



Protest Procedures (Form PR 2)

This document details the steps needed to ensure protests follow a uniform and fair process as outlined in GR 6.15

GR 6.15 Protests are possible:

- (a) if the rules and regulations for the conduct of the competition are not observed;
- (b) if other conditions endanger the competition and/or swimmers; or
- (c) against the decisions of the Referee.

However, no protests shall be allowed against decisions of fact. Unless the Meet Referee determines it is a matter of correcting a simple error all protests regarding irregularities of a Meet shall be submitted in writing on Protest Form (PR1) and shall:

GR 6.15.1 if prior to the meet, be forwarded to the Meet Referee.

GR 6.15.2 if during the meet, be forwarded to the Meet Referee for attention by the Referee who shall follow the procedures detailed in the document Protest Procedures (PR 2).

GR 6.15.3 be lodged within 30 minutes of the results being posted for the event. The time of posting must be written on the result sheet.

GR 6.15.4 with a deposit (if any) to be at the discretion of the Swim Meet Organisers.

GR 6.15.5 if through exceptional circumstances, arising subsequent to the meet, be forwarded to the State or Territory Executive within 48 hours of the official results of the meet becoming available.

If a protest is lodged with the Meet Referee for consideration by the Referee, it must be lodged within 30 minutes of the posting of the results, in writing, and accompanied by the required protest fee (if applicable). The Meet Referee must check that the time of posting is written on the result sheet as they are posted.

If the Meet Referee was the reporting official or Referee, they shall appoint a suitably qualified official who has no vested interest in the outcome of the protest to act as Meet Referee for the protest.

All protests shall be considered by the Referee, taking into account the reasons for the protest (as set out in the Masters Swimming Australia protest form) and any other information the Referee considers relevant. If the Referee rejects the protest, they must state the reasons for this decision on the form. (Be explicit with your wording and as close as possible to the Rule wording).

Advise the protestor they have the right to have your decision considered by a Jury of Appeal. The protestor may appeal the rejection to the Jury of Appeal whose decision shall be final.

If the protestor elects to take the matter to a Jury of Appeal, the Meet Referee shall advise the Chief Recorder, who shall hold the publication of the results until the matter is finalised by the Jury.

Jury of Appeal:

The Jury of Appeal for all Masters Swimming Australia events shall consist of three Referees present who are on the current World Aquatics (WA) Lists and not involved in the protest. In the event of three WA List Referees not being available, the Meet Referee shall appoint Technical Officials to fill any vacancy. If an adequate number of qualified technical officials are not available, the Meet Referee shall appoint persons with adequate knowledge of the rules and has no vested interest in the outcome of the protest.

A Chairperson shall be appointed to conduct the hearing. They shall not have a vote or be a part of the Jury decision.

The Jury of Appeal shall conduct its business in private. The jury shall consider the appeal, taking into account the reasons for the protest (as set out in the Masters Swimming Australia protest form PR1), the current Rules, and any other information the Jury of Appeal considers relevant.

The protestor(s), Referee(s), and Technical Official(s) whose decisions are being disputed shall have a right to present their case(s).

When a decision is reached, the Chairperson shall immediately inform the Meet Referee who shall in turn immediately inform the protestor and the Referee.

After the jury's decision is handed down, the results of the competition shall be determined and posted.

If the protest is rejected, the deposit will be forfeited to Masters Swimming Australia. If the protest is upheld the deposit will be returned.

This ends the matter.

No further action is possible.

Swim Meet Protest Summary

1. Informal Discussion

- 1.1 If a swimmer or team official disagrees with a decision, they may first discuss their concerns with the Referee.
- 1.2. The Meet Referee must remove the involved Referee from active officiating so they can speak with the protestor.
- 1.3. The Referee explains that the protestor has the right to lodge a formal protest and outlines the conditions:
 - The protest cannot challenge a decision of fact.
 - It must be lodged within 30 minutes of the event results being posted.
 - It must be accompanied by a deposit of an amount at the discretion of the Swim Meet organisers.
- 1.4. If the protestor wishes to proceed with a formal protest, the Referee refers them to the Meet Referee.

2. Official Protest

- 2.1. The Meet Referee provides the protestor with Form PR1.
- 2.2. The protestor completes Form PR1, submits it along with the deposit, and the Meet Referee records the time of submission.
- 2.3. The Meet Referee verifies that the protest is lodged within 30 minutes of the results being posted.
- 2.4. The Meet Referee relieves the Referee from their duties, allowing them time to:
 - Carefully review the protest details
 - Consider relevant information and refer to the applicable rules
 - Provide a response on form **PR1** using rule-based reasoning
- 2.5. The Referee determines whether the protest is:
 - Upheld (infraction is overturned) OR
 - Rejected (infraction stands).
- 2.6. The Referee submits their decision to the Meet Referee, who records the time.
- 2.7. The Meet Referee presents the decision to the protestor.
- 2.8. The protestor signs to acknowledge they have read the decision and indicates whether they:
 - Accept the decision - the process ends
 - Do not accept the decision – the process moves to a Jury of Appeal.

3. Jury of Appeal

- 3.1 If the protestor rejects the decision, the Meet Referee informs the Chief Recorder, who holds the event results.

3.2. The Meet Referee assembles a Jury of Appeal and appoints a chairperson, following the procedures outlined in Form PR2.

3.3. The Chairperson gathers all relevant documents, including:

- Infraction report
- Protest form
- Rule book references

3.3. The Jury of Appeal reviews:

- The procedural correctness of the protest process. If errors are found, the protest is upheld.
- The relevant rules and regulations
- Additional evidence as needed (e.g., speaking with the protestor, referee, and involved officials).

3.4. The Jury of Appeal records its final decision on Form PR1, signed by all jurors. The Chairperson submits the decision to the Meet Referee.

3.5. The Meet Referee informs the Chief Recorder, who takes necessary actions regarding the results.

3.6. The Chairperson notifies the protestor of the final decision.

Finality of the Decision

The decision of the Jury of Appeal is final. No further action may be taken.