



SURF LIFE SAVING®
NEW ZEALAND



PROTESTS & APPEALS

SECTION 10.

SECTION 10.

PROTESTS AND APPEALS

IN THIS SECTION YOU WILL FIND:

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SECTION 10.

PROTESTS AND APPEALS

10.1. CONDUCT

- 10.1.1. SLSNZ expects and requires of its Competitors, Participants, Officials, and Members, the highest standards of conduct and behaviour.
- 10.1.2. These expectations and requirements are reflected in the SLSNZ Constitution, Regulations and this Manual.
- 10.1.3. In the conduct of Competition, situations may arise that may give a reason for protests and/or appeals. This section applies to all protests or appeals matters, except as otherwise provided in the Constitution or Regulations.
- 10.1.4. For the sake of clarity, this section 10 of the Manual only relates for situations that may give rise to protests and/or appeals matters that occur at Competitions. All other matters will be dealt with as detailed in Section 1.6, Misconduct of this manual.

10.2. GENERAL RULES

- 10.2.1. The rules in this Manual are made in the best interests of surf lifesaving, Competition and Competitors. The purpose of the rules is to establish and maintain a safe and fair system in which Competitions can be conducted.
- 10.2.2. Competitors must adhere to the courses and the rules detailed in this Manual, Circulars and Entry Forms and as directed by the relevant Official for the conduct of Events.
- 10.2.3. Where a Competitor fails to adhere to the prescribed course, or breaches or fails to follow a rule in this Manual, they may be disqualified by the Event Referee or Arena Referee as set out in the relevant section in this Manual for that Event.
- 10.2.4. Any other alleged breach of any rule in this Manual (not

covered under section 10.2.2) and a breach of the Code of Conduct during a Competition, shall be reported by an Official to the Arena Referee or Event Referee in the first instance who shall then investigate the circumstances and make a decision.

- 10.2.5. Competitors who consider they have been disadvantaged or have been subjected to a breach of the rules may protest to the Arena Referee or Event Referee in the manner prescribed in rule 10.3.

10.3. COMPETING UNFAIRLY

10.3.1. Competitors or teams who are deemed to have competed unfairly may be disqualified from an event or expelled from the championships. The Event Referee may refer the competitor or team to the disciplinary committee for consideration of further penalty. Examples of competing unfairly include:

- (a) Committing a doping or doping-related infraction.
- (b) Impersonating another competitor
- (c) Competing twice in the same individual event.
- (d) Competing twice in the same event in different teams.
- (e) Purposely interfering with a course to gain an advantage.
- (f) Competing without entry.
- (g) Competing for another club or nation without federation clearance.
- (h) Attempt to defeat the ballot or draw for events or positions.
- (i) Competing using equipment that does not meet ILS specifications.
- (j) Competing contrary to the specific direction of the Event Referee or designated official
- (k) Jostling or obstructing other competitors or handlers so as to impede their progress.
- (l) Receiving physical or material outside assistance (other than verbal or other direction except where specifically excluded by the rules of the event).

10.3.2. The Event Referee, Arena Referee and/or the relevant official(s) shall have absolute discretion in determining whether

a competitor, team or handler has competed unfairly.

- 10.3.3. SLSNZ may, in its absolute discretion, investigate and take action on any matter of “competing unfairly” prior to, during or following competition. This includes, but is not limited to, the return of medals and referral to the judicial committee.

10.4. PROTESTS

- 10.4.1. Protests from a Participant in relation to a decision by an Event Referee, Arena Referee, Chief Scrutineer or other appointed Official, fall broadly into the following categories:

- (a) Protests arising from Competition Entry procedures or Entry eligibility.
- (b) Protests arising from scrutineering or equipment eligibility.
- (c) Protests arising during participation in an Event and/or from a breach of rules.

