



# **Bashaw Minor Hockey Association Bylaws**

Established 1967

# BASHAW MINOR HOCKEY – BYLAWS

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# BASHAW MINOR HOCKEY ASSOCIATION

## BYLAWS AND CONSTITUTION

### **BYLAW 1 – INTERPRETATION**

- 1.1 In these Bylaws and Regulations, unless the context otherwise requires, words importing the singular number of the masculine gender shall include the plural number or the feminine gender, as the case may be, and vice versa, and references to persons shall include firms and corporations.
- 1.2 When constructing these Bylaws and Regulations, reference shall be made to the Societies Act, and the Bylaws, Rules and Regulations of the Alberta Amateur Hockey Association (A.A.H.A.) known as Hockey Alberta and the Canadian Hockey Association (C.H.A.). Words and expressions used in these Bylaws and Regulations shall, so far as the context does not otherwise require, have the same meaning, as would be the case when used under the Act, Bylaws, Rules and Regulations.
- 1.3 References to the "Association" in these Bylaws refer to the Bashaw Minor Hockey Association (B.M.H.A.).
- 1.4 The Association shall conform and comply with the Bylaws, Rules and Regulations as set forth by the A.A.H.A. (Hockey Alberta) and C.H.A. respectively.

The potential or actual conflict of interest exists when commitments and obligations to the association are likely to be compromised by that person's other interests or commitments. A conflict arises when a board member is or may be in a position to influence a specific hockey team, which may lead to any form of personal gain for themselves, family member or gives an improper advantage to others to the association's detriment.

When a Board member of the Association is in or believes they are in a conflict of interest position, they must declare so and remove themselves from all discussion and voting on the item.

Situations may include but are not limited to:

- Discussions regarding a spouse or child
- Discussions regarding suspendable offences

### **BYLAW 2 – NAME OF ASSOCIATION**

- 2.1 The name of the organization will be the BASHAW MINOR HOCKEY ASSOCIATION, hereafter referred to as the B.M.H.A.

### **BYLAW 3 – PURPOSE OF ASSOCIATION**

- 3.1 Purpose and Objectives
  - To give every child an opportunity to participate on an equal basis.
  - To teach good sportsmanship. (To have fun – win or lose)

- To develop hockey skills in a planned sequences.
- To develop self-confidence and pride in individual and team achievements.
- To teach responsibility and respect to self, team officials, on ice and off ice officials.
- To maintain the quality of on ice officials.

### 3.2 Mission Statement

*To foster and nurture a love of the game while developing physical fitness, hockey skills and life experiences.*

## **BYLAW 4 – MEMBERSHIP**

4.1 The members of the Association shall be the subscribers to the Application, the Bylaws and Regulations and such other persons as subsequently become members of the Association in accordance with these Bylaws.

4.2 A person may become a member of the Association:

4.2.1 If they are a member of coaching staff, manager, referee, any other volunteer position, or parent/legal guardian, in good standing of a player currently registered with the BMHA.

4.2.2 Are of eighteen years of age and a resident of Bashaw as defined in Bylaw 4.4 and 4.5.

4.2.3 Have been approved as a member by the Board of Directors

4.3 A person shall cease to be a member of the Association:

4.3.1 Upon notification in writing to the Board of Directors of his/her withdrawal from membership.

4.3.2 When he/she is expelled from membership in accordance with these Bylaws.

4.3.3 Upon withdrawal of player from Association or registration fees unpaid.

4.4 A RESIDENT shall:

Reside within the Town of Bashaw or reside outside the Town of Bashaw, but inside the BMHA boundaries as approved by Hockey Alberta.

4.5 A NON-RESIDENT shall:

Not reside within the Town of Bashaw, and not reside within the BMHA boundaries as approved by Hockey Alberta.

Any player, who wishes to play within the BMHA boundaries, must comply with Hockey Alberta Bylaw and Regulations Definitions, 107-14 and Section A-9B.

4.6 Code of Conduct

All members are subject to the BMHA Code of Conduct guidelines. It is mandatory that all members sign BMHA pledge forms, failure to do so could result in a loss of membership in the Association. Refer to Policy 14, Code of Conduct for further clarification.

#### 4.7 BMHA Boundaries

BMHA boundaries have been clearly defined and approved by Hockey Alberta. Any changes to these boundaries are the sole responsibility of the BMHA President, in conjunction with other associations.

