

**GIUDICE SPORTIVO, REGOLARE SVOLGIMENTO DELLE GARE
ED AVVIO DEL PROCEDIMENTO: UN'OCCASIONE MANCATA
PER DELINEARE I CONFINI TRA DENUNCIA, ISTANZA E
SEGNALAZIONE**

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ABSTRACT: The paper aims to assess the coherence of upper sports law court's case law with the formal sports rules which uphold the peculiar and indispensable features of the domestic sports federation positive and procedural laws, which is the permanent guarantee of speedy proceedings and fast decisions and certainty of competitions' results. The author reminds that the autonomy of the sports justice acquires its meaningfulness in the proper proceedings of the Sports Judge, the only competent body to deal with technical and regulatory competitions' rules. As regards the case in point, the CONI Code of Justice's rules governing the procedures' start are of the utmost relevance and have been thoroughly scrutinised by three grades of jurisdiction.

Since qualifying the starting act of the sports procedure of the examined Italian federation is vital to the follow up of the proceedings and the same ruling's content, the article outlines the differences between the instrument of "denunciation", the petitioner's request and the warning of the Federal Prosecutor's Office.

Finally, the paper comments a decision of the Sport Court of Appeals of the Italian Equestrian Sports Federation, later confirmed by the CONI Sport's Warranty College. The writer argues against those decisions, which accepting complaints beyond the regulatory deadlines might subvert the speed and certainty of results, which should remain the cardinal principles of sports regulations for the benefit of the sport and its stakeholders.

Keywords: CONI - FISE – sports judge – judge of competitions – exclusive jurisdiction – methods of starting the proceedings – difference between denunciation and request.

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