



SOUTH EAST ASIAN
GAMES FEDERATION

SEA Games Arbitration Rules

For
33rd SEAG
THA 2025

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Article 1 Purpose of these Rules

The purpose of the present Rules is to provide, in the interests of the athletes and sport, for the resolution by arbitration of any disputes covered by Rule 42 of the South East Asian Games Federation Charter and Rules (SEAGF Charter and Rules), insofar as they arise during the duration of the SEA Games.

Article 2 Ad hoc Panel

For the duration of the Games, the Council of the South East Asian Games Federation (SEAGF) shall establish an ad hoc Arbitration Panel, the function of which is to provide for the resolution by way of arbitration of the disputes covered by Rule 42 of the SEAGF Charter and Rules by means of constituting Panels set up in accordance with Rules 14.4 and 42 of the SEAGF Charter and Rules.

Tribunal means a group of individuals who are appointed by the Council of the SEAGF. A Tribunal may comprise of a minimum of three (3) persons.

Article 3 Chairman and Members of the Ad Hoc Arbitration Panel

The Council of the SEAGF shall appoint the Chairman of the ad hoc Arbitration Panel. Each National Olympic Committee (NOC) may nominate a member to the ad hoc Arbitration Panel. At any one time, there shall be a maximum of eleven (11) members including of the Chairman, to carry out the duties and functions of the ad hoc Arbitration Panel.

Article 4 Secretariat

The SEAGF shall establish a Secretariat for the ad hoc Arbitration Panel at the site of the SEA Games. Such an office shall be placed under the authority of the Chief Operating Officer (COO) SEAGF Office.

Article 5 Language of Arbitration

The arbitration shall be conducted in English.

Article 6 Place of Arbitration and Law Governing the Arbitration

The place of the Tribunal shall be in the host country of where the SEA Games are held, and each Tribunal may carry out all the duties and functions which fall within their jurisdiction at the site of the SEA Games or in any other place or via electronic means as the Chair of the Panel may deem appropriate.

Article 7 Representation and Assistance

The parties may be represented or assisted by no more than two (2) persons of their choice insofar as circumstances permit, particularly regarding the time limit set for the award. The names, addresses,

telephone, facsimile numbers, and email addresses of the persons representing the parties and details of any other written forms of electronic communication by which they may be reached, shall appear in the application referred to in the SEAGF Charter and Rules.

Article 8 Appeal

The Tribunal shall deliberate and decide finally any appeals brought by a NOC on:

- 8.1 All questions concerning the SEA Games; or
- 8.2 Any claims, protests, or appeals (including on any violation of anti-doping code, rules or regulations from any sport, discipline, or event under Rules 41 or 43 of the Rules; or
- 8.3 Any disputes arising from or related to the SEA Games.

THE appeal is brought by way of an application which shall include:

- 8.4 A copy of the decision being challenged, where applicable;
- 8.5 A brief statement of the facts and legal arguments on which the application is based; and
- 8.6 THE NOC's request for relief.

The application must be filled in English. A standard application form is available to the parties at the Secretariat.

Article 9 Claims, Protests and Appeals

- 9.1 Decisions made by the judges, referees, and umpires on the competition field of play concerning matters of fact or judgement calls are final and no appeal is allowed. Appeals against other decisions of the judges, referees, or umpires or with regards to any other matter must be addressed to the Chairperson of the Jury of Appeal for the sport concerned by a representative of the NOC of the country making the claim, protest, and appeal.
- 9.2 Except in exceptional circumstances, any claim, protest, or appeal must be made in writing within sixty (60) minutes of the decision giving rise to the claim, protest, or appeal. THE Jury of Appeal, after an investigation, shall then give a decision, when possible, within two (2) hours of such claim, protest, and appeal.
- 9.3 Any NOC dissatisfied with the decision of any Jury of Appeal may, within twenty-four (24) hours of the notice of the decision of the Jury of Appeal, appeal in writing to the Arbitration Panel under Rule 42 of the SEAGF Charter and Rules, who shall decide on the matter. All decisions of the Arbitration Panel shall be final.

Article 10 Formation of the Tribunal

Upon receipt of the application, the Chairman of the ad hoc Arbitration

Panel constitutes a Tribunal composed of three (3) persons appearing on the list of arbitrators provided by the Secretariat and appoints the Chairman thereof.

If an application is filed which is related to an arbitration already pending before another Tribunal, the Chairman of the ad hoc Arbitration Panel may assign the second dispute to the Tribunal appointed to decide the first dispute. In order to decide upon such assignment, the Chairman of the ad hoc Arbitration Panel shall take into account all the circumstances, including the relation between the two cases and the progress already made in the first case.

Article 11 Independence and Qualifications of the Arbitrators

The appointed arbitrators must be independent persons (that is not elected or appointed officers or officials holding any office in any of the NOC or any of its committees/commissions, or of any of its National Federations or their committees/commissions, or other body(ies) within the NOC or its National Federation's structure, except as otherwise permitted or approved by the SEAGF Executive Committee) of good standing who have arbitration qualification or experience and some sport or sport related background/experience. They need be not legally trained. THE appointed arbitrators must be independent of the parties and disclose immediately any circumstance likely to compromise their independence.

There is no necessity for all the appointed arbitrators to be present in the host country or city(ies) of the SEA Games for the entire duration of the Games as proceedings may be conducted via electronic means; they may schedule to be present on a rotation basis with all appointed arbitrators on standby for the duration of the SEA Games.

11.1 There shall be no professional fees or payments to be paid to the Panel members and they must volunteer their services pro-bono. They may be per diem or allowance payable to the appointed arbitrators for their services rendered at the rate as established by the Organizing Committee of the SEA Games.

