

# COPABE



## **PAN AMERICAN BASEBALL CONFEDERATION**

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### **DISCIPLINARY RULES**

**Nonprofit organization**  
**Registered under the laws of the State of Florida USA**  
**Registration N2 0000006916 June-26-20**

**Member Organization of:**  
**World Baseball Softball Confederation - WBSC -**  
**Association of Pan American Sports Confederations ACODEPA**



# Index

## **GENERAL PRINCIPLES OF CONDUCT**

ARTICLE 1:	AUTHORITY	PAGE: 3
ARTICLE 2:	LEGAL PROCEDURES AND PENALTIES THAT AFFECT MEMBER FEDERATIONS, ASSOCIATIONS OR ORGANIZATIONS OF COPABE.	PAGE: 3
ARTICLE 3:	LEGAL PROCEDURES AND PENALTIES THAT AFFECT AN INDIVIDUAL.	PAGE: 5
ARTICLE 4:	NOTIFICATION AND DEADLINES.	PAGE: 7
ARTICLE 5:	GENERAL MATTERS	PAGE: 7

## **RULES FOR DISPUTE RESOLUTION AND APPEALS PROCESSES**

ARTICLE 6:	TYPOLOGY OF DISPUTES	PAGE: 7
ARTICLE 7:	DEADLINES AND FINANCIAL CONDITIONS	PAGE: 10
ARTICLE 8:	GENERAL CONSIDERATIONS	PAGE: 11

## **RULES OF CONDUCT FOR ATHLETES, COACHES, REFEREES, OFFICIALS AND DIRECTORS IN THE COPABE COMPETITIONS.**

ARTICLE 9:	RULES	PAGE: 12
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## **GENERAL PRINCIPLES OF CONDUCT**

### **ARTICLE 1. AUTHORITY**

**The Pan American Baseball Confederation, hereinafter COPABE, may take disciplinary action against a Member Federation or an individual representing a Federation or COPABE itself under the following cases:**

- 1.1** A violation of the COPABE Statutes
- 1.2** A violation or non-compliance with the Statutes, Rules and Regulations of COPABE.
- 1.3** Proven conduct that damages COPABE's image, prestige and authority.
- 1.4** Reprehensible conduct during official COPABE competitions or activities or at WBSC or outside of them.
- 1.5** Non-compliance with the agreements and decisions of the Governing Bodies of COPABE and WBSC.
- 1.6** Repeated faults when fulfilling the responsibilities and obligations of your position.
- 1.7** Commission of minor and serious crimes against sports ethics and morals.
- 1.8** Non-compliance with the Principles and Rules established in the COPABE and WBSC Code of Ethics.
- 1.9** Breach of COPABE, WBSC and WADA Anti-Doping Regulations.

### **ARTICLE 2: LEGAL PROCEDURES AND PENALTIES THAT AFFECT COPABE MEMBER FEDERATIONS, ASSOCIATIONS OR ORGANIZATIONS.**

- 2.1** If the COPABE Executive Committee is aware of an alleged infraction for any of the reasons stated in the previous section, it must gather the additional information necessary before making a decision or, if it considers that the available elements are sufficient to do so, take then a decision on the matter.
- 2.2** If the Executive Committee considers that the absence is slight, it does not justify the application of a disciplinary measure, such decision must be recorded in the official minutes of the meeting in which the matter was heard.
- 2.3** If the Executive Committee considers that the information available to it is sufficient and that the facts of the case have been reliably proven, a decision will be taken on the disciplinary measure to be applied.
- 2.4** If the Executive Committee decides that additional information and analysis is required, it should go to the legal commission to examine the case and make a recommendation to the Executive Committee.

