



HKCR Representative Team Selection Mechanism & Appeal Procedure

The selection procedure should ensure that:

- Selections are in line with the HKCR international requirements
- Selections are fair
- Selection procedures are transparent and open
- Players are aware of selection requirements and eligibility for international programmes

Selection Procedure:

1. Determined by international programmes within the specific international tournaments.
2. All relevant individuals, clubs and stakeholders to be informed of selection programmes.
3. Selection by respective coaching team with regular communication with the General Manager of Rugby Performance.
4. All players to be informed of selection through the respective coaching team.
5. All selection to be approved by General Manager of Rugby Performance and CEO prior to release.

Selection Panel:

Selection by Coaching Team

Approved by General Manager of Rugby Performance

Review and Endorsed by CEO and Board of Directors

The CEO and Directors will have sole responsibility and discretion in the application of the Union Selection Policy, Procedures and associated targets.

Appeal Channel:

The players not selected are spoken to and reasons are given to justify non-selection with the respective coaching team and or General Manager of Rugby Performance.



Appeals Procedure

1. This Appeal Procedure sets out the procedure where a player wishes to appeal any selection decision taken by the Coaching Team Selection Panel in relation to Non-selection for the HKCR Representative Team Final Squad.
2. Any player seeking to appeal a selection decision should be aware of the time limits contained in this Appeal Policy. It is designed with the intention of resolving issues in a timely, fair and transparent manner.
3. This Appeal Procedure is the only and exclusive appeal procedure governing selection and forms a separate entire agreement between each player wishing to be selected for the specific sanctioned tournament and the HKCR.
4. The Parties agree not to commence, continue, or maintain any legal proceedings in relation to these selection matters. All decisions under this Appeal Procedure are final and binding upon them.
5. Any player adversely affected by a selection decision, or by the selection process, shall have the right to appeal subject to the terms and conditions set out below. A selection decision cannot be appealed simply because an athlete does not like or agree with it. There must be clear and sufficient grounds for the appeal. For example:
 - a. Failure to follow agreed policies or procedures. i.e. A player may appeal against the initial selection decision, only on the grounds that there has been a failure to follow the process outlined in the Selection Policy/ Mechanism.
 - b. Decisions made based on bias or lack of neutrality. i.e. the Selection Panel, or any member of it involved in making the relevant selection decision, lacked the required independence and has shown actual bias when making the decision
 - c. Exercise of discretion for an improper purpose.
 - d. The Selection Panel reached a decision based on an error of fact.
The decision is unreasonable and one that no reasonable decision maker could ever have



reached. Please note, this ground cannot be used simply because a player believes the Panel made the wrong choice. The decision would need to be so unreasonable that no reasonable person/panel (acting reasonably) could have made it. It would not be sufficient to prove that the decision was merely unreasonable. If none of these grounds are met the appeal will be dismissed.

- e. Promotion of a decision that was grossly unfair.
 - f. Discrimination as defined by HKSAR Equal Opportunities legislation.
6. A player wishing to appeal a selection decision should, in the first instance, take the matter up with the Head Coach. Where the issue cannot be resolved they may then refer the matter in the form of a written appeal to the Appeals Panel for further consideration. The Head Coach may also refer such issues to the Appeals Panel for advice.
 7. Any Appeal Procedure is commenced when an appellant player submits a formal written appeal that credibly identifies one of the permitted grounds of appeal (the Notice of Appeal) to the HKCR Appeals Panel at the relevant HKCR email address. A written appeal from an athlete shall be accompanied by a deposit of HK\$500. This sum shall be refunded if the appeal is upheld but otherwise shall be forfeited to HKCR. Appeals shall not be accepted from third parties such as parents, coaches, clubs or other organizations, except in the case of junior athletes, where the Association shall exercise its discretion on a case-by-case basis.
 8. The Notice of Appeal must be received by HKCR within 5 working days of the selection decision being presented by the selection panel.
 9. The Notice of Appeal must set out the full details of the Appellant player's ground(s) of appeal and include: a) an email address for correspondence; b) details of any representative; c) details of the decision which the player is appealing; d) details of the ground(s) of appeal upon which the player relies, including the precise manner in which the Appellant player alleges that such ground(s) apply; e) any documents or written evidence upon which the Appellant player relies in support of his or her appeal.



