

123 Sanctions For CCC Tier I & Tier II Competitions not sanctioned by FIS

*For Canadian competitions: When considering sanctions for Canadian competitions sections **123 Sanctions**, **124 Procedural Guidelines** and **126 Violation of Sanctions** adopt the same principles as ICR sections 223, 224 and 226 with the following substitutions of named authorities:*

- The FIS becomes CCC; FIS Council or Council becomes CCC Brd of Directors; National Ski Associations becomes CCC Ski Division; Appeals Commission becomes CCC Competition Appeals Commission and ICR becomes CCC Rules (where applicable)*

In references to monetary fines all CHF swiss francs will be considered Canadian dollars

The following exception will be observed in Canadian competitions:

124.14 *deleted*

124.17 *All monetary fines are directed towards Youth Promotion.*

125 CCC Competition Appeals Commission

125.1 Application

The CCC Competition Appeals Commission shall hear any appeals from Jury decisions in CCC-sanctioned Tier I & Tier II competitions including those relating to categories of racers at Tier I competitions (e.g. National Championships or NorAm's) which are not eligible to earn FIS points at those events. Note that those athletes at such Tier I competitions who are eligible to earn FIS points must use the FIS process in the event of appeals of Jury decisions.

125.2 The CCC Competition Appeals Commission shall only hear appeals submitted in writing within 72 hours of the decision subject of appeal. 72 hours following the issuance of any decision, potential appellants are deemed to have accepted all decisions.

125.2 Appointments

125.2.1 Prior to the competition season the Chair of the CCC Events Committee shall appoint from a pool of FIS Licensed Technical Delegates a Chairman and a Vice Chairman of the CCC Competition Appeals Commission. The Vice Chairman shall preside when the Chairman is either unavailable or is disqualified for bias and prejudice.

125.2.2 The Chairman shall appoint 3 members, which may include himself (herself) and the Vice Chair, to the CCC Competition Appeals

Commission from licensed FIS Technical Delegates for each case appealed or submitted to be heard, whose decisions shall be by majority vote. In the event that a member of the CCC Board is appointed, the presence of such member on the committee shall not be construed as bias.

- 125.2.3 To avoid either actual bias and prejudice or the appearance of bias and prejudice, members appointed to a CCC Competition Appeals Commission shall not be members of the same Provincial or Territorial Division as the offender whose case is under appeal. In addition, members appointed to a CCC Competition Appeals Commission must report voluntarily to the Chairman any bias and prejudice they may hold for or against the offender. Persons who are biased and prejudiced shall be disqualified from serving on the CCC Competition Appeals Commission by the Chairman or, in the event the Chairman is disqualified, by the Vice Chairman.

125.3 Responsibility

- 125.3.1 The CCC Competition Appeals Commission shall only hold hearings with respect to appeals by an individual or group negatively affected by decisions of competition juries, or matters referred to it by competition juries recommending penalties in excess of those provided for in the Sanction rules.

125.4 Procedures

- 125.4.1 The Appeal must be decided within 72 hours of receipt of the Appeal by the Chairman, unless all parties involved in the Appeal agree in writing to an extension of time for the hearing.
- 125.4.2 All appeals and responses must be submitted in writing, including any evidence the parties intend to offer in support of or in response to the Appeal.
- 125.4.3 The CCC Competition Appeals Commission shall decide on the location and format for the Appeal.

The CCC Competition Appeals Commission 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 Chairman of the CCC Competition Appeals Commission may request additional evidence from any of the parties involved, providing this does not require disproportionate means.

125.4.4 The CCC Competition Appeals Commission shall allocate costs of the appeal pursuant to 124.1.5.

125.4.5 Decisions of the CCC Competition Appeals Commission may be announced orally at the conclusion of the hearing. The decision, together with its reasoning, shall be submitted in writing to CCC, which shall deliver them to the parties involved, their National Associations or CCC Division and all members of the Jury whose decision was appealed. In addition, the written decision shall be available at the CCC Office.

125.5 Further Appeals

125.5.1 Decisions of the CCC Competition Appeals Commission may be appealed to the President of Cross Country Canada under Policy 1.7 CCC Dispute Resolution and Appeal Policy. This appeal can only be made on the basis of the CCC Competition Appeals Commission not having remained free from bias and prejudice.

125.5.2 Appeals to the President of Cross Country Canada shall be in writing and submitted to the Cross Country Canada office within 72 hours from the date of the publication of the CCC Competition Appeals Commission decision.

125.5.3 An Appeal to the CCC Competition Appeals Commission or to the President of Cross Country Canada will not delay the implementation of any penalty decision of the Competition Jury or CCC Competition Appeals Commission.

393 Protests

393.4 Form of Protests (For Canadian Tier I & Tier II Competitions not sanctioned by FIS)

In Canadian Competitions: The following articles have been changed to reflect Tier I and Tier II sanctioned competitions.

393.4.3 \$100 Cdn or the equivalent in another valid currency must be deposited with the submittal of the protest. This deposit will be returned if the protest is upheld. Otherwise it goes to the account of Cross Country Canada.

393.5 Authorisation

The following are authorised to submit protests

- the National Ski Associations
- CCC Division captains
- team captains.

394 Right of Appeal

394.1.2 Appeals must be submitted to Cross Country Canada's Events Committee Chair.

394.1.4 The decision concerning the appeals are taken by

- the CCC Competition Appeals Commission
- the President of Cross Country Canada.

394.3 Submission

All evidence must be in writing to be substantiated. Proof and evidence are to be included. Evidence submitted too late must be declined by Cross Country Canada. (See 125.2). In order to file an appeal it must be accompanied with a deposit of \$500 Cdn, which will be refunded if the appeal is upheld.

Remove:

~~For Canadian competitions: Appeals and their processes are covered by a global CCC Appeals Policy. A current copy is available on the CCC Website in the Policies and Procedures section under About CCC.~~