case.

Article 7 Deadlines and Financial Conditions

7.1 The deadlines set for the application of each of the procedures are as follows:

7.1.1 The appointed Panel will have sixty (60) calendar days after its appointment (unless additional time is justifiably needed, in which case the WBSC EB may extend this deadline) to complete the process and submits its recommendations on the Case to the WBSC EB for a final decision to be made at the next scheduled meeting of the WBSC EB.

7.1.2 Official notification of a decision or penalty to the Member or Individual(s) concerned shall be given by email and/or registered letter sent and be applied with immediate effect from the date of receipt unless mentioned otherwise in the decision.

7.1.3 Any appeal against a decision or penalty must be lodged at the WBSC headquarters by sixteen hundred hours (4 p.m. in Switzerland) on the first working day following the twenty-one (21) calendar days from the official notification.

7.2 In any disciplinary proceedings under these By-Laws, each of the Individual and the WBSC will meet their own fees, costs and expenses.

7.2.1 The expenses incurred by the appeal proceedings shall be as per Article 12.

Article 8 Exceptional Circumstances

8.1 In case of occurrence of events or circumstances of exceptional nature which are outside the control of the WBSC (notably natural disasters, wars, conflicts) resulting in the conduct of activities of the WBSC or sanctioned by the WBSC, notably the organisation of, the participation to and/or the proper conduct under safe and serene conditions of tournament and events, being made impossible, objectively endangered, or, in the reasonable judgment of the WBSC EB, not reasonably possible given the circumstances, the WBSC EB may decide exceptional protective and/or preventive measures aiming at preserving or maintaining the activities of the WBSC and the exercise of the Members' rights pursuant to the WBSC Statutes and/or other regulations of the WBSC.

8.2 Protective and preventive measures may include the temporary suspension of the exercise of rights of Members impacted by the exceptional circumstances at stake and/or of rights of their representatives (i.e. athletes, officials), irrespective of any violations by the concerned members or representatives thereof of their respective obligations under the WBSC Statutes and/or other regulations of the WBSC.

8.3 Without limitation, these measures may notably include restrictions to or exclusion from the organisation of tournament and events sanctioned by the Member and/or to the participation thereto by the concerned Members and/or representatives thereof.

8.4 Protective and preventive measures may be maintained (to the extent required or adequate, as issued or as amended from time to time) as long as required by the circumstances. The protective and preventive measures must be lifted, partially or totally, as soon as reasonably adequate in view of the evolution of the circumstances having led to the issuance of the measures.

Article 9 General Matters

9.1 Disciplinary matters shall be discussed at ordinary meetings planned in the approved annual calendars of each body. Only in exceptional cases of extreme severity will extraordinary WBSC EB meetings be convened for this purpose.

9.2 All parties involved in the procedure must respect the principles of confidentiality and professional ethics in accordance with their prescribed duties, notably in compliance with the rules set out in the WBSC Integrity Code.

9.3 The WBSC shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under this Rule shall be whether the Sport Organisation or other prosecuting authority has proved a violation to the comfortable satisfaction of the WBSC Executive Board, a standard which is greater than the mere balance of probability but less than proof beyond a reasonable doubt.

CHAPTER 3 RESOLUTION OF DISPUTES AND APPEALS

Article 10 Typology of Disputes

10.1 The jurisdictional scope of these By-Laws covers conflicts, disputes, differences of opinion or any other type of controversy between Member of the WBSC or between them and governmental or non-governmental sporting organisations with which they have working links.

10.2 The By-Laws acknowledge the right of all members and their organs, and persons who individually act on their behalf, both inside the WBSC and in its external relations, to defend themselves and be protected by their organisation, provided that there is no violation of the Disciplinary By-Laws, in which case the provisions set out for that purpose will be applied.

10.3 Each Member of the WBSC must ensure that its Statutes, Rules and Regulations and any other legal documents do not conflict with any of the WBSC's, thereby achieving greater legislative harmony and coherence.

10.4 In cases of conflict stemming from incompatibility in terms of the approval or interpretation of legal documents between Member belonging to the WBSC, whatever the WBSC EB has determined shall prevail, in accordance with the powers conferred on them by the Statutes.

10.5 By virtue of these By-Laws, in the event of a dispute, Member of the WBSC may lodge appeals where any of the following circumstances exist:

- 10.5.1 Disputes between two or more Members.
- 10.5.2 Disputes between organisations and/or persons within the same Member or when the parties to the dispute agree to lodge an appeal with the WBSC.
- 10.5.3 Contest of a decision of the WBSC EB, which is not connected with an appeal procedure.
- 10.5.4 Disputes between a Member and any other organisation belonging to the Olympic Movement.

- 10.5.5 Disagreements in the interpretation and application of the Eligibility Rules under the Tournament Regulation and the WBSC International Player Transfer Rules.
- 10.5.6 Disputes between a Continental Association and the WBSC.

Article 11 Appeal Procedure

11.1 The Member or individual(s) lodging the appeal must submit a file to the WBSC EB containing the appropriate documentation on the Case, including attempts made by the national and/or regional and Continental Association (CA) of which it is a member to reach a settlement.

11.2 The WBSC EB may appoint a Panel depending on the level of the Case before making the final decision. In this circumstance, the Panel shall provide necessary findings and recommendation to the WBSC EB within due time set by the WBSC EB.

11.3 Should the dispute continue, the WBSC EB may support the member's claim before the Court of Arbitration for Sport (CAS), should this be considered essential to the final resolution of the Case.

