



HORSE SPORT
IRELAND

**Horse Sport Ireland
Nomination Appeals Procedure for the Olympic Games 2021**

The following appeals procedure applies in respect of any appeal made by an athlete or owner where:

- (i) The Athlete or their horse have not been nominated for selection to the Irish team (“Irish Team”) for an Olympic Equestrian Discipline, Dressage, Eventing and Jumping by the respective High-Performance Director.
- (ii) The Athlete or their horse has been removed from nomination subsequent to being nominated but before selection by the OFI
- (iii) The Athlete or their horse have not been accepted by the OFI and deemed a Selected Combination.

In the case of an athlete who has not been nominated (by the Discipline High Performance Director) for selection, the appeal must be exercised within the timelines below and prior to the selection of athletes by the OFI.

NGB Nomination Appeal - Limitation of Appeal

Any appeal is limited to grounds of:

- (a) bias, and/or
- (b) failure to adhere to the relevant Nomination Policy document

NGB Nomination Appeal - Notice of Appeal

1. The Appeal must be delivered within 24 hours of the time of publication of the selection of nominees by the HPD on the HSI website, if relating to nomination. This will take place at some time on Monday 21 June 2021.
2. If the appeal relates to removal from nomination, all applicable timeframes may be truncated and they will be told to the Athlete when they are informed of the removal of them or their horse.
3. The Appellant must lodge a Notice of Appeal setting out one or both of the limited grounds of appeal together with any supporting documentation.
4. The Notice of Appeal must be emailed to the Sport Governance Executive, Paul Hayes at phayes@horsesportireland.ie
5. An administrative fee of €100.00 must be paid with the Notice of Appeal either electronically to Horse Sport Ireland Bank Account (IBAN & BIC) made payable to ‘Horse Sport Ireland’. This fee will be refunded to the Appellant if the Appeal is successful.

NGB Nomination Appeal - Leave to Appeal

1. The Sport Governance Executive shall review the Notice of Appeal and any attached documents in order to determine whether leave to appeal should be granted to the Appellant.

2. The Sport Governance Executive shall have regard to:
 - (a) whether the Notice of Appeal was served in time and;
 - (b) whether an eligible ground of appeal has been raised in the Notice of Appeal in determining whether leave to appeal should be granted
3. When the Sport Governance Executive determines that an Appellant has or has not met the criteria for leave to appeal, then they shall communicate the decision to grant or refuse leave to appeal to the Appellant and to the CEO of Horse Sport Ireland within **one (1) day** of receipt of the Notice of Appeal.
4. Within **(1) one day** of receipt of a decision to grant leave to appeal the Sport Governance Executive shall:
 - (a) appoint one panel member from the Independent Appeal Committee, (this panel will comprise of two independent individuals),
 - (b) deliver to the Panel Member and the Appellant the appeal documents and
 - (c) notify the Appellant of the composition of the Panel Member appointed.
5. The Appellant shall raise any objection to the appointed Panel Member setting out the reasons for such objection **within (1) one day** of receipt of the notice of the composition. If there is any objection to the Panel Member appointed the Sport Governance Executive shall determine if the objection is upheld or not. If there is a reasonable perception of bias or actual bias then that Panel Member should stand aside. If the objection is upheld, then the Sport Governance Executive shall appoint a new Panel Member to adjudicate the matter.
6. All appeals will be limited to documentary evidence only and hearings for the purposes of submissions and argument will take place virtually by way of videolink hosted by Microsoft Teams or Zoom Conferencing.
7. The Panel Member shall have discretion to extend or truncate the timeline for the appeal hearing where it deems fit.
8. Within **(1) one day** of the Panel Member being appointed (and not be objected to), the Appellant shall deliver its witness statements and written submissions to the Panel Member and the Sport Governance Executive.
 - (a) Within one day of receipt the Sport Governance Executive shall submit any responding witness statements and written submissions to the Panel Member and the Appellant.
 - (b) where it appears that the interests of a Third Party may be affected by any decision of the NGB Nomination Appeal, the Panel Member may notify the Third party and invite the Third Party to make submissions and produce additional documents. The Panel Member shall permit such time as it deems reasonable for delivery of such submissions and documents but this shall not exceed two days.
 - (c) The Panel Member shall conduct such hearing as referred to at Paragraph 6 herein **within (1) one day** of receipt of the last set of submissions permitted to them.
9. The decision of the Panel Member is limited to determining whether either or both of the grounds for appeal have been substantiated.
10. The Panel Member shall have the flexibility to conduct the appeal in any manner it deems fit, subject to the appeal being conducted fairly.

11. The Panel Member may, at its sole discretion, disregard any non-material failure by a party to adhere to these Procedures and may give such further directions as may be appropriate.
12. If any party fails to comply with the Panel Member's direction or other communication issued by the Panel Member, the appeal may proceed in the absence of that party's compliance.
13. The Panel Member shall either uphold or reject the appeal. The Panel Member cannot substitute their decision for the decision of the High Performance Director. Where the appeal is upheld, then the Panel Member shall remit the matter back to the High Performance Director with directions.
14. Each party shall be responsible for their own costs and expenses, including legal costs for the appeal hearing. The Panel Member has no power to make an award of legal costs against a party.
15. The Panel Member shall email a written reasoned decision to the parties copying the sport Governance Executive within one day of the conclusion of the appeal hearing.
16. The decision of the Panel Member shall be binding on the parties and any affected third party who is a stakeholder within Horse Sport Ireland, subject to a right to challenge such decision before the Sports Dispute Solutions Ireland (SDSI) in accordance with the SDSI arbitration rules and procedures.
17. Any arbitral challenge to the decision of the appointed Panel Member will be heard by Sport Dispute Solutions Ireland and otherwise proceed in accordance with the time limits set out below and in accordance with SDSI Arbitration Rules for final and binding arbitration.
18. Any eligible athlete wishing to further appeal must lodge a Notice of Appeal Form in line with the supplementary procedures for Tokyo 2021 Athlete Nomination and Selection Appeals, SDSI. Athletes must submit the completed form within **12 hours** of receipt by them of the decision arising from the Horse Sport Ireland NGB Nomination Appeal Process.
19. The timelines that follow will be dictated by the SDSI supplementary procedures for Tokyo 2021 Athlete Nomination and Selection Appeals.