



# 4Days Marches Regulations Governing Disqualification

As adopted by the board on 30 November 2022

## Article 1: Verification of compliance

- 1.1. The following officials have special responsibilities with regards to verifying compliance with the various provisions laid down by or pursuant to the Rules and Regulations Governing the 4Days Marches.
- 1.2. The Head of Checkpoints, the Head of Mobility, the Head Desk Clerk or the Head of Organisational Affairs is responsible for checking the designated routes/distances.
- 1.3. The Head Desk Clerk is responsible for verifying that cards have been punched or scanned at the start.
- 1.4. The Head Desk Clerk is responsible for verifying that data is present on the bar code carrier.
- 1.5. The Head of Checkpoints, Head Desk Clerk and Head of Organisational Affairs are responsible for checking that military detachments and civilian groups fulfil their obligations.
- 1.6. The Head of Checkpoints is responsible for verifying weights.
- 1.7. The Head of Checkpoints, the Head of Mobility, the Head Desk Clerk or the Head of Organisational Affairs is responsible for monitoring the use of a wheelchair and verifying compliance with the conditions wheelchairs must meet.
- 1.8. The Head of Checkpoints, the Head of the Supervision & Enforcement Service or the relevant department head is responsible for verifying the remaining regulatory obligations, including checks on participant identity.
- 1.9. Dynamic checkpoints will only be used by order of the Head of Checkpoints and will be used by officials assigned this task by or on behalf of the Head of Checkpoints.
- 1.10. Department heads includes any deputy department heads.
- 1.11. The board can assign part of the authorisations arising from these regulations to other department heads and/or officials to be appointed.

## Article 2: Determination of irregularities

- 2.1. In the event of a member of the Executive Committee suspecting fraud or any kind of irregularity whatsoever, other than as defined in 1.6, the member shall report this to the relevant functional head.
- 2.2. The relevant department head shall assess the suspicion and decide whether the nature and severity of the irregularity is such that sanctions should be imposed.
- 2.3. If this is the case, the participant will be notified and his/her identity will be confirmed.
- 2.4. Participants have an obligation to identify themselves upon the first request to do so. Any refusal to do so shall constitute fraud.
- 2.5. Participants are obliged to wear the bar code carrier on their person during the whole of the 4Days Marches. Any action resulting in the bar code carrier being damaged,

destroyed or made faulty or unfit for use, including the removal or cutting off of the bar code carrier from the participant's person, shall constitute fraud.

### **Article 3: Sanctions**

- 3.1. The relevant department head shall give the participant as much opportunity as possible to respond to the accusations.
- 3.2. Where the relevant department head considers the irregularity to have been established, he/she shall impose the sanction of disqualification.
- 3.3. Disqualification shall be confirmed by completing the disqualification form and presenting a copy thereof to the participant.
- 3.3. It shall be communicated to the participant that he/she has the option to appeal the decision.
- 3.4. The relevant functional head shall ensure that notifications made under the clauses above are presented to the participant in a language that they understand.
- 3.5. The Service Desk shall immediately be notified of the disqualification. The completed and signed disqualification form shall be submitted to the Service Desk, possibly along with supporting documents, as soon as possible and no later than 17.00 hrs on the same day.

### **Article 4: Determination of irregularities under article 1.6**

- 4.1. The Head of Checkpoints shall ensure that weight checks are carried out using calibrated equipment that allows the result to be read independently by two checkpoint officials.
- 4.2. In the event of an inadequate weight being determined, the participant shall be notified of this and his/her identity confirmed, in addition to his/her registration number.
- 4.3. The Head of Checkpoints shall also ensure that the Service Desk is notified. The Service Desk shall, in turn, notify the relevant LSO.

