

# CANTERBURY ICE HOCKEY ASSOCIATION

## DISCIPLINARY AND APPEALS RULES

### 1 DEFINITIONS

The **Appeals Committee** is a committee established to consider appeals from decisions of the Disciplinary Committee and shall consist of the President and Vice President of the CIHA together with one other person appointed by the Executive Committee.

The **CIHA** or the **Association** is the Canterbury Ice Hockey Association.

A **Complaint** is a complaint in writing relating to a CIHA ice hockey incident.

The **Convenor** is the Convenor and Chairman of the Disciplinary Committee.

The **Disciplinary Committee** is a subcommittee of the Canterbury Ice Hockey Association delegated the task of dealing with ice hockey and related disciplinary matters consisting of the Convenor and between two and four members of the Association.

The **Executive Committee** is the Executive Committee of the Canterbury Ice Hockey Association.

The **Player** is a person required to appear before the Disciplinary Committee and may include a player (whether participating in a game or not), a team, or a member of the CIHA.

### 2 GENERAL PRINCIPLES APPLICABLE TO DISCIPLINARY MATTERS

2.1 The CIHA, Executive Committee, Disciplinary Committee and Appeals Committee must act in good faith and in accordance with the principles of natural justice.

2.2 The Disciplinary Committee and Appeals Committee must act in accordance with the rules of the CIHA and the current International Ice Hockey Federation Official Rule Book.

2.3 A Disciplinary Hearing is a hearing of a sports association and not of a Court.

- 2.4 All Disciplinary Committee and Appeals Committee hearings and matters shall be dealt with as soon as is practically possible.

### **DISCIPLINARY COMMITTEE PROCEDURES**

#### **3 ENTRY TO THE DISCIPLINARY COMMITTEE PROCESS**

- 3.1 A hearing of the Disciplinary Committee shall be conducted where;
- a) A penalty is called by a game Referee based on offences described in the current IIHF Rules Book that incur an automatic suspension and for the avoidance of doubt shall include any offence in which game misconduct, gross misconduct, or match penalties are called by a game Referee.
  - b) A complaint is received by the President of the CIHA or the Convenor, provided such complaint is received by the President or Convenor within 14 days of the alleged incident.
- 3.2 In any case where a penalty called by a game Referee incurs an automatic suspension, the game Referee shall provide a written report into the circumstances of the incident to the Convenor as soon as practicable and in any case no later than 72 hours after the date of the incident.
- 3.3 The Convenor shall as soon as practicable and in any event no later than 14 days after receipt of a report from a game Referee or complaint convene a hearing of the Disciplinary Committee.

#### **4 HEARING PROCEDURES - DISCIPLINARY COMMITTEE**

- 4.1 The Disciplinary Committee shall have power to regulate and establish its own procedure in any case but subject to the power to establish and regulate its own procedure shall generally observe the procedures stated in these Rules and shall ensure that any Player required to attend a hearing of the Disciplinary Committee;
- a) Has the opportunity to be heard in answer to any charges.
  - b) Receives proper notification of any charges.

- c) Has the opportunity to present evidence in respect of any charge.
- d) Has the right to be represented or assisted by a representative of his or her choice.
- e) Has the right to have any disciplinary matter determined by a fair and impartial Committee.

## **5 DEFICIENCIES IN PROCESS**

- 5.1 No disciplinary matter heard by the Disciplinary Committee shall be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality provided there has been no miscarriage of justice.

## **6 NOTICE TO PLAYER**

- 6.1 The Disciplinary Committee shall advise the Player in writing of the date, place and time of the hearing of the Disciplinary Committee at which any charge against the Player will be heard. Such notification shall be provided to the Player no later than 72 hours prior to the date of hearing.
- 6.2 No later than 48 hours prior to the date and time of the hearing the Convenor shall provide to the Player copies of all relevant written material including the game Referee's report, the game report, any statements or reports from other match officials, players, witnesses, and any medical attendants in the event that an injury has been sustained as a result of any incident.

## **7 PLAYER TO ADVISE OUTLINE OF CASE**

- 7.1 No later than 24 hours prior to the date and time of the Disciplinary Committee hearing the Player the Player shall provide the Convenor with particulars of the case that will be presented on his or her behalf at the hearing including:
  - a) The substance of any evidence to be presented to the Disciplinary Committee in answer to the charges.
  - b) Whether the Player intends to attend the hearing of the Disciplinary Committee with a support person or legal

representation. Any costs of legal representation shall be the sole responsibility of the Player.

## **8 ABRIDGEMENT/EXTENSION OF TIME**

8.1 The Disciplinary Committee shall have the power to abridge or extend any time limit if in its absolute discretion such is considered appropriate in the circumstances.

