



The following are the disciplinary procedures taken directly from Chapter 11, of the 2009-2010 Administration Guide of Hockey Quebec. The Disciplinary Committee of AHMGP is considered an Organizational Committee sitting at the 1st level. Any parent, coach or volunteer wishing to submit an official complaint should submit the appropriate form to the office of AHMGP or by email to *Peter Doonan at pdoonan@viascan.com*. The committee will then be in contact with you with the date/time of the hearing.

DISCIPLINARY PROCEDURE

11.1 Jurisdiction

- A. Hockey Quebec is the only body responsible for the interpretation and application of its Regulations as well as those of Hockey Canada on its territory this, for all its members as defined in its General Regulations.
- B. For the purpose of applying Article 11.1, Hockey Quebec has all the powers and may take all necessary actions required to ensure all its regulations and all decisions rendered by one of its disciplinary committees are respected.

11.2 Disciplinary Powers of the Provincial Board of Directors

- A. The Provincial Board of Directors may intervene directly and at any time in any conflict involving one or more of its members and its decision, notwithstanding a possible appeal to Hockey Canada, is final and binding.
- B. The Provincial Board of Directors may suspend for a definite period or expel one of their members who, in its judgment, violates Hockey Quebec Regulations or whose conduct, in its judgment, causes prejudice to Hockey Quebec or one of its members and its decision, notwithstanding a possible appeal to Hockey Canada, is final and binding.
- C. The Provincial Board of Directors may suspend or expel any Hockey Quebec active member who has been accused or has been found guilty of having committed a sexual infraction under the current Criminal Code.
- D. In all cases mentioned in paragraphs B) and C), the Provincial Board for Directors shall advise in writing the member involved of the date, time and location at which his case will be heard, the motives of such hearing and allow the member to state his case.

11.3 Discipline Committees

- A. Each Discipline Committee described herein has the responsibility of interpreting, applying and, when necessary, sanctioning any infraction to the Regulations adopted by Hockey Quebec, Hockey Canada or by a member, meaning the level to which the member belongs and by whom the Committee has been appointed and, when such is the case, hear any appeal submitted in accordance with the procedure set out in the Regulations.

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- B. For the purpose of Regulation 11.3, the following Discipline Committees are established:
 - i) Organization Committee,
 - ii) League Committee,
 - iii) Tournament or Festival Committee,
 - iv) Regional Committee,
 - v) Provincial Committee.
- C. A Discipline Committee includes a minimum of three (3) members, one being designated President, appointed by the Board of Directors of Hockey Quebec, and whose mandate is set for one (1) year. The mandate of the Committee remains valid at the end of the term until such time as the members are either replaced or reappointed.
- D. Failure by one level or another within Hockey Quebec to designate their Discipline Committee, the Board of Directors immediately superior to such level may designate such a committee. Should it decide not to do so, it will cause all cases normally brought to such level to be automatically transferred to the next higher level.
- E. The quorum required at any Discipline Committee meeting is set at three (3) members.
- F. Meetings of a Discipline Committee are held as frequently as deemed necessary by Committee members. Unless provided otherwise by internal operating procedures, the President or a majority of members calls such committee meetings in writing with a minimum delay of two (2) days.

11.4 Decision of a Committee Sitting at the First Level

- A. When sitting as a first-level committee, a Discipline Committee may render a decision by simply reading the report related to an infraction when it involves Playing Rules or, if so decides, proceed with a formal hearing before giving its decision.
- B. In all other cases that do not imply Playing Rules, please refer to hearing procedures.
- C. If in the decision, only automatic sanctions determined in the Regulations are assessed, there shall be no possible appeal of such decision. However, should the accumulation of automatic sanctions in a given game exceed five games, an appeal by the member will become possible. Such appeal does not suspend the sanction already assessed.
- D. Should the Committee hand down a decision that exceeds the automatic sanctions determined in the Regulations without having heard the parties, one of the parties may ask for a hearing by submitting a written request to the Chair of the concerned Committee within five (5) calendar days of the reception of the decision and this, without cost. Upon receiving such a request, any sanction exceeding the automatic portion of the sanction is temporarily suspended until such time as a new decision is handed down.
- E. When sitting following such a request, the Committee must follow the hearing procedures described in the Regulations.



- F. In all cases where the infraction involves a penalty under Codes “D” or “E” and where the Committee has handed out a sanction exceeding the automatic sanctions determined in the Regulations and after having heard the parties, an appeal may be lodged with the immediate higher Discipline Committee by respecting the procedure provided in such matter. Such an appeal does not suspend the sanction already handed down. However, the appeal may include a request to suspend the application of the sanction. Such request must include the reasons that would justify the suspension of the sanction. This procedure excludes a sanction handed down as a result of the application of Article 10.3 of the Administrative Regulations.

