



# CODE OF ETHICS

VERSION ON 01.09.2019

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## PREAMBLE

The UCI acknowledges its responsibility to safeguard the integrity and reputation of cycling throughout the world. The following Code reflects and defines the most important core values for behaviour and conduct within UCI and its affiliates. The conduct of persons bound by this Code shall reflect their support of the principles of integrity and ethics and their efforts to refrain from anything that could be harmful to these aims and objectives.

Furthermore, UCI and its continental confederations and national federations, as well as their officials individually, all licence-holders in the world of cycling and all organisers and applicants for the organisation of UCI competitions and events restate their commitment to the UCI Cycling Regulations and undertake to respect and ensure adherence to the below provisions which form an integral part of the UCI Cycling Regulations.

*Note: terms referring to natural persons are applicable to both genders. Any term in the singular applies to the plural and vice versa.*

**Art. 1 Persons bound by the UCI Code of Ethics**

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The UCI Code of Ethics (hereinafter: the Code) shall apply to the persons falling within the categories below. With respect to legal persons, the Code shall apply to all representatives with decision-making powers.

**Officials**

All UCI Officials, meaning members of the UCI Management Committee, honorary members, members of UCI Commissions (including the Professional Cycling Council) and Judicial bodies, voting delegates at the UCI Congress, national federation delegates at the UCI Congress, the executive members of continental confederations and the candidates for an executive position within the UCI and the continental confederations.

**Licence-holders**

All licence-holders as described in Article 1.1.010 of the UCI Cycling Regulations.

**UCI, WCC and CADF staff and consultants**

UCI, World Cycling Centre (hereinafter: WCC) and the Cycling Anti-Doping Foundation (hereinafter: CADF) staff, consultants and any person holding a role representing the UCI, WCC or the CADF or working on behalf of the UCI, the WCC or the CADF in connection with the organisation of cycling competitions, the governance of cycling or anti-doping within cycling.

**Event organisers**

Organisers and applicants for the organisation of the UCI World Championships, UCI World Cups and any other UCI competition or event, regardless of their form or constitution.

National federations are requested to adopt a code of ethics based on the present Code. National federations may decide to apply the present Code for their own organisation, subject to the necessary drafting amendments.

**Art. 2 Scope of applicability**

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The Code shall apply to conduct that damages the integrity and reputation of cycling and in particular to illegal, immoral and unethical behaviour. The Code focuses on general conduct within cycling. For the avoidance of doubt, the application of the Code shall be subsidiary to the UCI Cycling Regulations with regard to any behaviour which is specifically governed therein, notably with respect to in-race actions.

**Art. 3 Breach of the Code**

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As a general rule, any breach of the Code may be established whether it was committed deliberately or negligently, whether or not the breach constitutes an act or an attempted act, and whether the parties acted as participant, accomplice or instigator.

**Art. 4 Statute of limitation**

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The investigation of breaches of the provisions of the Code may no longer be initiated after a period of 10 years. Provided that the investigation is initiated in a timely manner, the Ethics Commission and/or the UCI Disciplinary Commission (hereinafter: Disciplinary Commission) shall be entitled to complete pending cases and render decisions.

**Art. 5 General principles**

Persons bound by the Code are expected to be aware of the importance of their duties and concomitant obligations and responsibilities.

Persons bound by the Code shall show commitment to an ethical attitude. When discharging their duties and responsibilities they shall behave in a dignified manner and act with complete honesty, credibility, impartiality and integrity. They shall fulfil their duties with due care and diligence.

Persons bound by the Code may not abuse their position in any way, especially to take advantage of their position for private aims or gains.

All persons concerned shall at all times act in compliance with the principles below in any activity related to cycling and shall immediately report any potential breach of this Code to the Secretariat of the Ethics Commission (cf. Article 13.1).

**Art. 6 General rules of integrity****Art. 6.1. Non-discrimination**

The persons bound by the Code shall not undertake any action, use any denigratory words, or any other means, that offend the human dignity of a person or group of persons, on any grounds including but not limited to skin colour, race, religion, ethnic or social origin, political opinion, sexual orientation, disability or any other reason contrary to human dignity.

**Art. 6.2 Duty of neutrality**

In dealings with government institutions, national and international organisations, associations and groupings, persons bound by the Code shall remain politically neutral, in accordance with the principles and objectives of the UCI, whenever expressing themselves on behalf of the organisation they represent.

