

# Financial Dispute Resolution Guide

Step-by-Step Procedural Guide for the  
Resolution of Financial Disputes  
between Clubs, Players and Coaches in  
International Volleyball

## **Step 1:** Gather information on [www.fivb.org](http://www.fivb.org)

To initiate a Complaint procedure:

- Review FIVB Sports Regulations, Art. 45.11
- Download the Complaint Template

The dispute shall be:

- Of financial nature
- Of international dimension
- Involving a player/coach v club (or vice versa)
  - Also: coach v NF (or vice versa)

## Step 2: Complete the Complaint Template

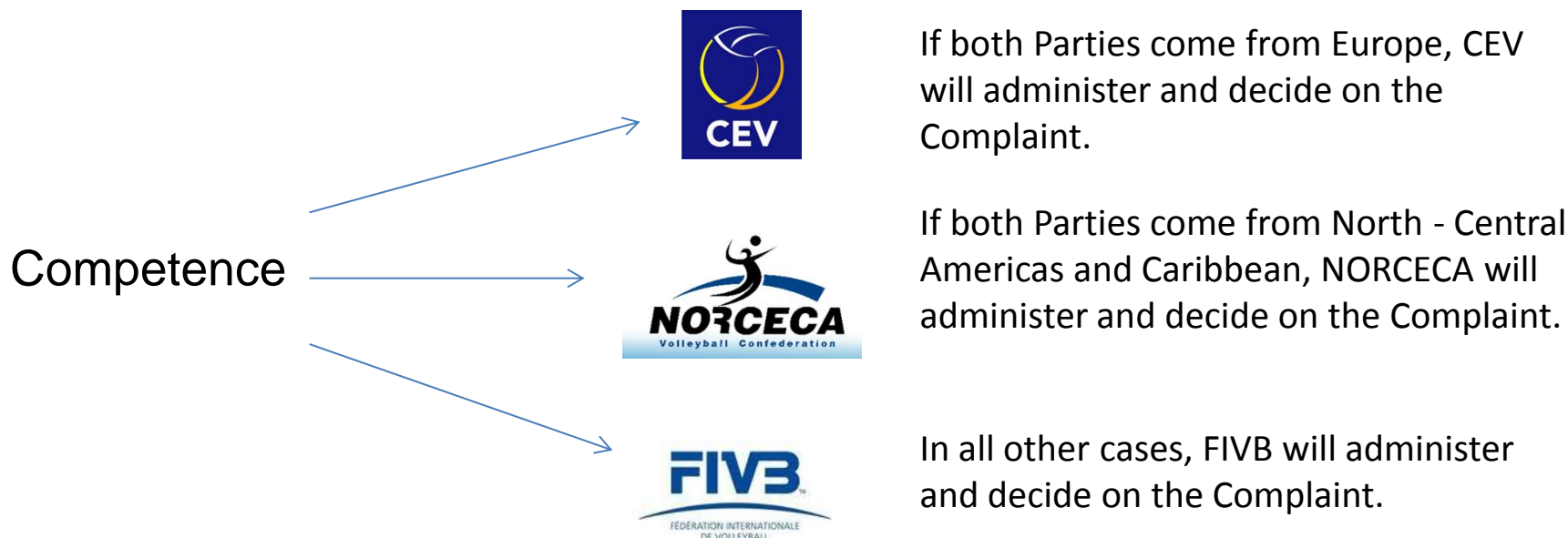
The Complaint shall contain:

- Names, full contact details of the Claimant and the Respondent and of their respective counsel (if any);
- Summary of facts;
- Legal arguments (if any);
- Request for Relief (with a specific amount);
- Claimant's bank details;
- Copy of signed Contract(s); and
- **All** written evidence (including correspondence, bank slips etc.)

*Claimant has the burden of proving his/her allegations!*

## Step 3: File the Complaint (I)

Determine if the FIVB or a Confederation is competent to decide on the Complaint





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## Step 3: File the Complaint (II)

Fax or email the completed and signed Complaint together with accompanying documentation to:

Email: [transfer@FIVB.org](mailto:transfer@FIVB.org)

Fax: +41 21 345 35 45

or

Email: [transfers@CEV.lu](mailto:transfers@CEV.lu)

Fax: +352 25 46 46 10

or

Email:

Fax: +1 809 227 32 42



## Step 4: Procedure initiated

Once the Complaint is received, the FIVB/Confederation

- Confirms with the Claimant that the Complaint was received and whether any documentation is missing
- Opens a case file\*

\*For Financial Disputes falling under the competence of the **FIVB/CEV**, the Claimant will be requested to pay the amount of **CHF 500/EUR 400** as non-reimbursable handling fee for the procedure.

Note: at any stage of the process the FIVB/Confederation may decide to refer the case directly to the FIVB Tribunal

## Step 5: Respondent is informed

- FIVB/Confederation informs the Respondent of the Complaint
- A time limit to file the Reply is established and communicated to Respondent

Note: at any stage of the process the FIVB/Confederation may assist the parties in reaching a settlement

## Step 6: Respondent files Reply

The Reply shall contain:

- Name and full contact details of the Respondent and its counsel (unless this information has already been set out in the Complaint);
- A statement of defence, including a statement of facts;
- Legal arguments (if any);
- Requests for relief;
- Any counterclaim; and
- **All** written evidence on which the Respondent intends to rely.



## Step 7: Decision by FIVB/Confederation

FIVB/Confederation evaluates the submissions and takes a decision

- based on a balance of probabilities; and
- applying general principles of justice and fairness

The decision may

- set a final time limit for the parties' compliance;
- determine which party (if any) will bear the costs of the handling fee; and
- determine that non-compliance will result into sanctions (*see* list of sanctions in Step 10)

## Step 8: Request for Review by the FIVB Tribunal

Once a Decision is issued by the FIVB/Confederation:

- Any affected Party may request that the case be reviewed by the FIVB Tribunal
- The Party must file the Request for Review with the FIVB Tribunal Secretariat within 14 days from notification of the decision
- See the FIVB Tribunal Regulations for the Request for Review procedure.

## **Step 9: Appeal before CAS**

- Decisions of the FIVB Tribunal can only be appealed to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.
- Only decisions from the FIVB Tribunal can be appealed to the CAS (no direct appeal against decision of FIVB/Confederation)
- Appeals must be lodged within 21 days from receipt of FIVB Tribunal's decision.

## **Step 10: Disciplinary Sanctions**

- Failure by a NF, club, coach or player to comply with a decision of FIVB/Confederation/FIVB Tribunal/CAS may be sanctioned as follows:
    - Warning;
    - Fine up to CHF 50,000;
    - Prohibition of receiving an ITC (for clubs) or prohibition to transfer internationally (for players);
    - Prohibition of registering and lining-up foreign players in any competition (for clubs);
    - Prohibition of participating in international competitions.
- The above sanctions can be applied more than once.