

Comunicación 8/2016

La Federación Argentina de Patinaje Sobre hielo comunica, con referencia a la participación de patinadores pertenecientes a Escuelas miembros FAPH en el anunciado "II Campeonato Sudamericano de Patinaje Sobre Hielo", organizado por Iceland Park S.A.C, Lima, Perú u otros eventos organizados por instituciones no miembros ISU, que:

Por tratarse de un evento **no oficial internacional**, sin sanción otorgada por la International Skating Union (organizado por una institución perteneciente a un país **no miembro ISU**) y, debido a que la FAPH es miembro permanente de la mencionada Federación Internacional, se encuentra obligada a cumplir con las reglas y disposiciones indicadas en el Estatuto ISU.

Por lo antes expuesto, la FAPH No Autoriza a los patinadores pertenecientes a las Escuelas Federadas a representar a la República Argentina en el evento en cuestión, como consecuencia de lo indicado en la regla ISU N° 102 párrafos 2. y 7 los que se transcriben en el ANEXO I (remarcadas en colores azul y rojo las condiciones de elegibilidad y pérdida de la misma, respectivamente).

Asimismo, pone en su conocimiento que dicha resolución ha sido informada al Comité Organizador y a la ISU; en la comunicación enviada al Comité Organizador del evento, se ha solicitado la no publicación ni oral ni escrita acerca de la participación de la FAPH en representación del patinaje sobre hielo de la República Argentina, en razón que dicha figura podría traer sanciones por parte de la ISU a la FAPH en su conjunto.

En el caso que algún patinador decida participar en dicho Campeonato, éste será pasible de sanciones impuestas (en este caso la inelegibilidad para formar parte de eventos oficiales nacionales como internacionales), en el último caso su duración queda a determinar por ISU.

Para mayor información consultar por correo electrónico a secretaria@faph.org



Maximiliano López
Secretario FAPH



María Dolores Cazorla
Presidente F.A.P.H

ANEXO I

Rule 102

B. Eligibility

1. Eligibility Status

a) The eligibility Rules of the ISU are based upon the principles that:

i) a person has the privilege to take part in the activities and competitions under the jurisdiction of the ISU only if such person respects the principles and policies of the ISU as expressed in the ISU Statutes and fulfills those obligations on the basis of which the ISU functions and governs all its activities;

ii) the condition of eligibility is made for adequate protection of the ethical values, jurisdiction objectives and other legitimate respective interests of the ISU, which uses its financial revenues for the administration and development of the ISU sport disciplines and for the support and benefits of the ISU Members and their Skaters.

b) An eligible person is one who elects to take part only in International Competitions which are:

i) sanctioned by the ISU;

ii) conducted by ISU recognized and approved Officials, including Referees, Technical Controllers, Technical Specialists, Judges, Starters, Competitors Stewards and others; and

iii) conducted under ISU Regulations.

c) Participation of Skaters and Officials in national competitions and in non-competitive events, e.g. appearances, endorsements, exhibitions shows and other events with a recreational or show type character are subject to respective rules and conditions of their ISU Members only. Such rules and conditions are not part of the ISU eligibility rules under this Rule 102. However, ISU Members may not unduly restrict their Skaters to participate in non-competitive events. They may share payments received by their Skaters for participation in such non-competitive events in consideration of past and present support of such Skaters, but with no more than 10%.

ISU Members shall monitor their Skaters to ensure that they do not participate in competitions that would render them ineligible.

2. Definition of an ineligible person

A person becomes ineligible to participate in ISU activities and competitions by skating or officiating in an International Competition not sanctioned by the ISU in any of the ISU sport disciplines or otherwise violating this Rule 102, if ineligibility is imposed by the Council according to this Rule 102 paragraph 7 below.

3. Participation of eligible persons

Only eligible persons, including Skaters, are permitted to take part in ISU Events, the ISU Congress, the Olympic Winter Games, the Winter Youth Olympic Games and other International Competitions unless another Rule explicitly provides otherwise (See paragraph 4 below and Rule 121, paragraph 3.a).

Eligible persons may take part in exhibitions and shows (including other events with a recreational and/or show type character) which may include ineligible Skaters in accordance with the conditions established by the ISU Member of the participating Skater, Eligible persons may participate in ISU approved Open International Competitions that include invited ineligible Skaters as approved by the Council.

Further, eligible persons may participate in competitions which are open for a specific, clearly defined group of participants only such as e.g. Adult or Impaired Skaters, upon prior written approval of the respective competitions by the Council.

ISU Members shall have the obligation to inform the ISU immediately in case that a Skater or Official, who has taken part in international activities as an eligible person, engages in activities which could render them ineligible.

