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## **FIS MEDIA INFO**

### **FIS Court dismisses appeal by Italian Winter Sports Federation**

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On 30th April 2005, the FIS Court issued its decision and dismissed the appeal of the Italian Winter Sports Federation against the validity of the results of the FIS Alpine World Cup Men's Slalom race in Schladming (AUT) on 25<sup>th</sup> January 2005.

The Italian Winter Sports Federation submitted an appeal to the FIS Court against the decision made by the FIS Appeals Commission to dismiss the protest against the validity of the race due to irregularities in the timing system and the procedures followed by the Jury..

On 6<sup>th</sup> February 2005, the Appeals Commission, having reviewed all documents, found the jury decision of 25<sup>th</sup> January 2005 to be correct and the first run times of G. Roccha (ITA) and M. Pranger (AUT) changed as per the jury decision prior to the second run. The Appeals Commission according to art 601.4.7 of the ICR found that the Jury reviewed all timing data and made the correct decision. The Appeals Commission further validated that the timing protocols of art 611.3 were followed.

The subject matter in the decision of the Jury in this case was the irregular timing system. By deciding to start the second run with corrected times they implicitly decided not to cancel the race. Therefore, the demand of the Italian Winter Sports Federation in the appeal to the Appeals Commission of January 26, 2005 was no new relief. The Appeals Commission's decision in this case was therefore made in its capacity as second instance.

In its decision, the FIS Court found that the appeal from the Italian Winter Sports Federation cannot be examined by the FIS Court as there is no rule that grants the right to appeal against a decision of the Appeals Commission if it is acting as second instance.

Decisions of the FIS Court may be appealed within 21 days to the Court of Arbitration for Sport.

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