

# PROPOSAL TO REDUCE THE COSTS OF THE INTERNATIONAL JURY

## Annex A Committee 14 October 2001

### PROPOSAL

It is proposed that:

1. The requirements governing the selection of Members of the International Jury for future IGC Championships be as follows:
  - (a) The International Jury. The International Jury shall consist of the President of the Jury plus two Members. One Member may be of the same nationality as the event organisers.
  - (b) The President of the International Jury. The President of the International Jury shall be appointed by the IGC. The President of the International Jury may be empowered to select suitable persons, while at the event, to serve as Jury Members.
  - (c) Selection of Jury Members. Both Members shall normally be appointed by IGC except that the President of the International Jury may, in consultation with the IGC President, appoint one Member from amongst the persons present at the event.
  - (d) Attendance at the Event. One or both Members may be absent from the event provided:
    - (i) They are able to attend at the event site as required by the Jury President to hear a Protest, and
    - (ii) They are present at the event site for the final day of competition to hear any Protests arising from the last day of competition, and to attend the final Jury Meeting to confirm the results.
2. The IGC reviews the amount of sanction fees and either:
  - (a) Reduces the level of sanction fees to assist Organisers fund the International Officials, or
  - (b) Uses funds generated by sanction fees to offset the costs of funding International Officials.

## **Amendment to Annex A**

An amendment to Annex A, as follows, is required to enable the above proposal:

5.3 **International Jury** The International Jury (IJ) deals with protests made by competitors. A nominated jury, ~~normally of three members including one who will act as President, shall be appointed by IGC.~~ shall consist of the President of the Jury plus two Members. The President shall be appointed by the IGC. Both Members shall normally be appointed by the IGC, except that the President may be empowered to appoint one Member, in consultation with the President of the IGC, from amongst persons present at an event.

## **BACKGROUND**

Until 1995, IGC used a “representative” International Jury to control International Events, with only the President being appointed. Since 1995, IGC has been using a “nominated” International Jury. This has meant the appointment of a President of the International Jury plus two Jury Members.

Over the same time the FAI has altered the requirements for the support of International Officials so that travel to the event has become the responsibility of the Organisers. Prior to 1995 organisers were only responsible for the in-country costs of the President of the International Jury plus the Stewards. As a result event organisers have been faced with increased costs arising from supporting travel and living expenses for additional International Officials for Category One events.

The net effect has been a significant increase in the cost of the living expenses of the International Officials plus the variable costs of travel, depending on the location of the event and the nationality of the International Officials. These costs must effectively be loaded directly onto the entry fees for the event.

The IGC wishes to reduce these costs as much as possible while continuing to comply with FAI requirements for the appointment of International Officials.

## **THE FAI INTERNATIONAL JURY**

Precise powers are vested in the President of the International Jury and also with the Jury as a body. There are specific restrictions on who may be a member of the Jury, and an expectation that they will conduct themselves in an appropriate manner.

The FAI Sporting Code, General Section, Chapter 4 states the following requirements for a Jury:

*4.3.1.1 Matters of advice, arbitration or rule interpretation shall be the responsibility of the International Jury ...International Jury members ...(act) on behalf of the FAI and shall have been appointed or approved by the FAI Air Sport Commission concerned.*

*4.3.1.2 An International Official may hold only one of the above offices (Jury or Judge) in an event. He may not be a competitor, nor hold any operational position in the organisation.*

*4.3.1.3 The International Officials in any one group or position must represent different NACs.*

*4.3.2.3 (A) Nominated jury - is one in which the President is appointed by the Air Sport Commission concerned. The members consist of two or four persons appointed by the Commission according to the relevant section of the Sporting Code.*

The FAI Sporting Code, General Section 4.3.2.5 requires that: *“At least one jury member is to be on site during competition operations.”*

The FAI requirements regarding meetings of the Jury are as follows:

*4.3.2.6.1 Attendance. Attendance at Jury meetings is compulsory for Jury members, except for special reasons such as illness or emergencies. In such cases an eligible replacement nominated by the Jury member concerned, or by the President of the FAI Air Sport Commission or his representative may be accepted by the Jury President.*

*4.3.2.6.3 Quorum. ... A quorum for a Nominated Jury is three, including its President.*

*4.3.2.7.1 The Jury shall only cease its functions after it has given its decision on all protests which have been correctly made. If no protests are outstanding it shall not cease its functions until the time limit set for the receipt of protests following the last task.*

*4.3.2.7.2 The last action of the Jury is to verify and approve the competition results of the event and declare the event valid providing it has been conducted in accordance with the rules and the decisions of the Jury.*

