

## **HONG KONG, CHINA ROWING ASSOCIATION (HKCRA)**

### **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/Head Coach. Where the issue cannot be resolved they may then refer the matter in the form of a written appeal to the High Performance & Selection Committee for further consideration. The Technical Director may also refer such issues to the Committee 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 but otherwise shall be forfeited to HKCRA. 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 Association shall exercise its discretion on a case-by-case basis.

4. Where the High Performance & Selection Committee accepts that there are sufficient grounds for an appeal, they shall refer this to the HKCRA Board who will appoint a Selection Appeals Panel (the Panel) to consider the case (where possible within 7 working days). The Panel shall include a Chairperson and three other members, selected subject to no conflict of interest, their independence, and their relevant high-performance expertise. The Panel may, where appropriate, include the Technical Director and/or HP coaches provided they have not directly taken part in the decision being appealed. The Panel must include at least one Board member but may also include other persons with relevant knowledge/expertise.

5. The appeal process shall be confidential and shall involve hearings or statements from only those parties to which the appeal applies. The majority decision of the Panel shall be final and binding and shall be provided in writing to the relevant parties (where possible within working 7 days). The Panel chairperson shall have the casting vote in the case of a split decision. 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.