

### **394 Appeals**

- 394.1 Following receipt of a Notice of Appeal, an IPC Sport Staff shall advise the Chairperson of the IPC Legal and Ethics Committee of that fact and the LEC Chair will then proceed to form a 3 person panel (the Board of Appeal/BoA) and shall him or herself act as Chairperson of the BoA.
- 394.2 In addition to the 2 members appointed by the Chair, the Board of Appeal will comprise the IPC STC Nordic Skiing Chairperson (or Vice-Chairperson in his/her absence) who will act as a non-voting member in order to advise and guide the BoA.
- 394.3 No person shall be appointed to the BoA if the circumstances of the Appeal are such that they may have a conflict of interest or may reasonably be seen as having a conflict or otherwise biased either for or against the Appellant, or where they have been involved in the decision being appealed, including as a witness. In its sole discretion, the BoA may invite the IPC counsel to assist it at the Hearing.
- 394.4 The IPC Appointed Sport Staff person should advise all parties of the identity of the BoA members, and the email address for communication with the BoA as soon as the BoA is formed.

### **Notice of Appeal**

- 394.5 Any person who has been penalised for an offence where a written notice is required shall have the right to appeal the penalty to the BoA and shall do so by filing with the IPC Appointed Sport Staff person a written Notice of Appeal within 24 hours of the first notification of the decision being appealed.
- 394.6 The Notice of Appeal must be endorsed by the Appellant's NPC or National Ski Federation (assuming the Appellant is not such a body, in which case they will be required to sign in their capacity as Appellant) and must set out in full the grounds of the appeal, and evidence to be relied on and the legal and other arguments in support of the Appeal. The Notice contain the appellants email contact and/or mobile or other telephone contact number and must be dated and signed by the Appellant.

- 394.7 Upon receipt, the Appeal Chairperson shall immediately conduct a review of the Notice of Appeal to determine whether the content, timing and delivery of the Notice of Appeal comply with these Rules.
- 394.8 If the Notice of Appeal does not comply with these Rules the Appeal Chairperson shall issue a written decision dismissing the Appeal and shall notify the appellant as soon as is practicable. The initial notification may be verbal. A fresh Notice of Appeal can be made within the applicable time limit for bringing appeals.
- 394.9 If the Notice of Appeal complies with these Rules then the Chair will circulate it to the BoA members and the Chair of the Jury that made the decision under appeal and any other party he or she considers to be relevant. The Chair of the Jury and all affected parties shall be asked to submit a response to the Notice of Appeal within 24 hours.

### **Appeal Procedures**

- 394.10 The Appeal should normally be decided within 72 hours of receipt of the Notice of Appeal.
- 394.11 All appeals and responses must be submitted in writing in English, including any evidence the parties intend to offer in support of or in response to the Appeal.
- 394.12 The Board of Appeal shall decide on the location and detailed procedure for the Appeal.
- 394.13 The Board of Appeal members are required to respect the confidentiality of the appeal until the decision is made public and to consult only with the other members of the panel during the deliberations. The Chairperson may request additional evidence from any of the parties involved which is considered reasonably necessary.
- 394.14 The Appellant must cover the cost of 300€ (or equivalent currency) when submitting the appeal to the IPC Staff person
- 394.15 Decisions of the Board of Appeal may be announced orally at the conclusion of the hearing and shall take effect from that time.



The decision, together with its reasoning, shall be submitted in writing to the IPC STC, which shall deliver them to the parties involved, their National Paralympic Committee or National Ski Federation and all members of the Jury whose decision was appealed. In addition, the written decision shall be available at the IPC Office.

- 394.16 Notwithstanding any other provision of these Rules or the IPC Handbook there shall be no further appeal or challenge to a decision of the BoA, which shall be considered final and binding on all parties including the IPC.