



TITLE	Safe Sport Appeal Policy
TYPE	Policies
ENTRY IN FORCE	June 1, 2026
DATE OF LAST REVIEW	January 7, 2026
FREQUENCY OF REVIEW	Biennial (2 years)
TARGET COMPONENT	Pickleball NB
RESPONSIBLE SECTOR	Pickleball NB-General
DISTRIBUTION	<ul style="list-style-type: none">- Executive & Directors- Affiliated Clubs- Members
ADOPTED ON	January 26, 2026

1. SUMMARY

Any Member or Individual of Pickleball New Brunswick (the “Organization”) who is directly affected by a decision made under the Discipline and Complaints Policy has the right to appeal that decision, provided there are sufficient grounds for appeal as set out in this Policy.

All appeals must be submitted in writing to Pickleball New Brunswick or its designated representative.

This Policy does not apply to decisions made by affiliated clubs or tournament directors, to matters relating to the rules of pickleball, or to circumstances where the Pickleball Canada discipline and appeals policy apply.

2. ELEMENTS OF THE POLICY

2.1 Scope and Application of this policy

This Policy applies to all Individuals.

An Individual who is directly affected by a decision of the Organization or a Member may appeal that decision where sufficient grounds for appeal exist under this Policy.

This Policy applies to decisions relating to:

- a) Eligibility
- b) Selection
- c) Conflict of Interest
- d) Discipline
- e) Membership

This Policy does not apply to decisions relating to:

- a) Employment matters
- b) Doping offences
- c) The rules of the sport
- d) Selection criteria, quotas, policies, or procedures established by entities other than the Organization or a Member
- e) The substance or establishment of selection or carding criteria
- f) Volunteer or coach appointments or their termination
- g) Budgeting or budget implementation
- h) Operational structure or committee appointments
- i) Decisions arising from activities organized by entities other than the Organization or its Members
- j) Commercial matters governed by other contractual or legal appeal mechanisms
- k) Decisions made under this Appeal Policy

2.2 Timing of Appeal

An Appellant must submit an appeal within seven (7) days of receiving notice of the decision being appealed. The appeal submission must include:

- a) Notice of intent to appeal
- b) Appellant's contact information
- c) Names and contact information of the Respondent and any Affected Parties, if known
- d) Date the Appellant was notified of the decision
- e) A copy or description of the decision being appealed
- f) Grounds for appeal
- g) Detailed reasons supporting the appeal
- h) Supporting evidence
- i) Requested remedy

- j) An administration fee of two hundred dollars (\$200), refundable if the appeal is upheld

Requests to file an appeal outside the seven-day period must include written reasons. Acceptance of a late appeal is at the sole discretion of the Appeal Manager and is not subject to appeal.

2.3 Grounds for Appeal

A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:

- a) Decided that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
- b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
- c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
- d) Made a decision that was patently unreasonable

2.4 Screening of Appeal

The parties may first attempt to resolve the appeal through the *Dispute Resolution Policy*.

Appeals resolved under the *Dispute Resolution Policy* will result in the administration fee being refunded to the Appellant.

Should the appeal not be resolved by using the *Dispute Resolution Policy*, the Organization or the Territorial Sport Organization will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the parties) who has the following responsibilities:

- a) To determine if the appeal falls under the scope of this Policy
- b) To determine if the appeal was submitted in a timely manner
- c) To decide whether there are sufficient grounds for the appeal

If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.

If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an Appeal Panel which shall consist of a single Arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Appeal Manager, an Appeal Panel composed of three persons may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the Panel's members to serve as the Chair

2.5 Determination of Affected Parties

In order to confirm the identification of any Affected Parties, the Appeal Manager will engage the Organization or the Member (as applicable). The Appeal Manager may determine whether a party is an Affected Party in their sole discretion.

2.6 Procedure for Appeal Hearing

The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.

If a party chooses not to participate in the hearing, the hearing will proceed in any event.

The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the Panel deem appropriate in the circumstances, provided that:

- a) The hearing will be held within a timeline determined by the Appeal Manager
- b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
- c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
- d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- e) The Panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
- f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is

unduly repetitious and shall place such weight on the evidence as it deems appropriate

- g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become an Affected Party to the appeal in question and will be bound by its outcome
- h) The decision to uphold or reject the appeal will be by a majority vote of Panel members

In fulfilling its duties, the Panel may obtain independent advice.

2.7 Appeal Decision

The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the **Grounds for Appeal** section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

The Panel shall issue its decision, in writing and with reasons, within seven (7) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:

- a) Reject the appeal and confirm the decision being appealed;
- b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision; or
- c) Uphold the appeal and vary the decision.

The Panel will also determine whether costs of the appeal, excluding legal fees and legal disbursements of any parties, will be assessed against any party. In assessing costs, the Panel will take into account the outcome of the appeal, the conduct of the parties, and the parties' respective financial resources

The Panel's written decision, with reasons, will be distributed to all parties, the Appeal Manager, and the Organization or the Member (as applicable). In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel

2.8 Timelines

If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Appeal Manager and/or Panel may direct that these timelines be revised.

2.9 Confidentiality

The appeals process is confidential and involves only the parties, the Appeal Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the Discipline Chair or Discipline Panel (as applicable).

2.10 Final and Binding

No action or legal proceeding will be commenced against the Organization, Members, or Individuals in respect to a dispute, unless the Organization or the Member (as applicable) has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

3. UPDATE OF THE POLICY

The policy will be reviewed on a triennial base, or as operational needs dictate.

4. ENTRY INTO FORCE

This policy will take effect of January 27, 2026