

PLAYBOOK DISCIPLINARY REGULATIONS APPLICABLE ON THE OCCASION OF THE GAMES OF THE XXXII OLYMPIAD TOKYO 2020

1. Preamble

The Playbooks describe the measures and rules that are implemented aiming at ensuring the regular celebration of the Games of the XXXII Olympiad Tokyo 2020 held in 2021 (the “**Games**”) and protect the health of all participants of the Games (the “**Participant(s)**”).

The Playbook Disciplinary Regulations (the “**Regulations**”) have been established by the IOC to define the set of rules applicable to alleged infringements of the Playbooks on the occasion of the Games and the potential consequences in accordance with the Olympic Charter.

2. Scope of application

The present Regulations apply to any alleged infringement of the Playbooks by any Participant on the occasion of the Games. These Regulations do not prevent other organisations (e.g. an International Federation (“**IF**”) or a National Olympic Committee (“**NOC**”)) from establishing their own rules and/or regulations applicable to the same or similar infringements regulated hereunder.

3. Playbooks infringements

The following conducts or behaviours constitute an infringement of the Playbooks:

- 3.1. Absence of wearing a face mask when required.
- 3.2. Non-respect of the measures limiting the physical and/or social interactions between persons.
- 3.3. Refusal or undue delay to take any COVID-19 test without compelling justification.
- 3.4. Failure to comply, without compelling justification, with the obligation to report to and/or to cooperate with the Tokyo Organising Committee of the Olympic and Paralympic Games (“**Tokyo 2020**”), the competent Japanese authorities, the IOC and/or the entities involved in the implementation of the measures and rules described in the Playbooks.
- 3.5. Non-compliance with the instructions issued by Tokyo 2020, the competent Japanese authorities, the IOC and/or the entities involved in the implementation of the measures and rules described in the Playbooks.
- 3.6. Non-compliance with the decisions of the competent Japanese authorities imposed upon the Participants, including without limitation quarantine.
- 3.7. Any behaviour, act and/or omission that may be reasonably considered to threaten the respect of the Playbooks, the health of Participants or other persons and/or the safe staging of the Games.

4. Initial review

- 4.1. The IOC may be informed by any person and by any means of an alleged infringement.

- 4.2. An initial review of the situation and the alleged infringement is conducted, including, if needed, a preliminary inquiry. Such inquiry may be conducted in conjunction with the competent Japanese authorities and/or other entities involved in the implementation of the measures and rules described in the Playbooks.
- 4.3. Participants and other relevant persons and/or organisations may be required to cooperate with such inquiry and provide any information which may be considered relevant for the initial review of an alleged infringement.

5. Disciplinary Commission

- 5.1. The disciplinary commission (the “**Disciplinary Commission**”) shall determine the nature and circumstances of the alleged infringements, including by conducting any required inquiry relating to facts, and, subject to Article 12.4 below, shall decide on the measure and/or sanction to be pronounced.
- 5.2. The IOC administration will assist the Disciplinary Commission and may, either alone or with the collaboration and support of the relevant stakeholders, take appropriate steps to address and/or resolve any alleged infringements in an appropriate manner.
- 5.3. Unless otherwise determined by the permanent chair of the Disciplinary Commission (the “**Permanent Chair**”), the Disciplinary Commission shall have three (3) members, including the Permanent Chair. The latter shall chair the Disciplinary Commission and designate, for each case, the two (2) other members from the pool of IOC members appointed by the IOC President to be part of the Disciplinary Commission.
- 5.4. In the event that, in any given case, the Permanent Chair is unavailable for any reason, the Disciplinary Commission shall be chaired by a vice-chair appointed by the IOC President (when reference is made to the Permanent Chair in these Regulations, it shall include the vice-chair designated in accordance with this Article 5.4).

6. Resolution by the relevant constituent of the Olympic Movement or another organisation

- 6.1. In case the Permanent Chair determines that a case can be resolved by the relevant constituent of the Olympic Movement or another organisation (e.g. if an IF or an NOC has an appropriate procedure for resolving a case), the Permanent Chair may decide to suspend the inquiry of the Disciplinary Commission, pending resolution of the case by the relevant constituent of the Olympic Movement or the other organisation, as applicable.
- 6.2. Notwithstanding Article 6.1 above, in case the Permanent Chair determines that the relevant constituent or the other organisation, as applicable:
 - 6.2.1. does not have an appropriate procedure for resolving the case, or
 - 6.2.2. has an appropriate procedure but has not resolved the case to the satisfaction of the Permanent Chair,

the Disciplinary Commission shall take a final decision in accordance with these Regulations and notify the concerned parties.

7. Notification

- 7.1. The Permanent Chair or a person designated by him/her, shall promptly notify the alleged perpetrator and, as applicable, his or her organisation of the alleged infringement. If the alleged perpetrator is an athlete or member of an NOC delegation, the NOC and, where applicable, the relevant IF must be notified. Notification to the Chef de Mission, or the President or Secretary General of the NOC or the IF shall be deemed to be a delivery of notice to the NOC or the IF, respectively.
- 7.2. The notification referenced in Article 7.1 above shall contain, in each case, information regarding:
 - 7.2.1. the right to be acquainted with the charges;
 - 7.2.2. the right to be heard that may be exercised, at the option of the alleged perpetrator, by appearing personally before the Disciplinary Commission at a hearing (including by means of teleconference, videoconference or any other appropriate electronic means as decided by the Disciplinary Commission) or by submitting a defence in writing to the Disciplinary Commission by a given deadline (if the alleged perpetrator is an athlete or member of an NOC delegation, such option shall be offered to the NOC Chef de Mission); and
 - 7.2.3. the fact that, in case no defence is submitted within the deadline set, the Disciplinary Commission may proceed with making a decision or, for cases defined in Article 12.4 below, a recommendation to the IOC Executive Board.
- 7.3. In case the alleged perpetrator is a minor, the parents or legal guardian of such minor (as detailed in the "Condition of Participation" form) must be informed.

