

**PROPOSALS FOR 2019 MODIFICATIONS TO THE FEI PARA  
EQUESTRIAN CLASSIFICATION RULES**

**NF Comments on the Rules Proposals**

23 October 2018

Dear Member Federations,

Please find below a summary of the proposed changes to the FEI Para Equestrian Classification Rules together with the corresponding explanations, the comments received as well as the reasoning for accepting or not accepting each comment.

Modifications to the text are indicated in red print; text that has been moved from one location to another is indicated in green.

Kindly note that modifications of a purely editorial nature and corrections to spelling and/or article numbers are not included in the summary below.

The proposed change will be submitted for voting at the FEI General Assembly 2019.

Sincerely,

Bettina de Rham

Director, Para Equestrian Dressage

## 1. Chapter III: Athlete Evaluation

<b>Article No. 6.7 – General Provisions</b>
Athlete Evaluation for FEI Classification will be offered at nominated and approved FEI events. Athlete Evaluation is not available at Paralympic Games
<b>Explanation for Proposed Change</b>
In 2018 a system of holding Classification Evaluation only at nominated events was trialled and caused many complications for Athletes requiring Classification. As such, for 2019 the Para-Equestrian Technical Committee have reverted to having Classification available at all Events.
<b>Proposed Wording</b>
Athlete Evaluation for FEI Classification will be offered at <del>nominated and</del> approved FEI events. Athlete Evaluation is not available at Paralympic Games.
<b>Comments received</b>
No comments received.
<b>FEI feedback</b>
NA
<b>Proposed Final Wording</b>
Proposal stays as above.

## 2. Chapter IV: Athlete Evaluation and the Classification Panel

<b>Article No. 11.2 –The Classification Panel</b>
A Classification Panel comprising two FEI Para-Equestrian Classifiers will be appointed for nominated FEI CPEDIs and Championships as described in the FEI Para-Equestrian Dressage Rules.
<b>Explanation for Proposed Change</b>
See above (Item 1).
<b>Proposed Wording</b>
A Classification Panel comprising two FEI Para-Equestrian Classifiers will be appointed for <del>nominated</del> -FEI CPEDIs and Championships as described in the FEI Para-Equestrian Dressage Rules.
<b>Comments received</b>
No comments received.
<b>FEI feedback</b>
NA
<b>Proposed Final Wording</b>
Proposal stays as above.

## 3. Chapter IV: Athlete Evaluation and the Classification Panel

<b>Article No. 14.4 – Observation in Competition</b>
An Athlete who is required to complete Observation in Competition Assessment will be designated with Tracking Code: Observation Assessment (OA). This replaces the Athlete's Grade Status for the duration of Observation in Competition Assessment.
<b>Explanation for Proposed Change</b>
<b>Proposed Wording</b>
An Athlete who is required to complete Observation in Competition Assessment will be designated with Tracking Code: Observation Assessment (OA). This replaces the Athlete's Grade Status for the duration of Observation in Competition Assessment. <u>An Athlete can remain on the FEI Masterlist for a maximum of two (2) years with tracking code OA, after which time, if the Observation Assessment has not been completed, the Athlete will be removed from the Masterlist unless a suitable explanation is given by the NF. If an Athlete is removed from the Masterlist after two years they will need to follow the Classification process to return to the list.</u>
<b>Comments received</b>
No comments received.
<b>FEI feedback</b>
NA
<b>Proposed Final Wording</b>
Proposal stays as above

## 4. Chapter IV: Athlete Evaluation and the Classification Panel

<b>Article No. 14.8.2 – Observation in Competition</b>
14.1 If an Athlete is:
14.1.1 subject to a Protest following Observation in Competition; and
14.1.2 the second Evaluation Session is conducted at that same Event; and
14.1.3 pursuant to the second Evaluation Session the Athlete is required to undergo Observation in Competition,
<b>Explanation for Proposed Change</b>
There is not a second Classification Panel at events so this does not apply.
<b>Proposed Wording</b>
14.2 If an Athlete is:

14.2.1 subject to a Protest following Observation in Competition; and

~~14.2.2 the second Evaluation Session is conducted at that same Event; and~~

~~14.2.3~~ 14.2.2 pursuant to the second Evaluation Session the Athlete is required to undergo Observation in Competition,

#### Comments received

No comments received.

#### FEI feedback

NA

#### Proposed Final Wording

Proposal stays as above

## 5. Chapter IV: Athlete Evaluation and the Classification Panel

### Article No. 14.10 – Observation in Competition

The Classification Panel must allocate a Grade and replace the Athlete's Tracking Code Observation Assessment (OA) by designating a Grade Status upon completion of First Appearance (or completion of any Observation in Competition conducted as part of a Protest). If changes to an Athlete's Grade or Grade Status are made following Observation in Competition, the changes are effective immediately.

