

SECTION 14
PROTESTS, APPEALS &
DISCIPLINE

14.1 CONDUCT AND DISCIPLINE GENERALLY

- (a) SLSA expects and requires of its competitors, Officials and Members generally, the highest standards of conduct and behaviour.
- (b) These expectations and requirements are reflected under the rules for competitions in the SLSA Constitution and this Manual.
- (c) Inevitably, in the field of competition there will arise varying situations which will give rise to protests and/or appeals.

NOTE: A fee may be charged by the Organising Authority for an appeal.

- (d) A competitor or Team Manager may protest to the Section Referee/Scrutineering Official in the manner set out in this Section.
- (e) The official completion time of competition is 20 minutes after the conclusion of the last event.

14.2 PENALTIES

SLSA, either by predetermined publicised penalties or by adopting the decision of a Disciplinary Committee, may, in its discretion, issue penalties to individual Members, Clubs, Branches and States.

14.3 PROTESTS

14.3.1 Protest Categories

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

- i) protests arising from entry procedures or entry eligibility;
- ii) protests arising from scrutineering or equipment eligibility; and
- iii) 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:

- (i) A protest directly challenging a Finish Judge's Decision can not be accepted.
- (ii) A protest against the conditions under which an event is to be conducted must be made verbally to the Sectional Referee prior to the event. The Section Referee or appointed Official shall then inform the competitors in that event, prior to its start, of such a protest. A protest against the conditions under which an event is to be conducted cannot be accepted if it is made at any time other than prior to the event.
- (iii) A protest (other than a protest under clause 14.3.2(ii)) 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 Section Referee within 5 minutes of the completion of the event or the announcement of the result of the event.
- (iv) A written protest must then be lodged with the Section Referee within 15 minutes of the verbal protest being lodged on the protest form provided by the Authority. Alternatively, if a protest form is not provided by the Authority, a written protest on plain paper shall be acceptable.
- (v) Where a protest is lodged, the result of the event shall be withheld 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.
- (vi) The result of the protest shall be noted on the back of the event result card and also on the Protest Form.

14.3.3 Protest Adjudication

The conditions relating to the adjudication of protests shall be:

- (i.) Immediately after the correct lodgement of a protest, the Referee or the Sectional Referee may either adjudicate on the protest, as provided for in this Clause 14.4, or refer the matter direct to the Carnival Appeals Committee Convener for consideration.
- (ii.) Where the Referee or the Sectional Referee considers (in his absolute discretion) that a protest is frivolous, or not of a serious nature, he may choose not to accept the protest.

- (iii.) Where the Referee or Sectional Referee accepts the protest, he will adjudicate on the protest in such manner as he sees 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.
- (iv.) Where the Referee or Sectional Referee refuses to accept a protest or dismisses a protest, the decision may be appealed by the competitor to the Carnival 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 his decision.

14.4 CARNIVAL APPEALS COMMITTEE (“CAC”)

14.4.1 Powers

- (a) The CAC will deal with all protests referred to it by the Referee or Sectional Referee under Clause 14.3.3(i) and all appeals by competitors under Clause 14.3.3(iv).
- (b) In considering protests and appeals the CAC shall allow all relevant parties the opportunity to state their respective case and bring forward any relevant evidence to the CAC. The CAC will determine in its discretion who is a relevant party for the purposes of this paragraph.
- (c) The CAC shall consider the protest or appeal and make a decision. It may uphold or dismiss a protest or appeal. The CAC 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 a protest is upheld any protest fee paid shall be returned forthwith.

- (d) The decision of the CAC is final and there is no right of appeal against that decision.
- (e) The CAC may refer serious breaches of any SLSA rule or regulation (including any carnival supplementary regulations) to the Carnival Disciplinary Committee for further inquiry.

14.4.2 Structure and Functions

The structure and functions of the CAC are as follows:-

- (i) The relevant surf lifesaving authority conducting the competition shall appoint a person of suitable experience and practical knowledge to act as convener of the CAC.
- (ii) The relevant surf lifesaving authority shall appoint a CAC of no less than 3 persons. In the case of State and Australian Championships it is recommended that the relevant authority appoint a CAC panel of sufficient persons to enable at least two Appeal committees to consider protests simultaneously.
- (iii) When considering a protest or appeal the CAC may comprise a minimum 2 persons to receive and determine protests and appeals.
- (iv) A member of the CAC who has made a decision which is the subject of an appeal, cannot consider that appeal.
- (v) After hearing all available and relevant evidence, the CAC shall consider its decision in private.
- (vi) The procedure for the CAC is similar to the Carnival Disciplinary Committee procedures outlined under Section 14.5.