### **BYLAW 5 – TERMINATION OF MEMBERSHIP**

- 5.1 Any member may resign from the Association at any time by notifying the Secretary in writing.
- 5.2 Any member who, in the opinion of the BMHA Board, fails to maintain an acceptable Standard of Conduct may be asked to resign in written form after at least one previous written warning. That decision will result in the loss of voting privileges, unless the member wins a successful appeal.
- 5.3 Any member who, in the opinion of the BMHA Board, fails to comply with the Bylaws or the Policies and Procedures of the Association may be asked to resign, in written form after at least one previous written warning. That decision will result in the loss of voting privileges, unless the member wins a successful appeal.
- 5.4 Any member who has been requested to resign may exercise the right to appeal the decision provided the written request is received by the Executive Committee within (7) days of the request to resign. Any member that refuses to resign on written request will be considered expelled from the Association.
- 5.5 The Executive claims the rights and interests as the Rental contract Carrier to bar any expelled or resigned member from any or all facilities where Association functions including meeting, games and practices are taking place for a specified period of time.
- 5.6 A member, who ceases to be a member, is expelled or suspended from the Association, shall forthwith forfeit all rights and interests arising from dealings with the membership of the Association. This means the suspended or expelled member cannot coach or manage a team, hold an elected or appointed position until the suspension is served or waived upon successful appeal.
- 5.7 The member can be suspended or expelled for a time frame deemed appropriate and ratified by the BMHA Board.

### **BYLAW 6 – MEETINGS**

- 6.1 The annual General Meeting (AGM) of the BMHA membership shall be held in the Town of Bashaw, in the Province of Alberta on or before the 31<sup>st</sup> of August, unless otherwise voted to be held at a different time by the board.
- 6.2 Meetings of the Association membership:
  - 6.2.1 Shall be at the call of the President
  - 6.2.2 When required, or desired the Board of Directors may call a meeting of the Association membership
  - 6.2.3 At the written request from one third of the Association membership, a special meeting shall be convened. The proceedings of such a meeting shall be confined to the matters specified in the request.
  - 6.2.4 Notice of BMHA Annual General Meeting or any Special General Meeting will be given in writing at least 14 days in advance of the meeting to the whole membership.

- 6.3 Upon instruction from the President, the Secretary shall notify the appropriate members of the time and place of each meeting. Notification may be by phone or posting of notices on public notice boards, in local newspapers, by email, or by other methods deemed appropriate by the BMHA Board.
- 6.4 The President shall chair the meeting. In the event the President is unable to fulfill this responsibility, the Vice-President will fill in.
- 6.5 At any annual or special meeting of the BMHA, the following, as appropriate, will be the order of business:
- Call meeting to order
  - Approval of agenda
  - Reading of the minutes of the previous annual or general meeting
  - Treasurer's report
  - New business
  - Election of officers
  - Adjournment
- 6.6 Providing Bylaws 6.1 and 6.3 have been complied with, an attendance of one half of the BMHA Board members for general meetings and a minimum of (10) members in attendance at any annual meetings, shall constitute a meeting of the Association.
- 6.7 Business will be conducted by the following Roberts Rules of Order.
- 6.8 The President may, when deemed necessary, invite any member or non-member to any meeting of the Association, to address a particular subject on the agenda.
- 6.9 Voting on any issue arising at Meetings of the Members shall be decided by a simple majority of the eligible members present in person. Each eligible member in attendance is entitled to only one vote per family registered and only one vote per issue, regardless of the number of positions they may occupy on the Board of Directors or other committees. There shall be no proxy votes. The Chairman of any meeting is not entitled to vote on an issue, unless it is to break a tie.

#### MEETINGS OF THE BOARD OF DIRECTORS

- 6.10 Meetings of the Board of Directors:
- 6.10.1 Shall be at the call of the President.
  - 6.10.2 Regular Board of Director meetings shall be held 7 times a year, from August through to March, at the discretion of the President.
  - 6.10.3 At the request of three members of the Board of Directors, the President shall convene a special meeting of the Board of Directors. The proceedings at such a meeting shall be confined to the matters specified in the request.
  - 6.10.4 Association members may submit, in writing, items for inclusion on the agenda of a Board of Directors meeting. These members shall be entitled to attend that portion of the meeting devoted to those agenda items but have not vote.