#### Explanation for Proposed Change

To align with the Para-Equestrian Dressage Rules

#### Proposed Wording

The Classification Panel must allocate a Grade and replace the Athlete's Tracking Code Observation Assessment (OA) by designating a Grade Status upon completion of First Appearance (or completion of any Observation in Competition conducted as part of a Protest). If changes to an Athlete's Grade or Grade Status are made following Observation in Competition, the changes are effective immediately from the time that the change appears on the FEI Masterlist.

#### Comments received

No comments received.

#### FEI feedback

NA

#### Proposed Final Wording

Proposal stays as above.

## 6. Chapter VI: Protests

**Article No. 22.1.7 – National Protest Procedure**

22.1 To submit a National Protest, a National Federation must show that the Protest is bona fide with supporting evidence and complete an official FEI Para-Equestrian Classification Protest Form in English, that is made available by the FEI at the Event and via the FEI website, and must include, at minimum, the following:

22.1.1 the name nationality and home/administering National Federation of the Protested Athlete;

22.1.2 the name, date and location of the Event/Competition;

22.1.3 time of delivering the Protest;

22.1.4 the name, title, country and signature of the person submitting the Protest;

22.1.5 the details of the Protested Decision and/or a copy of the Protested Decision;

22.1.6 an explanation as to why the Protest has been made and the basis on which the National Federation believes that the Protested Decision is flawed;

22.1.7 reference to the specific rule(s) alleged to have been breached; and

22.1.8 the Protest Fee of CHF150.

**Explanation for Proposed Change**

To align with the same change made to the IPC International Standard for Protests and Appeals.

**Proposed Wording**

22.2 To submit a National Protest, a National Federation must show that the Protest is bona fide with supporting evidence and complete an official FEI Para\_\_-Equestrian Classification Protest Form in English, that is made available by the FEI at the Event and via the FEI website, and must include, at minimum, the following:

22.2.1 the name nationality and home/administering National Federation of the Protested Athlete;

22.2.2 the name, date and location of the Event/Competition;

22.2.3 time of delivering the Protest;

22.2.4 the name, title, country and signature of the person submitting the Protest;

22.2.5 the details of the Protested Decision and/or a copy of the Protested Decision;

22.2.6 an explanation as to why the Protest has been made and the basis on which the National Federation believes that the Protested Decision is flawed;

22.2.7 reference to the specific rule(s) alleged to have been breached except if the rule referenced is a discretionary rule the Protest will not comply with this Article 22.1.7; and

22.2.8 the Protest Fee of CHF150.

**Comments received**

No comments received.

<b>FEI feedback</b>
NA
<b>Proposed Final Wording</b>
Proposal stays as above.

## 7. Appendix IV – Organising Classification at Para-Equestrian Events

<b>Article No. Appendix IV</b>
Full Appendix
<b>Explanation for Proposed Change</b>
This is an annex for Organisers, who are unlikely to read the Classification Rules, as such it is more important to be included in the PED Rules..
<b>Proposed Wording</b>
Appendix moved to the Para-Equestrian Dressage Rules.
<b>Comments received</b>
IPC recommendation at Head of Classification Meeting.
<b>FEI feedback</b>
Following the recommendation of the IPC at the Heads of Classification meetings, this annex will instead be published as Guidelines on the FEI Classification page of the website.
<b>Proposed Final Wording</b>
This annex is to be published instead as Guidelines.

## 8. IPC Self-Audit

<b>Comments received</b>
IPC – Terminology is not adopted. Protest Provisions are not completely aligned with the International Standard for Protests and Appeals.
<b>FEI feedback</b>
Terminology – the Certificate of Diagnosis is to be re-named Medical Diagnostic Form.  The Protest Rules have been updated to comply with the IPC International Standard.
<b>Proposed Final Wording</b>
<b>1. Chapter VI: Protests</b>

**2 Protests****Scope of a Protest**

19.1 A Protest may only be made in respect of an Athlete's Grade. A Protest may not be made in respect of an Athlete's Grade Status.

19.2 A Protest may not be made in respect of an Athlete who has been allocated Grade Not Eligible (NE).

19.3 Where the FEI is responsible for allocating a Grade, the FEI must resolve any protest made in respect of that Grade.

19.4 The FEI will work to resolve the Protest in a manner that minimises the impact on Competition participation, Competition schedules and results.

