GOJHL APPEALS

 Definition a) Appeals must be filed with the GOJHL first and not with the OHA. Upon receipt of the appeal the GOJHL Commissioner will examine the appeal to determine that the appeal meets with the provisions of regulation c) and d).

b) If the appeal is not filed with the GOJHL, the GOJHL Discipline Committee will be brought in to deal with the indiscretion and the GOJHL will not adhere to the response from the OHA.

c) Matters that may be appealed:

 i. a player’s release.

 ii. a suspension of more than 6 games imposed by the Executive Board

 iii. a decision of the GOJHL or its sub-committees.

d) Matters that may not be appealed:

i. a decision by a Protest Committee.

 e) A decision of the GOJHL Appeals Committee or GOJHL Commissioner may be appealed to The Ontario Hockey Association Appeals Committee.

f) The means for appeal outside the GOJHL is:

 i. the Ontario Hockey Association (OHA)

 ii. the Ontario Hockey Federation Appeals Committee (OHF‐Appeals Committee)

 iii. Hockey Canada (HC)

Time Allowed for Filing an Appeal:

 a) For a player’s release, an appeal can be filed at any time.

b) All other appeals must be filed within 7 days of receipt of oral notice of a decision by the GOJHL or OHA, the Chair of the GOJHL or OHA, or any committee of the Board including the Officers of the Association or the full Executive Board.

Appeal Procedure:

 a) To appeal, a team, group, or individual must:

 i. Prepare the appeal in writing. The submission is to specify the:

 c. decision being appealed, d. grounds for appeal, and e. facts supporting the appeal.

 ii. File the appeal with the GOJHL Commissioner and be accompanied by a $500.00 appeal fee.

b) Within 5 days of an appeal being filed, the Commissioner shall set a date for the hearing of the appeal. The hearing date will be no more than 15 days after the filing date unless the appeal is to the GOJHL Board in which case the appeal will be heard at the next GOJHL Board meeting.

c) The Commissioner shall notify all parties to the appeal as soon as the hearing date is set. Their notice shall inform the parties of the date, time, place, and purpose of the hearing. Or the hearing could be by Phone Conference call The Commissioner will also advise that if a party does not attend the hearing the appeal may proceed in the party’s absence and will void entitlement to any further notice in the proceedings.

d) A party to the appeal may be represented by counsel or agent, call and examine witnesses, present arguments and submissions, conduct cross‐examinations of witnesses as reasonably required for a full and fair disclosure of facts given in evidence.

e) The Chair of the GOJHL shall appoint the appeal committee.

f) The Committee:

 i. in hearing an appeal, the committee shall first determine if it has jurisdiction in the matter.

. ii. whether the appeal filing procedures have been properly followed.

 iii. whether the proper fees have been submitted.

 iv. if (ii) and (iii) are not in order, the Chair shall excuse the principals and decide whether there is sufficient merit to continue with the hearing.

g) The hearing procedure:

 i. the appellant’s submission should deal strictly with the facts. It should outline the original circumstances, the original decision, the results of that decision and where there is error in the original decision.

ii. one spokesman shall be allowed to complete the submission without interruption.

iii. committee members or other parties to the appeal may ask questions, through the chair, once the submission is completed.

h) New evidence: i. The Committee may allow new evidence to be introduced if that evidence was not available to the appellant(s) at the time of the original hearing. Evidence that was available at the time of the original hearing, but not introduced as evidence at the original hearing, shall not be allowed as evidence at an appeal hearing. The onus is on the introducer of new evidence to prove that the evidence was not reasonably available for the original hearing.

i) In rendering a final decision, the Committee may: i. allow the appeal, ii. dismiss the appeal, iii. vary the decision appealed from/by: a. increasing or decreasing fines and/or suspensions b. issuing an order prohibiting the continuation of any matters dealt with in the appeal. iv. assessing the whole or any part of the costs of the appeal to any party to the appeal. v. determines the disposition of the appeal fees.

j) The Committee shall give its oral decision not more than 10 days after the hearing is completed followed by a written report of their findings.