

THE SPORTS COUNCILS RECOGNITION INDEPENDENT APPEALS -RULES AND PROCEDURES

1. INTRODUCTION

- 1.1. This document sets out the appeals process against decisions of the Sports Councils (as defined in 'Definitions' below) or the UK Recognition Panel. Anyone considering lodging an appeal should first read the Sports Councils' Recognition Policy and Rules 3 and 4 below in particular.
- 1.2. Sport Resolutions ("SR") will manage the process for each independent appeal. The contact details for SR are:

Sport Resolutions
1 Paternoster Lane
London
EC4M 7QB
Tel: 020 7036 1966
Email: resolve@sportresolutions.com

2. DEFINITIONS

- 2.1. "**Home Country Sports Council**" means the Home Country Sports Councils of England, Northern Ireland, Scotland and Wales (Sport England, Sport Northern Ireland, **sportscotland** and Sport Wales).
- 2.2. "**NGB**" means national governing body of a sport in the UK or Home Country as applicable. In Northern Ireland an Ulster Branch of an All-Ireland Governing Body operating in Northern Ireland is included under the heading NGB for the purposes of the Sports Councils' Recognition Policy and the Rules and Procedure.
- 2.3. "**Rules**" shall mean the Recognition: Independent Appeals - Rules and Procedure (being this related document to the Sports Councils' Recognition Policy)
- 2.4. "**Sports Council(s)**" shall mean each and any of the Home Country Sports Council and / or UK Sport as appropriate.
- 2.5. "**Working Day**" means any day other than Saturday, Sunday or any public holiday in the appropriate Home Country and in case of UK Sport shall be a public holiday in England.

3. APPEALABLE DECISIONS

- 3.1. An appeal may not seek to reargue the merits of a decision itself only the integrity of the decision-making process. Similarly, an appeal is not an opportunity to submit new evidence or facts. Rules 3.1.1 to 3.1.3 below set out the types of decision that can be appealed:
 - 3.1.1. an application decision;
 - 3.1.2. a de-recognition decision; and / or
 - 3.1.3. a discipline change decision.

4. GROUNDS OF APPEAL

- 4.1. The only legitimate grounds of appeal are:
 - 4.1.1. that the decision-making body misunderstood a significant part of the application or

- misunderstood information submitted as part of the application; or
- 4.1.2. that the decision-making body failed to take into account relevant information submitted as part of the application; or
- 4.1.3. that the decision-making body did not correctly follow or reasonably apply the relevant procedure,
being **“the Grounds of Appeal”**.
- 4.2. For the avoidance of doubt (and despite any other legal remedies that may be available to you), a dispute relating to our published policies or any governmental policy is not a legitimate ground for appeal under the Rules.

5. NOTICE OF APPEAL

- 5.1. The organisation who wishes to appeal (“Appellant”) must submit a written request to SR (resolve@sportresolutions.com) within 40 Working Days of receiving notice of the decision that they wish to appeal. Written notice sent to SR shall, for the purposes of Rule 13.3, act as service.
- 5.2. The written request must contain:
 - 5.2.1. the name and address of the Appellant (and any legal or other representative);
 - 5.2.2. a brief statement describing the nature and circumstances of the decision against which the Appellant wishes to appeal;
 - 5.2.3. the Ground/s of Appeal. The Grounds of Appeal are set out in Rule 4.1; and
 - 5.2.4. further details of the decision being appealed (including copies of any documents that support your request)
 together the **“Notice of Appeal”**.
- 5.3. If a written request for an appeal is received outside of the 40 Working Day time limit, and there are extraneous circumstances for the delay, then SR may agree to waive the time limit. The Appellant must set out the reasons for the delay within the request for an appeal.
- 5.4. On receipt of the Notice of Appeal, SR will immediately send a copy to each Sports Council(s) involved in the decision that is the subject of the Appeal.

