

<b>SUBJECT:</b>	Proposal to Amend SC5, 4.7 Jury	<b>AGENDA #</b>	22.1.5
<b>AUTHOR:</b>	Liam McNulty, Delegate for Ireland		
<b>DATE:</b>	January 10, 2023 (Carried forward from 2021 Plenary)	<b>PAGES:</b>	3

~~RED TEXT AND STRIKETHROUGH~~ USED TO INDICATE DELETION OF TEXT.

BLUE TEXT USED TO DENOTE PROPOSED NEW TEXT.

## PROPOSAL TO AMNED SC5, 4.7 JURY

### SPORTING CODE, SECTION 5,

#### 2020 VERSION AS APPROVED BY ISC PLENARY MEETING 2020

## 4.7 JURY

### 4.7.1 Members

- (1) The Jury at an FCE is a ~~Nominated~~ Jury consisting of a Jury President and two Jury members. All Jury members must have the ability to communicate in English, so as to properly understand and fully participate in Jury meetings and discussions.

Unless exceptional circumstances prevail, ~~the Jury president each Jury member and eligible replacement~~ must ~~either~~ have been present as a registered Delegate, Alternate Delegate, an Appointed Observer or as an ISC Officer at the ISC Plenary meeting held in the year of the FCE, ~~or acted as Jury member in the year preceding the FCE and must represent and/or be resident in a different country than the other Jury members~~. The exceptional circumstances will be approved by the ISC Plenary upon recommendation from the ISC Bureau.

The Jury at a PS FCE is not subject to this paragraph nor to paragraph (2) and is governed by the provisions included in the PS Competition Rules.

- (2) A Jury member at an FCE may not be a competitor ~~nor be an Operational Official (GS 5.5) nor hold any operational position in the FCE organisation structure nor may he act in any administrative or other capacity for any NAC or Delegation during the FCE~~
- (2) (a) The two Jury members shall be appointed by the Jury President from among those present at the FCE.
- (b) The Jury President shall ensure that the two Jury members selected will be sufficiently knowledgeable and experienced to fulfil the functions of a Jury member.
- (c) On appointment the Jury President shall inform the ISC President of the names of the two Jury members.
- (d) Should a conflict of interest arise with either of the two appointed Jury members, the Jury President shall relieve that Jury member from his duties while dealing with the particular matter for which the conflict of interest occurs.  
In such circumstances the Jury President will appoint a temporary replacement Jury member.
- 3) The President of the Jury, however is a member of a Video Review Panel (FS, AE, CF and WS Acrobatic) where the Panel's decision is not subject to appeal or protest and may represent the ISC at official functions if no other more senior ISC Officer is present.
- (4) The ~~members~~ President of the Jury must wear identification (which shall carry no reference to ~~their~~ nationality, either by country name or flag) supplied by the Organiser to indicate ~~their~~ his function.
- (5) The Jury will work in accordance with the provisions of the Sporting Code, General Section and Section 5, the respective ISC Competition Rules and the ISC Jury Members Handbook.
- (6) (a) The President of the Jury, ~~the two Jury members and an eligible replacement (selected, according to their qualifications, their experience, their availability and~~