## **9 ADJOURNMENTS**

9.1 The Disciplinary Committee shall have the power to postpone or adjourn any disciplinary hearing.

## **10 HEARING IN ABSENCE OF PLAYER**

10.1 The Disciplinary Committee will try to ensure that hearings do not take place in the absence of the Player but nothing in this Rule or otherwise shall prevent a Disciplinary Committee from hearing and determining proceedings in the absence of the Player where it is satisfied that proper notice has been given to the Player of the date, time and place of the hearing in accordance with these Rules.

## **11 CONDUCT OF DISCIPLINARY COMMITTEE HEARINGS**

11.1 Unless it otherwise determines, the procedure of the Disciplinary Committee at any hearing shall be as follows:

- a) The hearing shall be conducted by the Convenor or in his or her absence by the Deputy Convenor who shall explain the procedure to be followed.
- b) The Disciplinary Committee shall consider the game Referee's report, the game report, and any statements or reports from other match officials, players, witnesses or

medical attendants (in the event that an injury has been sustained as a result of an incident).

- c) The Disciplinary Committee shall then hear any evidence to be adduced by or on behalf of the Player if he or she elects to give or call such evidence.
- d) The Disciplinary Committee shall then hear any evidence to be adduced in reply.
- e) The Disciplinary Committee may question the evidence of any party or witnesses if it deems appropriate in the circumstances and may in its absolute discretion permit either party to question the evidence of the other party or any witnesses.
- f) The Disciplinary Committee shall be entitled to receive such evidence as it thinks fit including evidence in writing.
- g) The Disciplinary Committee may determine to exclude from the hearing any witnesses other than the parties except when such witnesses are giving evidence or answering questions from the other party or from the Disciplinary Committee.

## **12 HEARINGS AND DELIBERATIONS TO BE IN PRIVATE**

12.1 Hearings of Disciplinary Committees shall be conducted in private.

12.2 Deliberations of Disciplinary Committees on their decisions shall be in private.

## **13 NOTIFICATION OF DECISION**

13.1 The decision of the Disciplinary Committee shall be advised to all parties as soon as practicable after the conclusion of the hearing. The Disciplinary Committee may deliver a short oral decision at the conclusion of the hearing with its reasons to be put in writing and communicated to the parties at a later date or it may reserve its decision.

13.2 All parties to a hearing before a Disciplinary Committee shall be entitled to a copy of any written decision issued by the Disciplinary Committee.

13.3 Any Player adversely affected by a decision of the Disciplinary Committee shall be advised by the Disciplinary Committee of his or her rights of appeal and such advice shall be included in any written decision of the Disciplinary Committee and advised at the conclusion of the hearing if an oral decision is given.

#### **14 RECORD OF PROCEEDINGS**

14.1 Hearings of a Disciplinary Committee shall be recorded by minutes taken by the secretary or by such other means considered appropriate by the Disciplinary Committee.

14.2 Any minutes or other records of the proceedings and all the papers associated with the hearing shall be held by the Convenor and copies shall be made available to a Player only on appeal against a decision of the Disciplinary Committee.

#### **15 PENALTIES**

15.1 The Disciplinary Committee shall have the power to impose the penalties provided for in Appendix 1 to these Rules.

#### **APPEALS COMMITTEE PROCEDURES**

#### **16 NOTICE OF APPEAL**

16.1 Any Player wishing to appeal against a decision of the Disciplinary Committee shall file notice of appeal in writing within 7 days after the date on which the decision of the Disciplinary Committee is notified to the Player.

16.2 Such notice of appeal shall state the grounds of the appeal in sufficient detail to inform the Appeals Committee of the issues the Player intends to raise at the appeal and shall indicate

- a) The name and occupation of any support person or representative.

- b) Provide the names of any witnesses proposed to be called and a written summary of evidence each witness will give if permitted to do so.
- c) Attach copies of any other documentation intended to be presented at the appeal hearing.

## **17 RECORD OF PROCEEDINGS OF DISCIPLINARY COMMITTEE**

17.1 Upon receipt of a notice of appeal, the Disciplinary Committee shall make available to the Player any records or minutes of the Disciplinary Committee hearing and forward a copy to the Appeals Committee.

## **18 HEARING DATE**

18.1 The Appeals Committee shall set a time, date and place for the hearing of the appeal which shall be notified to the Player no less than 72 hours prior to the hearing of the appeal.

## **19 PROCEDURE FOR APPEALS COMMITTEE**

19.1 The Appeals Committee shall be entitled to adopt such procedure as it thinks fit in each particular case but subject to this power to regulate its own procedure shall generally observe the procedures stated in these Rules and shall ensure that a Player appealing against a decision of a Disciplinary Committee;

- a) Receives a proper notification of the hearing of the appeal.
- b) Has the opportunity to be heard in support of the appeal.
- c) Has the right to be represented or assisted by a representative of his or her choice.
- d) Has the right to have the appeal determined by a fair and impartial Committee.

## **20 APPEAL BY WAY OF REHEARING**

20.1 An Appeals Committee hearing shall be conducted by reference to the record of proceedings before the Disciplinary Committee however an Appeal

Committee may in its absolute discretion rehear the whole or any part of the evidence given before the Disciplinary Committee as it thinks fit.