- A.** At the same time that the case is presented to the commission, the Executive Committee must officially notify the Federation involved in the alleged nature violation.
- B.** The commission has sixty (60) calendar days after its appointment to complete the process and present its opinion to the Executive Committee, which must rule on the matter, notify the interested Federation about the results of the investigation and invite it to send any new information. that you consider appropriate. If so requested, the Federation may be given the opportunity to contact the Executive Committee to express its disagreements.
- C.** After reviewing the case, the Executive Committee will ratify the decision on the application of sanctions taken by the Legal Commission, as defined in these Rules. The penalty will be applied with immediate effect.
- D.** An appeal against the penalty imposed by the Executive Committee may be presented at the next Congress of the COPABE . The appeal procedure does not affect compliance with the sanction, which comes into effect from the date of official notification to the Federation , by fax and registered letter sent on the same date.
- E.** If the Federation to which the penalty applies intends to appeal to the Congress, must deposit the sum of 2500 US ( 2 . 5 00.00 USD) at the offices of the COPABE , which will be returned if the final decision is in your favor.
- F.** The decision made by Congress on appeal will not modify the results of any tournament or championship to which the disciplinary procedures may be related.
- G.** The Executive Committee will make its decision by a simple majority of its members. The disciplinary measure applied takes effect immediately from the date of official notification to the penalized person.
- H.** In the cases in which the penalized person occupies a position for which he has been elected by Congress and where the sanction applied implies his dismissal, removal, limitation of rights or temporary suspension, said measure must be ratified by the Congress that it happens immediately after the date the decision was made. If the seriousness of the violation justifies it, the Executive Committee can decide an immediate temporary sanction until Congress makes a final decision.
- I.** The person in question may appeal against the sanction applied by Congress to the World Baseball and Softball Confederation I , provided that such appeal is filed within twenty-one (21) calendar days from the date of official notification by fax. and registered letter.
- J.** Within twenty-one (21) calendar days at the latest of the official notification date, persons not included in subsection F may request the Executive Committee to review their cases again, provided they can provide additional information to justify such review.

- K.** The decision of the Executive Committee will be final.
  - L.** Once all the procedures set forth in these Rules have been exhausted, no other legal procedure will be allowed before the ordinary courts.
- 2.5** Once the process is completed, within the legal framework of COPABE , the Federation may appeal against the decision of the Congress before the World Baseball and Softball Confederation , provided that it is presented within twenty-one (21) calendar days to from the date of official notification.
- 2.6** No other procedures or remedies before the ordinary courts may be re aliasing against the decision of the World Baseball Softball Confederation .
- 2.7** The following sanctions can be applied to a COPABE Federation :
- A.** Withdrawal from the affiliate state , all or some of the rights corresponding to that state.
  - B.** Exclusion or expulsion from COPABE championships, tournaments or events for a specific period .
  - C.** A fine to compensate damages and prejudices .
  - D.** A temporary penalty or a penalty suspending any of your rights .
  - E.** A public warning to all member countries.
  - F.** A penalty combining any of the above options.
  - G.** In each situation provided for in these Disciplinary Rules , the Federation involved in the procedure will be excluded from taking part in voting related to the case.

Once the process is completed, within the legal framework of COPABE, the Federation may appeal against the decision of the Congress to the World Baseball and Softball Confederation, provided that it is presented within twenty-one (21) calendar days from the official notification date.

### **ARTICLE 3: LEGAL PROCEDURES AND PENALTIES THAT AFFECT AN INDIVIDUAL**

- 3.1** COPABE has the right to apply disciplinary measures to an individual who is a member of a National Federation or is under the jurisdiction of that Federation and to any individual designated as an official representative in a game, tournament, competition or official activity of COPABE. To apply a penalty to an individual, COPABE will proceed as indicated in the following paragraphs:
- 3.2** The COPABE Executive Committee will initiate disciplinary proceedings against any individual when it becomes aware of an alleged violation, either independently or through an official report or affidavit from a competent person or authority of COPABE, a Federation, Association, Organization or any sports organization, institution or individual from the public or private sector that the Executive considers appropriate.
- 3.3** When an alleged violation is known, the Executive Committee will take one of the following measures:
- A.** Decide that the seriousness of the alleged violation does not justify the application of a disciplinary measure, in which case such decision must be recorded in the official record of the meeting.

- B.** Consider that the nature of the case and the information that is available are sufficient and, consequently, decide to apply a disciplinary measure in accordance with the provisions contained in these Rules.
- C.** Consider that the evidence of the alleged violation is insufficient, so it is necessary to gather more information and investigate the case in depth.

