



SAMCA Appeal Process

SAMCA may impose penalties on riders, officials, volunteers, or non-racing members ('Members') for breaches of AVCC, SAMCA, or club racing rules; for failure to follow a racing official's directions; or for breaches of the **SAMCA Behavioural Code of Conduct**.

This document outlines the member's rights and the processes to be followed should a Member choose to appeal the penalty. SAMCA reserves the right to follow these processes under other circumstances, for example following a protest lodged against one or more riders.

Note that ignorance of **Australian Road Rules, AVCC Racing Rules and Regulations, SAMCA Racing Rules**, host club Racing Rules, or **SAMCA Behavioural Code of Conduct** is no grounds for an appeal.

1. NOTIFICATION OF ACCUSED MEMBER

If a breach is identified, a Member will be advised of the nature of their breach and given the right to explain their version of the circumstances. Depending on the information given by the Member a referee may or may not issue a penalty. Once it has been determined that a penalty is warranted, the Member will be reminded of the nature of their breach, the penalty proposed, their right of appeal, and details of this Appeal Process.

RACE DAY

Discussion with the Member should be conducted in a "private" space wherever possible. The Member will be informed of the nature of their breach and given the right to explain their version of the circumstances. If a penalty is to be applied, the Member must also be told of the penalty they have received. Discussions with the Member are to be conducted by the referee who reported or was informed of the incident, together with either another referee, the Race Director ("RD") or a member of the club/SAMCA committee.

Members who have left the venue must be phoned. If no answer a message should be left. This message should request they return the phone call as soon as possible. If phone contact was unsuccessful the rider will be informed by email. Discussions or written communication with the Member are to follow the process described above for race day face-to-face discussions.

All race day notifications must only be given after consultation between the Referee in Charge ("RIC"), referees, and the RD.

POST RACE DAY

This relates primarily to breaches of the **SAMCA Behavioural Code of Conduct** that may occur at any time. The Member will be informed by phone or mail, (including emails) by the RD or club official.

Post-race day infringements will involve consultations between the RD and club and/or SAMCA committees.

2. LODGING AN APPEAL

Accused Members can appeal against the rule infringement or the severity of the penalty.

In order to lodge an appeal, the member must lodge a deposit with SAMCA or the host club. If the appeal is successful, that deposit will be returned. The club or SAMCA may or may not return a deposit after an unsuccessful appeal at its discretion.

RACE DAY

Appeals lodged on race day must be:

- lodged within 30 minutes of notification to ensure the result of the appeal will be reflected in the results at presentations.
- accompanied by a deposit of \$50 that is only refundable under the circumstances detailed above;
- in writing specifying the grounds for appeal;
- given to the RIC or RD.

POST RACE DAY

Appeals lodged more than 30 minutes after notification on race day, or within 72 hours post race day must be:

- accompanied by a deposit of \$100 that is only refundable under the circumstances detailed above;
- in writing (email acceptable) specifying the grounds for appeal;
- submitted to the SAMCA Secretary (secretary@samc.org.au).

3. APPEALS HEARINGS

Accused Members are invited to be present at all appeal hearings. They may bring people with relevant information about the incident to the appeal.

All appeals committees must ensure they are abreast of all the facts relating to the incident prior to the appeal hearing.

RACE DAY

The appeal hearing should be conducted as soon as possible after the Member's appeal has been received and preferably prior to race presentations.

The Appeals Committee will consist of three members appointed by the Race Director. All three members must be conversant with racing rules and not directly involved in the incident or its reportage. The Race Director may elect to sit on the Appeals Committee.

POST RACE DAY

The appeal hearing should be conducted within 14 days of receiving the appeal from the Member.

The Appeals Committee will comprise five members of the SAMCA Committee (none of whom were directly involved in the incident).

BEHAVIOURAL ISSUES

The Appeals Committee will comprise the entire SAMCA Committee with the exception of any members directly involved in the incident.

4. FAILED APPEALS

If a Member's appeal is unsuccessful, they will forfeit their deposit (unless the appeals committee exercises its right to return the deposit), and be required to accept the penalty imposed.

In accordance with **SAMCA Racing** Rules, suspended Members will not be permitted to compete in any race under any body affiliated to the AVCC until such time as the suspension has been finalized. Under a reciprocal cross body arrangement SAMCA is obliged to inform Cycling SA of the details of any suspension order issued by the state body.