**Art. 6.3 Confidentiality**

Persons bound by the Code shall not disclose information entrusted to them in confidence and which has not been made public. Disclosure of other information shall not be for personal gain or benefit, nor be undertaken maliciously to damage the reputation of any person or organisation.

The obligation to respect confidentiality survives the termination of any relationship which makes a person subject to the Code.

**Art. 6.4 Protection of physical and mental integrity**

The persons bound by the Code shall respect the integrity of all persons with whom they interact in the context of their cycling-related activity. The personal rights of every individual whom they contact and who are affected by their actions shall be protected and respected. In particular, sexual harassment in any form is forbidden and the welfare of young people under the age of 18 is paramount so as to give them protection from poor practice, abuse and bullying.

The above shall be considered as the general rule and is supplemented by Appendix 1.

**Art. 7 Integrity rules pertaining to conduct of office****Art. 7.1 Offering and accepting gifts**

Persons bound by the Code may only offer or accept a gift provided such gift would not reasonably be considered to influence the behaviour of the accepting party, does not create any form of obligation, does not create an undue advantage of any kind and does not create a conflict of interest. As a general rule, only gifts of purely symbolic or trivial value, in accordance with prevailing local customs should be offered or accepted.

**Art. 7.2 Bribery and corruption**

Persons bound by the Code, shall not, directly or indirectly, offer, promise, solicit, give or accept any form of undue remuneration or commission, nor any concealed benefit or service of any nature. The aforementioned rule shall apply to activities related to the organisation of cycling competitions or the governance of the sport, whether within or outside the UCI, continental confederations or national federations and whether in connection with the person's official activities or not.

### **Art. 7.3 Votes**

All persons bound by the Code shall neither give nor accept instructions, inconsistent with their respective roles and responsibilities, to vote or intervene in a given manner within the organs of the UCI, continental confederations or national federations and their affiliates, or any organisation to which the UCI is affiliated.

### **Art. 7.4 Conflicts of interest**

Persons bound by the Code shall avoid any situation that could lead to a conflict of interest. A conflict of interest shall arise when the objectivity of a person bound by the Code, in expressing an opinion, undertaking any action or taking part in a decision, may be influenced or be perceived as being influenced due to private or personal interests. Private or personal interests include gaining any possible advantage for the persons bound by the Code, their family, relatives, friends and acquaintances. Specific provisions for the members of the Management Committee are contained in article 55 par. 3 and 4 of the UCI Constitution.

## **Art. 8 Integrity of competitions**

### **Art. 8.1 Manipulation of cycling events**

Any undertakings that are aimed at or may potentially modify or influence the course or result of a competition, or any part thereof, in any manner contrary to sporting ethics, such as manipulation or corruption, is forbidden. For the avoidance of doubt, the provisions of the Code and its Appendix 2 shall be subsidiary to article 1.1.088 of the UCI Regulations with respect to matters governed by said provision.

*The above shall be considered as the general rule and is supplemented by Appendix 2.*

### **Art. 8.2 Anti-Doping**

Persons bound by the Code shall refrain from any action promoting, facilitating, associating with, or otherwise supporting behaviour or actions that contravene the provisions and the spirit of the UCI Anti-Doping Rules. For the avoidance of doubt, the application of the Code shall be subsidiary to that of the UCI Anti-Doping Rules in respect of any person bound thereto.

## **Art. 9 Good governance pertaining to resources**

### **Art. 9.1 UCI and continental confederation resources**

The resources of the UCI and continental confederations may only be used for the benefit of cycling in accordance with their respective statutes. In particular, persons bound by the Code are prohibited from misappropriating the UCI and/or continental confederations' assets, regardless of whether actions are carried out directly or indirectly through third persons.

### **Art. 9.2 Support from UCI or continental confederations**

Any support from the UCI or continental confederations to any person or entity bound by the Code, whether financial, material, or of any other nature, shall be utilised in strict compliance with the purpose for which it was granted.

The UCI or the continental confederation shall be entitled to request from the recipient the production of any appropriate evidence regarding the use of the resources. Moreover, the recipient shall clearly demonstrate the use and purpose of the resources if requested.