**3 Parties Permitted to Make a Protest**

20.1 A Protest may only be made by one of the following bodies:

20.1.1 a National Federation (see Articles 21-22); or

20.1.2 FEI or its representative (see Articles 23-24).

20.2 Protest should only be submitted by the FEI or the FEI representative or the National Federation representative to submit Protests (for example, the Chef d'Equipe) at the Event.

20.3 An Athlete's Grade should generally only be Protested once, with the exception of Protests submitted in Exceptional Circumstances (as set out in these Classification Rules).

20.4 A Protest in respect of a Grade allocated by the FEI may only be resolved by the FEI.

**Submission of Protests**

20.5 Protests shall generally be submitted during Competitions. For Out-of-Competition Protest refer to Article 27 below.

**4 National Protests**

21.1 A National Federation may only make a Protest in respect of an Athlete under its jurisdiction at an Event or venue set aside for Athlete Evaluation.

21.2 A National Federation may make a Protest on behalf of an Athlete. An Athlete must not make a Protest without the authorisation of the National Federation.

21.3 The National Federation making the Protest is responsible for ensuring that all Protest process requirements are complied with.

21.4 A National Federation may not make a Protest in respect of the Grade Class of any Athlete who is under the jurisdiction of another National Federation. If a National Federation believes there are grounds for a Protest in respect of the Grade Class allocated to such an Athlete it may request the FEI to make a Protest.

21.5 If the outcome of Athlete Evaluation is published during an Event (pursuant to Article 17 of these Classification Rules) a National Protest must be submitted within one (1) hour of that outcome being published. If the outcome of Athlete Evaluation is published following Observation in Competition a National Protest must be submitted within fifteen (15) minutes

of that outcome being published.

21.6 If an Athlete is required by a Classification Panel to undergo Observation in Competition Assessment, a National Federation may make a Protest before or after First Appearance takes place. If a Protest is made before First Appearance takes place the Athlete must not be permitted to compete until the Protest has been resolved.

## **5 National Protest Procedure**

22.3 To submit a National Protest, a National Federation must show that the Protest is bona fide with supporting evidence and complete an official FEI Para\_-Equestrian Classification Protest Form in English, that is made available by the FEI at the Event and via the FEI website, and must include, at minimum, the following:

22.3.1 the name nationality and home/administering National Federation of the Protested Athlete;

22.3.2 the name, date and location of the Event/Competition;

22.3.3 time of delivering the Protest;

22.3.4 the name, title, country and signature of the person submitting the Protest;

22.3.5 the details of the Protested Decision and/or a copy of the Protested Decision;

22.3.6 an explanation as to why the Protest has been made and the basis on which the National Federation believes that the Protested Decision is flawed;

22.3.7 reference to the specific rule(s) alleged to have been breached except if the rule referenced is a discretionary rule the Protest will not comply with this Article 22.1.7; and

22.3.8 the Protest Fee of CHF150.

22.4 All documents and other evidence referred to in the FEI Classification Protest Form must be submitted with the Protest Form, or as soon as is reasonably practicable following the submission of the Protest Form. The Protest Form must be submitted to the Chief Classifier of the relevant Competition no later than 60 minutes after the notification of the result from the Athlete Evaluation. Upon receipt of the Protest Form the Chief Classifier must conduct a review of the Protest of which there are two possible outcomes:

22.4.1 the Chief Classifier may dismiss the Protest if, in the discretion of the Chief Classifier, the Protest does not comply with the Protest requirements; or

22.4.2 the Chief Classifier may accept the Protest if, in the discretion of the Chief Classifier, the Protest complies with the Protest requirements.

22.5 If the Protest is dismissed the Chief Classifier must notify all relevant parties and provide a written explanation to the National Federation as soon as practicable. The Protest Fee will be forfeited.

22.6 If the Chief Classifier ~~declines~~ dismisses a Protest, the National Federation may resubmit the Protest if it is able to remedy the deficiencies identified by the Chief Classifier. The time frame for re-submitting a Protest is within one (1) hour of the Decision to decline.

22.7 If the Protest is accepted:

22.7.1 the Protested Athlete's Grade must remain unchanged pending the outcome of the



Protest but the Protested Athlete's Grade Status must immediately be changed to Review (R) unless the Protested Athlete's Grade Status is already Review (R);

22.7.2 the Chief Classifier must appoint a Protest Panel to conduct a new Athlete Evaluation ~~Session~~ as soon as possible, which must be either at the Event the Protest was made or at the next Event; and

22.7.3 The Head of Classification and/or the Chief Classifier must notify all relevant parties of the time and date the new Athlete Evaluation ~~Session~~ is to be conducted by the Protest Panel.