Appointment of Appeal Panel

1. Following receipt of a Notice of Appeal, HKCR should within 3 working days appoint an appeal panel consisting of appropriately members. The appeals panel Chair and at least 50% of panel will not be involved in original selection procedure. The Panel must include at least one Board member but may also include other persons with relevant knowledge/expertise.
2. The Appeals panel qualifications and experience will be laid out as soon as appointed (within 3 working days of the Notice of Appeal). The panel members will be appropriately qualified.
3. The Appeal Panel shall determine its own procedure and may issue such directions as it considers necessary for the just and efficient disposal of the appeal, including: a) to set, abridge or amend any timings set out, or made by the Appeal Panel itself; b) to request all and any documents in the possession of HKCR or the Appellant player; c) to determine the matter by an oral hearing, on the papers, or by video conference; and d) to draw all and any appropriate inferences from the behaviour of the Appellant player, the failure to disclose documents, or the failure to comply with any order made by the Panel.
4. All Appeal Panellists must be free of conflicts of interest. Any Panellist must disclose the existence of such conflicts before accepting an appointment to sit on a Panel. If a player wishes to object to the membership of a particular Panellist on a Panel, he/she must do so within 3 working days of the notification to him of the identity of that Panellist. In the absence of an objection, the Appellant player will be deemed to have waived, finally and irrevocably, any ability to object to the Panellist, save as to conduct in the course of the reference.
5. The appeal process shall be confidential and shall involve hearings or statements from only those parties to which the appeal applies. The majority decision of the Panel shall be final and binding and shall be provided in writing to the relevant parties (where possible within working 7 days). The Panel chairperson shall have the casting vote in the case of a split decision. A copy of the decision may also be provided to relevant HKSAR sports authorities, the Sports Federation and Olympic Committee of Hong Kong, China, and the Hong Kong Sports Institute if appropriate.
6. The Appeal Panel shall be entitled to: a) dismiss the appeal and confirm the HKCR Decision; or b) uphold the appeal and remit the matter back to the Coaching Selection Panel, noting the errors it



has identified in the conduct of the selection process, and requesting that a new decision is made within 3 working days.

7. Unless stated otherwise, all correspondence in relation to an appeal shall be conducted by email only.

World Rugby (WR) Eligibility to Play for National Team

Subject to WR Regulation 8

<https://www.world.rugby/organisation/governance/next-senior>

The existing World Rugby eligibility criteria set out in Regulation 8.1 will be maintained. This is based on the Player having a genuine, close, credible and established national link with:

- a) the country in which the Player was born; or
- b) the country in which one parent or grandparent of the Player was born; or
- c) the country in which the Player has completed sixty consecutive months of Residence immediately preceding the time of playing³; or
- d) the country in which the Player has completed ten years of cumulative Residence preceding the time of playing; and
- e) for Olympic Event participation, the nationality of the Union or country the Player wishes to represent is also required.

Players who are eligible to play for Hong Kong China at Senior Level must complete the WR Eligibility Declaration form. Any requirements for guidance regarding player eligibility or other associated issues should be directed to the General Manager of Rugby Performance.

Olympic and Asian Games Eligibility

Players must be born in Hong Kong, or of Asian birth or parentage, and must a permanent resident and the holder of an HKSAR passport.

Please note that all senior squads and development squads will follow the eligibility criteria set by both WR and AR. Junior squads will represent the individual player development needs of the HKCR with the exception of U19/16 squads who will follow individual tournament eligibility rules.