The timing of the hearing of a Protest is detailed in FAI Sporting Code, General Section, Chapter 5:

*5.4.2 ... Such a protest must be made in writing, in English, and be handed by the Team Leader to the Event Director together with the protest fee within the time limit.*

*5.5.1 The Event Director must present any protest to the Jury President without delay. The President shall call a meeting of the International Jury within 24 hours of receiving a protest, unless a different period is stated in the relevant Sporting Code or the local regulations.*

Annex A elaborates on this requirement and identifies that a Jury Meeting must be convened within 38 hours, except on the last day, following the publication of a decision being protested:

*14.3.2.2 A Protest shall be handed by the Team Captain to the Championship Director or his designated official together with the protest fee within 14 hours (2 hours on the last day) of the publication of the ruling or decision against which the protest is made.*

*14.4.1 The Championship Director shall deliver a protest to the Jury President without delay.*

*14.4.2 The President of the Jury shall call a meeting of the International Jury within 24 hours (as soon as possible on the last day) of receiving the protest from the Championship Director.*

## **OPTIONS TO REDUCE COSTS**

There are a number of possible options that would assist in reducing the direct costs to the organisation and competitors from the presence of the International Jury. These are:

1. Combine the roles of Steward and Jury Member for one or two of the Jury Members.
2. Reduce the size of the International Jury to a President plus one Member.
3. Appoint one Jury member from the host NAC to attend the event on an as-required basis.
4. Appoint Jury Member(s) from adjacent NAC's to attend the event on an as-required basis.
5. Appoint one Jury Member and empower the Jury President to appoint the second Jury Member at the site.
6. Source funding for International Officials from other than Entry Fees.

These pros and cons for each of these options are discussed below.

**Option 1:** Combine the roles of Steward and Jury Member for one or two of the Jury Members.

This option is not excluded by FAI, or Annex A requirements. It would reduce the total number of event officials and direct costs by approximately 33% plus the variable costs of transport.

Stewards are tasked with providing advice to the Event Director. A possible conflict of interests could arise from the Steward providing advice and the Jury Member being required to maintain a low profile and taking care to not get involved in any way in the running of the event. The ability of an individual to be effective could be compromised by conflicting requirements if they were fulfilling both roles. They could be open to challenges regarding integrity and personal involvement.

The IGC Bureau is not in favour of this option.

**Conclusion** This option is not desirable due to the potential conflict between the two roles.

**Option 2:** Reduce the size of the International Jury to a President plus one Member.

This option would reduce the total number of event officials and direct costs of the International Jury by approximately 33% plus the variable costs of transport.

A reduction in numbers of the International Jury conflicts with FAI requirements.

The reduction of the International Jury to a President plus one Member could also result in a 'hung' jury. The provision of an uneven number of jurors (3 or 5) ensures that a majority vote may be determined and allows the President the opportunity of using his vote to break any deadlock between the opinions of the Members.

Conclusion This option does not comply with FAI requirements.

**Option 3:** Appoint one Jury member from the host NAC to attend the event on an as-required basis.

This option is not excluded by FAI or Annex A requirements. It would rely on the absent Jury Member being close to the site and able to attend at short notice. Travel and accommodation costs for the International Jury would be significantly reduced.

The President of the International Jury would still be required to be present for the entirety of the event to be able to discharge his responsibilities.

At the very least the FAI requires that all Jury Members attend the final Jury Meeting to confirm the event results. The Jury Member would also need to be able to attend the event promptly to hear any protests on the last day of competition. These two requirements suggest that the full International Jury should be present for the last 24 hours of the event.

The appointment of a Jury Member from the host NAC may cause concern and there is no guarantee that the Bureau or the IGC Plenary would accept such a nomination. The neutrality of the nominee is likely to be questioned. The IGC list of 'approved persons' offers a methodology for identifying suitable persons from various host NAC's who would be acceptable to serve as Jury Members.

Conclusion This option provides direct savings but requires the prior identification of acceptable persons.

**Option 4:** Appoint Jury Member(s) from adjacent NAC's to attend the event on an as-required basis.

This option is not excluded by FAI or Annex A requirements. It would rely on the absent Jury Member(s) being close to the site and able to attend at short notice. The hearing of a protest, except on the final day, is likely to be dictated by (a) the time required to gather evidence and (b) the availability of witnesses. Both these requirements are dependent on the competition flying commitments. The requirement for the Jury President to convene a Jury Meeting within a 24 hour time period provides time for absent Jury Member(s) to travel to the event.

This option is viable at events where a Jury Member may be appointed from an adjoining NAC (e.g. France for Germany; Germany for Poland). Travel costs would still be incurred but accommodation costs would be minimised.

