



# **NATIONAL DARTS FEDERATION OF CANADA**

## **CODE OF PRACTICE ON DISCIPLINARY PROCEEDINGS**

**JUNE 2016**

## **DISCIPLINARY AND APPEALS PROCESS**

All Disciplinary actions and appeals proceedings shall be conducted in accordance with the following:

### **DISCIPLINARY COMMITTEE**

The Disciplinary Committee shall consist of the following:

- a) Vice President
- b) General Secretary
- c) Three (3) Members of Board of Directors

The President of the NDFC shall be an 'ex-officio' member (non-voting) on the committee.

### **APPEALS COMMITTEE**

The Appeals Committee shall consist of the following:

- a) Financial Director
- b) Youth Development Director
- c) Three (3) Members of the Board of Directors

The President of the NDFC shall be an 'ex-officio' member (non-voting) on the committee.

### **GENERAL**

- a) Members of the NDFC Executive (if they are currently a member of their Provincial/Territorial Committee) and Members of the Board of Directors cannot sit on either of the aforementioned committees if a member from their own Province or Territory is involved in the hearing.
- b) Except for the above, Members of the Board of Directors cannot refuse the appointment to either committee and must be prepared to meet in person or by teleconference on short notice.
- c) All committee members, including the chairperson, will vote, with majority rule to decide the outcome. In the case of a tie vote, the President will cast the deciding vote.
- d) All voting to determine the disciplinary action to be taken, and the granting or denying of an appeal will be by ballot.
- e) The chairperson will be voted in from the members of the committee present at a particular hearing.

### **CHARGES**

- 1) Any member of the NDFC wishing to propose charges against any other member shall do so in writing. Such written charges shall:
  - (a) Include the name of the member accused of the alleged misconduct,
  - (b) Include a full description of the alleged misconduct,
  - (c) Include the names and contact information of witnesses who will testify,
  - (d) Be signed by the member wishing to propose charges, **and**
  - (e) Be in the hands of the NDFC Membership Director, within twenty-one (21) days of the alleged misconduct.

Under no circumstances shall any charges be accepted after the twenty-one (21) day expiration date.

- 2) Following the receipt of the complaint and the 21-days have lapsed the NDFC will conduct a preliminary investigation based on the information provided in the complaint in order to validate the details and recommend whether or not the complaint should be escalated to a disciplinary hearing. The investigation officer shall be the NDFC PRESIDENT.
- 3) The President (or another NDFC executive member if the President is unable to perform the investigation) shall preside over the preliminary investigation with the assistance of the Membership Director. The Membership Director shall be used as official NDFC office communications as well as proof read investigation communications.
- 4) The investigation findings shall be forwarded to the **NDFC executive disciplinary panel members who will serve on the disciplinary committee** for their feedback. These members shall be the **Vice President** and **General Secretary**. If the disciplinary committee agrees with the investigators findings the appropriate communication to the complainant will be sent by the Membership Director advising if the complaint will be escalated to a disciplinary hearing or dismissed. If there is a disagreement that the case should be dismissed there will be a disciplinary proceeding executed that will involve the Vice President, General Secretary and three (3) members of the Board of Directors.

The decision as to whether or not a disciplinary proceeding will take place shall be decided by a vote of the investigation officer, the Vice President and General Secretary.

- 5) All correspondence associated with a disciplinary process will require a 21-day response time from all parties.

Under no circumstances shall any correspondence or communications be accepted past the 21-day deadlines.

All communications shall be date stamped for deadline verification.

### **DISCIPLINARY HEARING**

- a) An accused member shall be notified in writing by the Membership Director that he/she is required to attend before a Disciplinary Committee (in person or by telephone conference) and the alleged misconduct shall be written out in the notification along with the names of all witnesses and the person(s) making the allegations. Such notification shall be given a full thirty (30) days before the date of the hearing.

This hearing should be held within a reasonable distance for the accused and the disciplinary committee to attend if in person or at a reasonable hour if being held by teleconference.

If the accused member (or his/her representative with written authorization to speak on his/her behalf) fails to appear (in person or by teleconference) before the hearing after being duly notified in writing thirty (30) days prior to the date of the hearing, the Disciplinary Committee will conduct the hearing in his/her absence and will make their ruling after reviewing the evidence received.

- b) One committee member will act as a Recording Secretary for the Disciplinary Committee and give a written report to the Membership Director of the NDFC Executive Committee on the results of their findings within fourteen (14) days of the hearing. The accused member will be advised in writing within twenty-one (21) days of the hearing.

All correspondence from the NDFC to the accused and from the accused must be by registered mail.

All decisions and actions of the Disciplinary Committee are to be treated as confidential by all disciplinary committee members and the NDFC executive committee members. Information regarding these decisions can be released to the NDFC and the Board of Directors if approved by executive committee after the appeal deadline has passed.

- c) If disciplinary action is warranted but contact with the individual is not possible because of relocation or lack of address, the individual is placed on the list of suspended players as being “ineligible for membership”. The status will remain until such time as the individual contacts the NDFC at which time the Disciplinary Committee procedure will take effect.

### **PUNISHMENT**

The Disciplinary Committee shall, if finding the accused member guilty of the allegations made against him/her, hand down one of the following punishments:

- 1) Suspension - for a period to commence from the date of conviction.
- 2) Lifetime Suspension.

### **APPEALS**

Any member receiving a punishment at a disciplinary hearing may appeal his/her punishment and/or conviction to the executive. Such appeal shall be made to the Membership Director of the NDFC Executive Committee. Such appeal shall be made within thirty (30) days of the initial disciplinary hearing. The Appeals Committee shall meet within thirty (30) days of receipt of the appeal and after reviewing the appeal shall either uphold or dismiss the appeal and their decision shall be final and binding. All correspondence from the NDFC to the accused and from the accused must be by Registered Mail.

### **SUSPENSIONS PROCESSED THROUGH MEMBER DARTS BODIES**

In the event where a Member Darts Body suspends or terminates the membership of an individual or deems an individual ineligible for membership in accordance with Section 21 of the NDFC Constitution, all the above steps **must** be followed and the NDFC Membership Director **must** be notified no later than 30-days after the completion of the appeal process.

However, if a player is suspended by a Member Darts Body and that player feels there was an error in process or procedure, the NDFC may review (at their discretion) the case. The review may occur if the suspension was appealed by the player and supporting documentation (provided by the appellant) substantiates that there was an error, OR that there are anomalies that warrant an investigation.

The NDFC will only uphold such suspension, termination or ineligibility after a thorough review of the case. Unless under extenuating circumstances or an extremely complicated case, the NDFC Executive shall review the case file and provide judgment within 45 days of receiving notification of an individual's suspension or termination of membership from a Member Darts Body.