

Grudziadz (Poland), 26th August 2023
6th FAI Junior World Hot Air Balloon Championship

**REPORT OF THE JURY HEARING OF PROTEST FROM COMPETITOR
#44 Joe Seymour**

Attendance

Jury President: John Grubbström

Jury Member: Paolo Oggioni

Jury Member: Sandor Hidas

Competitor: Joe Seymour

Assistant to Competitor: Allan Keller

Event Director: Eugenjus Komar

The Jury President started the hearing asking everyone to introduce themselves and then asked if there was any conflict of interest. Seeing none the meeting was opened.

Then the Jury President asked the pilot if he wished to withdraw the protest. The pilot declined withdrawal.

The Jury President invited the protestor to present his protest.

Joe Seymour presented his argumentation of the protest. The argumentation was based on change of task 39 from MDD to GBM, which was sent by WhatsApp prior to start of launch period. The protestor asks to cancel task 39 for rule breaches and safety reasons. The protest consists of five points.

Point one: the protestor claims that the ED should use the RECALL Procedure for supplementary briefings and not WhatsApp (rule 8.9).

Answer from Jury: Rule 8.9 is specifically written for a supplementary briefing at a common launch area and not an ILP. There is no procedure for a supplementary briefing for an ILP, nevertheless it is clearly stated in rule 10.15 "*The organiser may introduce a recall procedure to be defined in the competition details*". In the General Briefing notes point 9 clarifies the recall procedure to be WhatsApp ED group. In point 10 it is clarified that WhatsApp would be used to communicate competition related information and other important flight information.

Point two: rule 8.5.3 is a subsection of 8.5 (modification of rules) which is for modification of rules and states "*Variations to task rules shall be notified individually to each competitor in writing*".

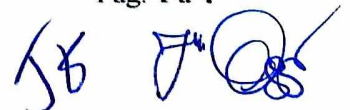
Answer from jury: we agree with what is written in point two.

Point three: the protestor states that WhatsApp does not comply as an "alternative method of attendance" and does not justify the actions to amend task data outside a supplemental briefing per rule 8.9 without getting a signature.

Answer from Jury: the attendance to a supplementary briefing is not mandatory and no signature is requested at the same. The alternative method of attendance in rule 8.10 was requesting acknowledge of receipt of written message via WhatsApp.

Point four: As previously stated, there are NO RULES, No PROCEDURES, and NO PRECEDENTS, for modifying a task from an MDD to a GBM outside of a briefing /supplemental briefing and /or after launch period has opened.

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Answer from Jury: the written information modifying the task was provided prior to the launch period which was prolonged to allow the pilots sufficient time to adjust their flight strategy. However, the Jury agrees that this is a subject that should be brought to the attention of the CIA AX Rules WG for clarification.

Answer from Jury to point five: Rule 4.3.1 MATTERS OF ARBITRATION OR RULE INTERPRETATION SHALL BE THE RESPONSIBILITY OF THE FAI JURY MEMBERS (Sporting Code General Section 5.2.1). We do not agree that the ED was bending any rules in the General Briefing. We would like to stress that it is the sole responsibility of the competitor to understand the rules and documents of the competition and to raise questions if not understood.

Your request that this document be uploaded to the ENB and formerly forwarded to the CIA is accepted.

The Jury does not feel there is grounds for the cancellation of task #39 for safety reasons and accepts the task modifications as written by the Event Director.

The protest is rejected. The Jury decision is unanimous.

The protest fee is retained.



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FAI JURY

Jury President:

John Grubbström

Signature

Jury Member:

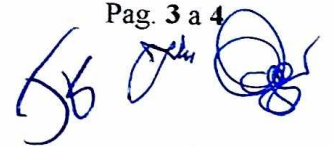
Sandor Hidas

Signature

Jury Member:

Paolo Oggioni

Signature



List of appendixes:

Appendix A – competitors protest

Appendix B – Competitors complaint

Appendix C – ED's answer to complaint

Appendix D – General Briefing notes

Appendix E – Task sheet

Appendix F – WhatsApp communications (three pages)



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