The President of the International Jury would still be required to be present for the entirety of the event to be able to discharge his responsibilities.

At the very least the FAI requires that all Jury Members attend the final Jury Meeting to confirm the event results. The Jury Members would also need to be able to attend the event promptly to hear any protests on the last day of competition. These two requirements suggest that the full International Jury should be present for the last 24 hours of the event. This suggests that the Jury Members should be within one-half days travel of the event. This may restrict the availability of suitable Jury Members.

There may be little reduction in costs for NAC's that do not have bordering gliding nations if the travel must be by air. The costs and difficulties inherent in obtaining short-notice air travel are likely to offset any savings from accommodation.

**Conclusion** This option provides direct savings but is limited in scope to countries with common or geographically close borders.

**Option 5:** Appoint one Jury Member and empower the Jury President to appoint one Jury Member at the site.

This option is not excluded by FAI or Annex A requirements and the Sporting Code already permits the replacement of an appointed Jury Member in the unavoidable absence of that Member.

The Jury President could liaise with the IGC President, once at the event, and nominate a short list of persons present at the event who could fulfil the role of a Jury Member.

At the very least the FAI requires that all Jury Members attend the final Jury Meeting to confirm the event results. The Jury Members would also need to be able to attend the event promptly to hear any protests on the last day of competition. These two requirements suggest that the full International Jury

should be present for the last 24 hours of the event. One person would, therefore, need to be appointed to serve on the International Jury for the last day of the event to comply with FAI requirements.

Savings in accommodation and travel costs would be available to the Organisers as the person selected would already be present at the event. However, any person identified to fill this role could be expected to seek some compensation for personal costs as though they had been appointed by IGC prior to the event.

There would also be a risk that there would not be any person suitable or willing to act as a Jury Member at the event. In this case a full Jury would not be able to be convened.

Conclusion This option enables savings only as long as the individual appointed does not seek reimbursement for costs. There is a risk that a suitable person may not be available.

**Option 6:** Source funding for International Officials from other than Entry Fees.

The reimbursement of travel and accommodation costs is creating the pressure for changes to the structure of appointments to the International Jury. This financial pressure has already resulted in a change to the number of Stewards at the event.

The IGC collects sanction fees for the privilege of hosting an international gliding championship. It is suggested that either (a) sanction fees are reduced for each event to reduce the pressure on entry fees, or (b) part of the sanction fees are returned to the Organisers to compensate for the cost of the International Officials.

Conclusion The reduction in direct costs to competitors could be achieved by altering the sanction fees.

## **SUMMARY**

Options 1 and 2 are not viable. Options 3, 4 and 5 may all provide reductions in costs for the organisers while retaining the integrity of the International Jury. However, there are some limitations with each of these Options.

Option 3 (a Member from the host NAC) may be met with opposition and will require a very careful identification of suitable persons. This process of identification should occur prior to the NAC nominating their Jury to minimise criticism of the nominations.

Option 4 (a Member from an adjacent NAC) is only viable in Europe, and may be viable in America. This Option will not work for other NAC's (e.g. Australia, Japan, New Zealand, and South Africa) where there is no common border with another gliding NAC.

Option 5 (selection of a Member on-site) is also open to criticism and will require a very careful identification of suitable persons. Again the process of identification should occur prior to the Jury President selecting the on-site Member to minimise criticism of the nominations. The risk that a suitable person may not be present at the site is small in Europe but would be higher in other countries.

Option 6, the re-allocation of sanction fees, may occur regardless of any other considerations. This Option may be particularly effective in non-European countries where the flexibility to appoint a Jury Member from an adjacent NAC, or on-site at the competition is significantly reduced.

The combination of Options 3 (*a Member from the host NAC*), 4 (*a Member from an adjacent NAC*) and 5 (*selection of a Member on-site*) provide a deal of flexibility to Organisers in the nomination of members of the International Jury. These options have the potential to reduce the costs associated with the International Jury. The negative aspects of selecting a host NAC person, or someone present at the site, as a third Member of the Jury will require careful management by the President of the IGC and the President of the Jury to ensure that an appropriate person is selected.

The re-allocation of sanction fees will assist with the management of the costs of Event Officials.

## **RECOMMENDATION**

The proposal contained in this paper will provide a balance between numbers, effectiveness and cost so that future Events will be: (a) appropriately supported and controlled; and, (b) direct costs to the event Organisers, and therefore the competitors, are minimised.

It is recommended that the proposal, and the subsequent amendment to Annex A, be accepted.

Bob Henderson  
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