

LITIGATIONS RULES

Article 1 – Measures against Club Members - Procedures

1. The Managing Committee of the Club applies the following sanctions against a defaulting Member or a Member who has infringed the Constitution or Regulations, according to the nature and seriousness of the act under dispute:

- a) warning;
- b) up to one year's suspension from club activities;
- c) forfeiture of rights;
- d) striking off.

2. The adoption of the above measures should be preceded by the following procedure:

- a) the President urges, in writing, the defaulting Member to fulfil all his statutory obligations;
- b) if the Member does not fulfil his obligations or justify his/her behaviour within 15 days, the President will send a confidential, written reprimand, inviting the defaulting Member to fulfil his obligations. If after 30 days the Member has not fulfilled his obligations, the situation is submitted to the Managing Committee, at the next practicable meeting;
- c) after ascertaining that, the grounds are justified for applying sanctions, by the motivated decision of a simple majority of its Members, the Managing Committee adopts the applicable sanctions;
- d) the President notifies the sanctions in writing to the Member within the following 10 days;
- e) the same procedure is applied for striking off, as well as for other measures, except that a majority of at least three quarters of the Managing Committee Members is needed to approve striking off;
- f) the Club Secretary should notify the names of its Members who have been sanctioned, or who have lost their rights or have been struck off following a final, unappealable decision, within 15 days, to the Area Governor, to the competent District President and to P.I. General Secretariat. The latter must register such notifications;
- g) Members whose names have been struck off in one Club cannot be readmitted, not even in another Club.

Article 2 – Measures against Members belonging to National and International Bodies and in addition, at the expense of holders of offices, non-qualified.

1. In case of severe default or infringement of regulations and statutory obligations by a Member of the National and International Bodies, or of a holder of unqualified offices Bodies, the President of the Body of membership, or the person responsible of the office to which the defaulting Member belongs, notifies in writing the infringement to the defaulting Member, granting him 30 days to fulfil his obligations and/or for counter declarations.

2. For national and territorial offices not considered as Bodies, the dispute belongs to the Governor or to the District President.

3. In the event that in the above-mentioned term the person concerned eliminates the notified causes, he may resume his office. If he does not eliminate such causes, the President of the Body or the person responsible for the office or the competent District President or the competent Governor declares the loss of the office of the person concerned, giving reasons.

4. In the event that severe default or injuries referred to in paragraphs 1 and 2 of this article, are perpetrated by a District President or Area Governor or of a President of the International College, the procedure for striking off is decided, with the same procedures as in the previous paragraphs, by the President's Committee.

5. In the event that the declaration of loss involves the vacuum of the Body Governor or of the National District President, the CdP provides for the nomination of a Commissioner who assumes all the functions necessary for a maximum period of six months. The Commissioner makes use of the collaboration of all elective and/ or nominated offices present in the Area or in the District, not declared forfeited, to reach, in the aforementioned period, to allow the re-establishment Body resigned.

Article 3 – Appeals

1. Appeals by Club Members

1.1 Appeal by Members against Disciplinary Measures

Members can appeal for the measures adopted against them by the Club Managing Committee, according to the procedures set forth in art. 4 of these Regulations, to the Club Arbitration Board in the first instance, to the Area and/or District Arbitration Board in the second instance, and to P.I. Constitution and Arbitration Board (C.A.B.) in the third instance, if interested.

1.2 Appeal by Members against Assembly Resolutions passed by their Club

1.2.1 Members may appeal to the Area and/or District Arbitration Board in the first instance and to P.I. Constitution and Arbitration Board (C.A.B.) in the second instance, against assembly resolutions considered vitiated by infringement of the Constitution or of the Regulations, passed by their Club,

1.2.2 Similarly, the Club Managing Committee represented by the President, against the unfavorable decisions, derived from the appeal of a Member, may appeal, according to the procedures set forth in art. 4 of these Regulations, to the bodies of the second and third instance, if interested.

1.3 Appeal against the Behaviour of its own Club

Members infringing the Association's Principles

1.3.1 An offended Member can appeal against the Member or Members who infringed, with their behaviour, any principle referred to in art. 4.3 of the Statute, according to the procedures in accordance with art. 4 of these Regulations to the Club Arbitration Board in the first instance, to the Area and/or District Arbitration Board in the second instance, and to P.I. Constitution and Arbitration Board (C.A.B.) in the third instance.

1.3.2. For the same reasons, against Members of other Clubs is used the first instance to the Arbitration Area and/or District Board and the second to the C.G.S. P.I.

1.3.3 The appeals of the Members towards the Members of International, National or Local Bodies and towards persons that hold offices in organizations non-qualified as Bodies, such as the Members of CA, C.R.C. of Areas or Districts or of Commissions nominated by the Boards, or by the Secretary-General, must be submitted in a single instance to C.G.S. P.I.

1.3.4 In all the cases listed above, the Members of Clubs belonging to a Supranational District shall appeal 1.3.4 in a single instance to C.G.S. P.I.

2. Appeals by Clubs

2.1 Against disciplinary measures

The Club President on the mandate of its own Board with absolute majority can appeal, according to the procedures in accordance with art. 4 of these Regulations, against the measures possibly adopted by the District President or the Area Governor in accordance with art. 34 f. e 35 g. of P.I. Regulations in a single instance to the P.I. Constitution and Arbitration Board (C.A.B.)