- 6.10.5 A quorum for the transaction of business shall consist of not less than six (6) members of the Board of Directors. Only members of the Board of Directors, present in person, are eligible to vote.
- 6.10.6 The President is entitled to invite any member to be present or to make presentation to the Board when deemed necessary.

## **BYLAW 7 – THE EXECUTIVE BOARD OF DIRECTORS**

7.1 The Board of Directors shall consist of the following positions:

- President
- Vice President
- Past President
- Secretary
- Treasurer
- Registrar
- Referee Director
- Concession Director
- Discipline Director
- Coaching Director
- Tournament Director
- Public Relations/BARB Representative Director

## **BYLAW 8 – DUTIES OF THE EXECUTIVE**

- 8.1 The Board of Directors shall have the power to appoint to any vacant Director position. That appointee will hold that office until the next AGM unless deemed otherwise by the Board. A maximum of two vacancies can be filled in this manner. A larger number of vacancies shall necessitate the calling of a Special Meeting for the purposes of by-election.
- 8.2 The Board of Directors shall have control of the affairs of the Association.
- 8.3 The Executive Committee will have the power to impose and enforce penalties for violations of the constitution, Bylaws or Policies and Procedures of the BMHA.
- 8.4 The Executive Officers shall be elected at the BMHA Annual General meeting.
- 8.5 All Board Members are elected for terms as follows:
- 8.5.1 The President shall be elected to a 2 year term with the President serving no more than two consecutive terms. The President shall remain on the Board of the Directors in the Past President Position for at least one year following the President term.

- 8.5.2 The Secretary and Treasurer shall serve two-year terms, preferably on an alternate year basis.
- 8.5.3 The Registrar may be elected for a one year term.
- 8.5.4 Directors are elected for a one-year term.
- 8.5.5 The Bashaw Arena Caretaker may be seated on the Executive Committee in a non-voting and advisory position.
- 8.6 Each member of the Board of Directors shall be elected or appointed to hold office until the conclusion of the next AGM. If any member of the Board of Directors resigns his office, ceases to be a member of the Association, or without valid reason misses three consecutive meetings, they may be dismissed from their duties at the discretion of the executive. The secretary will make notification in writing. The Executive Committee shall then be in charge of filling the vacant position subject to Bylaw 8.1.
- 8.7 BMHA may provide compensation to the following positions of President, Secretary, Registrar or Treasurer for that term, to be decided yearly.
- 8.8 The Board of Directors shall have the authority to appoint any committee as deemed necessary.
- 8.9 The Board of Directors, may, by two-thirds vote, forthwith remove from office any member of the Board for neglect of duty, or for conduct tending to impair such member's usefulness – not meeting the responsibilities of the Position.
- 8.10 The Board of Directors will supervise the collection and authorize the expenditure of the funds of the BMHA provided all funds coming into the BMHA will be allocated in accordance with the purpose so intended.
- 8.11 The Board of Directors will interpret, define and explain all provisions of the Constitution and Bylaws of the BMHA.
- 8.12 The Board of Directors will adjudicate all disputes between members, which may arise between Annual Meetings.
- 8.13 The Board of Directors will appoint delegates to attend all meetings of North Central Minor Hockey Association, Zone 7 Meetings and Hockey Alberta meetings that need to be attended.

## **BYLAW 9 – DUTIES AND POWERS OF THE PRESIDENT**

- 9.1 The BMHA Board, under the direction of the President will have the power to suspend summarily any, team, player, legal guardian, coach, trainer, manager or team follower of any team under the auspices of membership in the BMHA. Suspensions will be assessed for ungentlemanly conduct on or off the ice, for abusive language to any official, consumption of alcohol or illegal substances during any BMHA event, or for any other infraction, which in the sole discretion of the members of the Board is deemed to be detrimental. Such suspension to be effective until dealt with by the Discipline Director within a reasonable period of time with involvement from the BMHA Board.
- 9.2 To be elected into the President position it is preferred that person has served on the Board of Directors previously and/or has served as the Vice President for a period of at least one year.
- 9.3 The President, within the jurisdiction of the Association, shall:



- 9.3.1 Be a signing officer for the Association
- 9.3.2 Preside and act as Chairman at all meetings.
- 9.3.3 Shall be elected for a term of two years.
- 9.3.4 Exercise the powers of the Executive, in case of emergency
- 9.3.5 Discipline up to and including suspension of any team, player, legal guardian, coach, trainer, manager, team follower or other official connected within the Association, subject to ratification at the next meeting of the Executive.
- 9.3.6 Generally manage and supervise the affairs and operations of the Association.
- 9.3.7 Together with the Registrar, or other officer appointed by the Board of Directors for that purpose, shall sign all resolutions, transfers, and releases.