6. APPOINTMENT OF APPEALS PANEL

- 6.1. SR will nominate and appoint an Independent Appeals Panel (“the SR Panel”) within 10 Working Days of receiving the Notice of Appeal.
- 6.2. Unless the parties agree to the appointment of a sole arbitrator, or SR directs that a sole arbitrator may hear the appeal under Rule 6.6 below, the SR Panel will consist of three members, namely a legally qualified chair (“the Chair”) and two lay members (“the SR Panel Members”).
- 6.3. The Chair will be drawn by Sport Resolutions from legally qualified individuals from SR’s Panel of Arbitrators.
- 6.4. Two lay SR Panel Members will be drawn by Sport Resolutions from SR’s Panel of Arbitrators Specialist List.
- 6.5. The SR Panel Members must confirm to SR that they are independent and are able to act impartially. None of the SR Panel Members shall be from or connected with the Appellant, the relevant Sports Council. None of the SR Panel Members shall at any time have been involved in any capacity with any aspect of the decision that is the subject of the appeal.
- 6.6. SR may direct or the parties may agree to a sole arbitrator acting as the SR Panel. Such sole arbitrator may be drawn, by Sport Resolutions, from SR’s Panel of Arbitrators. Where a sole arbitrator is appointed to decide the Appeal, all references to the “Chair” in the Rules shall mean the sole arbitrator unless the context means otherwise.

- 6.7. Either party has the right to challenge the independence and impartiality of any nominated SR Panel Member on reasonable and evidenced grounds. If any party intends to challenge the nomination of a SR Panel Member that party shall, within 5 Working Days of notification by SR of the nomination, submit in writing to SR the reasons why that party is challenging the appointment of the nominee.
- 6.8. Unless the challenged nominee withdraws or the other party agrees to the challenge, the proposed Chair of the SR Panel (unless it is the appointment of the Chair that is challenged in which case SR, acting through its Directors, shall decide), shall decide on the challenge and request SR to nominate a replacement nominee. SR shall notify the parties accordingly.
- 6.9. In the absence of any challenge to the nominations proposed within 5 Working Days of notification, SR will appoint the SR Panel.
- 6.10. Subject to Rule 6.11 the seat of arbitration will be in London or such other place as the parties mutually agree. The Appeal shall be conducted in accordance with laws of the country in which the relevant Sports Council is located.
- 6.11. Hearings shall normally take place in London. However, should circumstances so warrant, and after consultation with all parties, the Chair may decide to hold a hearing at another place and issue the appropriate directions related to any hearing. The Chair shall take into account the individual needs and circumstances of the Appellant in deciding the location of the hearing. The Chair may also decide the location of the meeting or whether it can be held via telephone or video link.

7. CONDUCT OF PROCEEDINGS

- 7.1. The SR Panel shall implement the Rules and make its decisions based on fairness and natural justice; ensure the SR Panel and its members are impartial and independent; not act as an advocate for either party; and ensure the parties are given a proper opportunity to present their case. Once the SR Panel has been appointed, the following procedure applies:
- 7.2. The Appellant must file a Statement of Claim within 15 Working Days of notification that the SR Panel has been appointed. The Statement of Claim must fully set out:
 - 7.2.1. any facts, law or rules on which the Appellant is relying;
 - 7.2.2. the relevant ground(s) from Rule 4.1; and
 - 7.2.3. the relief claimed.
- 7.3. The time limit to file a Statement of Claim shall be inclusive of the time limit of any objection to the appointment of a SR Panel Member.
- 7.4. The relevant Sports Council(s) (the “**Respondent**”) may, within 15 Working Days of receipt of the Statement of Claim, file a “Response”. The Response must fully set out:
 - 7.4.1. those facts, law or rules in the Statement of Claim that the Respondent admits or denies;
 - 7.4.2. the Grounds of Appeal and any other facts, law or rules on which it relies.
- 7.5. If the Appellant wishes to file a reply to the Response (“the Reply”), they must do so within 15 Working Days of receipt of the Response.
- 7.6. The time limits set out in Rule 7.2 may be varied by agreement between the parties and the Chair of the SR Panel.
- 7.7. Each party must submit at the same time as filing the Statement of Claim, Response or Reply (as applicable) copies of all documents on which the party concerned relies unless the document has previously been submitted by any party.
- 7.8. The SR Panel may proceed with the Appeal and make the decision and/or recommendation even if

the Respondent fails to serve a Response or if the Appellant fails to serve a Reply.

