



Appeal Policy

Version:	May 20, 2026
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Definitions

1. [Defined terms](#) used in the Appeal Policy include:

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| a) <i>Affected Party</i> | j) <i>Dispute Resolution Officer</i> |
| b) <i>Appeal Manager</i> | k) <i>Fair Play Panel</i> |
| c) <i>Appellant</i> | l) <i>Member Curling Club or Facility</i> |
| d) <i>Canadian Safe Sport Program (CSSP)</i> | m) <i>Organization(s)</i> |
| e) <i>Canadian Safe Sport Program (CSSP) Consent Form</i> | n) <i>Organizational Participant(s)</i> |
| f) <i>Canadian Safe Sport Program (CSSP) Participant</i> | o) <i>Party or Parties</i> |
| g) <i>Canadian Safe Sport Program (CSSP) Sport Organization</i> | p) <i>Provisional Measures</i> |
| h) <i>Code</i> | q) <i>Respondent</i> |
| i) <i>Complainant</i> | r) <i>Sport Dispute Resolution Centre of Canada (SDRCC)</i> |
| | s) <i>Sport Integrity Canada (SIC)</i> |

Purpose

2. This *Appeal Policy* provides *Organizational Participants* and *Parties* with a fair and expedient appeal process.

Scope and Application

3. Any *Party* to the *Organization(s)*'s *Discipline and Complaints Policy* or *Organizational Participant* who is directly affected by a decision made by the *Organization* or a *Fair Play Panel* or a *Dispute Resolution Officer*, as the case may be, shall have the right to appeal that decision if there are sufficient grounds for the appeal under the **Grounds for Appeal** section of this policy.
4. This policy **will apply** to decisions relating to the following, except where excluded by policy:
 - a) eligibility;
 - b) selection; including AAP nominations and/or application of carding criteria
 - c) conflict of interest;
 - d) discipline; and
 - e) membership, including application for membership.
5. This policy **will not apply** to decisions relating to:
 - a) employment;
 - b) infractions for doping offences;
 - c) the rules of the sport;
 - d) selection criteria, quotas, policies, and procedures established by entities other than the *Organization*;
 - e) substance, content and establishment of team selection or carding criteria;
 - f) volunteer/coach appointments and the withdrawal or termination of those appointments;
 - g) budgeting and budget implementation;
 - h) The *Organization*'s operational structure and committee appointments;
 - i) decisions or discipline arising within the business, activities, or events organized by entities other than the *Organization* (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by the *Organization* at its sole discretion);

- j) commercial matters for which another appeals process exists under a contract or applicable law;
- k) decisions made under this policy; or
- l) any complaint or report dealt with under the *CSSP*, or its predecessor, and any decision made thereunder.
- m) any decision made by the Safeguarding Tribunal or the Appeal Tribunal of the *SDRCC*.

Timing of Appeal

6. A *Party* to a complaint under the *Organization's Discipline and Complaints Policy* or *Organizational Participants* who wish to appeal a decision have fourteen (14) *Days* from the date on which they received notice of the decision to submit all the following, in writing, to the *Organization* or their identified designate:
 - a) notice of the intention to appeal;
 - b) their contact information;
 - c) name and contact information of the *Respondent* and any *Affected Parties*, when known to the *Appellant*;
 - d) date the *Appellant* was advised of the decision being appealed;
 - e) a copy of the decision being appealed, or description of decision if written document is not available;
 - f) grounds for the appeal;
 - g) detailed reasons for the appeal;
 - h) all evidence that supports these grounds;
 - i) requested remedy or remedies; and
 - j) an administration fee of five hundred dollars (\$500), which will be refunded if the appeal is upheld.

7. A *Party* to a complaint under the *Organization's Discipline and Complaints Policy* or an *Organizational Participant* who wishes to initiate an appeal beyond the fourteen (14) *Day* period must provide a written request stating the reasons for an exemption.
8. The decision to allow or not allow an appeal outside of the fourteen (14) *Day* period will be at the sole discretion of the *Appeal Manager* and may not be appealed.

Member Association Appeal

9. Curling Canada may hear appeals of *Member Associations'* decisions heard pursuant to this policy, at its discretion.

Grounds for Appeal

10. 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 that the *Organization* or designate:
 - a) made a decision that it did not have the authority or jurisdiction (as set out in the applicable governing documents) to make;
 - b) failed to follow its own procedures (as set out in the applicable 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); or
 - d) made a decision that was unreasonable.

Early Resolution

11. Upon receiving the notice of the appeal, the fee, and all other information (outlined in the “Timing of Appeal” section of this Policy), the *Parties* may first attempt to resolve the dispute informally or through the Early Resolution Facilitation services offered by the *SDRCC* if the appeal involves matters such as selection, including AAP nominations and/or application of carding criteria.
12. The costs of the Early Resolution Facilitation, if any, shall be borne equally by the *Parties*.