**3.4** The following sanctions are applicable:

- A.** Dismissal, removal or suspension of the post for which he was elected by the COPABE Congress.
- B.** Dismissal, removal or suspension of participation in matches, competitions or official activities of COPABE and WBSC.
- C.** A fine according to the seriousness of the violation committed and its financial implications, the amount will be determined by the Executive Committee.
- D.** Temporary or provisional suspension of activities as Executive of COPABE and WBSC and / or its recognized organizations.
- E.** Temporary limitation to occupy managerial positions in COPABE and WBSC or in its recognized organizations for a period determined by the Executive Committee or Congress, as the case may be.
- F.** A warning or any other measure deemed morally or ethically appropriate by the Executive Committee or Congress.
- G.** A penalty that combines any of the measures described above.

**3.5** In accordance with the procedures established in these Rules that apply to individuals, they are excluded from participating in the voting of decisions related to their case.

#### **ARTICLE 4. NOTIFICATION AND DEADLINES**

**4.1** The deadlines established for the application of each of the procedures are as follows:

- A.** The official notification of a decision or sanction to a Federation or interested individual will be given no later than twenty one (21) calendar days after the decision is made, by E-Mail, PDF format, and registered letter sent on the same date.
- B.** All appeals against a decision or sanction must be filed at COPABE headquarters until 18:00 (Miami time) on the first business day following twenty-one (21) calendar days from the official notification, and must be sent via E- Mail note PDF format and registered letter sent on the same date.

#### **ARTICLE 5. GENERAL MATTERS**

**5.1** Disciplinary matters will be discussed in ordinary meetings planned in the approved annual calendars of each agency. Only in exceptional cases of extreme gravity will extraordinary meetings of the Executive Committee be convened for this purpose.

**5.2** The expenses incurred by the disciplinary procedures must be borne by each of the actors in the proportion corresponding to each party.

- 5.3** The policies established in the COPABE Code of Ethics must be observed with respect to discussion, confidentiality and professional ethics.

## **RULES FOR CONFLICT RESOLUTION AND APPEALS PROCESSES**

**ARTICLE 6: CLASSIFICATION OF CONFLICTS:** COPABE is a Continental organization made up of Federations, Associations and Organizations that, on a completely voluntary basis and with full knowledge of their responsibilities, abide by, respect and observe its Statutes, Rules and Regulations.

Individuals, including athletes, coaches, referees, officials and directors who, in any capacity or activity, act on behalf of or represent a Federation or the COPABE Commissions, acknowledge, accept and promise to observe all legal provisions of COPABE and the WBSC and the specific regulations of its member organizations.

When, despite the good will, the positive attitude and the sense of cooperation present in the work of the Federation, conflicts and disputes arise in the normal operation of COPABE that must be resolved through legally grounded and approved actions, the Executive Committee of COPABE establishes the following rules:

- 6.1** The jurisdictional scope of these Rules covers conflicts, differences of opinion or any other type of controversy between COPABE Federations and Commissions or between them and governmental or non-governmental sports organizations with which they have labor relations..
- 6.2** The Rules recognize the right of all members, their organs and the people acting individually on their behalf, both within COPABE and in their external relations, to defend themselves and be protected by their organizations, provided there is no violation of the Rules Disciplinary, in which case the provisions established for that purpose will apply.
- 6.3** The federations affiliated with COPABE must guarantee that their Statutes, Rules and Regulations and any other legal document do not conflict with those of COPABE or WBSC, thus achieving greater legislative harmony and coherence.
- 6.4** In case of conflict derived from incompatibility in terms of approval or Interpretation of legal documents between Federations, Associations, Organizations belonging to COPABE, what Congress or the Executive Committee has legislated shall prevail, in accordance with the powers conferred on them by the Statutes.
- 6.5** Under these Rules, in the event of a dispute, COPABE Federations, Associations or Organizations may file appeals when any of the following circumstances arise:
- A.** Conflicts between two or more Federations.
  - B.** Conflicts between organizations and / or individuals within the same Federation or when the parties to the conflict agree to file an appeal with COPABE.
  - C.** Impugnment of a decision of the Executive Committee, which is not related to an appeal procedure.
  - D.** Conflicts between a Member Federation, Association or Organization of COPABE and a Sub-Continental Confederation.

