

# Appeals and Forfeiture Policy

## Section 1 – Long Title

- 1.1 The name of this document is the Macquarie University Law Society (“MULS”) Competitions Appeals and Forfeiture Policy.

## Section 2 – Objectives

- 2.1 The objectives of this policy are to:
- (a) Settle unresolved disputes leading to competitions appeals;
  - (b) Implement standard penalties for forfeiture of competitions;
  - (c) Provide competitors with a proper avenue to appeal; and to
  - (d) Create a standard method to hear and settle grievances of any competitor for any competition.

## Section 3 - Definitions

- 3.1 In this document, unless the context otherwise requires, the following terms have the meanings set out below:

**Competition:** any internal competition run by MULS.

**Competitions Executive:** Director (Competitions), Executive Officer Competitions (Advocacy), Executive Officer Competitions (Skills), and Executive Officer Competitions (Externals).

**Competitor:** a student who has had their registration confirmed in any competition.

**Team:** a group of students registered to compete together in any competition.

## Section 4 – Forfeiture

- 4.1 A team or competitor will have forfeited their round if they voluntarily or involuntarily do not compete in their scheduled round. This includes teams who have arrived to a competition thirty (30) minutes or more after that round is scheduled to start, irrespective of their intentions to compete.
- 4.2 If a team or competitor intends to forfeit their round, they must notify either the Director (Competitions) or the relevant Executive Officer Competitions by telephone or email as soon as possible.
- 4.3 In the instance of forfeiture:
- (a) If the reason for forfeiture is due to an unforeseeable emergency or circumstance and the notice of forfeiture is reasonable in the circumstances, as determined by the Competitions Executive, then all reasonable measures will be taken to reschedule the round. If the round cannot be rescheduled then the forfeiting team will be awarded a loss and the innocent team will be

awarded a win for that round.

- (b) If the reason for forfeiture is not due to an unforeseeable emergency or circumstance and/or the notice of forfeiture is not reasonable in the circumstances, as determined by the Competitions Executive, then the round will not be rescheduled. The forfeiting team will be awarded a loss and the innocent team will be awarded a win for the round.
- 4.4 If a team or competitor forfeits less than forty-eight (48) hours prior to their round (inclusive of weekends and public holidays), they will be blacklisted from competing in future rounds unless the Competitions Executive decides to make an exception. In order for the Competitions Executive to reach a decision in a reasonable period of time, forfeiting teams or competitors must give reasons in writing for their forfeit within twenty-four (24) hours following their scheduled round to the Executive Officer (Competitions) responsible for the competition which they were scheduled to compete in.
- 4.5 If a team forfeits more than forty-eight (48) hours prior to their round, that team will not be blacklisted.
- 4.6 If the team is not satisfied with the decision of the Competitions Executive they may appeal the decision subject to the procedure in 6.8 below.
- 4.7 Any team that forfeits a round is excluded from competing in the Quarter, Semi or Grand Finals.

## **Section 5 – Banning of Teams and Competitors**

- 5.1 Any team or competitor may, at the discretion of the Competitions Executive, be banned from competing in any competition managed by MULS.
- 5.2 Behaviour that warrants the imposition of a ban will include, but is not limited to:
- (a) Any competitor or team that repeatedly withdraws from rounds prior to the competition day;
  - (b) Any competitor or team seeking help with competitions problem question from any person other than a team member;
  - (c) Using a mobile phone whilst competing for any purpose other than timing speaking times (all phones used for timing must be set to silent or airplane mode);
  - (d) Harassing a competitions judge before, during or after a round;
  - (e) Dishonestly accessing confidential information intended solely for the

- opposing team or competitor; and
- (f) Harassing another competitor or team before, during or after a round.

5.3 If the Competitions Executive bans a competitor or a team from competing in any competition managed by MULS for a reason not included in 5.2, the Competitions Executive will provide the subjects of the ban with a written explanation justifying their decision.

## **Section 6 – Appeals**

6.1 A team or competitor who has competed in a round has forty eight (48) hours from the conclusion of the round to appeal the decision or appeal based on the opposing team breaching competition rules, if they so choose.

6.2 Teams who wish to appeal must not bring their grievance to the attention of the judge at any time during, before or after the competition.

6.3 Appeals must be emailed to the Director (Competitions) and the Executive Officer Competitions responsible for the competition which the competitor or team is competing in. Appeals must include the name of the competitor or team, the date and time of the round and a brief reason for appeal. Appeals are limited to 500 words.

6.4 The Competitions Executive must meet within seven (7) days of receiving the appeal to review the appeal and reach a decision.

6.5 Following an appeal, the Competitions Executive may alter the scoring schedule given by the judge to reflect an appropriate remedy, thereby altering the outcome of the moot. The Competitions Executive also has the discretion to impose any penalty that is deemed to be necessary.

6.6 If any member of the Competitions Executive would appear to be unable to make an impartial decision then they must conflict themselves out of the appeal. In determining a conflict, the Competitions Executive will place significant weight on close involvement with the team, whether by participation, coaching or otherwise.

6.7 If all members of the Competition Executive are conflicted out, the MULS Board of Directors will have to reach a decision about the issue in dispute.

6.8 Any competitor or team not satisfied with any action or decision of the Competitions

Executive may appeal to the MULS Board of Directors within two (2) days of the blacklisting or appeals decision by notifying the President or Director (Administration), in writing, of the grievance. Having been legitimately notified, the President must ensure that the grievance is brought to the attention of the MULS Executive within seven (7) days.

6.9 Any appeal shall be decided upon at the discretion of the MULS Executive. Complainants will be notified in writing of the outcome.

6.10 All decisions of the MULS Executive are final.

### **Section 7 - Availability of Judges and Rooms**

7.1 The Competitions Executive recognises that the availability of judges and rooms are subject to change due to circumstances beyond their control. The Competitions Executive will do everything reasonable to ensure the availability of judges and rooms.

7.2 Up to and including twelve (12) hours of a scheduled round, the Competitions Executive has the discretion to reschedule a round.

7.3 If a judge notifies the Competitions Executive of their inability to judge a round within twenty-four (24) hours of a schedule round, the Competitions Executive will endeavour to notify teams as soon as possible. In the absence of a substitute judge, all reasonable efforts will be made to organise an alternative date for the round to take place. If this cannot be arranged, the round will be deemed to not have occurred and affected teams will not be awarded a win or loss for that round so as not to affect their win/loss ratio.