#### **BYLAW 10 – DUTIES AND RESPONSIBILITIES OF THE OTHER EXECUTIVES**

- 10.1 In the absence of the President, or in the event of his/her inability to act, the Vice-President shall have and exercise all the powers, authority and restrictions of the President, The Vice-President will be appointed by the executive committee to be ratified at the next Board of Directors meeting.
  - 10.1.1 The Vice President shall be the Chairperson of the Discipline Committee and Grievance Committee.
- 10.2 The Secretary shall be clerk of the board of directors and shall attend all meetings of the board of directors and record all facts and minutes of all proceedings in the books kept for that purpose.
  - 10.2.1 The Secretary will give all notices required to be given to the members and the board and shall be the custodian of the seal of the association and of all books, papers, records, correspondence, contracts, and other documents belonging to the association.
  - 10.2.2 The Secretary will perform other duties as may from time to time be determined by the board.
- 10.3 The Treasurer shall keep full and accurate accounts of all receipts and disbursements of the association in proper books of accounts.
  - 10.3.1 The Treasurer will be responsible for the handling and management of all association monies, including deposit and disbursement, and other valuable effects under the direction of the board of directors.
  - 10.3.2 The Treasurer shall have a monthly financial statement available to the directors.
- 10.4 The remaining directors shall be responsible for the general management, supervision, and efficient operation of their respective areas of responsibility as assigned in addition to other duties that may be from time to time assigned. They may select other individuals to assist them in their duties.

#### **BYLAW 11 – BANKING**

- 11.1 The Signing officers of the Association for the purpose of drawing cheques on the account or accounts of the Association shall be the President, Secretary and Treasurer and two for signers.

- 11.2 Signing officers for concession account shall be the concession manager, and two out of the three previous listed, with two people signing.

#### **BYLAW 12 – SEAL**

- 12.1 The Board of Directors may adopt a seal, which shall be the common seal of the Association.
- 12.2 The common seal of the Association shall be under the control of the Board of Directors and the Board of Directors shall determine the responsibility for its custody and use from time to time.

#### **BYLAW 13 – AUDIT**

- 13.1 Two persons designated by the Board of Directors shall make an audit of the financial transactions of the Association at the end of each fiscal year, and report back to the Board

#### **BYLAW 14 – AMENDMENTS**

- 14.1 No amendments to the Bylaws of the Association, whether by way of new provision, amended provisions, or to rescind any of the provisions in these bylaws, shall be made except at the Annual Meeting, or other general meeting of the Association membership, and then only by "Special Resolutions". Notice of any proposed amendment or amendments must be filed with the Secretary in writing at least fourteen (14) days prior to the meeting, The Secretary shall cause the contents of the resolution, or a summary thereof to be posted on the BMH bulletin board, and sent by email with the notice of the Annual Meeting, or any other general meeting at which it is proposed to consider the resolution.
- 14.2 The Board of Directors is empowered to amend or alter the Roles and Responsibilities or the Policies and Procedures as adopted by the Association at any regular board meeting.

#### **BYLAW 15 – MINUTES OF MEETING AND OTHER BOOKS AND RECORDS**

- 15.1 The minutes of the meetings of the Association and of the Board of Directors shall be taken and prepared by the Secretary, After approval of the minutes the President and Secretary shall first sign them. The Secretary shall keep a record of all minutes arising out of meetings of the Association and the Board of Directors and shall have custody of all such minutes, as well as other books, records, and documents of the Association.
- 15.2 All board meeting minutes and documents are to be kept in the Minor Hockey Room permanently or until deemed otherwise by the board.

#### **BYLAW 16 – INSPECTION OF BOOKS AND RECORDS**

- 16.1 The President shall make available for inspection, the books and records of the Association to a member of the Board of Directors at any time and to all other members of the association, in good standing at the Annual General Meeting of the Association.