2.2 Appeals by Clubs against Area, District and General Assembly Resolutions

2.2.1 In case of Area and/or District Assembly resolutions considered vitiated by infringement of the Constitution or of the Regulations, The Club President on the mandate of its own Board may appeal, art. 4 of these Regulations, in a single instance to P.I. Constitution and Arbitration Board (C.A.B.)

2.2.2. Against the candidatures admitted and/or rejected for the Bodies and/or offices of Areas and District the oppositions are regulated according to the specific Regulations that Areas and Districts will adopt in this subject.

2.2.3. In case of General Assembly resolutions considered vitiated by infringement of the Constitution or of the Regulations, The Club President on the mandate of its own Board with absolute majority may appeal, according to the above procedures to Art. 4 of these Regulations, in single instance to P.I. Constitution and Arbitration Board (C.A.B.)

2.2.4. Any appeals filed by the Clubs against any members of the International, National or Local Bodies, or against any persons in office within entities not qualifying as Bodies – e.g., members of the Area or District C.A.B. or C.A. or members of any committees appointed by the Bodies – or against the Secretary General shall be notified to P.I. C.A.B. in one single application.

2.2.5 In any event, the appeals filed by the Clubs shall be substantiated by the minutes of the Governing Board meeting showing that such decision was approved by an absolute majority of the elected members.

3. Appeals of the Members of the Bodies and of the offices

Appeals of the Members of the Bodies and of the offices towards measures of art.2.3 and 2.4 of these Regulations may be taken towards a Member of an International, National or Local Body or towards an office, the person concerned has the right to appeal, in compliance with the procedures of art. 4 of these Regulations, in single instance to the C.G.S. P.I.

A similar right is given to the parties concerned, against the declaration of loss provided for by art.36 of the Regulations of PI.

Article 4 – Guarantee System – Procedures and Sanctions

1. Procedures

1.1 Appeals have to be sent to the competent Constitution and Arbitration Board and notified to the counterpart concerned within 10 days from filing such claim or from notifying the behaviour against which one intends to appeal.

Club, Area and/or District Arbitration Boards decide within 30 days from receipt of appeal and notify the integral text of their decision to the party concerned within the following 20 days.

Against this decision, according to the predictions of the previous articles you can use the Superior College within ten days after the receipt of the disputed provision.

The appeals in the third or second instance to the College of C.G.S. P.I. can be proposed within 15 days from receipt of the disputed provision.

The decision of P.I. Constitution and Arbitration Board (C.A.B.) is final and will be made within 40 days from receipt of the appeal and notified to the interested parties within 30 days from adoption.

The appeals provided for in a single instance to C.G.S. P.I. must be submitted within 15 days of the cognizance of the fact against which you want to use.

For each level of appeal, in the same time, you must give notice to the adverse party, under penalty of nullity.

1.2 The period for the decision-making process of the Boards can only be interrupted just once because of written requests clarifications or documents send by the deliberative College to the interested party.

The term expiration is in any event suspended, for the Colleges, from 1 to 31 August each year.

1.3 Any appeal for cases not considered by these Regulations, must be submitted in a single instance to the Statutory Warranty Board of PI, who will decide according to equity.

2. Sanctions against Clubs

2.1 In case of a Club's severe default in fulfilling the obligations set forth in the Constitution and in the Regulations, as well as more than 6 months delay in the payment of P.I. membership fee, or of the District or Area contributions fixed in these Regulations, the parties in charge of control should urge in writing the Club President to immediately fulfil all obligations set forth in the Statute and in the Regulations.

If after 30 days such obligations have not been fulfilled, the competent Body must send a written injunction to the Club President in writing, granting him another 30 days to fulfil his obligations.

If after such period the obligations have not been fulfilled, according to the gravity of the situation, on the proposal of the Bodies charged, the President's Committee will take one of the following measures:

- a) formal caution;
- b) dissolution of the Managing Committee and consequent extraordinary management, through the appointment of a commissioner to be appointed by the C.d.P. on indication, non-binding, by the Area Governor or by the District President;
- c) **disqualification of a Club from P.I. membership and subsequent cancellation from P.I. Official Club Roll.**

2.2 The measure to dissolve the Club Managing Committee can be officially adopted by the International President, based on indications received from the General Secretariat, and after hearing the Area Governor and/or the District President;

2.3 During the period of compulsory administration, the Area Governor and/or the District President, can only perform ordinary administrative functions alongside the Commissioner appointed.

2.4 Within three months, extendible by President's Committee for a further three months, the same Committee, at the request of the Commissioner will charge the Area Governor and/or the District President for the convocation of the Club Assembly to elect the President and the Managing Committee.

2.5 The provisions of the dissolution of art. 4 2.1 b) **and c)** and 2.2 of these Rules are not appealed.

3. Sanction towards Members of Bodies and Offices

The C.G.S. P.I.: deciding on the declaration of loss from the disputed offices ex art. 3. 3, if it revives unanimously reasonable grounds, it will adopt towards each part involved the penalties already provided for Members:

- a) admonition
- b) suspension from the social activity up to 1 year
- c) loss of qualification of Member
- d) radiation.

The radiation does not allow the readmission in the organization.