11.2 The SEAGF or the nominating NOC will pay for the cost of the air or international travel, if any, to be incurred for the Chairman and the appointed arbitrators respectively.

11.3 The Organizing Committee of the SEA Games shall pay for the hotel accommodation (on a single room basis), meals, local transport (on a T2 basis) and a per diem (at the standard rate set by the Host NOC or Organizing Committee) for the appointed arbitrators.

11.4 The Organizing Committee of the SEA Games shall provide and

pay for all logistics and resources for any meetings, deliberations, and arbitration hearing to be conducted by the Panel.

Article 12 The Appeal Process

The appeal process for the reference to arbitration pursuant to Rule 42 of the SEAGF Charter and Rules shall be as follows:

12.1 An appeal to the Arbitration Panel pursuant to Rule 42 of the SEAGF Charter and Rules must be lodged by the NOC concerned (by the NOC President, Secretary General or Chef de Mission appointed by the NOC concerned for that SEA Games) or party concerned within twenty-four (24) hours of the decision of the adjudicating panel or Jury of Appeal of the sport or discipline from which the appeal arise by submitting an application to the Secretariat of the ad hoc Arbitration Panel.

12.2 The appeal must contain the following:

12.2.1 A copy of the written decision of the Jury of Appeal appealed against (if any);

12.2.2 Supporting documents (if any);

12.2.3 A brief statement of the facts from both parties; and

12.2.4 The Secretariat of the ad hoc Arbitration Panel shall notify the NOC concerned of the date, time and venue of the hearing of the appeal.

12.3 The decision of the Arbitration Panel shall be final and binding on all parties.

Article 13 Challenge, Disqualification and Removal of Arbitrators

An arbitrator must disqualify him- or herself voluntarily or, failing that, may be challenged by a party if circumstances give rise to legitimate doubts as to his or her independence. The Chairman of the ad hoc Arbitration Panel is competent to take cognizance of any challenge requested by a party. She/he shall decide upon the challenge immediately after giving the parties and the arbitrator concerned the opportunity to be heard, insofar as circumstances permit. Any challenge must be brought as soon as the reason for the challenge becomes known. Any arbitrator may be removed by the Chairman of the Ad hoc Arbitration Panel if she/he. is prevented from carrying out the assignment or fails to perform her/his duties in accordance with the present Rules.

If an arbitrator disqualifies her- or himself voluntarily or if the Chairman of the ad hoc Arbitration Panel accepts a challenge by a party or removes an arbitrator, the Chairman of the ad hoc Arbitration Panel

shall immediately appoint an arbitrator to fill the vacancy.

Article 14 Procedure before the Tribunal

14.1 Defence of lack of jurisdiction

Any defence of lack of jurisdiction of the Tribunal must be raised at the start of the proceedings.

14.2 Procedure

THE Tribunal organizes the procedure as it considers appropriate while considering the specific needs and circumstances of the case, the interests of the parties, in particular their right to be heard, and the constraints of speed and efficiency specific to the present ad hoc procedure. THE Tribunal shall have full control over the evidentiary proceedings.

14.3 Hearing

At the hearing, the Tribunal shall hear the parties and take all appropriate action with respect to evidence. THE parties may introduce at the hearing all the evidence they intend to adduce and produce the witnesses, who shall be heard immediately subject to the discretion of the Tribunal on the adducing of evidence based on the standard of comfortable satisfaction.

If it considers itself to be sufficiently well informed, the Tribunal may decide not to hold a hearing and to render an award immediately.

14.4 Other evidentiary measures

If a party requests an opportunity to introduce additional evidence which, for legitimate reasons, it was not able to produce at the hearing, the Tribunal may permit such introduction to the extent necessary to the resolution of the dispute.

THE Tribunal may, at any time, take any appropriate action with respect to evidence. In particular, it may appoint an expert and order the production of documents, information or any other evidence. It may also, in its discretion, decide whether to admit or exclude evidence offered by the parties and assess the weight of evidence.

14.5 Failure to appear.

If any party fails to appear at the hearing, the Tribunal may nevertheless proceed.

Article 15 Law Applicable

THE Tribunal shall rule on the dispute pursuant to the Rules, the applicable regulations, general principles of law and the rules of law, the application of which it deems appropriate.

- Article 16** **Time limit**
THE Tribunal shall give a decision within twenty-four (24) hours of the lodging of the appeal. In exceptional cases, this time limit may be extended by the Chairman of the ad hoc Arbitration Panel, if circumstances so require.
- Article 17** **Decision-making, Form and Communication of the Decision**
Decisions are taken by a majority. It shall be written, dated, and signed by the members of the Tribunal and, in principle, brief reasons will be stated.
It shall be communicated to the parties through the Secretariat of the SEAGF.
- Article 18** **Final Award**
Taking into account all the circumstances of the case, including the Appellant's request for relief, the nature and complexity of the dispute, the urgency of its resolution, the extent of the evidence required and of the legal issues to be resolved, the parties' right to be heard and the state of the record at the end of the Tribunal proceedings, the Tribunal shall make a final award.
- Article 19** **Enforceability**
THE decision is enforceable immediately. It shall be final and binding upon the parties.
- Article 20** **Cost-free Nature of the Proceedings**
THE facilities and services of the SEA Games ad hoc Arbitration Panel, including the provision of arbitrators to the parties to a dispute, are free of charge.
However, the parties shall pay their own costs of legal representation, experts, witnesses, and interpreters.
- Article 21** **Miscellaneous Provisions**
THE present Rules have been approved and adopted by the SEAGF Council on.... in.....