#### **BYLAW 17 – DISCIPLINE PROCEDURE AND DISPUTE RESOLUTION PROCESS**

- 17.1 General Policy – The Bashaw Minor Hockey Association expects all team officials to exhibit leadership qualities that promote player sportsmanship and decorum, as well as acceptable levels of propriety, towards opponents, game officials, and spectators.

- 17.2 It is recognized, however, that from time to time, sanctions may be necessary, from an external source, for behavior, which transgresses acceptable standards. Such sanctions may be applied to any player, team official, team follower, parent/legal guardian, or member, and may take the form of:
1. A verbal reprimand
  2. A written reprimand
  3. A Suspension
  4. An Expulsion
  5. A combination of the above

- 17.3 The BMHA through its elected or appointed officials, have the authority to discipline any player, team official, team follower, parent/legal guardian, or member. The President shall specify that written policy or regulations exist with respect to the application of discipline that ensure that each disciplinary incident is dealt with consistently within the process set out below:

Three different Discipline Stages are possible, namely:

STAGE 1 - The Informal Process

STAGE 2 - The Formal Process

STAGE 3 - The Appeal Process

Some incidents that may warrant disciplinary action are as follows:

1. Profanity by players, team officials or club representatives
  2. A player who receives a game misconduct, gross or match penalty
  3. A team assessed two or more bench minors in one game
  4. A coach or bench assistant who is ejected from a game
  5. A team, who in the opinion of the Discipline Committee, is being assessed too many penalties of a serious nature
  6. A team member or team follower who repeatedly brings discredit to the team and the Hockey Association, through violent, abusive, or gross behavior, on or off the ice.
  7. Use of alcohol or other illegal substances while representing BMHA through participation in any team activities.
  8. A parent/legal guardian who exhibits conduct unbecoming to the integrity of BMH program
  9. Any team that fails to utilize ice time without prior notification
- 17.4 Two BMHA Executive situation that will warrant disciplinary actions are:
1. Any elected or appointed member of the BMHA Board of Directors who does not attend three consecutive meetings may be relieved of his or her duties.
  2. Any elected or appointed member of the BMHA Board of Directors who, by vote of the Board of directors, is deemed to be doing an unsatisfactory job, shall by a three-quarter majority vote be relieved of his or her duties.

## **BYLAW 18 – DISCIPLINE STAGES:**

## 18.1 STAGE 1 – THE INFORMAL PROCESS

### *Standard Suspensions*

Where the CHA or HA current rule book dictates a suspension for a player for a rule transgression, and game officials determine by a write-up, that such a transgression took place, the coach in consultation with the Discipline Director, as a matter of routine will implement the suspension.

### *Non-Standard Suspensions*

When incidents occur which may warrant disciplinary action the coach(s) shall report the incident as quickly as possible, and at least prior to the next game, for action.

The Category Coaching Director and coach(s) shall meet, investigate the incident, and determine the sanction to be applied. In investigating the incident, they may consult such game officials, players, parents/legal guardians, or other observers that they may deem necessary to gain the relevant facts of the incident.

The coach(s) implements the sanctions with the player(s). A file must be created and established with the Coaching Director until the end of the season when the file will be maintained with the Secretary of BMHA. The Director must inform the Vice President of the sanction or discipline as soon as it is possible.

### *Appeal of Discipline*

Notwithstanding the above, should a coach, player, or parent/legal guardian feel that Stage 1 has not satisfactorily resolved the issue, it may be appealed to Stage 2 in writing. However, Stage 1 sanctions remain in effect until Stage 2 is complete.

For incidents of a very serious nature, the Coaching Director in conjunction with the President may elect to suspend the player(s) indefinitely and proceed to Stage 2.

Any appeal of discipline must occur within 72 hours of notification of the original discipline being communicated. The appeal must be in writing to the Vice President.

## 18.2 STAGE 2 – THE FORMAL PROCESS

The Vice President, on receiving a written appeal or request shall convene a Discipline Committee Meeting.

The Discipline Committee shall consist of the Vice President, and 2 Board members not in conflict with the situation, appointed by the Discipline Chair and approved by the President, and shall be no less than 3 people.

The Discipline committee shall establish a hearing and invite such persons, as they deem necessary to provide information to the Committee.