Screening of Appeal

13. Should the appeal not be resolved through resolution facilitation at the *SDRCC*, the *Organization* will appoint an independent *Appeal Manager* (who must not be in a conflict of interest, have had any prior involvement in the matter 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; and
 - c) to decide whether there are sufficient grounds for the appeal.
14. If the *Appeal Manager* denies the appeal because 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. Appeals resolved through Early Resolution Facilitation at the *SDRCC* will result in the administration fee being refunded to the *Appellant*.
15. 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 individual, to hear the appeal.
16. In extraordinary circumstances, and at the discretion of the *Appeal Manager*, an Appeal Panel composed of three (3) persons may be appointed to hear the appeal.
17. The *Appeal Manager* will appoint one of the *Appeal Panel*'s members to serve as the chair.

Determination of Affected Parties

18. To confirm the identification of any *Affected Parties*, the *Appeal Manager* will engage any relevant *Organization*.
19. The *Appeal Manager* may determine the *Affected Parties* in their sole discretion.

Procedure for Appeals of Fair Play Sanctions

20. For decisions by a *Fair Play Panel*, only the sanction imposed, if any, may be appealed. To appeal a decision of a *Fair Play Panel* related to a sanction, the *Appellant* must have participated in the hearing before the *Fair Play Panel*.

21. All other decisions of the *Fair Play Panel* are final and binding and are not subject to appeal or review.
 - a) An appeal of a *Fair Play Panel* sanction will be a review based on written submissions.
 - b) The *Appeal Panel* shall apply a standard of reasonableness.
 - c) The *Appeal Panel* may uphold, increase, decrease, remove, or vary any sanction imposed by the *Fair Play Panel*.

Procedure for Appeals of a Dispute Resolution Officer Decision

22. To appeal a decision of a *Dispute Resolution Officer*, the *Appellant* must have participated in the hearing before the *Dispute Resolution Officer*.
23. 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.
24. If a *Party* chooses not to participate in the hearing, the hearing will proceed without further notice or opportunity to participate or provide submissions for the *Party* refusing to participate.
25. Where evidence existed at the time of the decision under appeal, but the *Appellant* only became aware of the evidence after the previous proceeding was concluded and that evidence may have changed the outcome of the decision under appeal, the *Appellant* may make a motion to introduce fresh evidence on the appeal of the previous decision to the *Appeal Panel*.
26. 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 *Appeal Panel* deem appropriate in the circumstances. The following guidelines will apply to the hearing:
 - a) The hearing will be held within a timeline determined by the *Appeal Manager*;
 - b) The *Parties* will be given reasonable notice of the date, time, and place of an oral, in-person hearing or oral hearing by telephone or electronic communications;

- c) Copies of any written documents which any of the *Parties* wish to have the *Appeal 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 *Appeal 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 *Appeal Panel* may allow as evidence at the hearing any oral testimony 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; and
- h) The *Appeal Panel* shall apply a standard of reasonableness.
- i) The decision to uphold or reject the appeal will be by a majority vote of *Appeal Panel* members.

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

Appeal Decision

- 28. The *Appellant* must demonstrate, on a balance of probabilities, that the *Respondent* has made an error as described in the **Grounds for Appeal** section of this policy and that this error had a material effect on the decision or decision-maker.
- 29. The *Appeal Panel* shall issue its decision, in writing and with reasons, within seven (7) *Days* after the hearing's conclusion. In making its decision, the *Appeal Panel* will have no greater authority than that of the original decision-maker.
- 30. The *Appeal 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.
31. The *Appeal Panel* will also determine whether costs of the appeal will be assessed against any *Party*. In assessing costs, the *Appeal Panel* will consider the outcome of the appeal, the conduct of the *Parties*, and the *Parties'* respective financial resources.
 32. The *Appeal Panel* 's written decision, with reasons, will be distributed to all *Parties*, the *Appeal Manager*, the *Member Curling Club or Facility*, *Member Association* and Curling Canada. In extraordinary circumstances, the *Appeal Panel* may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter.
 33. Summaries of decisions may be published according to the **Publication Guidelines**, pursuant to the *Discipline and Complaints Policy*, unless decided otherwise by the *Appeal Panel*.

Appeals to the SDRCC

34. *Appeal Panel* decisions may be appealed by *Athletes* to the SDRCC in accordance with the Canadian Sport Dispute Resolution Code, if the subject matter of the appeal involves an issue that Curling Canada is required, through its federal funding agreement, to allow to be appealed to the SDRCC.

a) Timelines

35. 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 *Appeal Panel* may direct that these timelines be revised.

Confidentiality

36. The appeals process is confidential and involves only the *Parties*, the relevant *Organization*, the *Appeal Manager*, the *Appeal Panel*, and any independent advisors to the *Appeal Panel*. Once initiated and until a decision is released, none of the *Parties* (or their representatives or witnesses) will disclose confidential information relating to the appeal to any person not involved in the proceedings, unless Curling Canada is required to notify an organization such as an international federation, Sport Canada, its *Member Associations* or other sport organization (i.e., where *Provisional Measures*

have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.

37. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the *Appeal Panel*.

Final and Binding

38. The decisions of the *Appeal Panel* will be final and binding upon the *Parties* and upon all *Members* of Curling Canada subject to the right of an *Athlete* to seek a review of the *Appeal Panel's* decision as set out above, pursuant to the Canadian Sport Dispute Resolution Code, as amended from time to time.
39. No action or legal proceeding will be commenced against the *Organization* or *Organizational Participants* in respect of a dispute, unless the *Organization* has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.