- E.** Conflicts between a Federation, Association, Organization or a Regional, Continental or International Sports Confederation and any other organization that belongs to the Olympic Movement.
- F.** Disagreements in the interpretation and application of the Eligibility Rules and the Rules for Player Transfers. .
- G.** Conflicts between WBSC, Continental Sub-Confederations and the Executive Committee

**6.6** The procedure to file appeals in case of conflicts provided for in these Rules are as follows:

**A. Conflict between Federations.**

When one or more Federations consider that their differences cannot be resolved after all available means have been exhausted, they can file an appeal with the Executive Committee of COPABE.

After taking notice of the case, the Executive Committee has a period of six (6) months to issue a decision. Either party involved can file an appeal against the Executive Committee's decision at the next Congress. There is no appeal against the final decision made, which will be final.

- B.** Conflicts between a National Federation and an organization or an individual member, as a result of their participation in an activity by invitation endorsed by the national federation of the host country. The organization or individual member may file an appeal to the Executive Committee regarding a dispute with their National Federation as long as their request is adequately supported by available evidence, including the penalty or decision against which it is appealed. The Executive Committee has a period of six (6) months to make a decision, against which no other type of appeal can be filed.

- C.** Impugnar una decisión del Comité Ejecutivo.  
Las Federaciones, Asociaciones y Sub Confederaciones Continentales de la COPABE. tienen el derecho de presentar una apelación contra una decisión del Comité Ejecutivo, ante el propio Comité en primera instancia. Si no están de acuerdo con la decisión, pueden apelar al Congreso, cuya decisión es definitiva. Las únicas decisiones contra las cuales se pueden presentar apelaciones a través de este procedimiento se refieren a la aplicación o interpretación de documentos legales internos, siempre que no estén relacionados con procedimientos disciplinarios.

**C.1 Conflicts between a Continental Sub-Confederation and a Federation.**

A Federation may file an appeal to the Executive Committee after having exhausted all possibilities of reaching an agreement in accordance with the Rules in force in each Sub-Confederation. The appeal must be filed together with the corresponding supporting documents. The Executive Committee has a period of six (6) months from the filing of the appeal to carry out all the necessary investigations and make a decision. If either party disagrees with the decision, you can go to Congress. The decision of Congress is final and cannot be appealed against.



- C.2** Conflicts between a Federation, Association, Organization or Sub Continental Confederation and a regional, continental, international or any other sports organization belonging to the Olympic Movement.  
Any Federation of COPABE involved in a dispute with sports organizations outside COPABE can request the protection of the Executive Committee.
- C.3** The member filing the appeal must accompany a file to the Executive Committee containing the appropriate documentation on the case, including attempts by national and / or regional and sub-continental organizations of which he is a member to reach an agreement.
- C.4** If necessary, the Executive Committee may designate one or more of its members to examine the case and present appropriate recommendations.
- C.5** After the Executive Committee has reached a position on the case, it will attempt to mediate a friendly settlement.
- C.6** If the dispute continues, the Executive Committee may support the members claim to the World Baseball and Softball Confederation, if this is considered essential to the resolution of the case.
- D.** Federations may file appeals with the Executive Committee when they have reasonable grounds to believe that the eligibility rules or the rules for player transfers have been violated. In such cases, they must present evidence, including the opinion of the Continental Sub-Confederation and the WBSC on the case.  
The Executive Committee resolves within six (6) months from the date the appeal was filed. The parties to the conflict will be notified of the decision. If they continue to disagree, an appeal may be filed against the resolution before Congress, this being the final decision and it is not appealable.
- E. Conflict between a Continental Sub-Confederation and the Executive Committee:**

  - A.** An attempt will be made to resolve differences of opinion between the Executive Committee and a Sub-Confederation in the first instance through understanding and goodwill. However, if an agreement on the conflict is not reached, the party deemed to be affected may file an appeal with Congress.  
The Executive Committee, as one of the parties to the conflict, will instruct the Legal Commission to prepare all the documentation related to the case. Said documentation must be circulated to affiliates at least thirty (30) calendar days before the date established for the start of the Congress. There is no appeal against its decision.