The Discipline Committee shall, with all dispatch, render a decision and communicate that decision to the offending party(ies). Such communication may be verbal at the outset but shall be confirmed in writing with copies logged with the BMHA Secretary.

The Vice President reports the outcome of the hearing to the President.

## **APPEAL OF DISCIPLINE**

Notwithstanding the above, should a coach, player, or parent/legal guardian feel that Stage 2 has not satisfactorily resolved the issue, it may be appealed to Stage 3 by writing the BMHA Secretary, requesting an appeal to the decision. This appeal must occur within 72 hours of the decision being communicated.

### **18.3 STAGE 3 – THE APPEAL PROCESS**

The BMHA Secretary on receiving a written request for an appeal shall call an emergency meeting to be held within 7 days, of the Board.

The BMHA executive may provide up to thirty minutes of meeting time for the person making the appeal to state their case. After the statement has been given, the executive will discuss the case in private.

The BMHA executive shall render its decision by motions, and a simple majority of those members in attendance shall suffice.

## **APPEAL OF DECISION**

Notwithstanding the above, should a coach, player or parent/legal guardian feel that Stage 3 has not satisfactorily resolved the issue and new evidence has emerged, it may be appealed by writing to the BMHA Secretary, requesting an Appeal to the decision. This appeal must occur within 72 hours of the decision being communicated.

The BMHA Secretary on receiving a written request for an appeal shall place the item on the agenda for a special meeting of the Board of Directors. The secretary must inform the President, Vice President and the respective Category Director of its receipt.

The BMHA Executive may provide up to thirty minute of meeting time for the person making the appeal to state their case.

The Board of Directors shall render its decision by motion, and a simple majority of those members in attendance shall suffice.

The decision of the Board of Directors shall be final and binding on all parties, except for those avenues of recourse provided by Hockey Alberta and Canadian Hockey.

Without restricting the foregoing the following general guidelines apply:

- a. First infractions by players will normally be satisfactorily concluded at Stage 1
- b. Second infractions by players could proceed directly to Stage 2 under extreme circumstances.
- c. Infractions that involve coaches, team followers, or parents will normally proceed directly to Stage 2.
- d. suspensions when applied to players shall specify:

The number of games to which the suspension applies, will include league, exhibition and tournament games.

The time period for which the suspension applies

- e. Player suspension includes no activity in bench area, prior to or after the specified games, or during the specified time period.

- f. Suspensions when applied to parents/legal guardians, coaches, or team followers shall normally restrict the access of those persons to dressing rooms, bench areas, and possibly spectator areas of arenas.

**BY-LAW 19 – GREIVANCES PROCUDURES (24 – 48 HOURS TIME OUT)**

- 19.1 Parental/legal guardian, player, or team problems not resolved by the Team Manager shall be addressed to the respective Categories, Coaching Director.
- 19.2 Resolution not received at the above level shall be directed to the Grievance Committee via the appropriate Coaching Director.
- 19.3 All Grievances shall be initiated in writing to the Grievance Committee.
- 19.4 Upon receipt of written notification, a Grievance hearing date shall be set within seven (7) days.
- 19.5 The Vice President of the Association shall convene the Grievance Committee. Members of the Grievance Committee shall be the Vice President, Secretary, Respective Coaching Director and the Director of Referee's. In the event of conflict of interest, the Board of Directors will name another designate.
- 19.6 The decision of the Grievance Committee shall be given in writing within forty-eight (48) hours.
- 19.7 All decisions shall be subject to appeal to Hockey Alberta as provided for in By-Law 13 of Hockey Alberta. Pursuant to By-Law 13.19 of Hockey Alberta.

**BYLAW 20 – COURT AND LEGAL ACTION**

13:19 and 13:20 from Hockey Alberta

All decisions shall be subject to appeal to Hockey Alberta as provided for in By-Law 13 of Hockey Alberta

Pursuant to By-Law 13.19 of Hockey Alberta

(All People) by virtue and because of their status as such, agree that any recourse to the law court of any jurisdiction before all right and remedies as provide for by the Bylaws of the Association, Hockey Alberta and the Canadian Hockey Association have been availed of and utilized, shall be deemed by the BMHA to be unsportsmanlike conduct the President to suspend and/or disqualify the said persons.