8. Hearing

- 8.1. If the alleged perpetrator elects to appear before a hearing of the Disciplinary Commission, he or she may be accompanied by a maximum of three (3) persons of his or her choice (e.g. a lawyer). The NOC, of which the alleged perpetrator is a member, shall be given the opportunity to attend the hearing. If the NOC elects not to attend the hearing, the Disciplinary Commission may nevertheless proceed with making a decision or, for cases defined in Article 12.4 below, a recommendation to the IOC Executive Board. Such decision or recommendation of the Disciplinary Commission shall make reference to the fact that the NOC elected not to attend the hearing.
- 8.2. The President of the IF concerned, as applicable, or his or her representative, shall also be invited to attend the hearing and provided with the opportunity to make relevant observations.
- 8.3. If the alleged perpetrator elects not to appear before a hearing of the Disciplinary Commission, he or she may submit a defence in writing which should be delivered

to the Disciplinary Commission within the deadline set by the Disciplinary Commission. If no defence is submitted within such deadline, the Disciplinary Commission may nevertheless proceed with making a decision or, for cases defined in Article 12.4 below, a recommendation to the IOC Executive Board.

- 8.4. If the alleged perpetrator elected to not appear before a hearing of the Disciplinary Commission or has already left the Olympic Games Tokyo 2020 host city and/or country, the Permanent Chair shall take appropriate and reasonable measures that a decision is made as quickly as possible.

9. Opinion of experts; adducing other evidence

The Disciplinary Commission may seek the opinion of experts or obtain other evidence on its own initiative.

10. Intervention by the Participant's organisation, the NOC and the IF concerned

The Participant's organisation, the NOC and the IF concerned, as applicable, if it has chosen to take part in the disciplinary procedure, may intervene as an interested third party and adduce evidence. To the extent that the alleged perpetrator is a member of a team sport, or is participating in a sport that is not a team sport but where awards are given to teams, the IF shall help ensure that the sanctions imposed by the IOC are consistent with the applicable rules of the relevant IF.

11. Provisional suspension and provisional measures

The Permanent Chair of the Disciplinary Commission may impose a provisional suspension and/or other provisional measures upon the alleged perpetrator at any time as of the start of the initial review (as described in Article 4 above) and until the decision has been pronounced by the Disciplinary Commission or the IOC Executive Board, as the case may be.

12. Measures and sanctions

- 12.1. Any infringement shall be subject to the measures and sanctions provided under Rule 59 of the Olympic Charter, which include without limitation the following:

12.1.1. Issuing warning(s);

12.1.2. Withdrawal of accreditation;

12.1.3. Temporary or permanent ineligibility or exclusion from the Games (with the consequences set forth in the Olympic Charter);

12.1.4. Disqualification (with the consequences set forth in the Olympic Charter);

12.1.5. Imposing financial sanctions.

- 12.2. All measures and sanctions referred to in these Regulations may be cumulative and are taken without prejudice to any other rights of the IOC, the competent Japanese authorities and of any other body, including but not limited to NOCs and IFs, and/or of other competent authorities.

- 12.3. The Disciplinary Commission shall decide on the applicable measure and/or sanction to be pronounced in cases of alleged infringements. Such decision, which

the Disciplinary Commission shall promptly communicate to the IOC Executive Board, shall constitute the decision by the IOC.

12.4. In all cases of where the IOC Executive Board has retained its powers to pronounce a measure and/or a sanction under the Olympic Charter, the Disciplinary Commission shall provide the IOC Executive Board with a report on the procedure conducted under the authority of the Disciplinary Commission, including a proposal to the IOC Executive Board as to the measure and/or sanction to be decided upon by the IOC Executive Board. In such case, the proposal of the Disciplinary Commission shall not be binding upon the IOC Executive Board, whose decision shall constitute the decision by the IOC.

12.5. Notwithstanding Article 12.3 above, the IOC Executive Board may decide that all measures and sanctions in a given case will be pronounced by the IOC Executive Board, in which case the Disciplinary Commission's powers and obligations will be those as set forth in Article 12.4 above.

13. Notification of decision

The Permanent Chair of the Disciplinary Commission or a person designated by him/her, shall promptly notify the alleged perpetrator of the decision by the Disciplinary Commission or, for cases defined in Article 12.4 above, the IOC Executive Board, by sending a full copy of the decision. A copy of the decision shall also be sent to the Participant's organisation, the NOC and the IF, as applicable. If the alleged perpetrator is an athlete or a member of a NOC delegation, notification shall also be made to the NOC. Notification to the Chef de Mission or the President or Secretary General of the NOC shall be deemed to be a delivery of notice to the NOC.

14. Decisions

Decisions taken in accordance with these Regulations shall be binding upon the Participant. Any dispute relating to their application or interpretation shall be submitted exclusively to the Court of Arbitration for Sport ("**CAS**") for final and binding arbitration in accordance with the Code of Sports-related Arbitration. The seat of arbitration shall be in Lausanne, Switzerland and the language of the procedure shall be English. The decisions of the CAS shall be final, binding and non-appealable, subject to the appeal to the Swiss Federal Court.

15. Swiss Law

In addition to these Regulations, all rules related to disciplinary actions as provided by the Swiss law related to Swiss associations (article 60 of the Swiss Civil Code) are applicable.