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| <i>SUBJECT:</i> | Proposal by Spain and Hungary relating to SC5 | <i>AGENDA #</i> | 21.1.1 |
| <i>AUTHOR:</i> | Alberto Martin Paracuellos | | |
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Proposal by Spain and Hungary relating to Sporting Code Section 5

The current regulation SC5 4.4.4 states:

4.4.4 Withdrawal from an FCE

A competitor who, or team which, withdraws before the official start date, from an FCE that does take place, having had their entry accepted, will be entitled to a refund of 50% of any entry fees paid (excluding Sanction Fees, which are not refundable).

A competitor, who or team which, withdraws after the official start date, from an FCE that does take place, having had their entry accepted, will have no right to a refund of any entry fees paid.

For this purpose, entry fees paid will exclude any fee levied for late submission of the entry or late payment of the entry fees.

According to our sound opinion this regulation should be updated to the current reality. It could happen that before the official start of a FCE or after the official start, a competitor or team could have to withdraw for due force majeure: nowadays the COVID pandemia is a major risk for a withdrawal, e.g 72 hour test before entering the organising country, or upon arrival. Another possible cause of cancelation could be a severe injury just before the official start or after the official start of a FCE. We do have concrete examples for both cases. In some instances the competitor has been injured during the official practice jumps, which means that he has already incurred in all the travel expenses, visa fees and possible other expenses.

In the past the ISC has protected the interest of the Organizers in the case of force majeure but the competitors and delegations are not equally protected and the amount that the organizer would retain is extremely high and exceeds the expenses that the organizer might have incurred during the preparation phase of organizing the event.

At the same time the ISC has incurred in no extra expenses due to the withdrawal and there is no moral reason to retain the sanction fees. And these should not be retained but returned to the Competitor in full.

This is our proposal, although we are open to other suggested wording:

A competitor who, or team which, withdraws before the official start date due to force majeure (pandemia or severe injury), from an FCE that does take place, having had their entry accepted, will be entitled to a refund of 80% of any entry fees paid (including Sanction Fees).

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A competitor, who or team which, withdraws after the official start date due to force majeure (pandemia, severe injury), from an FCE that does take place, having had their entry accepted, will have the right to a 50% refund of any entry fees paid.

For this purpose, entry fees paid will exclude any fee levied for late submission of the entry or late payment of the entry fees.