



## ADJUDICATION PROCESS FOR BREACH OF THE MOTORSPORT IRELAND SOCIAL MEDIA POLICY

1. Once a complaint is received by Motorsport Ireland, the details of the complaint are forwarded to the Panel for review immediately. Due to the time sensitive nature of such matters the panel members must be aware that they will need to convene at the earliest possible opportunity. The Panel however will only meet Monday to Friday 9am to 6pm or only in absolute exceptional circumstances outside of these times.

2. A complaint can also be received directly from Motorsport Ireland.

3. Motorsport Ireland will write to the complainant and suspected offender immediately by email and post notifying them that the procedure is underway. Motorsport Ireland will request that the offending post will be temporarily removed pending the decision of the Panel.

4. The Panel members will then meet (electronically – either by Skype or other format as applicable) and assess the merits of the complaint. Again this meeting is to occur as soon as possible after notification of the possible breach.

5. In assessing the merits of the complaint the Panel may contact the complainant, the suspected offender and Motorsport Ireland and may interview any parties or parties as the Panel deem necessary. Whilst the Panel will make its judgment on the matter using the usual rules of natural justice, in order to make a decision as swiftly as possible and to prevent further possible damage to all parties occurring, neither the complainant nor the offender has a right to appear in person before the Panel and will only do so upon the invitation of the Panel if deemed necessary.

6. The Panel can liaise with Motorsport Ireland for any advice of a practical nature to explain surrounding circumstances of the complaint. Motorsport Ireland agrees to deal with any such request immediately upon request.

7. The Panel will then make a decision and notify Motorsport Ireland of their decision. Motorsport Ireland will then notify the complainant and the suspected offender of the Panels decision within 6 hours. Motorsport Ireland will also notify the offender of the appeals process. If the complaint is upheld but is under appeal the offending article / post will remain removed pending appeal.

8. The Panel will then request Motorsport Ireland to implement the disciplinary procedures and advise the offender of the appeals process and provide the necessary forms for application to appeal under Chapter 16 of the GCRs.

## DISCIPLINARY AND APPEALS

If any participant or official is deemed by the Panel to have breached the Motorsport Ireland Social Media Policy the following provisions will apply:

### Request for Removal and Apology

Firstly the offender will be requested by Motorsport Ireland, upon determination by the Panel, to immediately permanently remove the offending content from the relevant site and must do so within 3 hours of so being requested. If the offending content relates to a person or to an organisation or the Governing Body the offender must apologise in writing to the damaged party within 72 hours.

### Initial Fine

The fine payable for a first offence must be paid within 5 working days of notification.

## REFUSAL AND REPEAT OFFENCE

If the offender refuses to remove the content and/or apologise and/or pay the relevant fine on the first offence or repeats an offence under the Social Media Policy the offender will be subject to additional fines and penalties as outlined below. For the avoidance of doubt the initial fine will still stand and be added to the subsequent fine if not paid.

The fine payable for a repeat offence must be paid within 5 working days of notification.

All fines are payable directly to Motorsport Ireland.

## PARENTS

If the offending party is a parent of the offender and does not hold a competition licence the monetary fines as outlined below apply. If the offender is an official / steward other sanctions as set out in the GCRs apply.

## PENALTIES

Initial Breach of the Policy – Removal, Written Apology and €100.00 fine.

Subsequent Breach of the Policy or refusal to remove and apologise on initial breach– 2 penalty points on competition licence and €300.00 fine.

Subsequent Breach of the Policy (third occasion or more) – 5 penalty points on competition licence and €500.00 fine.



## APPEAL MECHANISM

The offender may appeal the above sanctions to the Governing Body in writing within seven days of the Notice of the Imposition of the penalty under Chapter 16 of the GCR.

The complainant does not have a right to appeal.

The costs of the appeal will be borne by the Governing Body if the offender is successful on appeal or by the offender if the penalty is upheld. Such costs are set out in the GCR.

Note: In the case of an offender who is under 18 his or her guardian or parent will be jointly and severally liable for the fine and costs of the **Court of Appeal**.