



A Guide to the OHF Appeal Process

A person, team, league or Association who is aggrieved by a final decision of the OHF Registration Committee, OHF President (per By-Law 2.9) or a Member Partner in relation to any dispute, difference or question has the right to an OHF appeal. **The following is to be used as a reference guide only. Please refer to the actual provisions of OHF By-Law 5.** Amended to October 2004.

Matters that may be appealed:

Ref. By-Law 5.9	<ul style="list-style-type: none"> a) the decision that is in conflict with the Articles, By-Laws, Rules, Regulations and/or Policies of the relevant Member Partner, OHF or of Hockey Canada that may have had a material impact on the decision rendered; b) the party making the decision committed a material procedural error, or failed to provide the aggrieved party with a fair Appeal hearing that may have had a material impact on the decision rendered; c) the party making the decision did not have the authority or jurisdiction to make the decision; d) the party making the decision made or adopted an error of fact that may have had a material impact on the decision rendered.
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Matters that may not be appealed:

Ref. By-Law 5.10	<ul style="list-style-type: none"> a) any decision by a Member Partner as to the outcome of any game or games; b) any decision relating to the classification of teams within the jurisdiction of a Member Partner; c) any decision relating to a tournament or exhibition game sanctioning; d) any suspension of less than seven (7) games imposed by a Member Partner.
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Application Procedure

Ref. By-Law 5.13	An Appeal is commenced upon submission of its Application to the OHF Office via fax, registered mail or personal delivery no later than 15 days from the date the decision being appealed was sent to the appellant. The Appeal Application and fee of \$300.00 (in cash or by cheque made payable to the Ontario Hockey Federation) must be received together. Additional documents must be specific, and describe the decision being Appealed and cite the specific paragraph(s) under By-Law 5.9 that applies. The appended documents must be concise and contain, in numbered paragraphs, the grounds for Appeal (including how the Appeal qualifies for Appeal as per By-Law 5.9) and the facts supporting the Appeal. Pertinent documents, if any from the original Appeal, must be attached (see By-Law 5.26).
Ref. By-Law 5.14	The Party which rendered the decision being appealed must supply to the OHF Office the following: <ul style="list-style-type: none"> a) a description in numbered paragraphs, of the position of the decision maker, including the grounds and the facts for the decision Appealed and the Policy or Regulation supporting the decision, b) a list of witnesses who gave evidence in the Appeal hearing/special meeting; c) a Fact Finder's Report, if one was considered; and d) any additional pertinent documents from the original Appeal, if any.
Ref. By-Law 5.15	The OHF Appeals Coordinator shall review the entire Application and determine whether the grounds cited qualify the Appeal for hearing. This determination shall be final and binding, and there shall be no appeal therefrom. If the proposed Appeal does not qualify for an Appeal hearing, the Appeal Application Fee, less \$50.00 administration fee, will be returned to the appellant.
Ref. By-Law 5.16	If the proposed appeal does qualify, an Appeal hearing shall be set for a date no later than 15 days after the date that the Coordinator's determination is received by the OHF Office. All parties to the Appeal will be notified by way of a Notice of Appeal Hearing not less than five (5) days before the scheduled date for the Appeal. All Parties will receive a copy of the material provided pursuant to By-Law 5.14.

Appeal Hearing Procedure

Ref. By-Law 5.6	The Appeal Panel is a duly constituted panel of the Appeals Committee and during a hearing, shall sit as a Panel of three (3) members and a decision of a majority of a Panel shall be final and binding.
Ref. By-Law 5.22	The Panel shall permit the parties to present their cases
Ref. By-Law 5.25	The Chair may add any person or Association as a party to the Appeal hearing that he/she determines might be materially affected by the resolution of the issue before the Panel.

Decision

Ref. By-Law 5.29 and 5.30	In accordance with the Articles, By-Laws, Rules, Regulations and/or Policies of the OHF and the relevant Member Partner, at the conclusion of the Appeal hearing, the Panel may allow or dismiss the Appeal Application, assess all or any part of the costs of the Appeal against one or more of the parties, and/or grant a refund of up to 50% of the Application fee in cases where the appellant has been substantially successful in his/her Appeal. Within 48 hours of the hearing, the Chair shall communicate the decision or recommendation to the OHF Office in writing. All parties will receive the written decision within 10 days.
Ref. By-Law 5.37	A decision of the Panel shall be final and binding on all parties, subject only to such further rights of Appeal as may be available under the Articles, By-Laws, Rules, Regulations and/or Policies of Hockey Canada.

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