

Squash Nova Scotia In-Event Appeal Policy

1. Defined Terms

Appellant:	The party appealing a decision.
Event:	A Squash Nova Scotia tournament, competition, or playing event.
Respondent:	The body whose decision is being appealed.
Participant:	The party whose decision is being appealed.

2. Scope and Application of this Policy

Any Participant who is affected by a decision made by Squash Nova Scotia and/or an official during an Event will have the right to appeal that decision, subject to any limits in this policy.

This policy will apply to decisions relating to the Event made from the commencement of the Event to the closing of the Event related to play. The commencement of the Event is defined as 12:01 AM of the day of the first scheduled match and closing of the Event is sixty (60) minutes after the last scheduled match.

This policy will **not** apply to decisions relating to:

- a. Rankings and/or seedings
- b. Eligibility
- c. Decisions made external to Squash Nova Scotia and/or an official during an Event
- d. Appointments
- e. Event Rules
- f. Any decisions made under this Policy

3. Timing of Appeal

Participants who wish to appeal an in Event decision must file their appeal within sixty (60) minutes of learning the decision. Appellants must submit the following:

- a. Notice of their intention to appeal;
- b. Contact information of the Appellant;
- c. Grounds for the appeal;
- d. Detailed reason(s) for the appeal;
- e. All evidence that supports the reasons and grounds for an appeal; and
- f. The remedy or remedies requested.

4. Grounds for Appeal

Decisions may only be appealed on procedural grounds which are limited to the Respondent:

- a. Making a decision for which it did not have authority or jurisdiction as set out in the Respondent's governing documents;
- b. Failing to follow procedures as laid out in the bylaws or approved policies of Squash Nova Scotia; and/or
- c. Making a decision that was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views or that the decision was influenced by factors unrelated to the substance or merits of the decision.

The Appellant will bear the onus of proof in the appeal, and thus must be able to demonstrate, on a balance of probabilities, that the Respondent has made an error as described in Section 6.

5. Appeals Officer

Squash Nova Scotia will appoint, prior to the commencement of the Event, a single Appeals Adjudicator to oversee and implement this Policy. The Appeals Adjudicator has a responsibility to:

- a. Receive appeals;
- b. Determine if the appeal lies within the jurisdiction of this Policy;
- c. Determine if appeal is brought in a timely manner;
- d. Determine if the appeal is brought on permissible grounds;
- e. Determine the format of the appeal hearing; and
- f. Decide the appeal.

6. Screening of Appeal

Upon receipt of the notice, grounds of an appeal, and supporting evidence, the Appeals Adjudicator will review the appeal and will decide if the appeal falls within the jurisdiction of this Policy, and if it satisfies procedural grounds. If the Appeals Adjudicator is satisfied that the appeal is not under this policy's jurisdiction, or that there are not sufficient grounds, the parties will be notified in writing, stating reasons. There is no further appeal of the Appeals Officer's decision on jurisdiction or grounds.

8. Tribunal

If the appeal is determined to fall within the jurisdiction of this Policy and satisfies procedural grounds, then a hearing before the Appeal Adjudicator will take place.

9. Procedure for the Hearing

The Appeals Adjudicator will determine the timing and format of the hearing, which may involve an oral hearing in person, an oral hearing by telephone, a hearing based on written submissions or a combination of these methods. The Hearing will be governed by the procedures that the Appeals Adjudicator deems appropriate in the circumstances, provided that:

- a. The parties will be given appropriate notice of the time and place of the hearing.
- b. The Respondent will be provided two (2) hours to provide a response document.
- c. Copies of any written documents which the parties wish to have the Appeals Adjudicator consider will be provided to all parties in advance of the Hearing.
- d. The parties may be accompanied by a representative, advisor, or legal counsel at their own expense.
- e. The Appeals Adjudicator may request that any other individual participate and/or give evidence at the hearing.
- f. If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this policy, that party will become a party to the appeal in question and will be bound by its outcome.

10. Appeal Decision

After the hearing, the Appeals Adjudicator will issue its written decision. The Appeals Adjudicator may decide to:

- a. Reject the appeal and confirm the decision being appealed; or
- b. Uphold the appeal, identify the error(s) and refer the matter back to the original decision-maker for a new decision; or
- c. To uphold the appeal and vary the decision.

11. Confidentiality

The appeal process is confidential involving only the parties and the Appeals Adjudicator. Once initiated and until a decision is released, none of the parties or the Appeals Adjudicator will disclose confidential information relating to the appeal to any person not involved in the proceedings.

12. Final and Binding Decision

The decision of the Appeals Adjudicator will be binding from which there will be no further right to appeal.