Federation Mondiale de Course á Obstacle | World OCR
Address: Rue Centrale, No. 29, Lausanne, Canton de Vaud, Switzerland
Email: contact@wocr.org
Website: **wocr.org**
Registered under UID: CHE 466 526 832
Registering authority: Swiss Federal Office for Justice

WOCRF Disciplinary Policy

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ARTICLE 1 - PREAMBLE

POLICY OBJECTIVE

The objective of this policy is to establish procedures for assessing, reporting, and conducting fair and effective investigations into violations of the WOCRF Code of Ethics and/or any aspect of WOCRF's integrity pillars concerning Conduct, Competition, and Governance.

PURPOSE OF THIS POLICY

This policy aims to:
Provide accountable and transparent disciplinary processes that afford alleged offenders the right to a timely, fair, and impartial hearing.
Initiate intelligence gathering and credible investigation processes to address potential violations.
Identify and mitigate major threats to the integrity of WOCRF, responding responsibly to contain them.
Maintain confidence in WOCRF's ability to receive information confidentially and take appropriate action.
Establish the competence and effectiveness of the WOCRF Executive Board, WOCRF Integrity Commissioner, WOCRF Special Judicial Committee, and WOCRF Ethics and Disciplinary Committee.

ARTICLE 2 - BACKGROUND AND INTRODUCTION

2.1 Consistent application and adherence to the WOCRF Code of Ethics are crucial in preventing and eliminating corruption or integrity breaches within the sport of OCR and Para OCR. WOCRF is dedicated to preventing integrity violations through ongoing risk assessment, transparent reporting of information, and comprehensive education of its members. Any actions contrary to the integrity of OCR, potentially damaging its image or reputation, or failing to comply with WOCRF's Code of Ethics, will be subject to investigation and, if warranted, sanction.

2.2 Upon identifying a breach of the WOCRF Code of Ethics or any integrity policy, WOCRF is committed to ensuring that each incident undergoes thorough investigation. The responsible individual, or "applicable person," will be held accountable and, if necessary, sanctioned through a fair and impartial process. This Disciplinary Code grants WOCRF's Ethics and Disciplinary Committee the authority and independence to review the adequacy of WOCRF's Code of Ethics and integrity policies, to actively investigate violations, and to determine appropriate consequences.

2.3 Upon identifying a breach of the WOCRF Code of Ethics or any integrity policy, WOCRF is committed to ensuring that each incident undergoes thorough investigation. The responsible individual, or "applicable person," will be held accountable and, if necessary, sanctioned through a fair and impartial process as outlined in this Disciplinary Policy.

ARTICLE 3 - APPLICATION AND SCOPE

3.1 This Disciplinary Policy applies to all organizations and individuals affiliated with WOCRF , including members and associate members, as well as participants in WOCRF activities such as players, coaches, officials, employees, agents, or intermediaries (hereinafter, WOCRF parties). All WOCRF parties are automatically bound by and required to comply with this Policy by virtue of their WOCRF membership or participation.

3.2 Participants are personally responsible for familiarizing themselves with this Disciplinary Policy, including the mechanisms for providing information confidentially and reporting potential breaches of the Code of Ethics.

3.3 All WOCRF parties must adhere to the decisions of the WOCRF Executive Board, comply with investigations and the jurisdiction of the WOCRF Special Judiciary Committee, the WOCRF Ethics and Disciplinary Committee, as well as the WOCRF Integrity Commissioner under this Policy. Additionally, parties must acknowledge the jurisdiction of the Court of Arbitration for Sport where relevant.

3.4 The WOCRF Disciplinary Code shall be incorporated within the applicable regulations of member organizations, and the principles of the sanctioning system shall serve as minimum guidance for member federations.

3.5 Any omissions in this Disciplinary Code, the WOCRF Code of Ethics, as well as cases of doubt regarding interpretation, shall be resolved by the WOCR Special Judiciary Committee, and ultimately, by the WOCRF Ethics and Disciplinary Committee.

3.6 Offenses occurring overseas will be subject to the laws of the country where the competition takes place. However, WOCRF reserves the right to apply sanctions under its own Disciplinary Policy. Any alleged violation deemed ***prima facie*** unlawful, shall be reported to the proper authorities in the jurisdiction where the offense is alleged to have occurred.

ARTICLE 4 - REPORTING MECHANISM AND WHISTLEBLOWING

4.1 WOCRF provides its member bodies, athletes, and officials with a dedicated email address for reporting a case: report@wocr.org. Further details regarding the reporting procedure can be found in Art.14 of the WOCRF Code of Ethics.

