

ANNEX IV – GUIDELINES FOR HANDLING COMPETITOR’S’ QUERY OR COMPLAINT

1. REFERENCES IN GENERAL REGULATIONS

- a) The duties of the Ground Jury are defined in Article 163.
- b) The duties of the Appeal Committee are defined in Article 164 and the procedures for Appeals in Article 170.
- c) It is important to distinguish between a query (a rider asks for some clarification about a decision), and a written Objection or Complaint (Articles 167 and 168).

By far the most frequent case coming before the Ground Jury is a query from a competitor, sometimes leading to an objection; the following guidelines may be helpful in handling this type of case, but they in no way replace or modify the text of the General Regulations. For simplicity and clarity In these notes the word “protest” is used to include Objection and Complaint.

2. PROCEDURE FOR HANDLING A QUERY

- a) The competitor reports a query (which may be oral) at the Secretary’s Office, or other location as directed by the OC, where the time and date of the query should be noted.
- b) The Secretary should check the salient facts and inform the TD who will investigate the query and explain his findings to the competitor. The TD must keep the Jury properly informed of his actions.
- c) No formal written reply to the query is required, in most circumstances.
- d) If the competitor is not satisfied with the explanation by the TD, then he may proceed with a written protest, which must be signed and accompanied by a deposit as defined in the Regulations.
- e) The Secretary must record time and date of receipt, and inform TD.
- f) Note that whenever a written protest is received there **must** be a hearing unless it has been withdrawn in writing.
- g) After publication of the final results, a period of 30 minutes is foreseen in the Rules for any protest to be introduced. However, practical considerations such as big crowds may militate against a query (which may lead to a protest) being speedily handled by the TD. In such circumstances, and in the interests of fairness, Ground Juries are encouraged to be flexible in the application of the 30-minute period. Of course, a protest may lead to a change in the results with the possibility of another protest as consequence. Here again fairness and evenhandedness should guide decisions related to the time interval.

3. LAYOUT AND PREPARATION FOR THE HEARING

The same method and principles apply as indicated in Annex III 3.

Generally, the TD, working with the Secretary, will coordinate the matter, and ensure the presence of any witnesses that may be required (non-exhaustive list – fence judge, steward, witness from the public, Person Responsible, Chef d’Equipe, video and means of displaying it, etc.).

4. PROCEDURE FOR THE HEARING

- a) Following the FEI rules, the TD will liaise with Secretary to convene a hearing of the Ground Jury to investigate the protest. All interested parties should be notified - competitor (Person Responsible), witnesses, Fence Judge, TD, Steward.
- b) The procedure to be followed must be explained to the competitor so that he clearly understands it. He must also be told that if he has any evidence he wishes to put forward or any witnesses then he must bring it/them with him.
- c) The Ground Jury should listen to the protest from the competitor, and then listen to evidence from any fence judge and witnesses as appropriate.
- d) The Ground Jury should then ask all parties to leave while they consider their verdict. At the Ground Jury's invitation, the TD may remain to advise them, but he must not act as though he is part of the panel taking the decision.
- e) The decision of the Ground Jury should be communicated to the competitor orally and in writing.

5. APPEAL

- a) If the competitor still is not satisfied, he might ask to introduce an Appeal.
- b) The general arrangements and principles for the hearing of an Appeal are similar to those for hearing a complaint.
- c) **However, for certain types of decision by the Ground Jury no appeal is admissible – these are defined in Article 170.2.**

The following synopsis may help. No appeal is admissible:

- against the decision of the Ground Jury where the question for decision was what in fact happened during a competition or where marks are awarded for performance (dressage mark).
Examples (non-exhaustive list): whether an obstacle was knocked down, whether a horse was disobedient, whether a horse refused at an obstacle or knocked it down while jumping, whether a rider or horse has fallen, whether a horse circled in a combination or refused or ran out, what was the time taken for the round, or whether an obstacle was jumped within the time; whether, according to the Rules, the particular track followed by a competitor has caused him to incur a penalty. Contrast questions involving interpretation of the Rules, which can be the subject of appeal.
- elimination of a horse for veterinary reasons
- against the decision of the Ground Jury by the Appeal Committee.

An Appeal is admissible in some cases resulting from organisational procedure or starting rights.

6. NOTES

- a) The Ground Jury and the Appeal Committee should maintain contact with the Secretary at end of each phase of the competition and remain available (on the ground) for 1 hour afterwards.
- b) Fence Judges, Stewards, Timekeepers, Scorers, etc. should remain in vicinity of the Secretary's Office as above, after the Cross-country Test until released by the TD.
- c) In * and ** events where there is no Appeal Committee, some of their functions are fulfilled by the Ground Jury. This does not affect the procedure for handling queries, and complaints, but does mean that the Ground Jury must be particularly clear in following procedures and explaining them to competitors.