## **Art. 10 Rules pertaining to relations with third parties**

### **Art. 10.1 Partners**

The persons bound by the Code shall undertake dealings, negotiations and decisions regarding relationships with partners, such as broadcasters, sponsors, suppliers and other supporters of cycling in compliance with the rules laid down in the present Code and without being influenced in any manner or accepting any kind of interference.

### **Art. 10.2 Candidatures for UCI events**

All persons bound by the Code shall in all dealings respect the rules applicable to the bidding and selection processes for organisers of UCI competitions and events.

The applicants wishing to organise UCI events shall respect the provisions of the Code in their entirety as well as all other applicable rules.

#### **Art. 10.2.1 Bidding information**

The applicant's bidding material shall be complete and absolutely truthful. Moreover, the information shall not include comparisons of other bids and shall not insult, denigrate or demean other applicants or organisers of UCI events.

### **10.2.2 Lobbying**

Applicants shall refrain from approaching any person, party, or third authority, with a view to obtaining any financial, political or de facto support inconsistent with the provisions of the Code and regulations relating to the relevant bidding process.

### **Art. 11 Rules pertaining to elections and candidatures for executive positions**

In the context of election processes, the persons bound by the Code shall act with integrity and not make use of any illegitimate means that could potentially influence the outcome of the election.

Persons bound by the Code shall not provide any financial, material or in kind assistance to a candidate outside of the scope of their usual tasks. Candidates shall not accept any such assistance from persons bound by the Code or from a UCI partner, sponsor, organisers of cycling competitions or any other third party with a direct interest in cycling.

Candidates in an election shall conduct themselves in a manner consistent with universal principles of fairness and good faith. They shall not insult, denigrate or demean any other candidate.

## **CHAPTER III**

## **THE ETHICS COMMISSION**

### **SECTION 1**

### **FUNCTIONING**

#### **Art. 12 Composition**

The Ethics Commission through its composition shall ensure that it functions in an independent manner. The Ethics Commission shall be made up of five members bearing recognised competence in the domain of sports and/or law and ethics. All members of the Ethics Commission shall be fully independent from the UCI, continental confederations, national federations and any other cycling stakeholders. In addition, the composition of the Ethics Commission shall ensure a minimum representation of 25% of each gender.

The members of the Ethics Commission, including the President, shall be appointed by the UCI Congress, on the proposal of the Management Committee, two years after the election of the UCI President and UCI Management Committee and for a four-year term. In case of vacancy of a member due to resignation, removal or death, the UCI Management Committee may make a provisional appointment to be approved at the following UCI Congress. In case the President of the Ethics Commission may not fulfil his role for any reason whatsoever, the members of the Ethics Commission shall designate the member who shall act as his deputy.

The President of the Ethics Commission shall be limited to serving a maximum of three terms of four years.

#### **Art. 13 Principles of functioning**

The Ethics Commission shall ensure that it executes its tasks in an independent manner.

##### **Art. 13.1 Secretariat**

The Secretariat of the Ethics Commission (hereinafter: the Secretariat) shall be dealt with by a secretary appointed by the UCI Management Committee. The secretary shall be independent from the UCI and possess adequate legal qualification.

The contact details of the Secretariat shall be published on the UCI website.

#### **Art. 13.2 Confidentiality**

The members of the Ethics Commission and the Secretariat shall ensure that all information disclosed to them during the course of their duty remains confidential, in particular, facts of a case, contents of investigations and deliberations and decisions taken as well as private personal data. Moreover, the members of the Ethics Commission shall not make any public declarations regarding ongoing proceedings.

#### **Art. 13.3 Liability**

Within the scope of its mission, neither the members of the Ethics Commission, the Secretariat nor the UCI shall be liable for any action or omission in connection with proceedings conducted under the Code, unless the actions or omissions are proven to constitute intentional wrongdoings, gross negligence or any liability which cannot be excluded by Swiss law.

## **SECTION 2**

## **DUTIES AND TASKS**

### **1. General**

The Ethics Commission is vested with the following duties and tasks:

#### **Art. 14 Surveillance and investigation**

- 1) to ensure that the present Code is respected;
- 2) to investigate complaints and denunciations regarding violations of the rules of the Code;
- 3) to investigate potential breaches of the Code on its own initiative and *ex officio*;

#### **Art. 15 Assistance, education and counselling**

- 1) to give advice and assistance on ethical matters, particularly as regards the application of the Code;
- 2) to set out measures for the application of the Code and the general principles of ethics and governance;
- 3) to put forward proposals aimed at raising knowledge and awareness in respect of ethical matters.