11.4 The procedure for lodging appeals in the event of disputes provided for in these By-Laws is as follows:

11.4.1 Disputes between Member Federations

Where one or several Member Federations consider that their differences cannot be settled after all the available means have been exhausted, they may lodge an appeal -with their respective CA. Any of the parties involved may lodge an appeal against the decision of the CA Executive Board to the WBSC. No appeal may be lodged against the decision of the WBSC.

11.4.2 Disputes between a Member Federation and its member organisation or individual member, as a result of their participation in an international activity

The member organisation or individual member may lodge an appeal with the respective CA regarding a dispute with its Member Federation so long as its petition is adequately supported with the available evidence, including the penalty or decision against which it is appealing.

11.4.3 Contest of a decision of the Executive Board

Should a Member of the WBSC do not agree with the decision of the WBSC EB, they have the right to lodge an appeal directly with CAS. No appeal may be made against the decision of the CAS.

11.4.4 Disputes between a Member Federation and a Continental Association

A Member Federation or CA may lodge an appeal with the WBSC EB after having exhausted all possibilities of reaching a settlement in accordance with the Rules in force in each CA.

11.4.5 Disputes between a Member or any other sporting organisation belonging to the Olympic Movement

Any member of the WBSC involved in a dispute with sporting organisations external to the WBSC may ask for the protection of the WBSC EB.

11.4.6 Disputes between a Continental Association and the WBSC EB

Attempts will be made to settle any differences of opinion between the WBSC EB and a CA in the first instance by understanding and goodwill. However, if no agreement is reached on the dispute, the party that considers itself to be affected may lodge an appeal with the CAS. No appeal may be made against the decision of the CAS.

11.5 Unless decided otherwise by the EB, the decision being contested shall remain into force pending determination of the appeal. The appeal decision upholds, amends or overturns the contested decision.

Article 12 Deadlines and Financial Conditions

12.1 The following deadlines and financial conditions shall apply to appeals:

12.1.1 Any Member or individual that is involved in a dispute or has lodged an appeal to the WBSC EB shall receive official notification of the decision by email and/or registered letter within sixty (60) days from the day the appeal has been lodged. The decision shall have immediate effect from the date of receipt of official notification unless mentioned otherwise in the decision.

12.1.2 In respect of any appeal proceedings, the fees, costs and expenses of CAS shall be met equally by the parties to the appeal before CAS. All expenses incurred by the WBSC in the appeal proceedings shall be met by the losing party.

- 12.1.3 All appeals lodged with the Executive Board must be accompanied by a deposit of a thousand US dollars (1.000,00 USD), which will be returned to the appellant if the decision goes in its favour.

Article 13 General Considerations

- 13.1 All appeals lodged with the CAS shall comply with the procedural rules of the CAS.
- 13.2 If, on examination of a dispute, the WBSC EB considers that the regulations of the WBSC have been violated in such a manner as to constitute a breach of discipline, it shall proceed in accordance with the provisions contained in the Disciplinary By-Laws.
- 13.3 The WBSC Office shall keep on record all the files of Cases that have been brought before the WBSC EB, as well as decisions and documents of interest connected with Cases for which appeals were lodged with the CAS.
- 13.4 All parties involved in the procedure must respect the principles of confidentiality and professional ethics in accordance with their prescribed duties.

CHAPTER 4 RULES OF CONDUCT IN WBSC EVENTS

All participants receiving accreditation card at the WBSC Events shall be subject to the following By-Laws.

Article 14 Rules of Conduct for Participants

- 14.1 Mutual respect must be observed, and no type of physical or verbal aggression or offensive gestures towards persons or institutions is permitted.
- 14.2 Disciplined and orderly conduct must be observed at all times by all participants in official competitions and activities of the WBSC.
- 14.3 Each participant in a competition must comply with the provisions of the Anti-Doping Regulations of the WBSC; accordingly, neither trafficking in nor use of any type of medication or substance prohibited by the WADA Code is permitted.

14.4 While the game is in progress, smoking, the use of any form of tobacco and the consumption of alcoholic drinks are not permitted in the areas set aside for the participating teams, including the playing field, or in public areas with specific regulations.

14.5 Participants are under the obligation to make proper use and take care of the accommodation, training, competition and other facilities, as well as the resources and means placed at their disposal. Any damage must be materially or financially repaired by the person responsible, aside from any disciplinary measure that may stem from it.

14.6 Wearing of a uniform or regulation official clothing is the obligation of each participant, who is accountable for its proper presence and cleanliness, in keeping with the public image of the WBSC.

14.7 Umpires acting on the field and technical officials assigned to each game shall be responsible for ensuring that no one not involved in the game is on the field, and that members of the press, photographers and cameramen remain in the areas set aside for them, as stipulated in the Tournament Regulations.

14.8 Umpires' decisions must be obeyed and respected and cannot be considered valid reasons for disorder and lack of discipline. Complaints about Umpires' decisions must be made in accordance with the Tournament Regulations and to the official authorities.

14.9 Participants shall cooperate as best they can with the organisers so that the tournament or any other official activity takes place successfully for the good of the sport.

14.10 The Local Organising Committee is under the obligation to guarantee public discipline and order in such a way that it contributes to the successful holding of the tournament. Participants shall refrain from any demonstrations liable to provoke or encourage inappropriate public conduct. According to the rules of the WBSC, any failure to comply with this point may lead to a penalty being applied to those involved.

14.11 Participants shall show the greatest respect towards the organisers, institutions and delegations representing different countries and to their official symbols.