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- ~~the number of Juries served on during the previous two years~~ will be appointed for each FCE by the ISC Plenary Meeting, upon recommendation by the ISC Bureau and the relevant Competition Committee Chairs. These appointments will be made no later than the ISC Plenary Meeting held in the year of the FCE. For the purposes of appointment, a Mondial or multiple FCEs at the same time and location shall be regarded as one FCE.
- (b) If ~~a Jury Member, an eligible replacement or~~ the Jury President, appointed in accordance with (a), is unable to serve, the Bureau will appoint a replacement from the list of approved and qualified ISC **Jury Presidents**
- ~~(c) The requirement in (1) above to have been present at the previous ISC Plenary meeting will apply to appointments made in accordance with 6 (b).~~
- (7) (a) Where an appointed **Jury President Member** ~~or the appointed eligible replacement is unable to serve at an FCE and no other replacement has been appointed by the Bureau in accordance with 6 (b) or where a Jury Member~~ becomes unable to serve for part of an FCE, ~~the Jury President may, in consultation with the ISC President (or the FAI Controller, if the ISC President is not available), appoint a replacement Jury Member(s) as required~~ **the ISC Bureau shall appoint a replacement Jury President**. The replacement, who must be present at the FCE, will be selected from the list of approved ISC Jurors but, if none are available, the replacement/s may be selected from amongst any other persons present at the FCE.
- (b) ~~Where an appointed Jury President is unable to serve at an FCE and no replacement has been made by the Bureau or where the Jury President becomes unable to serve for part of an FCE, the two other Jury Members, in consultation with the ISC President (or the FAI Controller, if the ISC President is not available), shall select one of themselves as the Jury President and then will select the appointed eligible replacement, if available, as the third Jury Member or, if not available, will apply clause (a) above for the selection of the required third Jury Member.~~
- (c) The requirement in (1) above to have been present at the previous ISC Plenary meeting will not apply to appointments made in accordance with 7 (a) ~~and 7 (b).~~
- (8) In order to fulfil their duties, all Jury ~~personnel~~ **members** must be present on the Event site at all times during competition activity, except as permitted by the Jury President, who, if absent, must appoint one other Jury member as his temporary replacement.
- (9) No Jury member may serve at more than three FCEs during one calendar year.
- (10) (a) All travel (to and from the Jury ~~Member's~~ **President's** normal place of residence), accommodation, meal and other appropriate expenses connected with the duties of a Jury ~~Member~~ **President** will be paid for by the ISC in accordance with the current edition of the ISC Expense Reimbursement Policy Document.
- (b) **The two appointed Jury members shall not be eligible to receive any expense payments from ISC.**
- (11) The list of approved and qualified ISC **Jurors, Jury Presidents**, ~~who may be no less than twelve in number~~, will be maintained by the ISC First Vice President. Any individual wishing to be proposed for addition to the list must submit an application to the ISC First Vice President. The application must contain details of the individual's experience and suitability (for example, Competition Management, Judging Experience, etc.) and must also have the approval of the individual's NAC and/or ISC Delegate. The ISC Bureau, having reviewed all such applications, has the authority to propose qualified individuals for addition to the list, by majority decision of the ISC Plenary.
- (12) Individuals on the approved list may be removed from the list.
- (a) by written request from the particular individual or
- (b) by decision of the ISC Bureau or
- (c) by written request from the individual's NAC.

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The decision in (b) must be approved by a majority decision of the ISC Plenary.

~~(13) Individuals on the approved list will be automatically removed if they do not attend the ISC Plenary meeting either as a registered Delegate, an Alternate Delegate, an Appointed Observer or as an ISC Officer for three consecutive years.~~

#### 4.7.2 Duties and Rights

- (1) It is the responsibility of the Jury to ensure that the provisions of the General Section and Section 5 of the FAI Sporting Code, the Competition Rules, the Official Information Bulletins and the Organiser Agreement are strictly observed.
- (2) Any case or incident not provided for by these or other valid rules must be decided by the Jury.
- (3) Jury members have the right to be present at any time in any location on the competition site, unless stated elsewhere in the rules, provided they do not interfere with or disturb the competitors, Judges or operational staff.
- (4) (a) The Jury **President** is required to give **his** approval for the competition to begin (4.5.1). **He** may not do so until the three conditions provided for in 4.5.1 are satisfied.
- (b) The Jury **President** is required to verify and approve the competition results and declare the FCE to be valid. (GS 5.4.2.7.2). **He** may not do so until the actual final amount of the Sanction Fee has been determined by the FAI Controller and has been paid to the FAI or to the FAI Controller. If the Sanction Fee has not been paid in full, the Jury **President** may not declare the FCE to be valid and will include the fact that the FCE has not been declared valid by reason of non-payment of the full amount of the Sanction Fee in **his** report to the ISC Bureau (4.7.2.6).
- (5) The Jury **President** shall ensure that the officially accepted entry list and results are sent to the FAI Secretariat in accordance with G.S. 4.16.2.1 and all information and documents relating to protests are sent to the FAI in accordance with GS 4.16.2.3.
- (6) Within eight days of the conclusion of an FCE, the Jury **President** will prepare and send a report to the ISC Bureau as to whether any of the provisions of the FAI Sporting Code GS 5.4.2.4 were invoked and whether or not all the Organiser's contractual commitments have been satisfactorily completed. This report will be used by the Bureau to decide whether to refund the Deposit or to apply the provisions of Schedule 1, paragraphs 1.3 and 1.4 and Appendix 1 of the Organiser Agreement. This report will also be sent to the Organiser at the same time as to the ISC Bureau.
- (7) **The Jury Final Report (Annex 2, Jury Members' Handbook) shall be signed by the Jury President and any two of the Jury members who have served on the Jury.**

#### 4.7.3 Treatment of Protests

In addition to the provisions of the General Section:

- (1) The President of the Jury must ensure that, during the protest hearings/evidence taking, no member of the Jury expresses, orally or otherwise, a personal opinion and shall permit no discussion between Jury members to take place in the presence of the person(s) presenting the protest and in the presence of those giving evidence.
- (2) Decisions shall be reached by simple majority vote. A secret ballot shall be held, if requested by any Jury member (GS, 5.4.2.6.4).

#### 4.7.4 Finality of Decision

Decisions made by the Jury are final, without prejudice to the provisions of Chapter 6 of the General Section of the Sporting Code.