#### **Art. 16 Recommendations and reporting**

- 1) to recommend measures to be taken by the UCI and any of its bodies in relation to breaches of the Code or otherwise;
- 2) to recommend the transmission of information and/or documentation in the UCI's possession to external governing bodies or state authorities;
- 3) to recommend the imposition of sanctions by the Disciplinary Commission where applicable (cf. Article 36);
- 4) to report to the UCI Congress on its activity (cf. Article 20).

#### **Art. 17 Adjudication**

- 1) to render decisions in relation to disputes regarding potential conflicts of interests (cf. Article 18.2);
- 2) to render decisions regarding applications for the elections of the UCI President and the UCI Management Committee (cf. Article 19.1);
- 3) to render decisions regarding flaws in relation to the conduct of votes (cf. Article 19.2);
- 4) to render decisions in relation to breaches of the Code and, if applicable, impose reprimands, in accordance with Article 34 below.

### **2. Specific powers**

#### **Art. 18 Conflicts of interest**

The Ethics Commission shall address any question submitted to it relating to potential conflicts of interests regarding members of the UCI Management Committee, any other UCI Commission or judicial body. The Ethics Committee shall examine and adjudicate disputes in this regard and may render decisions ranging from a reprimand to a ban from exercising the activity causing the relevant conflict of interest. Any such decision rendered by the Ethics Commission may be appealed before the Court of Arbitration for Sport.

#### **Art. 19 Elections and votes**

##### **Art. 19.1 Candidatures**

Prior to the election of the UCI President and the UCI Management Committee, the Ethics Commission shall be provided with the applicants' files in order to verify their compliance with the applicable requirements. Any decision of the Ethics Commission rejecting an application may be appealed before the Court of Arbitration for Sport.

**Art. 19.2 Vote scrutiny**

Whenever the external notary/lawyer responsible for the scrutiny of the votes at elective Congresses of the UCI observes the existence of an irregularity regarding the vote, it shall report to the three-member panel of the Ethics Commission present at the UCI Congress. In case a procedural flaw potentially affecting the regularity of the vote is ascertained, the panel of the Ethics Commission shall determine whether the vote shall be cancelled and re-held.

Any decision rendered by the panel of the Ethics Commission cancelling a vote may be appealed before the Court of Arbitration for Sport.

**Art. 20 Report to the UCI Congress**

The Ethics Commission shall submit a yearly report on its activities to the UCI Congress. The Ethics Commission shall report all asserted violations of the present Code. The duty to report asserted violations can be withheld or redacted, as appropriate, regarding the cases it deals with, in consideration of personal rights of persons involved and/or to preserve confidentiality of the information.

**Art. 21 Right to complain and right to be a party**

Any person may address a complaint or report an alleged breach of the Code to the Ethics Commission. The Secretariat shall acknowledge receipt of the complaint or denunciation, although the person submitting the file shall have no entitlement for proceedings to be opened, to be a party to proceedings or to be informed of any decision passed. The Ethics Commission will have free discretion to consult this person or any other person and request his participation in proceedings.

Only the persons who are alleged to have committed a violation of the provisions of the Code and against whom proceedings have been initiated shall be considered as parties before the Ethics Commission.

**Art. 22 Obligation to collaborate****Art. 22.1 General obligation**

At the request of the Ethics Commission, the persons bound by the Code are obliged to contribute to establishing the facts of the case and, especially, to provide written or oral information as witnesses as well as evidence at their disposal or which can reasonably be obtained. Witnesses are obliged to tell the truth and to answer the questions put to them to the best of their knowledge and judgement.

**Art. 22.2 Parties**

Parties to proceedings before the Ethics Commission are obliged to collaborate in establishing facts and shall, in particular, comply with the Ethics Commission's requests for information and production of evidence.

**Art. 22.3 Non-compliance and/or obstruction**

Any non-compliance with art. 22 or any obstruction to an investigation carried out by the Ethics Commission, including concealing, tampering with, destroying any documentation or unduly delaying the production of information and/or documentation that may be relevant to the investigation shall be considered a violation of the present Code.

**Art. 23 Right to be heard**

The parties shall be granted the right to be heard, the right to present evidence, the right for evidence leading to a decision to be inspected, the right to access files and the right to a reasoned decision in case a sanction should be imposed.