- 7.9. The SR Panel will normally consider the written submissions of each party and will decide the Appeal on the papers. However, the SR Panel may agree to hear evidence or legal or other submission in a specific case, where it believes that to be appropriate. If hearing is to be held then the Rules below will apply.
- 7.10. The SR Panel has absolute discretion to admit or refuse evidence submitted by any party whether or not that evidence was presented before the party making the decision that is the subject of the Appeal.
- 7.10.1. The SR Panel shall review the admissibility of any evidence submitted as part of the appeal process and may determine that any evidence submitted by a Party is not admissible where one or more of the following factors apply.
- 7.10.2. The evidence constitutes new information which was not submitted as part of the initial Recognition application (despite being available at the time of the Recognition application).
- 7.10.3. The SR Panel has reason to suspect that the evidence provided has been intentionally tampered with or otherwise altered from its original form.
- 7.10.4. The SR Panel has reason to suspect that the information has been obtained unlawfully.
- 7.10.5. The information provided is clearly irrelevant.
- 7.11. If the SR Panel considers it appropriate, the SR Panel may adjourn the proceedings for the purpose of considering new evidence. If a party wishes to adduce new evidence (i.e. evidence, documents or material that did not form part of the information considered by the body or panel that made the decision under appeal), the panel, in its sole discretion, will determine whether such evidence can be submitted in the appeal after receiving submissions from all parties in relation to the same.

8. CONDUCT OF HEARINGS

- 8.1. The Chair shall arrange a directions hearing with the parties, via video conference to fix the date, time and place of any hearings for the Appeal, or deadlines for written submissions and shall give the parties as much notice as practicable.
- 8.2. All hearings shall be in private and proceedings shall be confidential unless the SR Panel and the parties agree otherwise.
- 8.3. The procedure followed at any hearing shall be at the discretion of the Chair, provided that the hearing is conducted in accordance with applicable rules on fairness and natural justice, with a reasonable opportunity for each party to present evidence (including the right to call and to question witnesses and/or experts), address the SR Panel and present his, her or its case.
- 8.4. Hearings may still proceed if any of the parties, their witnesses or experts fail to appear and the SR Panel may make a decision.
- 8.5. Each of the Appellant and the Respondent is permitted to have assistance or representation by persons of their choice and, if oral evidence (witness or expert evidence, for example) is heard, it must only be heard in the presence of the Appellant and Respondent or their assistant/representative who shall be given a fair opportunity to question any witness and/or experts.

- 8.6. If an Appellant fails to attend a hearing, whether in person or by video link, internet or telephone, on the date and time so fixed then the Respondent may apply to the SR Panel to make a decision in the absence of the Appellant.
- 8.7. Where the SR Panel decides that a hearing should be held, it shall not take place at the offices of any Respondent whose decision is the subject of the Appeal.

9. WITNESSES

- 9.1. Where the SR Panel has decided that a hearing is to be held, the parties must notify the SR Panel and other parties as soon as practicable and within any time limits set by the SR Panel of the identity of any witnesses they wish to call. If the SR Panel requires it, each party shall disclose in the form of a signed witness statement the subject matter and content of the evidence on which each witness will be relying at the hearing and how that evidence relates to the points at issue.
- 9.2. Where the SR Panel has decided that a hearing is to be held, the parties are responsible for the availability and costs of the witnesses to be called. The SR Panel may limit or disallow the appearance of any witness on grounds of irrelevance.

10. EXPERTS

- 10.1. The SR Panel may, provided it has notified the parties who shall have the right to object to such costs being incurred, appoint one or more experts to submit a written report to the SR Panel on specific issues and may require a party to give such an expert any information which the SR Panel considers relevant or to produce, or to provide access to, any documents, goods or property which the SR Panel considers relevant for inspection by the expert. The costs of the expert shall be borne by the parties in equal shares.
- 10.2. The SR Panel may (unless the parties shall otherwise agree) direct an expert witness to give evidence either before a hearing in the form of a written report and/or at the hearing in the form of an oral report, and may also require an expert witness to attend a hearing so that the SR Panel or the parties may question him or her, and the parties may present other expert witnesses in order to testify on the points at issue.

11. DECISIONS

- 11.1. When making its decision the SR Panel will decide whether or not the Appellant has succeeded in establishing one of the relevant Grounds of Appeal set out at Clause 4.1.
- 11.2. The SR Panel will aim to make a decision within 15 Working Days of:
- 11.2.1. receipt of the Reply; or
 - 11.2.2. the deadline for receipt of the Reply, whichever is the later.
- 11.3. Where a hearing has taken place, the SR Panel will make a decision within 15 Working Days of the date of the hearing.
- 11.4. The SR Panel shall decide on any issue by a majority. No SR Panel Member may abstain from reaching a decision. The SR Panel shall not reveal to any party whether any such decision finally made was agreed by the SR Panel Members unanimously or by majority.
- 11.5. Where the SR Panel find that one of the Grounds of Appeal have been made out, they will set aside the decision being appealed against and the decision will be remitted back to the relevant Sports Council(s).
- 11.6. Any decision made by the SR Panel shall be in writing and shall be dated and signed by the SR Panel,

and shall unless otherwise agreed by the parties be accompanied by the reasons on which it is based.