## **ARTICLE 7: DEADLINES AND FINANCIAL CONDITIONS**

- 7.1** The following financial terms and conditions will apply to appeals:

  - A.** Any Federation, Association, Organization, Sub-Confederation or individual who has filed an appeal or is involved in a conflict must receive official notification of the decision by Email PDF Note and registered letter sent the same day, by the body responsible for taking a decision on the case.

**B.** Once the official notification has been received, the affected party may file an appeal with the appropriate body as defined in the Rules. All appeals must be filed with COPABE headquarters until 18:00 pm in Miami on the next business day after twenty-one (21) calendar days after the official notification.

**C.** All expenses incurred by the appeal procedures must be covered by the conflicting parties.

## **ARTICLE 8. GENERAL CONSIDERATIONS**

**8.1** All appeals submitted to the Executive Committee must be accompanied by a deposit of one thousand US dollars (1,000.00 USD), which will be returned to the appellant if the decision is in his favor.

**8.2** All appeals filed with Congress must be accompanied by a deposit of two thousand five hundred United States dollars (USD 2,500.00), which will be returned to the appellant if the decision is in their favor.

**8.3** All appeals filed with the Court of Arbitration for Sport will comply with the rules of procedure of the TAS.

**8.4** If, when examining a conflict, the Executive Committee considers that the regulations of COPABE have been violated in such a way that they constitute a lack of discipline, it will proceed in accordance with the provisions contained in the Disciplinary Rules.

**8.5** COPABE headquarters must keep all case files that have been submitted to the Executive Committee or Congress, as well as decisions and documents of interest related to cases for which appeals were filed before the Superior Court of Sport.

## **ARTICLE 9: RULES OF CONDUCT FOR ATHLETES, COACHES, REFEREES, OFFICIALS AND DIRECTORS IN THE COPABE COMPETITIONS**

Athletes, coaches, referees, officials and directors who participate in COPABE and WBSC competitions and activities will be subject to the following Rules:

**9.1** Mutual respect must be observed and no type of physical or verbal aggression or offensive gestures towards people or institutions are allowed.

**9.2** Disciplined and orderly conduct must be observed at all times by all participants in COPABE and WBSC official competitions and activities.

**9.3** Each participant in a competition must comply with the provisions of the COPABE and WBSC Anti-Doping Regulations; consequently, the trafficking or use of any medication or substance prohibited by the World Anti-Doping Code and the WBSC is not permitted.

**9.4** At the time of arrival at the stadium or field of play and until the exit of the same, for training or celebration of a game, it is strictly forbidden to smoke, the use of tobacco, consumption of alcoholic beverages in the areas reserved for the participating teams,

including the playing field ,, benches, club house or public areas with specific regulations.

- 9.5 Participants have an obligation to make proper use of and care for the areas of accommodation, training, competition and other facilities, as well as the resources and means available to them. Any damage must be repaired materially or financially by the responsible person and the National Federation, in addition to any disciplinary measures that may result from it and the National Federation.
- 9.6 The use of official regulatory uniform or clothing is the obligation of each National Federation, which is responsible for the adequate presence and cleanliness of its selected in accordance with the public image of COPABE and WBSC.
- 9.7 Referees acting on the field and technical officials assigned to each game shall be responsible for ensuring that no unauthorized person in the game remains on the field, and that members of the press, photographers and cameramen remain in the reserved areas for them, as stipulated in the Tournament Rules.
- 9.8 The decisions of the judges and umpires must be obeyed and respected and cannot be considered valid reasons for the disorder and lack of discipline. Complaints will be made in accordance with the Tournament Rules and with the official authorities.
- 9.9 Participants will cooperate as best they can with the organizers to ensure that the competition or any other official activity takes place successfully for the good of Baseball.
- 9.10 The Local Organizing Committee has the obligation to guarantee discipline and public order in a way that contributes to the successful celebration of the competition. Participants will refrain from any demonstration that may provoke or encourage inappropriate public conduct. In accordance with the rules of COPABE and WBSC, any breach of this point may result in a sanction being applied to those involved.
- 9.11 Participants must show the greatest respect towards the organizers, institutions and delegations that represent different countries and their official symbols.



**CONFEDERACION  
PANAMERICANA DE BEISBOL**