#### **Art. 24 Representation**

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Any party may be represented by a counsel of his choice. Any cost related to his representation before the Ethics Commission shall be borne by the party concerned.

#### **Art. 25 Languages**

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The working languages of the Ethics Commission are English and French. Only complaints or denunciations remitted in either of the two working languages shall be taken into consideration. All proceedings before the Ethics Commission shall be conducted in French or English. Parties introducing documents in other languages shall bear all costs related to the translation of such documents as well as oral statements.

#### **Art. 26 Requisites for a complaint or denunciation**

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##### **Art. 26.1 Form and address**

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Matters shall be brought before the Ethics Commission in writing and addressed to the Secretariat. Notifications shall only be considered if sent to the email address of the Secretariat published on the UCI website.

##### **Art. 26.2 Content and information**

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The complaint or denunciation regarding a potential breach of the Code shall include the following information:

- Name and surname of the sender;
- Full contact details of the sender;
- Name and surname of the person(s) concerned by the alleged violation;
- The facts of the matter referred;
- Any and all evidence in the sender's possession;
- Provision(s) of the Code potentially breached;
- Signature of the sender.

Upon request and/or if the circumstances so require, the sender of the complaint or denunciation shall have a right for his/her personal information as well as the personal information of the victim of the alleged violation of the Code, if any, not to be disclosed to the parties. In particular pertaining to allegations of breaches of the rules of conduct laid down in Appendices 1 and 2 of the Code, the Ethics Commission shall consider the particularly sensitive nature of such cases when deciding appropriateness of not disclosing the personal information of the persons concerned.

#### **Art. 27 Registration**

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Upon receipt of a complaint or denunciation, or upon request from the Ethics Commission, the Secretariat will register a file and send it to the President of the Ethics Commission. At the same time, the Secretariat shall inform the UCI President of the registration of a file. Should the file concern the UCI President directly, such information shall be provided to the members of the Executive Committee of the UCI.

Upon receipt of the file, the President of the Ethics Commission shall proceed to a prima facie examination of the case and determine whether there is any indication that a breach of the Code may have been committed. The President of the Ethics Commission may request additional information and documentation from the sender of the complaint or denunciation or any person bound by the Code. If the complaint or denunciation is deemed to be manifestly groundless, the President of the Ethics Commission shall decide not to initiate proceedings. In any other case, the decision to initiate proceedings or not shall be made by the Ethics Commission, at its full and independent discretion and shall not be subject to appeal.

#### **Art. 28 Panel**

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##### **Art. 28.1 Constitution**

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After deciding on the initiation of proceedings, the President of the Ethics Commission shall proceed to the constitution of the panel that shall deal with the case. The panel shall in principle be chaired by the President of the Ethics Commission, who may also decide to name any other member to act as chairman of the panel. The panel shall be composed of three members. In exceptional cases, upon such request of the President of the Ethics Commission and agreement of a majority of its members, the Ethics Commission shall sit in a plenary formation.

##### **Art. 28.2 Independence, impartiality and challenge**

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The members of the panel shall be fully impartial and independent from any of the persons concerned. A member of the panel shall immediately disclose any circumstance which may affect his independence and impartiality with respect to any of the persons concerned.

Any challenge of a member of the panel shall be sent to the Secretariat within 7 days after the grounds for challenge become known or should reasonably have become known to the challenging person. Any such challenge shall indicate the grounds of the challenge and include all relevant facts and supporting documents. Any application to challenge a member of the panel shall be decided by the other members of the Ethics Commission, after the challenged member has been invited to submit written comments. A majority of the members of the Ethics Commission is required to reject a challenge. The decision on the challenge is final and is not subject to appeal.

#### **Art. 29 Notification to parties**

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Upon registration of a file and constitution of the panel, the Secretariat shall inform all parties of the case and provide them with a copy of the file.

#### **Art. 30 Conduct of proceedings**

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##### **Art. 30.1 Investigation**

The Chairman of the panel shall lead the procedure and give appropriate instructions to the secretary with a view to constituting a full and comprehensive file.

The investigation shall be conducted by means of written inquiries and written or oral questioning of the parties, witnesses and any other person. Any further investigative measures relevant to the case may also be taken, as deemed appropriate.

