

## REVISED REGULATION CHANGES FOR CONSULTATION

Committee:	Judicial Advisory Panel
Date of meeting:	29 <sup>th</sup> January 2013
Closing date for Consultation	12 <sup>th</sup> August 2013
Email for comments	<a href="mailto:executive.consultation@msauk.org">executive.consultation@msauk.org</a>

### Section G

*The following is a revised, corrected version of the clarification proposal submitted to Executive Committee following the January 2013 Judicial Advisory Panel.*

#### Current Regulation:

##### **C6.3. Time Limit for Appeals**

Nature of Appeal	Time Limit
(g) Appeals against a decision of the Clerk of the Course not falling within (a) to (f) inclusive	Within 30 minutes from the time of the first communication of the decision to the Competitor.
(h) Appeals against a decision of the Stewards of the Meeting	Within 30 minutes from the decision being verbally announced

#### Proposed Regulation:

##### **C6.3. Time Limit for Appeals**

Nature of Appeal	Time Limit
(g) Appeals against a decision of the Clerk of the Course not falling within (a) to (f) inclusive	Within 30 minutes from the time of the first communication of the decision to the Competitor. <b>If the party(ies) concerned are not present when the decision is announced, it must be sent to them by first class mail, and any Appeal, together with fee, must be received by the Secretary of the Meeting not later than 10 days after the date of posting. This extended time limit will not apply where the party(ies) elect to absent themselves from a Clerk's hearing after it has commenced, in which case any appeal must be lodged within 30 minutes of publication of the decision.</b>
(h) Appeals against a decision of the Stewards of the Meeting	<del>Within 30 minutes from the decision being verbally announced.</del> <b>Within 30 minutes from the time of the first communication of the decision to the Competitor. If the party(ies) concerned are not present when the decision is announced, it must be sent to them by first class mail, and any Notice of Intention to</b>

	<p>Appeal, together with fee, must be received by the Secretary of the Meeting not later than 10 days after the date of posting. A copy of such Notice of Intention must also be lodged with the MSA at the same time. This extended time limit will not apply where the party(ies) elect to absent themselves from a Stewards' hearing after it has commenced, in which case any Notice of Intention must be lodged within 30 minutes of publication of the decision.</p>
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**C7.1.5. Notice of Intention to Appeal.**

A written Notice of Intention to Appeal against a decision of the Stewards of the Meeting, accompanied by the correct fee (see Part 3, Appendix 1) must be lodged with the Secretary of the Meeting, the Clerk of the Course, or their deputies (J.3.2.4) (or the Co-ordinator of the Championship in the case of an appeal against the Championship Stewards) within 30 minutes of their decision being verbally announced.

If the party(ies) concerned are not present when the decision is announced, it must be sent to them by first class mail, and any Notice of Intention to Appeal, together with fee, must be received by the Secretary of the Meeting not later than 10 days after the date of posting. A copy of such Notice of Intention must also be lodged with the MSA at the same time

**H33.1.6** Competitors must remain available at an event until any protest period relating to their event has elapsed, failing which, any judicial action against or relating to that competitor may be heard in their absence.

**C7.1.5. Notice of Intention to Appeal.**

A written Notice of Intention to Appeal against a decision of the Stewards of the Meeting, accompanied by the correct fee (see Part 3, Appendix 1) must be lodged with the Secretary of the Meeting, the Clerk of the Course, or their deputies (J.3.2.4) (or the Co-ordinator of the Championship in the case of an appeal against the Championship Stewards) within ~~30 minutes of their decision being verbally announced~~ **the timescale specified in 6.3(h).**

~~If the party(ies) concerned are not present when the decision is announced, it must be sent to them by first class mail, and any Notice of Intention to Appeal, together with fee, must be received by the Secretary of the Meeting not later than 10 days after the date of posting. A copy of such Notice of Intention must also be lodged with the MSA at the same time.~~

**H33.1.6** Competitors must remain available at an event until any protest **or appeal** period relating to their event has elapsed, failing which, any judicial action against or relating to that competitor may be heard in their absence.

**Reason:** Clarification. To clarify the time limits where judicial action is taken by either the Clerk or Stewards in a competitor's absence. To clarify that a competitor should not gain an inappropriate time extension by leaving after a hearing has started. To clarify that competitors should remain at an event until any appeal period has elapsed as well as any protest period. To clarify that written, timed decisions should be issued rather than just verbal decisions.

**Implementation:** Immediate.