4.2 WOCRF will ensure that confidentiality is safeguarded and protection against retaliation is provided to individuals reporting the perceived incidents.

ARTICLE 5 - PROCEDURAL RULES

5.1 Only the accused shall be considered a participant in the investigation;

5.2 Proceedings shall be conducted in English, unless otherwise agreed upon, with adequate translation provided if necessary, as confirmed by the Integrity Commissioner. Oral testimony during investigations may be provided in person, by telephone, or via video conference.

ARTICLE 6 - INVESTIGATION OF A BREACH

6.1 The reported violations must be based on objective and demonstrable truth. Any reports made must be supported by factual evidence and documentation to ensure fairness and accuracy in the disciplinary process.

6.2 The WOCRF Integrity Commissioner shall oversee the initial steps of the investigation of a possible breach of the WOCRF Code of Ethics and, depending on the severity of the case, refer it to the WOCR Special Judiciary Committee to conduct a formal and thorough investigation into the activities of the participant. WOCR Special Judiciary Committee shall have discretion to conduct its own investigation pending the outcome of investigations undertaken by other competent authorities where it deems it appropriate.

6.3 As part of any such investigation, where the WOCR Special Judiciary Committee reasonably suspects that a participant has violated the WOCRF Code of Ethics, it may submit a formal written request to the participant for information related to the alleged violation and/or require the attendance of the participant for an interview. Any interview shall occur at a time and place determined by the Committee. The relevant participant shall be given reasonable written notice of the requirement to attend. Interviews shall be recorded, and the participant shall be entitled to have an interpreter present (at their own cost) if they wish.

6.4 Following an investigation, the WOCR Special Judiciary Committee shall report all the findings, facts, conclusions, and recommendation(s) of its investigation to the WOCRF Executive Board at the appropriate time.

6.5 Data Sharing: By participating in an event or competition under the jurisdiction of WOCRF, each participant shall be deemed to have consented to the collection, processing, and disclosure of any information relating to his/her activities, including, but not limited to:

- Records relating to the alleged corrupt conduct (betting account number and information, itemized telephone billing statements, text messages received and sent, banking statements, Internet service records, computers, hard drives, and other electronic information storage devices).
- Written statements setting forth the facts and circumstances concerning the alleged corruption offense.

6.6 All the data handled by WOCRF is operated by a CPD Certified DPO, bearing the ID Number [5882 – 38512783].

ARTICLE 7 - NOTICE OF CHARGE

7.1 All allegations or reports will be handled with utmost impartiality and confidentiality by all involved parties during the investigation and disciplinary process. The assessment of each report and subsequent investigation shall be conducted without undue interference or influence. WOCRF ensures that each incident is assessed objectively before noticing the recipient.

7.2 Upon receipt the WOCRF Integrity Commissioner determines if there is a case for the participant to answer under rule 6. If yes, the WOCRF Integrity Commissioner shall issue a written notice of charge.

This notice shall include:

- The specific violation that the participant is alleged to have committed;
- The factual basis for the allegations;
- The range of sanctions applicable under the Policy for such violations;
- Details regarding the participant's response deadline to the notice of charge;
- The participant's right to request a hearing.

The notice of charge also specifies that if the participant wishes to exercise the right to a hearing, they must submit a written request to report@wocr.org within 14 days of receiving the notice. The request must outline the participant's response to the charge and provide a brief explanation of the basis for their response.

7.3 Failure to co-operate:
If the participant fails to file a written request for a hearing by the specified deadline, they shall be deemed to have:
- Waived their right to a hearing;
- Admitted to committing the violation specified in the notice of charge;
- Agreed to the range of applicable sanctions specified in the notice of charge (with the final sanction to be determined by the WOCRF Special Judiciary Committee respectively, the WOCRF Ethics and Disciplinary Committee).

7.4 In cases where WOCRF determines that the image of the sport of OCR could be seriously damaged, the participant may be provisionally suspended until the pending decision regarding the alleged violation is confirmed. A Provisional Suspension takes effect from the date of notification to the participant.

7.5 The decision to impose a Provisional Suspension on a participant is not subject to appeal.

7.6 If a participant retires during a disciplinary proceeding under this Policy, WOCRF retains jurisdiction to complete the procedure. If the participant retires before any disciplinary procedure begins, WOCRF still has jurisdiction to conduct the relevant procedure.