10.4.2. Lodging and Determining a Protest

To lodge a protest, the following rules must be adhered to:

- (a) A protest against the conditions under which a Race or an Event is to be conducted must be made verbally to the Arena Referee or Event Referee prior to an Event or Race (as appropriate) commencing. The Arena Referee, Event 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.
- (b) A protest (other than a protest under clause 10.3.1(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 Arena Referee or Event Referee within five minutes of the completion of the Event or Race (as appropriate) or the announcement of the result of the Event or Race (as appropriate).
- (c) A written protest must then be lodged with the Arena Referee or Event Referee within 15 minutes of the verbal protest being lodged on the protest form provided by

SLSNZ. Alternatively, if a protest form is not available, a written protest on plain paper shall be acceptable.

- (d) Protests in Beach Flags
 - (i) In Beach Flags events a protest against an elimination must be lodged with the Arena Referee, within 5 minutes or before the next run through of an event begins (whichever occurs first). If a Beach Flag 'snake' entry system is in use, the next run through shall mean where the eliminated athlete, would be expected to have been positioned, had they proceeded without elimination.
 - (ii) If a Beach Flag elimination or disqualification protest occurs, the Arena Referee shall immediately inform the Event Referee who in consultation with the Arena Referee and an on-beach CAC representative will immediately consider the protest and make a decision. The Event Referees decision is final and no further protest or appeal is permitted.
 - (iii) A beach flag disqualification shall be treated the same as a beach flag elimination, i.e. athletes eliminated or disqualified from a beach flag event shall retain the point score and/or placing as at the time in the Event.
- (e) Where a protest is lodged, the result of the Race or Event (as appropriate) shall be withheld until the protest is decided. If a protest is upheld, placings and trophies (where relevant or required) shall be adjusted to reflect the amended result.
- (f) Immediately after the correct lodgment of a protest, the Arena Referee or Event Referee may either adjudicate on the protest, as provided for in this clause 10.4, or refer the matter directly to the Competition Appeals Committee for consideration.
- (g) Where the Arena Referee or Event 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.
- (h) Where the Arena Referee or Event Referee accepts the protest, they will adjudicate on the protest in such manner as they see fit, having regard to the interests of the Participant making the protest, all other Participants and all Officials in the Event and also the conduct of the

Competition itself.

- (i) Where the Arena Referee or Event Referee refuses to accept a protest or dismisses a protest, the decision may be appealed by the Participant or their nominee, to the Competition Appeals Committee. Such an appeal must be lodged with the Event Referee in writing within 15 minutes of the Arena Referee advising the Participant of their decision.
- (j) A fee may be imposed by the Competition Appeals Committee for lodging an appeal. However, if an appeal is upheld, any appeal fee paid shall be returned.
- (k) The result of the protest shall be noted in the Event result records and also on the Protest/Appeal Form.
- (l) A Competitor Liaison may be appointed for certain Events to provide advice to Competitors and their managers prior to lodging a protest. That person only provides advice to the Competitor, he does not uphold or consider a protest. After the advice, the Participant decides if they wish to continue with a protest.
- (m) 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.

10.5. COMPETITION APPEALS COMMITTEE (CAC)

10.5.1. Powers

- (a) The Competition Appeals Committee will deal with all protests referred to it by the Arena Referee or Event Referee under rule 10.3.2(e) and all appeals made by Participants under rule 10.3.2(g).
- (b) In considering protests and appeals, the Competition Appeals Committee shall allow all relevant parties a reasonable opportunity to state their respective case and bring forward relevant evidence to the Competition

Appeals Committee. The Competition Appeals Committee shall consider the protest or appeal and make a decision. It may uphold or dismiss a protest or appeal and impose penalties and/or refer the matter to the SLSNZ Judicial Committee as set out in rule 10.5.

