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*A By-Law concerning Discipline of Participants of  
Squash Yukon sanctioned events.*

*BE IT ENACTED as a By-Law of Squash Yukon as follows:*

*DISCIPLINE OF PARTICIPANTS*

**1. DEFINED TERMS**

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|---------------------------------------|---|
| (a) Board:                            | Means the Board of Directors of Squash Yukon from time to time elected or a quorum thereof.   |
| (b) Code of Conduct:                  | Means the Code as set out in section 2 herein.  |
| (c) Discipline Committee:             | Means any 3 members of the Board of Squash Yukon as chosen by the Board to decide a particular Discipline Matter.   |
| (d) Discipline Matter:                | Means a contravention of the Code of Conduct.   |
| (e) Disqualified Participant:         | Means a participant against whom a complaint or report has been made to the Board.  |
| (f) Hearing:                          | Means a Hearing concerning a Discipline Matter to be heard before the Discipline Committee.   |
| (g) Participant:                      | Means any person participating in an event or wishing to register in an event.  |
| (h) Designated Individual:            | Means any person chosen by Squash Yukon, Squash Canada or a member club to enforce the Code of Conduct at any event.  |
| (i) Chair, Code of Conduct Committee: | Means any member of the Squash Canada Executive Committee elected by the Squash Canada Council at an annual general meeting. If the Chair is disqualified for any reason, a new chair will be appointed by the Executive. |
| (j) Code of Conduct Committee:        | Means any two people selected by the Chair and approved by the Squash Canada Executive.   |
| (k) Event:                            | Means any Squash Canada sanctioned competition, program or squash-related activity or any Squash Yukon sanctioned competition, program or squash-related activity.  |
| (l) Official:                         | Means any person who is involved in an event, including but not limited to the following: coach, referee, marker, manager, coordinator.   |

- (m) Chair, Appeals Committee: A person, selected and approved by both the Disqualified Person and Disciplining Province or Territory, chosen from a list of eligible candidates presented by the Executive of Squash Canada.
- (n) Appeals Committee: Three persons: one person, nominated by the Disqualified Participant; one person nominated by the Disciplining Province or Territory, (each of whom meets the criteria for selection as set down by the Squash Canada Executive), and the Chair.
- (o) Provincial/Territorial Sanction: Means any competition, program or squash-related activity which complies with the sanctioning policy of the Provincial/Territorial Association.

## 2. CODE OF CONDUCT

- 2.1 A participant or official may be ejected or disqualified from an event or ejected or disqualified from further participation for the balance of an event by a Designated Individual on the following grounds:
- (a) non-compliance with the rules and regulations from time to time put in place or adopted by Squash Canada and, or Squash Yukon, relating to participant safety or equipment;
  - (b) deliberate disregard of the rules of squash racquets from time to time adopted by Squash Canada, which rules constitute the rules enforced by Squash Yukon;
  - (c) verbally or physically abusing an opponent, Officials, spectators or the sponsors;
  - (d) showing dissent to the Officials, including foul language and obscene or offensive gestures;
  - (e) abusing playing equipment or the court;
  - (f) failing to comply with the condition of entry of an event including any rules with regard to clothing or advertising;
  - (g) having entered an event or accepted an invitation to participate, withdrawing from the event or failing to attend;
  - (h) failing to complete a match;
  - (i) defaulting from an event. The Discipline Committee may require evidence or proof of "Bona Fide" injury, illness or other emergency situation;
  - (j) failing to be available to meet reasonable requests for interviews by the media;
  - (k) any other unreasonable conduct which brings the game into disrepute, including but not limited to, abusive use of alcohol, non-medical use of drugs, use of alcohol by minors.

- 2.2 The Squash Canada Code of Conduct shall govern all Disciplinary Matters to the extent that it conflicts with or augments the Code of Conduct of Squash Yukon.