ARTICLE 8 – BURDEN AND STANDARD OF PROOF

8.1 The WOCRF Integrity Commissioner shall bear the responsibility of identifying if a violation has occurred under this Policy. The standard of proof required shall be whether the WOCRF Special Judiciary Committee has demonstrated the violation to be provable. Once considered proved, the verdict is presented to the participant. The full internal judicial mechanism is presented in Art.14 of the WOCRF Code of Ethics.
8.2 If this Policy imposes the burden of proof on the participant alleged to have committed a violation, the standard of proof shall be met by evidence outweighing any counter-evidence.

8.3 The WOCRF Special Judiciary Committee, and the WOCRF Ethics and Disciplinary Committee are not bound by judicial policies governing the admissibility of evidence. Evidence and facts may be established through any reliable means, including but not limited to:
- Documents;
- Reports from officials;
- Declarations from parties;
- Declarations from witnesses;

- Audio or video recordings;
- Expert opinions;
- Doping test results from WADA-Authorized partners;
- Any other proof relevant to the case.

8.4 The WOCRF Special Judiciary Committee, and the WOCRF Ethics and Disciplinary Committee maintain the prerogative to recognize as facts any legal or other expertise conducted by professional individuals such as lawyers or experts in relevant fields. Furthermore, they reserve the right to acknowledge as irrefutable evidence, any facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction, provided such decision is not under appeal.

8.5 The WOCRF Disciplinary Tribunal may draw adverse inferences against any participant accused of a violation if that participant fails to appear when requested or fails to comply with information requests submitted in accordance with this Policy, following reasonable advance notification of the hearing.

ARTICLE 9 - CONCILIATION AND MEDIATION

Upon the agreement of all involved parties, including WOCRF, a matter may proceed to conciliation and mediation. This could apply, for instance, to investigations that do not meet the threshold burden of proof required to proceed to disciplinary or criminal action. The management of this process shall be conducted by the WOCRF Integrity Commissioner. In cases where one or more parties refuse to participate, the matter shall be referred to the disciplinary procedure, outlined in the WOCRF Disciplinary Policy.

ARTICLE 10 - RIGHT TO A FAIR HEARING

10.1 Where the WOCRF Integrity Commissioner alleges that a participant has committed a violation of this Policy and the participant denies the allegation and/or contests the sanctions that may be imposed for such violation, then the matter shall be referred to a hearing before the WOCRF Special Judiciary Committee.

10.2 The WOCRF Special Judiciary Committee shall be appointed in accordance with the principles outlined in this Policy.

10.3 The hearing process shall adhere to the following principles:
10.3.1 A timely hearing;
10.3.2 A fair and impartial WOCRF Special Judiciary Committee;
10.3.3 The right to respond to the specific policy violation and associated sanction;
10.3.4 The right of each party to present evidence;
10.3.5 The right to call and question witnesses;
10.3.7 The right to an interpreter (at the own expense of the participant);
10.3.8 A timely, written decision specifically including an explanation of the reason for the sanction(s) imposed.

10.4 As soon as the parties have made their submissions, the WOCRF Special Judiciary Committee shall determine whether a violation has been committed. Where the WOCRF Special Judiciary Committee decides that a violation has

been committed, it shall select the appropriate sanction within the range of possible sanctions for such violation after considering any submissions on the subject that the parties wish to make.

10.5 The WOCRF Special Judiciary Committee shall issue a decision in writing, with explanations, as soon as possible after the conclusion of the hearing. The decision will outline and explain the following:
10.5.1 Findings as to whether a violation has been committed;
10.5.2 Findings as to what sanctions, if any, are to be imposed;
10.5.3 The date that the period of ineligibility will commence;
10.5.4 The right of appeal.

10.6 The hearing shall be scheduled for 14 days after the WOCRF Special Judiciary Committee is assembled. The hearing date may be adjourned at the request of any party, but only for a definite period of time (up to 30 days). The request for adjournment must be received at least 8 days before the hearing and may only be requested once by each party.

ARTICLE 11 - NOTICE OF DECISION

11.1 Within 30 days of the Hearing, the WOCRF Special Judiciary Committee shall:

11.1.1 Forward a notice of the Special Judiciary Committee's decision to the WOCRF Integrity Commissioner and to the the WOCRF Executive Board, including any disciplinary measures imposed.

11.1.2 The WOCRF Integrity Commissioner will forward a notice of the Special Judiciary Committee's decision to the relevant national governing body to which the participant is a member, including any disciplinary measures imposed. Upon request, the national federation will be granted access to all related documents, facts, and findings of the investigation and hearing.

11.1.3 The WOCRF Integrity Commissioner will also forward a letter to the parties involved, reconfirming Special Judiciary Committee's decision, including any disciplinary measures imposed. The letter will outline the process for an appeal, as specified in Art.14 of the WOCRF Code of Ethics. If the matter is particularly complex or significant, the WOCRF Special Judiciary Committee may postpone the decision by another 30 days.

