

## Q & A – ADMINISTRATIVE DISCIPLINARY PROCEDURE

### 1. What is the Administrative Disciplinary Procedure?

The Administrative Disciplinary Procedure (ADP) is a new FEI disciplinary process that allows FEI Headquarters, acting through the FEI Legal Department, to directly impose sanctions for “Minor Offences” committed on or after 1 January 2020.

Minor Offences are those offences where the maximum sanction(s) would be:

- (a) Formal Warning;
- (b) Fine not exceeding CHF 2,000;
- (c) Provisional Suspension;
- (d) Suspension not exceeding 3 (three) months;
- (e) Demotion of Official (following consultation with the FEI Director of Officials and the relevant FEI discipline director),
- (f) Removal of an Official from a specific Event (following consultation with the FEI Director of Officials and the relevant FEI discipline director).

### 3. If I am charged with a Minor Offence, is the Administrative Disciplinary Process mandatory?

No. The system operates in much the same way as the “Fast Track” procedure operates for Controlled Medication Cases under the Equine Anti-Doping and Controlled Medication Regulations (EADCMRs).

If you are notified that you are accused of committing a Minor Offence, you will receive a “Minor Offence Notice of Charge”. This document will explain all details of the alleged offence and the sanction(s) proposed by the FEI. You have 3 options:

- (i) Admit the offence and accept the proposed sanction;  
OR
- (ii) Deny the offence and have the case dealt with under the Administrative Disciplinary Procedure;  
OR
- (iii) Choose to have the case submitted directly to the FEI Tribunal for adjudication.

### 4. If I deny the offence and choose to have my case dealt with under the Administrative Disciplinary Procedure (option (ii) above), will I have the chance to explain what happened and defend myself before the decision is taken by the FEI?

Yes. You will have a full right to be heard. You can make a written submission to the FEI and, if you want to, you can also make an oral submission by video or teleconference.

**5. Is the decision taken by the FEI under the Administrative Disciplinary Procedure final?**

No. You have a right to appeal the FEI decision to the FEI Tribunal under the normal appeals process. However, if you lose your appeal, the FEI Tribunal will impose a higher sanction than the one originally imposed by the FEI.

**6. If I choose to have my case submitted directly to the FEI Tribunal (i.e. not have it decided under the Administrative Disciplinary Procedure), what difference will that make?**

If you choose to go directly to the FEI Tribunal, once the case is submitted to the FEI Tribunal, it will no longer be considered as "Minor", meaning that if the Tribunal finds you have committed the alleged offence, it may only impose higher sanctions than the listed "Minor Sanctions", meaning that the minimum sanction that the FEI Tribunal would impose on you would be greater than a 3 months suspension.

**7. Is the decision of the FEI Tribunal final?**

No. All decisions of the FEI Tribunal can be appealed to the Court of Arbitration for Sport.

**8. Even if I choose not to have my case decided under the Administrative Disciplinary Procedure, can the FEI still impose a Provisional Suspension?**

Yes. The FEI acting through the FEI Legal Department can impose a Provisional Suspension in urgent cases. The Provisional Suspension will remain in effect until the final decision is taken by the FEI or the FEI Tribunal.

**9. Is the decision to impose a Provisional Suspension final?**

No. You may apply to the FEI Tribunal to request the lifting of the Provisional Suspension. This is similar to what currently applies in equine anti-doping cases where the FEI imposes a provisional suspension and the Person Responsible can apply to the FEI Tribunal to have it lifted.