

HONG KONG, CHINA ROWING ASSOCIATION

SELECTION APPEALS PROCEDURE

1. Any athlete adversely affected by a selection decision, or by the selection process, shall have the right to appeal subject to the terms and conditions set out below. A selection decision cannot be appealed simply because an athlete does not like or agree with it. There must be clear and sufficient grounds for the appeal. For example: -
 1. Failure to follow agreed policies or procedures.
 2. Decisions made on the basis of bias or lack of neutrality.
 3. Exercise of discretion for an improper purpose.
 4. Promotion of a decision that was grossly unfair.
 5. Discrimination as defined by HKSAR Equal Opportunities legislation.
2. An athlete wishing to appeal a selection decision should, in the first instance, take the matter up with the Technical Director. Where the issue cannot be resolved, they may refer the matter in the form of a written appeal to the International Rowing Committee (IRC) for further consideration. The Technical Director may also refer such issues to the IRC for advice.
3. A written appeal from an athlete shall be accompanied by a deposit of HK\$500. This sum shall be refunded if the appeal is upheld. Appeals shall not be accepted from third parties such as parents, coaches, clubs or other organizations, except in the case of junior athletes, where the IRC shall exercise its discretion.
4. Where the IRC accepts that there are sufficient grounds for an appeal, the matter will be referred to an HKCRA Selection Appeals Panel (the Panel). The Chair of the Panel, or in his/her absence the Vice Chair, shall appoint at least three (3) members to the Panel to hear and determine the case. The Panel shall include at least one Board member, and shall be selected from a list of qualified Panel members. Panel members shall be selected subject to no conflict of interest and based upon their independence and relevant expertise. The Panel may, where appropriate, include members of the IRC who have not taken part in the decision being appealed.
5. The appeal process shall be confidential and shall involve only those parties to which the appeal applies. The decision of the Panel shall be final and binding, and shall be provided in writing to the respective parties. A copy of the decision may also be provided to relevant HKSAR sports authorities, the Sports Federation and Olympic Committee of Hong Kong, China, and the Hong Kong Sports Institute if appropriate.
6. In the case of an appeal, the IRC shall nominate an appropriate number of qualified persons, to be appointed by the Association's Board, from whom the Panel shall be selected.