- 11.7. Decisions of the SR Panel are final and binding on the parties.
- 11.8. SR will issue the SR Panel's written decision, which is confidential, to the parties.
- 11.9. Without prejudice to Rules 8.2 and 11.8 the relevant Sports Council(s) may, with the prior written consent of the Appellant, at the end of the proceedings publish any report or press release including (but not limited to):
 - 11.9.1. the details of the proceedings under the Rules (including any facts alleged in support)
 - 11.9.2. any topics of inquiry that the SR Panel raised, and
 - 11.9.3. the decision made.

12. COSTS

- 12.1. The cost and resource of administering the SR Panel will generally fall to the Sports Council(s) involved in the decision that is the subject of an Appeal on the following basis:
 - 12.1.1. if the Appeal relates to an NGB in a specific Home Country, the relevant Home Country Sports Council shall be responsible for any costs;
 - 12.1.2. if the Appeal relates to a GB NGB, Sport England, Sport Wales and sportscotland shall be responsible for any costs in equal shares, save that where it is an Olympic or Paralympic sport UK Sport shall also be required to contribute an equal share towards the costs;
 - 12.1.3. if the Appeal relates to a UK NGB, Sport England, Sport Wales, sportscotland and Sport Northern Ireland shall be responsible for any costs in equal shares, save that where it is an Olympic or Paralympic sport UK Sport shall also be required to contribute an equal share towards the costs.
- 12.2. If an oral hearing is granted SR's administrative and panel costs, in the first instance, would be borne by the Sports Council(s) against whom the appeal has been made. The relevant Sports Council(s) may request an order for reimbursement of any such administrative and panel costs as part of any request for order under Rule 12.3 to be awarded costs of the Appeal generally.
- 12.3. The SR Panel may make orders in relation to the costs of the parties in the Appeal.
- 12.4. Subject to order for costs being awarded to the Appellant under Rule 12.3, the relevant Sports Council(s) will not reimburse the Appellant for their costs, or reimburse any representative, witnesses or assistant for their costs in dealing with the Appeal.

13. GENERAL RULES

- 13.1. The parties shall communicate through SR. The Chair of the SR Panel may direct that communication can take place directly between the parties with copies of all correspondence and documents to be sent at the same time to the SR Panel and SR.
- 13.2. All communications shall be delivered or sent by first class post or email to the parties at the addresses notified to SR.
- 13.3. Deemed date for service of documents:

If sent by first class post, the notice or other communication shall be deemed to have been given on the "Working Day" following the day it is sent. If transmitted by email before 5pm (UK GMT) on a Working Day, the notice of communication shall be deemed to have been given on that Working Day. If transmitted on a non-Working Day, at or after 5pm (UK GMT) on a Working Day, the notice or other communication shall be deemed to have been given on the next Working Day.

- 13.4. A party's last-known residence or place of business shall be a valid address for the purpose of any notice or other communication unless notification of a change to such address has been communicated to all parties and to SR.
- 13.5. For the purpose of calculating a period of time under the Rules, such period shall begin to run on the day following the day when a notice or other communication is given. Non-Working Days occurring during the period are not included in calculating the running of that period.
- 13.6. If a party proceeds with an Appeal in spite of the fact that a provision of, or requirement under the Rules has not been complied with, without promptly stating its objection, that party has waived its right to object.
- 13.7. If any SR Panel Member, after appointment to the SR Panel dies, refuses, or in the opinion of the Chair becomes unable or unfit to act, the Chair shall request SR to appoint another SR Panel Member to the SR Panel in his/her place. If the Chair, after appointment to the SR Panel dies, refuses or in the opinion of the parties and the Director of SR becomes unable or unfit to act, SR shall appoint a replacement Chair.
- 13.8. If in the opinion of the majority of the SR Panel, one SR Panel Member refuses or fails to comply with the Rules or any applicable law relating to the Appeal, or the making of the decision and/or any award, having been given a reasonable opportunity to do so, the other SR Panel Members may apply to the Director of SR for his/her removal and the Director of SR shall determine in his absolute discretion whether to appoint a replacement.
- 13.9. The Rules shall be governed by the laws of the country in which the relevant Sports Council is based, unless the Appeal is a recognition appeal brought relates to a Scottish organisation in which case the Rules shall be governed by Scots Law.

VERSION CONTROL

This policy supersedes all previous versions.

Date Published: 29 September 2026

Review Date: 29 September 2029