14.5 THE CARNIVAL DISCIPLINARY COMMITTEE ("CDC")

14.5.1 Structure and Functions

The structure and functions of the CDC are as follows:

- (i) At every carnival, competition or display conducted by or on behalf of SLSA, a State Centre or a Branch, a CDC consisting of at least 2 persons shall be appointed by the surf lifesaving authority conducting the competition. A minimum of two persons shall constitute a quorum.
- (ii) The CDC shall immediately inquire into any allegation of conduct prejudicial to SLSA alleged to have been committed at any such carnival, competition or display or while travelling to the same or

- returning from the same or while within the jurisdiction of the surf lifesaving authority conducting the carnival.
- (iii) The CDC may penalise in such manner as to it seems appropriate any Member who it finds guilty of such prejudicial conduct. Penalties may include forfeiture of titles or trophies won at the carnival which is relative to the misconduct.
 - iv) The CDC shall as soon as practicable report in writing their inquiries and decisions to the surf lifesaving authority conducting the carnival, competition or display.

14.5.2 Procedure

- (a) Guidelines for the CDC procedure are:
 - (i) The CDC shall be supplied with the name, contact address and phone number at the carnival site of the Manager of every team by SLSA, State Centre or Branch.
 - (ii) Any complaint received must be in writing or the complainant must be prepared to attend a meeting or inquiry of the CDC as and when required.
 - (iii) The CDC may also instigate a course of inquiry to ascertain if an offence has been committed and proceed to make a complaint. The CDC may then proceed as if the complaint had been made by another person.
 - (iv) The member or members against whom the complaint is made shall be entitled to be present at every hearing accompanied by his or their Team Manager or Club Captain.
- (b) The procedure at meetings or inquiries shall be:
 - (i) The charge or reference to the CDC shall be read to the member or representative of the Clubs concerned.
 - (ii) The evidence of the complainant shall be tendered.
 - (iii) The evidence of the member or members against whom the complaint is made shall be tendered.

- (iv) Each witness shall be subject to examination by the party (if any) on whose behalf he is called and then to cross examination by the opposing party or parties. The party calling the witness shall have the right to re-examine him, but no other examination or cross-examination shall be allowed except by leave of the CDC.
- (v) Hearsay and irrelevant evidence shall not be admitted if objected to by any party concerned or by the Chairman.
- (vi) Witnesses other than the party charged shall remain out of hearing of the inquiry until called upon to give their evidence.
- (c) After the evidence has been completed the CDC shall consider the same in private and if the charge is found proved may impose a penalty. Notice of the finding and any penalty imposed shall be given immediately in writing by the Chairman of the CDC to the member concerned and to the Club of which he is a member and to the State Centre to which the Club is affiliated. The penalty (if any) shall become effective immediately and the person charged, any official or other parties involved in the inquiry, shall be informed of their rights of appeal (if any).

14.5.3 SLSA PROTEST FORM

SURF LIFE SAVING AUSTRALIA
PROTEST FORM

CARNIVAL/COMPETITION:		DATE:
ARENA:	EVENT:	HEAT/QF/SEMI/NO. FINAL
PROTESTERS CLUB:		
NAME OF COMPETITOR(S)/CLUB LODGING PROTEST:		
I/We formally protest against:		
Grounds for this protest are to be found in the SLSA 31 st Edition Competition Manual on page: , paragraph: , item: ,and/or Bulletin I.D.No: , paragraph		
The circumstances leading to the protest were:		
Signed (Competitor):		(Club Team Manager):
OFFICE USE ONLY		
Result of Event announced at (determine exact time)		am/pm
Verbal Protest received by:	Position: Sectional Referee/Liaison Officer	At: am/pm
Protest Form received by:	Position: Sectional Referee/Liaison Officer	At: am/pm
Sectional Referee's Name:	Decision: Upheld/Dismissed/Referred to Referee/Appeals /Disciplinary	
Remarks:	Protester advised at: am/pm	
Carnival Referee's Name:	Decision: Upheld/Dismissed//Appeals /Disciplinary	
Remarks:	Protester advised at: am/pm	
Protest referred to Appeals Committee by:	Position: Carnival/Sectional Referee	At: am/pm
Appeals Committee Decision: Protest Upheld/Dismissed/Referred to Disciplinary – Signed:		
Remarks:	Protester advised at: am/pm	
	Referee advised at: am/pm	