ARTICLE 12 - CONFIDENTIALITY AND INFORMATION SHARING

12.1 The principle of confidentiality shall be strictly respected by all WOCRF parties during the investigation and disciplinary procedures. Information shall only be shared with parties who have a legitimate need to know. It must also be strictly respected by any person concerned with the procedure until formal publication of the case decision.

12.2 Personal information of WOCRF Parties or other relevant professionals may be shared with law enforcement agencies, government agencies, and/or other sporting organizations to prevent and investigate integrity violations. WOCRF shall comply with legal obligations regarding privacy and data protection in sharing information.

ARTICLE 13 - SANCTIONS

13.1 Any violation of the WOCRF Code of Ethics, or any other WOCRF rule or regulation by individuals bound by the Code of Ethics, may result in one or more of the following sanctions:

13.1.1 Warning;
13.1.2 Formal reprimand, containing the potential consequences for further infringements;
13.1.3 Compliance Training;
13.1.4 Return of Awards;
13.1.5 Community work;
13.1.6 Fine. A financial penalty equivalent to double the annual affiliation fee (500 CHF) may be imposed, along with orders for reimbursement or compensation;
13.1.7 Suspension of license for a defined period;
13.1.8 Disqualification;
13.1.9 Ban from training grounds and/or dressing rooms;
13.1.10 Ban from participating at WOCRF competitions;
13.1.11 Ban from attending WOCRF competitions or any other WOCRF activities;
13.1.12 Ban from being on a WOCRF Event Organizing Committee;
13.1.13 Public disclosure of the breach and resultant sanction;
13.1.14 Expulsion;
13.1.15 Any other appropriate sanctions as deemed necessary by WOCRF.

13.2 Ineligibility

13.2.1 If the WOCRF Special Judiciary Committee finds a Participant in violation, it may impose a period of ineligibility on the participant. The length of the period of ineligibility shall be determined by the Committee based on the circumstances of the case, considering factors such as:
The nature of the breach;
The degree of culpability of the participant;
The damage caused to the sport;
The need to deter future breaches;
Any aggravating or mitigating factors.
13.2.2 The period of ineligibility begins on the date of the Tribunal's decision publication and ends as stated in the decision. The Tribunal may, at its discretion, reduce the period by any provisional suspension served before publication.
13.2.3 During the period of ineligibility, the participant is barred from any event or competition unless directly invited by WOCRF for educational purposes.
13.2.4 Violation of participation prohibitions results in immediate disqualification from the event or competition, restarting the ineligibility period.

13.3 Financial Sanctions
The WOCRF Special Judiciary Committee may impose financial penalties in addition to ineligibility.
13.3 Disqualification of Results
If a participant violates the Code in entered events or competitions, their results are voided, and they are disqualified.

13.4 Aggravating Factors and Circumstances

Aggravating factors considered by the WOCRF Special Judiciary Committee may include:

- Failure to cooperate with investigations;
- Previous or concurrent violations;
- Receiving significant benefit from the violation;
- Impact on events or competitions;
- Lack of remorse or engagement in anti-corruption efforts;
- Harm to individuals or events.

13.5 Mitigating Factors
Mitigating factors considered by the WOCRF Special Judiciary Committee may include:

- Cooperation with investigations;
- Timely admission of guilt;
- Clean disciplinary record;
- Youth or inexperience;
- Lack of impact on events or competitions;
- Remorse and engagement in anti-corruption efforts.

ARTICLE 14 - RIGHT OF APPEAL

14.1 Appeals against decisions of the WOCRF Special Judiciary Committee may be lodged with the WOCRF Ethics and Disciplinary Committee, either by WOCRF or the participant who is the subject of the decision. The appeal procedure is detailed in Article 14 of the WOCRF Code of Ethics.

ARTICLE 15 - NOTIFICATION AND EFFECT OF DECISIONS

15.1 All parties shall be privately notified of the decisions via email, followed by a registered letter if necessary. If the decision implies public disclosure of the breach and resultant sanctions, it will be published on the WOCRF website.
15.2 Decisions shall come into force as soon as they are communicated. Any obvious errors may be rectified by the WOCRF Integrity Commissioner at any time.

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Location: Budapest, Hungary.

Signed for conformity:

Executive Committee Chair
Mr. Zoltán László Bölcs

Signature
[.....]

Vice president
Mr. Tamás Rozina

Signature
[.....]

President
Mr. Raul Fodor

Signature
[.....]