



CRONULLA SURF LIFE SAVING CLUB

INCORPORATED

B. Protests and Appeals

14.3 PROTESTS

14.3.1 Protest Categories

Protests, which may lead to the imposing of penalties, fall broadly into the following categories:

- (a) Protests arising from entry procedures or entry eligibility.
- (b) Protests arising from scrutineering or equipment eligibility.
- (c) Protests arising during participation in the competition and/or from a breach of rules.

14.3.2 Lodging a Protest

The conditions relating to lodging a protest shall be as follows:

- (a) A protest directly challenging a Finish Judge's decision cannot be accepted.
- (b) No protest shall be accepted against the actions of another competitor or team in the same event except where that competitor or team has suffered direct interference e.g. if an official takes an action or no action against a competitor or team, another competitor or team cannot protest unless they are in the same race and there is direct interference involved.
- (c) A protest against the conditions under which a race or an event is to be conducted must be made verbally to the Referee/Area Referee/Sectional Referee (as appropriate for the competition) prior to an event or race (as appropriate) commencing. The Referee/Area Referee/Sectional Referee or appointed Official shall then inform the Competitors in that event or race, prior to its start, of such a protest. A protest against the conditions under which an event or race is to be conducted cannot be accepted if it is made at any time other than prior to the event or race.
- (d) A protest (other than a protest under clause 14.3.2(b)) against a Competitor or a Team or against a decision of an Official (including the declaration of a result) must be lodged verbally with the Referee/Area Referee/Sectional Referee within 5 minutes of the completion of the event or the announcement of the result of the event.

Note 1: The Referee at their discretion may extend these time limits provided that results have not been declared as final.

Note 2: In Beach Flags events a protest against an elimination must be lodged within 5 minutes or before the next run through of an event begins (whichever occurs first). If a Beach Flag elimination protest occurs the Referee will immediately consider the protest without delay before proceeding with the event. There will be no Appeal permitted on Beach Flag elimination protest decisions of the Referee.

Note 3: A Referee is also authorised to refer a Beach Flag elimination protest directly to an on-beach Appeals Committee representative for decision on the basis of the processes and timings detailed in Note 1. No paperwork is required nor is a fee payable if this occurs.

Note 4: A competitor is permitted to protest and/or appeal against a disqualification decision in Beach Flag events provided that correct processes are followed.

- (e) A written protest must then be lodged with the Referee/Area Referee/Sectional Referee within 15 minutes of the verbal protest being lodged on the protest form provided by the Authority. Alternatively, if the Authority does not provide a protest form, a written protest on plain paper shall be acceptable.
- (f) Where a protest is lodged, the result of the event shall be withheld or finalised until the protest is decided. If a protest is upheld, placings and trophies (where relevant or required) shall be varied according to the amended result.
- (g) The result of the protest shall be noted on the back of the event result card or result records and also on the protest form.

14.3.3 Protest Adjudication

The conditions relating to the adjudication of protests shall be:

- (a) Immediately after the correct lodgement of a protest, the Referee or the Area Referee or the Sectional Referee (as appropriate for the competition) may either adjudicate on the protest, as provided for in this clause 14.3, or refer the matter directly to the Competition Appeals Committee Convener for consideration.
- (b) Where the Referee or the Area Referee or the Sectional Referee considers (in their absolute discretion) that a protest is frivolous, or not of a serious nature, they may choose not to accept the protest.
- (c) The assistance of video or other electronic aids may be used to consider protests. However, the onus is on the protestor to provide proof of authenticity, and any clearly viewable evidence and viewing mechanisms, within 15 minutes of the protest being lodged with the Referee/Area Referee/Sectional Referee (as appropriate).



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Note: A minimum 9 inch tablet type device with high definition display is generally considered to be the minimum size to properly adjudicate on a protest (or appeal).

- (d) Where the Referee or the Area Referee or the Sectional Referee accepts the protest, they will adjudicate on the protest in such manner as they see fit having regard to the interests of the competitor making the protest, all other competitors and all officials in the event and also the conduct of the event itself.

Note: Should it be determined that there was a technical or an administrative error in recording either the disqualification or protest reference, the error can be corrected, and the protest or appeal proceed without prejudice.

- (e) Where the Referee or the Area Referee or the Sectional Referee refuses to accept a protest or dismisses a protest, the decision may be appealed by the competitor to the Competition Appeals Committee. Such an appeal must be lodged with the Appeals Committee Convenor in writing within 15 minutes of the Referee or Sectional Referee advising the competitor of their decision.

Note 1: The Referee at their discretion may extend these time limits provided that results have not been declared as final.

14.4 COMPETITION APPEALS COMMITTEE

14.4.1 Powers

- (a) The Competition Appeals Committee will deal with all protests referred to it by the Referee or Sectional Referee under Clause 14.3.3(a) and all appeals by competitors under Clause 14.3.3(d).
- (b) In considering protests and appeals the Competition Appeals Committee shall allow all relevant Parties the opportunity to state their respective case and bring forward any relevant evidence to the Competition Appeals Committee. The Competition Appeals Committee will determine in its discretion who is a relevant Party for the purposes of this paragraph.
- (c) The assistance of video or other electronic aids may be used to consider appeals. However the onus is on the protestor to provide proof of authenticity, and any viewing mechanisms within 15 minutes of the appeal being lodged.
- (d) The Competition Appeals Committee shall consider the protest or appeal and make a decision. It may uphold or dismiss a protest or appeal. The Competition Appeals Committee may, in exceptional circumstances, consider whether the breach was "material" to the outcome of an event when making its decision to uphold or dismiss an appeal.
- (e) The Competition Appeals Committee will advise the competitor and relevant parties of its decision and of any penalty (if relevant or appropriate) imposed. Reasons for this decision may or may not be provided.

Note: If an appeal is upheld any appeal fee paid shall be returned.

- (f) The decision of the Competition Appeals Committee is final and there is no right of appeal against that decision.
- (g) The Competition Appeals Committee may refer serious breaches of any SLSA rule or regulation (including any supplementary regulations) to the Competition Disciplinary Committee for further inquiry.

14.4.2 Structure and Functions

The structure and functions of the Competition Appeals Committee are as follows:

- (a) The relevant surf lifesaving authority conducting the competition shall appoint a person of suitable experience and practical knowledge to act as Convenor of the Competition Appeals Committee Panel.
- (b) The relevant surf lifesaving authority shall appoint a Competition Appeals Committee Panel of no less than three persons. In the case of State and Australian Championships it is recommended that the relevant authority appoint a Competition Appeals Committee Panel of sufficient persons to enable at least two Appeal Committees to consider protests simultaneously.
- (c) From the Competition Appeals Committee Panel, the Convenor appoints the Committees to hear appeals.
- (d) When considering a protest or appeal the Competition Appeals Committee may comprise a minimum two persons to receive and determine protests and appeals.
- (e) A member of the Competition Appeals Committee who has made a decision which is the subject of an appeal cannot consider that appeal.
- (f) After hearing all available and relevant evidence, the Competition Appeals Committee shall consider its decision in private.
- (g) The procedure for the Competition Appeals Committee is similar to the Competition Disciplinary Committee procedures outlined under Section 14.5.