



BC SOCCER

APPEALS PROCEDURE

June 2024

Appeals 3

Appeals

1. All Appeals must be reported using the following method:
 - a. Online Form: <https://www.integritycounts.ca/org/itpsport>
2. Decisions pertaining to a discipline decision from the following can be appealed to BC Soccer, in accordance with this Appeals section:
 - a. A Youth District or Adult League
 - b. An Inter-District Youth League
 - c. A BC Soccer Standing Committee
 - d. A BC Soccer Judicial Body
3. Any party intending to appeal must provide a written statement setting out their grounds of appeal to the ITP Officer within ten (10) business days of notification of the decision being appealed. The written application to appeal must contain:
 - a. Decision being appealed;
 - b. Grounds for Appeal;
 - c. Statement of facts;
 - d. Rule or regulation that has been contravened;
 - e. Remedy sought;
 - f. Provide proof of payment of the appeal fee as determined annually by BC Soccer.
4. A decision cannot be appealed on its merits alone. An appeal may be heard only if there are sufficient grounds for the appeal. Sufficient grounds include the following and do not extend to questions of law:
 - a. Making a decision for which it did not have authority or jurisdiction as set out in governing documents;
 - b. Failing to follow procedures as laid out in the approved policies of the association;
 - c. Making a decision which was influenced by bias;
 - d. Exercising its discretion for an improper purpose;
 - e. Making a decision which was grossly unreasonable.
5. Within fifteen (15) business days of receiving the written appeal, the ITP Officer will:
6. Determine if the Appeal if the Appeal is accepted. If the Appeal is not accepted, the ITP Officer will notify the Appellant and provide written reasons for denying the appeal. The appellant will not be granted further avenues of appeal.
7. For Accepted Appeals, the ITP Officer will:
 - a. Propose Alternative Dispute Resolution to the parties to attempt to resolve ahead of proceeding through the appeals procedure.
 - i. Following an attempt or refusal of Alternative Dispute Resolution, refer application to the appropriate appeal panel composed of one (1) to three (3) individuals. One member will serve as the Appeal Chair.
 - ii. The Appeals Panel, and specifically the Chair must:
 - 1) Designate an individual or act as the Chair for each Appeal Panel
 - 2) Investigate matters related to the Appeal submitted
 - 3) Decide on an appeal against a decision to extend a Sanction
 - 4) Resolve disputes arising from objections to members selected to serve on the Appeal Panel
 - 5) Rule on appeals against provisional decisions made by a Judicial Body
 - 6) Pronounce, alter, or annul provisional measures

8. The ITP Officer will inform both the appellant and the respondent and provide a copy of the appeal to the respondent.
 - a. The respondent will be granted ten (10) business days to submit a rebuttal to the appellant's submission.
 - b. If the Respondent fails to return a written response and/or supporting documents/evidence, the appeal will proceed, nonetheless.
9. The Appeals Panel may, at its sole discretion and without holding a hearing, decide an appeal if, on the basis of the written documentation submitted to it, it is considered that the BC Soccer By-laws, BC Soccer Rules and Regulations, or BC Universal Code of Conduct have or have not been breached.
10. Alternatively, the Appeals Panel may, at their sole discretion, determine if the appeal will be heard by a documentary or oral hearing.
 - a. For oral hearings, parties will be provided notice in advance of the day, time, and method for the oral hearing.
11. The Appeals panel may dismiss the appeal, or allow the appeal and, inter alia, revoke the sanction or findings, or impose a different sanction. In each case, the hearing panel must give reasons in writing for its decision.
12. Written decisions are to be forwarded to the parties concerned within fifteen (15) business days of the respondent's rebuttal deadline date and, in cases where an oral hearing is held, within fifteen (15) business days after the date of the hearing.
13. Every appeal will be handled in a manner that upholds the principles of procedural fairness outlined in the BC Soccer Discipline, Complaints and Appeals Policy.
14. Unless specifically determined by the ITP Officer or Appeals Panel, all appeals will be reviewed on the basis of the written documentation submitted to it.
15. Decisions rendered by the Appeals Panel are to be written and must include the names of the Appeals Panel members, the names of the parties, the grounds for the decision, the facts upon which it was based and the decision itself and the rights to appeal to Canada Soccer, if applicable.
16. The ITP Officer will maintain records of all decisions. Making it available as appropriate.
17. Sanctions imposed, other than financial orders, remain in force until the Appeals procedure is completed.
18. Decisions are to be signed by the Appeals Panel.
19. Decisions may be communicated by electronic mail or by registered letter.
20. The right is reserved for an appeal to be made to Canada Soccer Appeals Committee.