The panel may, on its own initiative or at the request of a party, summon all persons and parties concerned to attend a hearing. Unless otherwise decided by the panel, hearings shall take place by video-conference. The parties shall be responsible for the appearance at the hearing of any witness or expert they request to be heard and shall cover all costs and expenses associated with their appearance. In case of absence of any person summoned to appear, the panel may proceed and close the investigation phase.

##### **Art. 30.2 Evidence**

As a general rule, the panel may take into consideration any kind of evidence deemed appropriate. The panel shall determine the admissibility, relevance, materiality and weight of evidence at its discretion.

##### **Art. 30.3 Witnesses**

The panel shall take all required measures in order to safeguard the interests and personal rights of witnesses and, if necessary, ensure they remain unidentified.

#### **Art. 31 Conclusion of proceedings**

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Once the panel considers the file to be complete or that all available investigation measures have been taken, the panel shall close the investigation phase and the secretary shall inform the parties accordingly.

#### **Art. 32 Reopening of a case**

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The Ethics Commission may reopen a case at its own discretion.

#### **Art. 33 Deliberations**

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Upon conclusion of the investigation, the panel shall deliberate and determine, if any, which of the sanctions listed in Article 38.4 below should be imposed or recommended.

#### **Art. 34 Decisions of the Ethics Commission**

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##### **Art. 34.1 Content**

Whenever the panel concludes that no sanction should be imposed or that a reprimand should be imposed, the panel shall render the decision. Any decision rendered by the Ethics Commission shall contain:

- a) the names of the members of the panel;
- b) the names of the parties;
- c) a summary of the relevant facts;
- d) an account of the procedure followed;
- e) the decision on jurisdiction;
- f) the provisions or a reference to the provisions on which the decision is based;
- g) the reasons of the decision;
- h) a notice indicating the possibility to file an appeal before the Court of Arbitration for Sport and the relevant time limit.

##### **Art. 34.2 Appeal**

Any decision of the Ethics Commission imposing a reprimand may be appealed before the Court of Arbitration for Sport.

##### **Art. 34.3 Publication**

The UCI may publish either the full version or a summary of the decision rendered by the Ethics Commission on the UCI website.

#### **Art. 35 Procedural costs**

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As a general rule, for matters decided by the Ethics Commission, the costs and expenses of the Ethics Commission shall be borne by the UCI. The Ethics Commission may nevertheless order a party found to have acted in breach of the Code to pay a contribution towards its costs.

For matters referred to the Disciplinary Commission, Article 39 below shall apply in respect of costs of the Ethics Commission.

#### **Art. 36 Referral to the Disciplinary Commission**

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In respect of matters for which the Ethics Commission is not exclusively competent to adjudicate and the panel concludes that a more severe sanction than a reprimand should be imposed, the panel shall refer the matter to the Disciplinary Commission for adjudication. The panel shall establish a final report on its proceedings and submit it to the Disciplinary Commission. The Ethics Commission's final report shall contain:

- a) a full report of the facts;
- b) a reference to pertinent evidence;
- c) an account of the procedure followed;
- d) the provisions or a reference to the provisions that are deemed to have been violated;
- e) the range of sanctions deemed appropriate.

In addition to the Ethics Commission's final report, the entire file shall be made available to the Disciplinary Commission.

#### **Art. 37 Proceedings before the Disciplinary Commission**

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Upon receipt of the final report and consultation of the Ethics Commission's file, the Chairman of the Disciplinary Commission shall initiate disciplinary proceedings against the persons concerned, in accordance with the Rules of Procedure of the Disciplinary Commission, as outlined in Chapter XII of the UCI Cycling Regulations. In the event that provisions contained hereunder are contrary to the Rules of Procedure contained in Chapter XII of the UCI Cycling Regulations, the provisions hereunder shall prevail.

#### **Art. 38 Specific Procedural Rules for the Disciplinary Commission**

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##### **Art. 38.1 Panel**

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Any matter referred to the Disciplinary Commission by the Ethics Commission shall be heard by a panel of three members designated by the Chairman of the Disciplinary Commission. Any member of the panel having a direct or indirect interest in the matter at issue shall ask to be replaced.