## **6 FEI Protests**

23.1 The FEI may, in its discretion, make a Protest at any time in respect of an Athlete under its jurisdiction if:

23.1.1 It has good reason to believe that the Protested Athlete's ability to execute the specific tasks and activities fundamental to the sport are not consistent with the Grade Class that has been allocated to the Protested Athlete.

23.1.2 it considers an Athlete may have been allocated an incorrect Grade; or

23.1.3 a National Federation makes a documented request to the FEI. The assessment of the validity of the request is at the sole discretion of the FEI.

23.2 A Chief Classifier may make a Protest for and on behalf of the FEI at an Event if it is in the interests of fairness to Athletes to do so.

## **7 FEI Protest Procedure**

7.1 If the FEI decides to make a Protest, the Head of Classification must advise the relevant National Federation of the Protest at the earliest possible opportunity.

7.2 The Head of Classification must provide the relevant National Federation with a written explanation as to why the Protest has been made and the basis on which the Head of Classification considers it is justified.

7.3 If the FEI makes a Protest:

7.3.1 the Protested Athlete's Grade must remain unchanged pending the outcome of the Protest;

7.3.2 the Protested Athlete's Grade Status must immediately be changed to Review (R) unless the Protested Athlete's Grade Status is already Review (R) and

7.3.3 a Protest Panel must be appointed to resolve the Protest as soon as is reasonably possible.

## **8 Protest Panel**

8.1 A Chief Classifier may fulfil one or more of the Head of Classification's obligations in this Article if authorised to do so by the Head of Classification.

8.2 A Protest Panel must be appointed by the Head of Classification in a manner consistent with the provisions for appointing a Classification Panel in these Classification Rules.

8.3 A Protest Panel must not include any person who was a member of the Classification Panel that:

8.3.1 made the Protested Decision; or

8.3.2 conducted any component of Athlete Evaluation in respect of the Protested Athlete within a period of 12 months prior to the date of the Protested Decision, unless otherwise agreed by the National Federation or the FEI making the Protest ~~(whichever is relevant)~~.

8.4 The Head of Classification must notify all relevant parties of the time and date for the Athlete Evaluation Session that must be conducted by the Protest Panel.

8.5 The Protest Panel shall consist of at minimum the same number of Para\_-Equestrian Classifiers, of equal or greater level of certification, as those involved in the most recent allocation of the Athlete's Grade.

8.6 The Protest Panel must conduct the new Athlete Evaluation Session in accordance with these Classification Rules. The Protest Panel may refer to the Protest Form when conducting the new Athlete Evaluation Session.

8.7 All documentation submitted with the Para\_-Equestrian Classification Protest Form shall be provided to the Protest Panel. The Protest Panel should conduct the Protest Athlete Evaluation without reference to the Classification Panel, which allocated the Athlete's most recent Grade.

8.8 The Protest Panel may make enquires of the Classification Panel that made the Protested Decision and the Chief Classifier if such enquiries will enable the Protest Panel to complete Athlete Evaluation in a fair and transparent manner.

8.9 Further to the Athlete Evaluation, ~~the~~ Protest Panel must, ~~(if able to do so)~~ allocate a Grade and designate a Grade Status. All relevant parties must be notified of the Protest Panel's Decision in a manner consistent with the provisions for notification in these Classification Rules.

8.10 The Decision of a Protest Panel in relation to both a National Protest and an FEI Protest is final. A National Federation or the FEI may not make another Protest at the relevant Event.

8.11 In all instances, the impact of the Athlete changing Grade after the resolution of a Protest during Competition is defined in the FEI Para\_-Equestrian Rules.

## **9 Provisions Where No Protest Panel is Available**

9.1 If a Protest is made at an Event but there is no opportunity for the Protest to be resolved at that Event:

9.1.1 the Protested Athlete must be permitted to compete in the Grade that is the subject of the Protest with Grade Status Review (R), pending the resolution of the Protest; and

9.1.2 all reasonable steps must be taken to ensure that the Protest is resolved at the earliest opportunity.

## **10 Special Provisions**

27.1 The FEI may make arrangements for some or all of the components of Athlete Evaluation to be carried out at a place and at a time away from a Competition. If so, the FEI must also implement Protest provisions to enable Protests to take place in respect of any Athlete Evaluation Sessions carried out away from a Competition.

27.1.1 If the Protest is accepted, the FEI Head Classifier shall notify all relevant parties within 28 days of receipt of the Protest of the time and date for any subsequent Protest Evaluation.