- (c) The assistance of video or other electronic equipment may be used to consider appeals. However, the onus is on the protester to provide proof of authenticity and any clearly viewable evidence and viewing mechanisms at the time that the appeal is heard. A minimum 9 inch/228 mm (measured on the diagonal) tablet type device with high definition is generally considered to be the minimum size to properly adjudicate on an appeal.
- (d) The Competition Appeals Committee will advise the Participant and relevant parties of its decision and of any penalty (if relevant or appropriate) imposed.

10.5.2. Structure and Functions

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

- (a) SLSNZ shall appoint a person of suitable experience and practical knowledge to act as a Convener of the Competition Appeals Committee relative to the Competition.
- (b) SLSNZ shall appoint a Competition Appeals Committee of no less than three persons.
- (c) In the event of a protest or appeal arising over the result of an engine scrutineering disqualification the Competition Appeals Committee will consist of:
 - (i) The Event Manager
 - (ii) Two SLSNZ appointed technical representatives.
- (d) A Member of the Competition Appeals Committee who has made a decision which is the subject of an appeal cannot consider that appeal.
- (e) After hearing all available and relevant evidence, the Competition Appeals Committee shall consider its decision in private.
- (f) The decision shall be recorded on the Protest/Appeal Form.

- (g) The Arena Referee and the Participant lodging the appeal shall be informed of the decision by the Competition Appeals Committee as soon as practicable.

10.6. REFERRALS FROM THE COMPETITION APPEALS COMMITTEE

10.6.1. In the event that the:

- (a) Competition Appeals Committee considers the breach of the rules of a serious nature; or
- (b) The matter is considered to not be within the jurisdiction of the Competition Appeals Committee, then the protest or appeal may be referred to the SLSNZ Judicial Committee in accordance with the Constitution and relevant Regulations as detailed in Section 1.6, Misconduct, of this Manual.

10.6.2. Nothing in this section 10 prevents the Arena Referee or Competition Appeals Committee or any other person referring a matter to the NZ Police where appropriate.

10.6.3. [SLSNZ Protest/Appeal Form](#) is available from the Event Manager or from the SLSNZ website and the example following:

PART 1 – PROTEST INFORMATION

Protests must be lodged in accordance with the SLSNZ Surf Sports Competition Manual and/or SLSNZ Event Circulars. Protests may arise from entry procedures or entry eligibility; from scrutineering or equipment eligibility; or during participation in the competition and/or breach of rules.

Date: _____ Event #: _____ Event Name: _____

Heat _____ QF _____ SF _____ F _____ [circle relevant race & Insert race number]

Club Lodging Protest: _____ Manager Name: _____

Competitor(s)/Team lodging the protest: _____

I/We formally protest against: _____

Grounds for this protest are found in the SLSNZ Surf Sport Competition Manual on the SLSNZ Website:

Page: _____ Section: _____ Rule Reference#: _____

The circumstances leading to the protest were: _____

The following **Parts 2-5** are for Referees and/or Competition Appeals Committee use only.

PROTEST FORM

PART 2 – LODGING DETAILS

Verbal protest received by (name and forename):	
Verbal protest received at (time):	
Protest Form received by (name and forename):	
Protest Form received at (time):	
Protest Fee received:	

PART 3 – REFEREES ADJUDICATION

Referee Name: _____

Referees Notes: _____

Referees Decision (please tick):

Upheld (agree with protest)
Dismissed (rule against protest)
Referred to Appeals
Referred to SLSNZ Judicial

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

PART 4 – COMPETITION APPEALS COMMITTEE

CAC Names: _____

CAC Notes: _____



PROTEST FORM

CAC's Decision (please tick):

Upheld (agree with protest)
Dismissed (rule against protest)
Referred to SLSNZ Judicial

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

CAC Recommendations to the Referee: _____

Signed by the Competition Appeals Committee (CAC) who heard this protest.

PART 5 – ADVISING APPEAL DECISION

Decision advised by: _____ Position held: _____

Time protest decision advised to Competitor and/or Manager: _____

Protestor signature acknowledges receipt of decision: _____

10.7. COMPETITION APPEALS PROCESS