4. Restricted eligibility

Eligibility rights are restricted as follows:

a) A person (although not otherwise ineligible under other provisions of this Rule) who receives remuneration from ownership or management of an ice show or skating exhibition tour may not be a Referee, Assistant Referee, Technical Controller, Technical Specialist, Competitors Steward, Judge, OAC member or Starter in ISU Events, the Olympic Winter Games, the Winter Youth Olympic Games or any other International Competitions sanctioned by an ISU Member or the ISU, and such persons may not be a member of the ISU Council, a Technical Committee or the Disciplinary Commission or a delegate to an ISU Congress.

b) Paid employees of ISU Members and their affiliated clubs, and remunerated Coaches, may not be a Referee, Assistant Referee, Technical Controller, Judge, OAC member, Starter or Competitors Steward in ISU Events or any other International Competitions sanctioned by an ISU Member or the ISU, and such persons may not be a member of the Council, an elected member of a Technical Committee or the Disciplinary Commission. However, such persons may attend ISU Congresses subject to Article 30, the Procedural Provision of the Constitution, Part A., paragraph 13, but without the right to vote. Such persons may also act as Technical Specialist, Data & Replay Operator in ISU sanctioned competitions.

For the purpose of this Rule, a paid employee is defined as a person working an average of more than 25 remunerated hours per week for an ISU Member or affiliated club, regardless of the legal nature of the respective contractual relationships.

c) A person may not serve as an appointed member of the Technical Committee or as a leader of an ISU seminar or course if such person participated after July 1, 1998 as an official in the administration of events defined in Rule 102, paragraph 2.

d) Ineligible Skaters may serve as Technical Specialists, Data & Replay Operators.

5. Payments

Payments may be made either by the ISU Member concerned or the ISU, as applicable, to Competitors, Referees, Assistant Referees, Technical Controllers, Technical Specialists, Judges, Data & Replay Operators, Starters or Competitors Stewards in all events listed in Rule 107 and members of the ISU Council, Technical Committees, the Disciplinary Commission and Advisors or other persons serving the ISU in other capacities in connection with the preparation for or participation in ISU activities or International Competitions. If payments are made, the ISU must be informed in writing within a two month period as to the amounts paid.

6. Trademarks

a) In all ISU Figure Skating Championships, ISU Events, and all other Figure Skating competitions organized under the jurisdiction of the ISU, Competitors, team officials, Coaches and service personnel may display on their persons and their clothing their own name and the name and/or logo of their ISU Members and/or official ISU Member country abbreviation and/or official ISU Member country name with letters of maximum 15 cm high. In addition they may display on their person and their clothing not more than four (4) advertising markings, trademarks, logos or other distinguishing signs (hereafter called "markings"), provided they are dignified and with a maximum of sixty (60) square centimeters each and do not refer to tobacco or alcohol while being off the ice including in the "kiss and cry" area, the television interview area, during the official warm-up before the competitive performance and during practice sessions. One marking of the clothing supplier may also be displayed, not larger than thirty (30) square centimeters. No markings are permitted on boots or blades, except for the boot manufacturer's name on the boot heel not larger than ten (10) square cm and one (1) engraved identification of the manufacturer not larger than twenty (20) square centimeters on each blade and each blade guard (the provisions relating to boots and blades will become effective as of July 1, 2015).

Markings may be measured by the Officials for compliance while being worn.

During the competitive performance, the exhibition at the end of an event and for the medal award ceremony no markings on Skaters costumes are allowed, but only the above-referenced markings on boots and blades. Skater's costumes may, however, carry the Skater's and his ISU Members name and/or logo and/or official ISU Member abbreviation

In other off-ice areas additional markings with no limitation in size are allowed. However, such additional markings must be authorized by the respective ISU Member.

b) In all ISU Championships and all other competitions in Speed Skating or Short Track Speed Skating organized under the jurisdiction of the ISU, team officials, Coaches, service personnel and Competitors of the same national team (entered by the same ISU Member) must wear identical uniforms while within the premises of the arena or ice track during the whole period of the Championships or competition including official practice sessions, which clearly identify their country, with a design, as prescribed by the ISU Members which enter the Skaters for competition. The ISU Members have the obligation to submit the design of the team uniform (skin suit, warming up jacket and zipper trousers, podium and team personnel jacket) to the ISU.

