

## Terms of Reference

### IMMAF Disciplinary Committee

The IMMAF Disciplinary Committee is responsible for the management and resolution of any asserted violations of the IMMAF Code of Ethics and other IMMAF Rules and Procedures, **except** for asserted violations of anti-doping rules which will come under the jurisdiction of a separate IMMAF Anti-doping Disciplinary Committee.

The IMMAF Disciplinary Committee is elected by the IMMAF General Assembly in accordance with the IMMAF Statutes.

Any complaints, disputes or appeals arising from decisions of the IMMAF Disciplinary Committee will be settled by the IMMAF Arbitration Panel, which is a separate body, independent of the Disciplinary Committee.

### 1 Composition

The Committee may be composed of up to seven persons, including a Chair, with expertise in law, ethics, the sport of mixed martial arts or sport in general:

The Committee may also invite an expert/s to advise it based on their expertise. They will have no voting rights but be considered as an Advisory Panel to the Disciplinary Committee.

### 2 Purpose

The IMMAF Disciplinary Committee considers and decides on any matter presented to it in relation to alleged breaches of IMMAF rules and regulations. In order to achieve this, the Committee shall:

1. maintain confidentiality, except when its report has been presented to the Board of Directors. Only the content of the report will be a matter of public record.
2. ensure that the rules of natural justice, due process and the *audi alteram partem* rule are applied.
3. develop procedures to be followed.
4. ensure that it acts fairly towards all participants in the matter while using its best endeavours to expedite hearings.
5. undertake to have at its disposal all relevant information to decide on a matter using the following standards of proof:

6. the comfortable satisfaction of the Committee which is less than beyond a reasonable doubt;
7. decide all matters presented to it and impose any of the following sanctions, with a reduction for cooperation and/or substantial assistance:
8. impose a fine;
9. suspend a person or federation/organisation for any period from any specified activity in the sport (e.g. participating in tournaments or being a technical official);
10. ban a person or federation/organisation from involvement in mixed martial arts world-wide;
11. decide to suspend a fine or suspension;
12. service to the IMMAF community.
13. finalise the written ruling for the “prosecution”, “defence” and Board of Directors as soon as the hearing has been completed.
14. submit its report for the matter to the Board of Directors for information as soon as possible after the hearing.
15. develop case law for IMMAF.
16. make recommendations to the Board of Directors for improvements in its rules and regulations.

### **3 Eligibility**

To be eligible for the Disciplinary Committee, the applicant must:

1. have experience of working in the field of Mixed Martial Arts, Sport and/or sport law and/or in other fields where disciplinary procedures are common.
2. be able to speak and understand English reasonably well;
3. not be under investigation, or convicted or otherwise sanctioned for any other offence or breach of any rules of IMMAF, an Area Association or a Member Federation an offence under any applicable laws punishable by a term of imprisonment of 2 years or more (unless the person has served the sanction imposed on them);

### **4 Voting:**

- 1.1 each member of the Committee shall have one vote where it is not possible to decide by consensus.

- 1.2 if, for any reason, there is tie, the Chairperson shall have a casting and deliberative vote.

## **5 Meetings**

- a. In addition to dealing with individual cases the Committee shall meet, once a year, at such time and place as the Chairperson may determine in consultation with the Administration. The Disciplinary Committee will also connect regularly by telephone, email and other means of communication as is necessary to fulfil its responsibilities.
- b. Members of the Disciplinary Committee serve in a voluntary, unpaid capacity. Notwithstanding, IMMAF will cover expenses and pay a per diem according to IMMAF practice as determined by the IMMAF CEO.

## **6 Term of office**

Each member shall serve a period of 2 years.

## **7 Reporting**

The Committee shall report to the IMMAF Board of Directors.

## **8 Code of conduct and Conflict of Interest**

Members shall sign a code of conduct and confidentiality agreement in advance. Members will be expected to raise any issues related to nationality, relationship or commercial conflicts of interest, or potential conflicts, before accepting any assignment related to the Committee. The Committee chair will have the final judgement in case of conflicts of interest.