



## R&A Rules Limited

### Appeals Procedure on Golf Equipment (including Golf Balls, Devices and Other Equipment)

#### 1. Appeals to the Equipment Standards Review Committee

- 1.1. Upon receipt of the Applicant's appeal, the Equipment Standards staff shall pass the submission, the notice of decision communicated to the Applicant and all other information obtained as part of its deliberations to the Equipment Standards Review Committee (the "ES Review Committee") within a reasonable timeframe and, in any event, within 14 days. The Applicant will be required to complete a Review Request Form which will be provided within 7 days of the Applicant's first written notice of its intention to appeal a decision.
- 1.2. The ES Review Committee will determine whether the Applicant has grounds to appeal the decision to the Equipment Standards Committee.
- 1.3. The ES Review Committee shall comprise:
  - The Executive Director – Chief Technology Officer
  - The Chairman of the Equipment Standards Committee

NB: Should either of the individuals named above be unavailable for any reason a suitable alternative person shall be appointed to the ES Review Committee being either (i) another member of the Equipment Standards Committee or (ii) a senior member of the Equipment Standards staff not previously involved in the decision process for the submission.
- 1.4. The ES Review Committee shall consider the submission, the Review Request Form, and the written submissions of the Applicant. It may write to the Applicant at any time requesting any further information that may assist the ES Review Committee.
- 1.5. When the ES Review Committee considers that it has sufficient information to determine the matter, it may either:
  - 1.5.1. Determine the grounds for an appeal, as stated in paragraph 3.1., are not met and uphold the decision of the Equipment Standards staff; or
  - 1.5.2. Determine that the grounds for appeal, as stated in paragraph 3.1., are met and refer the matter to the Equipment Standards Committee.
- 1.6. The ES Review Committee shall inform the Applicant in writing of its decision, and the reasons for it, no later than 7 days after the date of the meeting at which the appeal was reviewed.
- 1.7. Where the ES Review Committee has determined that the grounds for appeal have been met, and that the appeal can be heard by the Equipment Standards Committee,

pending the hearing of the appeal by the Equipment Standards Committee, the decision of the Equipment Standards staff shall remain in full effect.

- 1.8. If the Applicant considers that a decision of the ES Review Committee was procedurally flawed in a material way, then it may appeal that decision to the Equipment Standards Committee.
- 1.9. All communications which are required to be “written” or “in writing” may be sent by email.

## 2. Consideration by the Equipment Standards Committee

2.1. Where the ES Review Committee upholds an Applicant's written appeal for consideration by the Equipment Standards Committee under paragraph 1.5 or the Applicant has appealed a decision of the ES Review Committee pursuant to paragraph 1.8, the ES Review Committee shall pass the submission and all other information obtained as part of its deliberations to the Equipment Standards Committee at least 14 days in advance of the next scheduled Equipment Standards Committee meeting.

2.2. The Equipment Standards Committee shall consider the appeal and the written submissions of the Applicant. It may write to the Applicant at any time requesting the provision of any further information that may assist the Committee. The Equipment Standards Committee may also request additional information on the original decision from the Equipment Standards staff. Further, the Equipment Standards Committee may request the Applicant, and/or the Equipment Standards staff involved in the original decision, to attend the appeal hearing to answer any questions the Equipment Standards Committee may have in connection with the appeal.

2.3. At the conclusion of the appeal hearing, the Equipment Standards Committee may either:

2.3.1. Uphold the decision of the Equipment Standards staff; or

2.3.2. Overturn the decision of the Equipment Standards staff.

2.4. The Equipment Standards Committee traditionally meets four times per annum.

Cases referred to the Equipment Standards Committee under paragraph 2.1. must be received at least 14 days prior to the next meeting of the Equipment Standards Committee. Appeals received within 14 days of a meeting will be considered at the following meeting of the Equipment Standards Committee.

2.5. Following its consideration of the appeal, the Equipment Standards Committee shall inform the Applicant in writing of its decision, and the reasons for it, no later than 7 days after the date of the meeting at which the appeal was heard.

The Applicant shall also be informed at this stage of the right to appeal the decision to the R&A Rules Limited Appeals Committee. Any such appeal must be made in writing within 42 days of the date of the decision by the Equipment Standards Committee. An appeal may be made only on one or more of the grounds set out in paragraph 3.1.

2.6. Pending the appeal of the decision to the R&A Rules Limited Appeals Committee, the Equipment Standard Committee's decision shall remain in full effect.

### 3. Grounds for Appeal

- 3.1. An appeal to any of the Committees mentioned may be made only on one or more of the following grounds:
  - 3.1.1. The decision was based on a misapplication of the Rules;
  - 3.1.2. The decision was not supported by the facts before it;
  - 3.1.3. The decision was procedurally flawed in a material way.
- 3.2. Any appeal shall be carried out in accordance with the R&A Rules of Appeal.