27.1.2 Each Party should bear their own costs of the process.

27.2 The regulations with regard to Athletes with Grade Status "Not Eligible" are outlined in these Classification Rules.

27.3 All Athletes with Grade Status C may only be Protested by the FEI Head Classifier or by the FEI Chief Classifier under Exceptional Circumstances (see article 27.5.)

27.4 Exceptional Circumstances, for the purpose of these Classification Rules, will arise if the FEI Head Classifier and/or FEI Chief Classifier believe that an Athlete's Confirmed (C) Grade no longer reflects that Athlete's ability to compete equitably within that Grade.

27.5 Exceptional Circumstances may result from:

- A change in the degree of Impairment of an Athlete.
- An Athlete demonstrating significantly less or greater ability prior to or during Competition which does not reflect the Athlete's current Grade.
- An error made by the International accredited Para\_-Equestrian Classifier(s), which has led to the Athlete being allocated a Grade which is not in keeping with the Athlete's ability.
- Grade allocation criteria having changed since the Athlete's most recent Classification.

27.6 The FEI Head Classifier and/or FEI Chief Classifier shall notify the relevant National Federation and the Athlete that a Protest is being made in Exceptional Circumstances and provide a written summary to explain why the Protest is being made.

27.7 The Athlete's Grade Status shall be amended to Review (R) Status with immediate effect.

27.8 A Protest made in Exceptional Circumstances shall follow the same process detailed in Article 23. The FEI Head Classifier and/or FEI Chief Classifier is not required to pay the Protest Fee specified.

Table 1 below indicates the Protests that are possible during Competitions and Out-of-Competition.

<b>ATHLETES GRADE STATUS</b>	<b>Protest made by the National Federation in respect to an Athlete under its jurisdiction</b>	<b>Protest made by the FEI in respect to an Athlete under its jurisdiction</b>
<b>New (N)</b>	YES	YES
<b>Review (R)</b>	YES	YES
<b>Confirmed (C)</b>	NO	<u>Only</u> in Exceptional Circumstances

#### **Protest submission Out of Competitions**

27.9 Out of Competition means a Protest that is not submitted as per Article 20.5.

27.10 The FEI Head Classifier is the person authorised to receive any Protest.

27.11 Protests must be submitted in English on the official Para\_-Equestrian Classification Protest Form available on the FEI website. The information and documentation to be submitted with the Para\_-Equestrian Classification Protest Form should include, at minimum, the following:

- 27.11.1 The name, title, country and signature of the person submitting the Protest.
- 27.11.2 The name and nation of the Athlete whose Grade is being Protested.
- 27.11.3 Details of the Decision being Protested.

27.11.4 The reason for the Protest.

27.11.5 Any documents and other evidence to be offered in support of the Protest.

27.11.6 A fee of CHF 150 (one hundred fifty Swiss Francs) or equivalent. ~~+35~~

27.12 Upon receipt of the Para\_-Equestrian Classification Protest Form, the FEI Head Classifier shall conduct a review to determine whether all necessary information is included. If it appears to the FEI Head Classifier that the Para\_-Equestrian Classification Protest Form has been submitted without all necessary information, the FEI Head Classifier shall dismiss the Protest and notify all relevant parties.

27.13 If the Protest is accepted, the FEI Head Classifier shall notify all relevant parties within 28 days of receipt of the Protest of the time and date for any subsequent ~~Protest-Athlete~~ Evaluation.

27.14 Protest Panel for Protests submitted out of Competition

27.15 The FEI Head Classifier shall appoint a Protest Panel to conduct an evaluation of the Athlete. The Protest Panel shall consist of at minimum the same number of Para\_-Equestrian Classifiers, of equal or greater level of certification, as those involved in the most recent allocation of the Athlete's Grade.

27.16 Members of the Protest Panel should have had no direct involvement in the evaluation which led to the most recent allocation of the Athlete's Grade, unless the most recent evaluation took place more than 12 months prior to the Protest being submitted.

27.17 All documentation submitted with the Para\_-Equestrian Classification Protest Form shall be provided to the Protest Panel. The Protest Panel should conduct the ~~Protest-Athlete~~ evaluation without reference to the Classification Panel, which allocated the Athlete's most recent Grade.

27.18 The Protest Panel may seek medical, sport or scientific expertise in reviewing an Athlete's Grade.

27.19 All relevant parties shall be notified of the Protest Decision in accordance with the International Standard for Athlete Evaluation of the International Paralympic Committee. Each Party should bear their own costs of the process

## **28 Application during Major Competitions**

28.1 Ad Hoc Provisions Relating to Protests.

The IPC may issue special ad hoc provisions to operate during the Paralympic Games.