20.2 An Appeals Committee shall be entitled to hear and receive such further evidence on an appeal as it thinks fit.

## **21 POWERS OF THE APPEALS COMMITTEE**

21.1 An Appeals Committee shall have the power to:

- a) Allow an appeal in which case all sanctions against a Player shall be removed; or
  - b) Dismiss an appeal, in which case all sanctions against a Player shall remain in effect;
- or
- c) Determine that a different sanction is appropriate and impose such a sanction.

## **22 HEARINGS AND DELIBERATIONS TO BE IN PRIVATE**

22.1 Hearings of an Appeals Committee shall be conducted in private.

22.2 Deliberations of an Appeals Committee shall be in private.

## **23 NOTIFICATION OF DECISION**

23.1 The decision of an Appeals Tribunal shall be advised to all parties as soon as practicable after the conclusion of an appeal. Where it considers it appropriate, an Appeals Committee may deliver a short oral decision at the conclusion of an appeal with its reasons to be put in writing and communicated to the parties at a later date, or it may reserve its decision.

## **24 RECORD OF PROCEEDINGS**

24.1 Hearings of the Appeals Committee shall be recorded by minutes taken by the secretary or by such other means as is considered appropriate by the Appeals Committee.

## **APPENDIX 1**

2007 Disciplinary Regulations - Penalty provisions:

1 A Disciplinary Committee or Appeals Committee shall have the power to impose penalties provided for in the current International Ice Hockey Federation Rule Book, and supplementary penalties as detailed in this Appendix.

### **2 MATCH PENALTY WHEN NO INJURY OCCURS**

a. A Player assessed to have committed a Match Penalty offence as detailed in the IIHF Rule Book shall automatically receive a minimum suspension of 15 playing days where no injury has occurred or may elect to request a hearing of the Disciplinary Committee.

b. Any Player assessed as having committed a Match Penalty who has committed a previous similar offence within the previous 6 months shall appear before the Disciplinary Committee.

### **3 MATCH PENALTY WHERE INJURY OCCURS**

3.1 **“Injury”** is defined as an incident requiring medical documentation or attention.

3.2 A Player assessed as having committed a Match Penalty offence as detailed in the IIHF Rule Book where injury has occurred shall automatically receive a minimum suspension of 30 playing days and his or her case shall be referred to a Disciplinary Committee for a hearing.

### **4 SERIOUS MISCONDUCT/PROTECTION OF OFFICIALS**

4.1 A Player assessed as having committed a Game Misconduct or Match Penalty Offence resulting in a 5 minute Major penalty arising from:

A) An attempt to injure, or injury to any person.

B) The molesting or threatening of officials.

C) Any offence considered by the Convenor in his or her absolute discretion to be of such seriousness as to require a Disciplinary Committee hearing

shall receive an indefinite suspension pending a Disciplinary Committee hearing.

4.2 Any Player found to have committed an offence of a kind referred to in this section shall receive a minimum suspension of 45 playing days.

4.3 The Disciplinary Committee or Appeals Committee, as the case may be may in its discretion reduce the minimum number of playing days a player is suspended but impose other terms and conditions as it considers desirable and appropriate with respect to the future conduct of the Player or team including, by way of example only, the placing of a Player or team on probation, requiring the player to attend an anger management course, the making of restitution, the provision of apologies, or undertakings.

## **5 APPLICATION OF PENALTIES**

5.1 Any suspension imposed upon a Player shall apply to any games associated with the league or leagues the Player is registered in.

5.2 Suspensions and penalties imposed shall be served during the period of the player's official hockey season. Any suspension or penalty period not completed by the end of the season shall be carried forward until served in full.

5.3 Any Player receiving a suspension is prohibited from playing in any ice hockey games under the jurisdiction of the CIHA.

5.4 That any suspended player is prohibited from approaching the players' benches, the Scorers' bench or the penalty box during inclusive of all games under the jurisdiction of the CIHA

5.5 No player who is subject to a suspension shall be eligible for provincial representation in any NZIHF or other tournament occurring during the duration of the suspension, and not including trials and training.

## **6 REPEAT OFFENDING - SENTENCING GUIDELINES**

- 6.1 Subject to Appendix 1 -points 3.2 and 4.2 in any case where a Player has committed a second offence within a 12 month period a Disciplinary Committee or Appeals Committee shall, subject to the minimum penalties described in these Rules, and subject to its discretion to impose any length of penalty it sees fit, shall impose a penalty equivalent to twice the minimum penalty provided for each kind of offence.
- 6.2 Any repeat offence of the kind described in paragraph 4.1(a) or (c) of these Rules occurring within a 36 month period shall be subject to an automatic minimum suspension of 90 playing days.
- 6.3 In any case where a repeat offence involves an offence against an official as provided for in paragraph 4.1(b) within a 7 year period, a minimum 150 playing days suspension shall be imposed.