### **Article 5: Appeals**

- 5.1. Appeals shall be made by the participant or his/her authorised representative by means of an unambiguous notification of such appeal to the Service Desk and may only be submitted by email to [info@4daagse.nl](mailto:info@4daagse.nl). Appeals must be received by the Service Desk by 20.00 hrs on the day that the participant is notified of the disqualification. Disqualifications imposed after 20.00 hrs shall be deemed to have been notified the following day.
- 5.2. All notifications of appeal shall, as a minimum, specify the participant's or his/her authorised representative's telephone number and/or email address on which he/she can be reached after 20.00 hrs, as well as the grounds for appeal. If the participant wants a verbal appeal hearing, he/she must make a request to that effect in the notification of appeal.
- 5.3. Where the participant appeals against any sanction imposed on him/her, the sanction shall be suspended pending the outcome of the appeal.

5.4. Appeals will be processed in a manner and timescale such that, where the appeal is rejected, the effectiveness of the sanction remains sufficient and, where the appeal is upheld, without affecting legal rights.

5.5. The appeal shall be heard by the member of the board selected to hear the appeal.

5.6. In assessing the appeal, the member of the board shall gather all necessary information and offer the participant or the participant's authorised representative the opportunity to be heard. Such a hearing shall, in principle, take place through means of telecommunication, unless the participant has specifically requested a verbal hearing in the notification of appeal.

5.7. A verbal appeal hearing may be abandoned if the appeal is manifestly well-founded/unfounded or the participants' appeal is dismissed.

5.8. In the event of a verbal hearing, the participant shall be notified of the time and location of the appeal hearing. Wherever possible, the appeal hearing shall be held in the presence of the participant and/or his/her authorised representative, and in a language that the participant or his/her authorised representative can understand.

5.9. The appeal shall be judged immediately and the participant or the participant's authorised representative shall be notified of the decision before 23.00 hrs on the same day.

5.10. If the appeal is found to be completely or partly unfounded, the sanction may be changed to a conditional disqualification. In setting one or multiple conditions for continued participation, the nature and severity of the violation shall always be taken into account, as well as the circumstances under which the violation was committed and the participant's personal circumstances.

5.11. It is not possible to appeal further against the outcome of an appeal.

## **Article 6: Exclusion on medical grounds**

6.1. Under the responsibility of the Head of the Medical Services, a participant may be excluded from participation on medical grounds.

6.2. Exclusion from participation on such grounds does not constitute a sanction as defined in article 3.

6.3. It is not possible to appeal against such exclusion.

6.4. Violations of the 4Days Marches Anti-Doping Regulations are subject to said regulations.

## **Article 7: Exclusion from future participation**

7.1. A participant who has been disqualified may, depending on the nature and severity of the violation that caused the disqualification, be denied the right to participate in one or more future 4Days Marches by the Head of Organisational Affairs.

7.2. The party involved shall be notified of this in writing.

7.3. The party involved shall be entitled to appeal to the board against the denial within one month of the date on which the notification referred to in paragraph 2 was sent (to [info@4daagse.nl](mailto:info@4daagse.nl)).

7.4. The provisions of article 5 shall apply equally to the appeal, wherever possible.

## **Article 8: Retroactive exclusion from past participation**

8.1. If, within a reasonable time after a completed participation that resulted in the participant being awarded a reward, certain actions by the participant come to light that would, had these actions been known earlier, have barred the participant from receiving a reward, the Head of Organisational Affairs shall proceed to retroactively disqualify this participant.

8.2. The provisions of article 7, paragraphs 2, 3 and 4, apply equally.

## **Article 9: Final provision**

9.1. By registering to participate in the 4Days Marches the participant declares that he/she is familiar with and accepts the provisions laid down by or pursuant to these rules and regulations.

9.2. The board shall make a judgement in any cases not covered by these regulations.

9.3. These regulations shall be known as the Regulations Governing Disqualification.

## **Article 10: Acceptance of these regulations**

By registering to participate in the 4Days Marches the participant declares that he/she is familiar with and accepts the provisions laid down by or pursuant to these rules and regulations.

## **Article 11: Final provision**

Any cases not provided for by these rules and regulations shall be decided by the board of Stichting DE 4DAAGSE.

## **Article 12: Citation provision**

These regulations shall be known as the Regulations Governing Disqualification.