



WSSF

World Snowshoe Federation

Internal Rules and Regulations

Rules of Appeal

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Article 1

Rights of Appeal

- 1.1. As stipulated in the statutes of the WSSF, it is possible to appeal against decisions of a body of the WSSF to the Chairman of the Board of Appeal of the WSSF.
- 1.2. Appeals concerning purely sporting decisions of arbitrators, officials or competition juries are treated in accordance with sporting competitions of snowshoeing rules and are not affected by the following rules.
- 1.3. The decisions of the Congress may be subject to an appeal.
- 1.4. Only the parties directly concerned by a decision of an organ of the WSSF, as well as the WSSF itself through its Executive Committee, are entitled to appeal.

Article 2

Appeals Concerning Anti-Doping Cases

- 2.1. The right of appeal applies inter alia to decisions taken pursuant to the WSSF anti-doping rules.
- 2.2. For doping cases where the following provisions differ from the appeal provisions specifically provided for by the WSSF anti-doping rules, the latter shall have precedence.

Article 3

Filing an appeal

- 3.1. Appeals should be directed in writing to the WSSF, to the attention of the Chairman of the Board of Appeal, within twenty-one (21) days from the date of receipt of the decision being challenged by the appellant. An appeal presented outside this time period will not be taken into account.
- 3.2. The statement of appeal must be accompanied by the grounds for the appeal, the facts relied upon, any evidence relied upon, and the conclusions of the appellant.
- 3.3. The right of appeal is subject to a fee of \$50, to be paid, at the latest, at the time of the submission of the appeal. The WSSF is exempt from this tax, which does not apply to cases of doping, for which no tax is collected.

Article 4

Suspension of Penalties

- 4.1. An appeal does not, in general, suspend any penalties imposed as a result of the decision being appealed from. However, the Chairman of the Board of Appeals or the President of the Court of Appeals of the WSSF may decide, where there is a reasoned and justified request, to grant a suspension of such penalties.

Article 5

Responding to the Appeal

- 5.1. The Chairman of the Board of Appeal shall confirm receipt of the appeal to the appellant and inform the appellant as to its admissibility.
- 5.2. Where the appeal is received, the Chairman of the Board of Appeal shall form a Court of Appeal to ultimately judge the case.
- 5.3. The Chairman shall also inform the President or Chairman of the body taking the decision being appealed from as well as the opposing party.

Article 6

Composition of the Court of Appeal

- 6.1. Appeals are answered by a Court of Appeal composed of a President and two judges or a single judge (for a case considered by a single President). The Chairman of the Board of Appeal shall decide on the number of judges and shall appoint the necessary persons for the task.
- 6.2. Members of the Court of Appeal may be, but are not necessarily, part of the Board of Appeal. However in no case shall they be part of the Executive Committee of the WSSF or any other body having already dealt with the case.
- 6.3. Members of the appellate court must be impartial of the parties concerned and immediately inform the Chairman of the Board of Appeal anything likely to affect their impartiality.

Article 7

Hearing

- 7.1. The President of the Court of Appeal shall fix the date of the hearing and shall convene the parties within a reasonable time, permitting them to prepare their case.
- 7.2. Parties may take part in the hearing until the Court of Appeal begins deliberations, unless the President of the Court of Appeal dispenses with a party.
- 7.3. The Court of Appeal may also sit and act on a matter where there is an unjustified absence of parties, provided that the party concerned has been correctly informed of the hearing.
- 7.4. In cases involving important events of significance, the hearing may be convened in an accelerated manner.

Article 8

Appeals Process

- 8.1. During the appeals process, prior to the hearing, the President of the Court of Appeal may require evidence on the facts relevant to the decision. To do so, he may access all files, reports and information that have been established by bodies of the WSSF that have already been involved with the case.
- 8.2. During the appeals process, the parties, including the Executive Committee of the WSSF or its representatives have the right:
- to be heard at the hearing,
 - to be represented and/or assisted by an adviser at the hearing,
 - to communicate observations in writing prior to the hearing; if such is the case, these observations are to be communicated to the other parties before the hearing,
 - to present documents, evidence and witnesses at the hearing,
 - to interrogate witnesses presented by the other parties during the hearing,
 - to benefit from the services of an interpreter (appointed by the President of the Court of Appeal) during the hearing.
- 8.3. The parties have the right to consult documents relevant to the appeal or request copies at their own expense.
- 8.4. The President of the Court of Appeal conducts the hearing, during which each party has the opportunity to speak twice. The President of the Court of Appeal shall establish the speaking order.
- 8.5. If the party speaking first waives the right to respond, the hearing shall end.

Article 9

Witnesses

- 9.1. If necessary, the President of the Court of Appeal may decide to call witnesses not cited by the parties concerned.
- 9.2. Witnesses called to appear and subject to the rules of the WSSF are required to respond to the summons to appear as a witness. A disciplinary sanction may be pronounced for persons failing to appear.
- 9.3. The President of the Court of Appeal may decide to accept or decline voice/phone or written testimonials.

Article 10

Deliberations and Decisions

- 10.1. The deliberations of the Court of Appeal are secret and confidential.
- 10.2. The Court of Appeal shall carry out a new and comprehensive review of the case, in fact as well as in law.
- 10.3. The resulting decision of the Court of Appeal may confirm, modify, or revoke the contested decision.
- 10.4. The Court of Appeal may, if warranted, pronounce a more or less severe penalty than initially pronounced.
- 10.5. New offences that appear during the appeals process can also be judged by the Court of Appeal. In this case, decisions concerning these new offences will be made at trial and may also be the subject of an appeal.

Article 11

Process Fees

- 11.1. All costs of the appeals process are the sole responsibility of each party concerned.
- 11.2. The costs of the appeals process, which comprise the expenses of the Court of Appeal, should be distributed fairly between the parties according to the outcome of the hearing. Costs incurred are charged to the wrongful, part regardless of the outcome of the procedure.
- 11.3. Appeal fees are deducted from the costs of the appeals process.

Article 12

Decision

- 12.1. If circumstances permit, the decision of the Court of Appeal may be provided orally to the parties at the end of the hearing and deliberations.
- 12.2. In all cases, the parties shall be informed in writing and within a reasonable time of the Court of Appeal's decision.
- 12.3. The Executive Committee of the WSSF as well as the Chairman of the Board of Appeal shall be informed of decisions of the Court of Appeal.

Article 13

Final Judgement

- 13.1. The Court of Appeal is the last internal appellate body of the WSSF. Decisions of the Court of Appeal of the WSSF may undergo an appeal exclusively to the Court of Appeals (CA), according to the rules laid down in the statutes of the WSSF.

13.2. Only decisions by the Court of Appeal at first instance in relation to newly arisen offences, as described in section 10.5, may be the subject of an internal appeal to the WSSF.