11.5 Hearing Procedures

- A. Following the reception of an Incident Report, a request to be heard or an appeal, the Committee must, when such is the case, send a written convocation to all parties involved detailing the date, time and location of the hearing of the matter brought to its attention.
- B. The convocation notice must be sent within a reasonable time span as determined by the Committee.
- C. This convocation notice shall be accompanied by all documents related to the matter.
- D. A minimum delay of three (3) working days shall be planned before the hearing.
- E. The Committee shall hand down a decision within a maximum of fifteen (15) calendar days after receiving the file.
- F. The hearing must be conducted with all parties in attendance.
- G. Each party must have the opportunity to present its point of view and answer questions submitted by the Committee. However, no counter questioning is permitted by other parties.
- H. The first party to be heard must be the requesting party or the appellant as the case may be. The order of presentation of other parties rests with the Committee.
- I. During a hearing, only those persons directly involved in the matter shall be allowed in the room. The Committee's decision in this matter is binding.
- J. A Discipline Committee may withhold its decision when the person involved is facing judicial procedures.
- K. Any person required to appear before a Discipline Committee may do so in writing or by telephone conference without having to be physically present. Failure to appear may bring on further sanctions.
- L. Any person appearing before a Discipline Committee may be accompanied by a person of his choice; this person does not have the right to speak. In the case of a minor-aged player, he must be accompanied by one of his parents or his legal guardian, the latter having the right to speak.
- M. Any person appearing before a Discipline Committee may be represented by his spouse, a parent or a friend of major age by giving such person a mandate to that effect. Such representation must be done for free, supported by a written statement from the person giving the mandate and indicating the reasons why the person cannot represent himself. An association or legal body may only be represented by an Executive or another person who is an employee.



- N. When one of the parties involved is a moral person, the spokesperson of the latter may be accompanied by another person of his choice.

11.6 Appeals Procedures

- A. An appeal of a decision made by a Discipline Committee may be made in writing by one of the parties involved within 10 calendar days upon reception of the decision.
- B. It must be submitted by mail or handed out in person at the Headquarters of the appropriate level, Regional or Provincial.
- C. Any request for an appeal must be accompanied by the required non-refundable amount by means of a certified cheque, money order, credit card (exclusive to the Provincial level) or cash as follows:
 - i) \$150 for an appeal made to the Regional Discipline Committee, the cheque or money order being payable to the region;
 - ii) \$300 for an appeal made to the Provincial Discipline Committee, the cheque or money order being payable to Hockey Quebec;
 - iii) \$600 for an appeal made to the Provincial Board of Directors, the cheque or money order being payable to Hockey Quebec.
- D. Any appeal must include:
 - i) A copy of the Decision rendered by the first-level Committee;
 - ii) A presentation of the motives for the appeal along with documents and proof supporting these motives;
 - iii) A list of witnesses including name, function and coordinates to be heard if such is the case.
- E. Failure to supply the required documents, information and monies within the prescribed time span will cause the automatic rejection of the appeal. When submitted by mail, the postal mark shall serve as proof with regards to respecting prescribed dates.
- F. The first-level Discipline Committee shall transmit the entire docket to the Appeals Committee.

11.7 Decisions handed down by a Discipline Committee

- A. In all cases submitted to a Discipline Committee, a decision must be rendered in writing except when it involves an automatic suspension resulting from an infraction to Playing Rules. It must be formally registered in Minutes and forwarded to all parties involved in the matter.
- B. Any suspension handed down by a Discipline Committee must state a precise duration.
- C. Failure for a Discipline Committee to render a decision within the prescribed time frame of 15 calendar days following reception of the file will cause the matter to be closed at this level and no other sanction, other than an automatic sanction, may be imposed on a member by this level. However and in such a case, an appeal may be deposited without cost at the next higher level by one of the parties involved.



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11.8 Final Provisions

No provision of the present Regulation will effectively modify an agreement between Hockey Quebec and a member or a third party, if such agreement was actually in effect at the time of adoption of these Regulations. For the purpose of applying these Regulations, the various levels of intervention are as follows:

	League or Organization Discipline Committee	League Discipline Committee	Tournament or Festival Discipline Committee	Regional Discipline Committee	Provincial Discipline Committee
Regional League		Decision		Appeal	Appeal
Regional League		Decision		Appeal	Appeal
Interregional League		Decision			Appeal
Festival			Decision	Appeal	
Regional Tournament			Decision	Appeal	Appeal
Interregional Tournament			Decision		Appeal
Provincial Tournament			Decision		Appeal
National Tournament			Decision		Appeal
International Tournament			Decision		Appeal
Organization	Decision		Decision	Appeal	Appeal