The team officials, Coaches, service personnel and Skaters may display on their clothing and on technical equipment their own name and the name and/or logo of their ISU Member and/or official ISU Member country abbreviation (as per paragraph (vi) below). In addition, they may display on their person and their clothing, advertising markings, trademarks, logos or other distinguishing signs (hereafter called “markings”) that do not refer to tobacco and alcohol in the competition area, in the television interview area and during the award ceremonies, in accordance with the following:

i) the total maximum surface area of all markings (excluding manufacturer trademarks as per sub-paragraph ii) below) on clothing shall not exceed six hundred and fifty (650) cm². The maximum number of markings (excluding manufacturer trademarks as per sub-paragraph ii) below) shall not exceed six (6) on the clothing on the upper body (above the waist including arms) and two (2) on the clothing on the lower body (below the waist) and shall be dignified. The maximum surface area for a single marking is forty five (45) cm² for the upper body and thirty (30) cm² on the cap for Speed Skating. The maximum surface area for a single advertising marking on the lower body is two hundred and fifty (250) cm²;

ii) No markings other than manufacturer’s trademarks as stated below are allowed on the technical equipment such as skates/boots, glasses, gloves, shin guards, headgear, helmets (without covers). One manufacturer’s trademark may appear on each piece of equipment and clothing. Skin suits are considered as two pieces; one piece upper body (including cap – for the purposes of this Rule the cap is considered a part of the upper body) and one piece lower body. Skates are considered as consisting of 6 pieces namely 2 boots and 2 blades and a construction for connecting the blade to the boot. The manufacturer’s trademarks shall reflect standard commercial practices and not exceed twenty (20) cm² per piece of equipment, with the following exceptions: one engraved identification or trademark of the manufacturer with a maximum of six (6) cm² is permitted on each connecting construction, two manufacturer’s trademarks with a maximum of six (6) cm² each are permitted per item for glasses, headgear and set of gloves maximum; maximum two manufacturer’s trademarks are permitted to a total maximum of twenty (20) cm² for helmet. The Skater's own name may be engraved on pieces of equipment, with the same size restrictions as for trademarks.

iii) Armbands and helmet covers are not considered as technical equipment. Markings on armbands and helmet covers in ISU Events Senior and Junior, the Olympic Winter Games and Winter Youth Olympic Games are reserved for ISU. For other International Competitions markings of maximum thirty (30) cm² per armband or helmet cover may be authorized by the organizing ISU Member;

iv) The determination of the design, without any commercial images or registered trademarks, and markings on the clothing of competitors and team officials, Coaches and service personnel of the same national team, is the sole right and responsibility of the national associations as ISU Members of the ISU to ensure compliance with this Rule. It is recommended that the ISU Members consider providing the use of markings to the athletes or personnel;

v) Markings may be measured by the Officials for compliance while being worn;

vi) The racing and warm-up suits of the Skaters must display the name of the country or its official ISU abbreviation (letters of minimum 5 cm and maximum 15 cm high). In Speed Skating the country name or abbreviation shall be placed on the back of the upper body. In Short Track Speed Skating the country name or abbreviation shall be placed on the external part of both lower legs, the size of the characters not to be smaller than 5 cm high.

7. Loss of eligibility

a) The consequence of a breach of the eligibility Rules shall be the loss of eligibility. The status of a person disqualified or suspended under other applicable Rules, does not affect the eligible status of such person, but it limits, according to the terms of the applicable disciplinary sanction, the right of such person to participate in the competitions and activities of the ISU.

b) The ISU Council, upon the presentation of such evidence as it considers sufficient at its sole discretion, may rule upon an alleged breach of the eligibility Rules, whether or not any protest has been made against an individual's eligible status in skating.

c) Before a ruling is made by the Council, both the ISU Member and the person concerned shall be notified and the person concerned shall be given the opportunity to furnish an explanation of the alleged breach (in writing). If the person concerned does not avail himself of such opportunity within fifteen (15) days of receipt of such notice, his right to furnish an explanation shall be waived.

d) Violations of Paragraph 2 of this Rule 102 are subject to sanctions imposed by the ISU Council which may issue a warning or impose ineligibility for a determined period of time or for life time.

The ISU Council shall determine the applicable sanction in accordance with the principle of proportionality and in consideration of all relevant circumstances of each individual case, especially the degree of fault of the offender, his previous record and the seriousness of the violation with regard to the objectives of the ISU as laid down in Article 3 Paragraph 1 of the Constitution, its ethical principles as reflected in the ISU Code of Ethics, the ISU's commitment to care for health and safety of Skaters and the integrity of the ISU's sports and other legitimate interests of the ISU.

Within this framework, the ISU Council shall

i) issue a warning in case of minor, first time violations;

ii) impose an ineligibility period for up to five years in case of medium heavy violations and in case of repeated minor violations;

iii) impose an ineligibility period for up to ten years in case of serious violations;

iv) impose an ineligibility period up to life time in case of very serious violations, especially intentional violations which endanger the integrity and jurisdiction of the ISU.

8. Matters concerning eligibility not otherwise foreseen in the ISU Rules shall be considered by the ISU Member concerned in a manner consistent with the spirit and intent of the ISU Rules.