

GVBA Appeal Process

WHAT: For purposes of an appeal, decisions by Greater Victoria Baseball Association (GVBA) (which includes but are not exclusive to decisions of the GVBA board or a committee of the board or a GVBA director or a manager of a GVBA team) can only be appealed if there is a belief that the decision was due to an error in 1. the application or interpretation of the laws/rules that govern GVBA, and/or 2. the facts supporting the decision.

Since GVBA is a duly constituted entity, it has the right to define itself as it sees fit for its members, the people it services and the community at large, all within the rule of the laws that govern it. If there is disagreement with the manner in which GVBA is defining itself, then the democratic process is used to effect change.

Appeals based on an alleged error in governance must reference one or more of the following:

1. Laws and Regulations
 - a. GVBA Constitution and By-Laws
 - b. BC Minor Baseball Constitution and By-Laws
 - c. BC Society Act RSBC 1996 Chapter 433
 - d. BC Gaming Control Act SBC 2002 Chapter 14
 - e. BC Gaming Policy and Enforcement Branch Rules and Regulations
 - f. BC Human Rights Code RSBC 1996 Chapter 210
2. Rules
 - a. GVBA Universal House Rules
 - b. BC Minor Baseball Rules
 - c. Baseball Canada (Canadian Federation of Amateur Baseball) Official Rules of Baseball

WHO: Appeals can be launched by a GVBA player, coach, manager, parent/guardian of a player, or member association baseball executive. Appeals will not be accepted by people or organizations that are not affiliated with GVBA.

HOW: The appeal must be received within 48 hours of the decision being made public. Appeals must be made to the president in writing (email is acceptable) stating the law/rule/regulation/governing doctrine and the applicable section and/or the factual error that is the basis for appeal. The appellant may request a hearing during the appeal.

OUTCOME: An appeal of a GVBA Disciplinary Committee decision will be sent to the BC Minor Discipline Committee for their ruling.

For all other appeals, upon receiving an appeal the president will form an appeal committee consisting of three directors, including a chair, from the executive committee who were not directly involved in the original decision. The president

may appoint himself to this committee. This committee will investigate the appeal and will render a decision in writing within four days.

In exceptional circumstances the president may choose to have the entire board of directors hear an appeal via a vote through an email or telephone or at the next scheduled meeting. The decision to do this is at the sole discretion of the president. In this case, the decision will be rendered in writing within four days of the vote.

IMPORTANT: While the appeal is in progress, the original decision is in effect.