##### **Art. 38.2 Conduct of proceedings**

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The Chairman of the panel shall lead the procedure. In consideration of the file constituted by the Ethics Commission, the panel of the Disciplinary Commission shall determine which further measures are necessary. In all cases, the party shall be provided with the final report of the Ethics Commission and invited to submit his answer containing a statement of defence, any defence of lack of jurisdiction and any evidence on which he intends to rely.

#### **Art. 38.3 Hearing**

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The panel of the Disciplinary Commission may, at its own initiative or at the request of a party, summon the parties to attend a hearing.

##### **Art. 38.4 Sanctions**

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In relation to breaches of the Code, the Disciplinary Commission may impose the following sanctions:

- reprimand;
- fine up to a maximum of CHF 1'000'000;
- return of awards;
- withdrawal of title;
- suspension;
- ban from taking part in a specific cycling-related activity, event or meeting organised by the UCI or any of its affiliates;
- ban from taking part in any cycling-related activity organised by the UCI and its affiliates.

##### **Art. 38.5 Notification of the decision**

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A copy of the decision rendered by the Disciplinary Commission shall be sent to the party as well as to the secretary of the Ethics Commission.

##### **Art. 38.6 Appeal**

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Any decision by which the Disciplinary Commission imposes a sanction may be appealed before the Court of Arbitration for Sport.

#### **Art. 39 Procedural costs**

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The procedural costs are made up of the costs and expenses of the investigation and disciplinary proceedings.

Procedural costs shall be borne by the party that has been sanctioned. If more than one party is sanctioned, the procedural costs shall be assessed proportionally in accordance with the degree of guilt of the parties. Part of the procedural costs, in particular the costs of the investigation proceedings, may be borne by the UCI, as appropriate in respect of the imposition of sanctions. The procedural costs may be reduced or waived in exceptional circumstances, in particular taking into account the party's financial circumstances.

**Art. 40 Transitional measures**

The Code applies to infractions committed by a person falling in the categories of Article 1 at the moment the infraction is committed.

Any affair relating to infraction committed before 2 June 2016 shall be assessed according to the edition of the Code of Ethics in force before this date.

Any affair relating to infraction committed from 2 June 2016 but before the entry into force of the present edition of the Code shall be assessed according to the previous edition of the Code of Ethics in force on 2 June 2016, unless the present edition of the Code is more favourable to the party to the proceedings.

The procedural rules enacted in this Code shall come into force immediately, except in cases where a file has been registered (Art. 27) prior to 1 November 2018.

**Art. 41 Enforcement**

The present Code was adopted by the UCI Management Committee in Lavey-les-Bains on 19 June 2019 and came into force on 1 September 2019.

**Art. 1 Purpose of the present Appendix**

The present Appendix aims at providing specific rules relating to the protection of physical and mental integrity in the world of cycling and implementing the International Olympic Committee's consensus statement on "Sexual harassment & Abuse in Sport".

The present Appendix aims at providing support to licence-holders and their well-being in relation to their practice of cycling and also serve for the prevention of harassment and abuse.

The present Appendix supplements art. 6.4 of the Code and provides clear guidance regarding acts and omissions which are not permitted in relation to harassment and abuse as well as obligations related thereto, whether in the context of a person's cycling-related activities or not.

**Art. 2 Forbidden Conduct****Art. 2.1 Psychological abuse**

Any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth.

**Art. 2.2 Physical abuse**

Any deliberate and unwelcome act – such as for example punching, beating, kicking, biting and burning – that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g. age-, or physique- inappropriate training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.

#### **Art. 2.3 Sexual harassment**

Any unwanted or unwelcome conduct of sexual nature, whether verbal, non-verbal or physical.

#### **Art. 2.4 Sexual abuse**

Any conduct of sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.

#### **Art. 2.5 Neglect**

Failure of a coach or another person with a duty of care towards the athlete to provide a minimum level of care to the athlete, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.

#### **Art. 2.6 Minors and other dependant persons**

Any behaviour falling under the definitions of art. 2.1 to 2.5 of the present Appendix which is directed towards minors or other dependant person (relationship arising from education, care, employment or any other form of dependant relationship) shall be considered as an aggravating circumstance in accordance with article 12.2.004 of the UCI regulations.

### **Art. 3 Reporting**

#### **Art. 3.1 Obligation to report**

All persons bound by the Code of Ethics shall have the obligation to report any action that may reasonably be considered as a violation of article 2 of the present Appendix.