### **3. COMPLAINT TO SQUASH YUKON**

- 3.1 Where a participant is ejected or disqualified from an event for a breach of the Code of Conduct, the Designated Individual may, if the breach is deemed serious enough, within 30 days provide a report setting out the reasons for the ejection or disqualification to the Board of Directors of Squash Yukon.
- 3.2 Any participant at an event, whether or not directly affected by the breach of the Code of Conduct or any member of Squash Canada or Squash Yukon may make complaint, in writing, with respect to the conduct of a participant, addressed to the Board of Squash Yukon within 30 days after the event.
- 3.3 The Board of Squash Yukon shall consider the report or complaint in 3.1 or 3.2 herein at its next regular meeting or may consider the report or complaint at any meeting of the Board called before the next regular meeting.
- 3.4 The Board of Squash Yukon, having reviewed the report or complaint may:
- (a) decide that no further disciplinary action needs to be taken;
  - (b) decide that a Hearing should be conducted before the Disciplinary Committee.
  - (c) Send a letter of reprimand to the Disqualified Participant outlining that his/her name has been flagged and that a subsequent violation of the Code of Conduct may result in one or all of the outlined penalties in section of this document. The letter of reprimand may include a closing paragraph in which the Disqualified Participant is invited to offer explanation for his/her breach of the Code of Conduct to the Board of Directors of Squash Yukon.

### **4.0 NOTICE**

- 4.1 The Disqualified Participant and, if applicable, the Designated Individual and any complainant shall be notified of the decision of the Board of Squash Yukon under 3.4 herein within 14 days thereafter.
- 4.2 If a Hearing is to be conducted, the Disqualified Participant shall be provided with the date, the time and with the general particulars of any breach of the Code of Conduct and with copies of any report or complaint made against him/her within 14 days prior to the Hearing.
- 4.3 The Disqualified Participant shall be entitled to an alternate date and time if for good reasons the original date is unacceptable.
- 4.4 The Disqualified Participant shall also be informed that he/she can dispense with a Hearing and may provide written answer to the complaint or report as in 6.1 herein. The Disqualified Participant shall be further informed that if he/she does not choose a determination by way of Hearing, any appeal of the decision of the Discipline Committee shall be unavailable to the Participant.

**5. DISCIPLINE HEARING**

- 5.1 The Discipline Committee shall provide any complainant or Designated Individual an opportunity to provide testimony before it.
- 5.2 The Disqualified Participant or representative of the Disqualified Participant shall be allowed to question any other person providing testimony with regard to the alleged breach of the Code of Conduct.
- 5.3 The Disqualified Participant or representative shall be given an opportunity to state his/her side of the story and may provide any reasons why he/she should not be disciplined.
- 5.4 Any other person may provide testimony, within the discretion of the Discipline Committee.
- 5.5 The Discipline Committee may ask questions of anyone before it.
- 5.6 The Discipline Committee has full discretion in the conduct of its proceedings except as heretofore set out and, without limiting the generality of the foregoing, may consider any testimony or evidence and hear persons in any order or any number of times during the course of the Hearing or cut off further testimony when a point has been sufficiently made or where testimony becomes vulgar, inflammatory, or irrelevant, or adjourn any Hearing to a different date.

**6.0 WITHOUT HEARING**

- 6.1 The Disqualified Participant may notify the Board of Squash Yukon that he/she does not wish to have a Hearing and may, submit any argument in writing for the consideration of the Discipline Committee. The Discipline Committee may consider all evidence before it and may make any decision that it could make if a Hearing were called.
- 6.2 If the Disqualified Participant fails to respond to any notice of the Board of Squash Yukon or Discipline Committee or fails to appear at the Hearing without a "Bona Fide" excuse, the Disqualified Participant shall be deemed to have chosen determination in conformity with 6.1 herein.

**7. PENALTIES**

- 7.1 The Discipline Committee has full discretion to assess any of the following penalties in the case of a player (junior or senior) if it is a first substantiated complaint or report:
- (i) Warn the Disqualified Person that he or she has been cited under the Code of Conduct and that a further violation will result in disciplinary action;
  - (ii) Withdraw all Squash Yukon funding for provincial, national or international events;

- (iii) Levy a financial penalty, the amount to be determined by the Discipline Committee; said penalty to be paid to (insert P/T here) before the Disqualified Person may continue competition;
  - (iv) Disqualify the Disqualified Participant from representing Squash Yukon;
  - (v) Require the Disqualified Participant to complete an approved community service program which may include but not be limited to junior squash;
  - (vi) Suspend the Disqualified Participant for up to two years with a means to reduce the length of the suspension through a community service program;
  - (v) Suspend the Disqualified Participant from all further participation in events for a period of up to two years.
- 7.2 The Discipline Committee has full discretion to suspend a Disqualified Participant (junior or senior) for any period up to five years on any substantiated complaint or report after the first complaint or report where a penalty was imposed.
- 7.3 The Discipline Committee has full discretion to suspend a Disqualified Participant (junior or senior) for any period up to life on a third or subsequent substantiated complaint or report after the second complaint or report where a penalty was imposed.