#### **Art. 3.2 Reporting channels**

Reports may be made to the following persons/addresses with a view to filing a case with the Secretariat of the Ethics Commission or, as the case may be, provide relevant information regarding appropriate course of action:

- Dedicated email address of the Ethics Commission;
- Dedicated email address of the President of the UCI Athletes' Commission or other athletes' representative designated by the UCI Athletes' Commission;
- Dedicated email address of the UCI Medical Director or other person designated by the UCI Medical Commission;
- UCI Legal Services.

For teams which have appointed a delegate competent to collect information relating to potential situations of sexual harassment and abuse, such delegate shall have the right to file a complaint or denunciation before the UCI Ethics Commission on behalf of any member of the team.

## CHAPTER III

## FINAL PROVISIONS

### **Art. 4 Registration of a case**

Upon a file being sent to the President of the Ethics Commission according to art. 27 of the Code, the sender of the complaint or denunciation shall be informed if it would be appropriate to address the matter to a criminal authority (instead or in parallel of the proceedings before the Ethics Commission).

### **Art. 5 Application of the Appendix**

In case of any discrepancy between the provisions of the present Appendix and the Code, the provisions contained herein shall prevail.

*The present appendix enters into force on November 1<sup>st</sup>, 2018.*

## APPENDIX 2

### MANIPULATION OF CYCLING EVENTS

#### CHAPTER 1

#### INTRODUCTORY PROVISION

##### ***Art. 1 Purpose of the present Appendix***

The present Appendix aims at tackling the threat of manipulation of cycling events and implementing the International Olympic Committee's Code on the prevention of the manipulation of competitions.

The provisions of this Appendix are based on the essential sporting principle that athletes must, without exception, participate in cycling events with the sole and exclusive objective to do their best on a sporting perspective and their performance may not be influenced by any non-sporting motivation.

The present Appendix supplements art. 8.1 of the Code and art. 1.1.088 of the UCI Regulations and provides clear guidance regarding acts and omissions that are not permitted in relation to betting and the manipulation of cycling events as well as obligations in relation thereto, whether in the context of a person's cycling-related activities or not.

#### CHAPTER 2

#### RULES OF CONDUCT

##### ***Art. 2 Forbidden Conduct***

###### ***Art. 2.1 Manipulation of events***

Any intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a cycling event in order to remove all or part of the unpredictable nature of the cycling event with a view to obtaining an undue benefit for oneself or others.

###### ***Art. 2.2 Corrupt conduct***

Providing, requesting, receiving, seeking, or accepting a benefit related to the manipulation of a cycling event or any other form of corruption.

##### ***Use of inside information***

- a. Using inside information for the purposes of betting, any form of manipulation of cycling events or any other corrupt purposes whether by the person himself or via another person and/or entity.
- b. Disclosing inside information to any person and/or entity, with or without benefit, where the person knew or should have known that such disclosure might lead to the information being used for the purposes of betting, any form of manipulation of cycling events or any other corrupt purposes.
- c. Giving and/or receiving a benefit for the provision of inside information regardless of whether any inside information is actually provided.

##### ***Art. 3 Obligation to report***

Any person bound to the Code has the obligation to report, at the first available opportunity, any approach or invitation received to engage in conduct that could amount to a violation of article 2 above.

Any person bound by the Code also has the obligation to report, at the first available opportunity, of any approach or invitation to engage in conduct that could amount to a violation of article 2 above received by a third person and that he is aware of or should reasonably be aware of.

##### ***Art. 4 Obligation to cooperate***

In accordance with the general rule of art. 22 of the Code, all persons bound by the Code shall comply with any and all requests for information and/or documentation by the Ethics Commission. The information and/or documentation requested can include but is not limited to information and/or documents related to betting account numbers and information, itemised telephone bills, bank statements, internet service records, computers, hard drives and other electronic storage devices.

##### ***Art. 5 Substantial assistance***

Substantial assistance provided by a party to proceedings that results in the discovery or establishment of an offence by another person may reduce any sanction that the Ethics Commission or Disciplinary Commission (according to articles 34.1 and 36 of the Code) may be called to apply against the party who provided such assistance.

***Art. 6 Application of the Appendix***

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In case of any discrepancy between the provisions of the present Appendix and the Code, the provisions contained herein shall prevail.

*The present appendix enters into force on November 1<sup>st</sup>, 2018.*