## **8. DECISION**

- 8.1 The Discipline Committee shall inform the Disqualified Participant and, if applicable, the Designated Individual or any complainant of its decision at the close of the Hearing or within 14 days after the Hearing.
- 8.2 The Discipline Committee shall provide brief written reasons of its decision if requested by the Disqualified Participant within 14 days of the date of the decision.
- 8.3 The Board of Squash Yukon may notify any other clubs, members, associations or publications of the suspension of a Disqualified Participant after the period for Appeal, if applicable, has expired.

## **9. APPEAL**

- 9.1 Any Disqualified Participant, who has by way of Hearing, received a penalty, within 21 days of notification of the decision of the Discipline Committee, may make a written application to the Chair of the Code of Conduct Committee of Squash Canada to appeal the decision of the Discipline Committee.
- 9.2 The written appeal shall contain all pertinent details and arguments indicating that there are sufficient grounds to consider an appeal. The appeal will be accompanied by a \$250 appeal bond, which will be returned if the appeal is upheld.
- 9.3 A Disqualified Participant, who has by way of Hearing, been suspended may continue to participate until the Appeal period has expired or the Appeal process has concluded.

- 9.4 The Code of Conduct Committee shall review the grounds for appeal as presented by the Disqualified Participant and recommend to the Executive Committee of Squash Canada as to whether the appeal has grounds and should, therefore, be heard.
- 9.5 The minutes of the Hearing and all other related data shall be made available to the members of the Code of Conduct Committee and the Code of Conduct Committee Chair may request any additional documentation from either the Provincial/Territorial Association or the Disqualified Participant.
- 9.6 The Appeals Committee shall be comprised of a representative of Squash Yukon, a representative of the Disqualified Participant and, a Chair acceptable to both. The representatives of the Disqualified Participant and of the Squash Yukon shall meet the criteria as established by the Squash Canada Executive and shall be disinterested persons. The Chair shall be selected from a list of eligible candidates as established by the Squash Canada Executive. In the event of no consensus, the appointment of the chair shall be at the discretion of the Squash Canada Executive.
- 9.7 The Appeals process is within the discretion of Squash Canada. Squash Canada will endeavour to arrange for the conduction of a hearing in a location and time frame which will minimize the inconvenience and cost to all participants.
- 9.8 The Appeals Committee shall have the power to dismiss, uphold the decision of the Discipline Committee, or vary the penalty.
- 9.9 Any Appeal decision made by the Appeals Committee with regard to the Disqualified Participant shall be recognized and enforced by (insert P/T Association name) and by Squash Canada.
- 9.10 No Appeal of a decision of the Discipline Committee is available to a Disqualified Participant who has elected not to participate in a Hearing or who has failed to appear at a Hearing.

## **10. SUSPENSION BY SQUASH CANADA OR MEMBER PROVINCE / TERRITORY**

- 10.1 Squash Yukon shall recognize and enforce any sanction, suspension, discipline, ban or ruling concerning any Participant made by Squash Canada or the governing body for squash in any other province or territory.
- 10.2 The Board of Squash Yukon shall conform to 10.1 herein notwithstanding that a Participant is in good standing with any member of (insert Province/ Territory Association here) or should otherwise meet Squash Yukon eligibility requirements.

## **11. COSTS OF APPEAL**

- 11.1 If the appellant is successful the bond will be returned and the costs incurred then shared equally by Squash Yukon and Squash Canada.
- 11.2 If the appellant is unsuccessful, the bond shall not be returned. The appellant will be required to share in the costs of holding the appeal with the (insert P/T Association) and Squash Canada to the degree of one third minus the amount of the appeal bond.