



## RESIDENTIAL QUALIFICATION INFORMATION

**MHA's are to provide parents and caregivers with this information and work with them to complete and submit the mandatory MHA Residency Checklist which should be included with all supporting documentation and up-loaded on the HCR.**

The Residential Qualification is the cornerstone of player eligibility in Minor Hockey. Essentially, it requires a player to play for the community Minor Hockey Association where his/her parents reside. Residency rules are in place because they: permit MHA's to plan and put forward a program suitable for their community, prevent a number of abuses and help to deter recruitment of minor hockey aged players.

Residency requirements are not as restrictive at elite levels, such as Major Junior, Junior "A", and Junior "B". Players at those levels are expected to be willing to leave their home communities to experience high level competition in preparation for possible advancement to professional hockey.

The regulations governing residency are as follows:

### **VIAHA Regulation 4:**

The regulations covering residential qualifications shall be those adopted by BC Hockey and Hockey Canada

**The District reserves the right to have until Aug 15<sup>th</sup> to review transfers**

### **BC Hockey Regulation 2:**

2.03 The residence of a player's parent shall be used to determine eligibility for minor hockey aged players (i.e., such residence must be within the boundary of the member minor hockey association). The BC Hockey Executive Committee shall determine a geographic subdivision for each member minor hockey association.

### **Hockey Canada Regulations:**

3. In reference to Hockey Canada Regulations:

a) The parents' usual residence when parents live in the same house, or if one of the parents is deceased, the usual residence of the surviving parent.

b) In cases where parents do not live in the same residence, the legal residence is the usual residence of the parent having legal custody of the player;

or,

if both parents have legal custody, the usual residence of the parent with whom the player usually lives;

or again,

if the player lives equally with both parents, his place of residence shall be determined by the Branch.

c) When legal custody has been granted to a third person, the usual residence of that person.

**NOTE:** the term "usual residence" is defined as four (4) out of seven (7) days and applies only to where the child lives with his/her main parents/caregivers.

**NOTE:** In the application of the above, the term "legal custody" and/or "legal guardian" refers to the granting of custody as determined by a Court of Law in one of the following circumstances:

i) the application of the Divorce Act,

ii) in the case of an order enforcing or recognizing a legal separation agreement,

iii) loss of parental authority,

iv) when it is deemed the child's development is compromised,

v) when both (2) parents are deceased,

vi) married, or the equivalent of married.

**\*The custody order must be completed through a Court of Law and stamped by a Judge; it is not enough to have it notarized.**



# Vancouver Island Amateur Hockey Association

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The Hockey Canada definition of residence above was adopted in 2007. To summarize, the player's residence is that of his/her parents. Should the parents be living apart (separated or divorced), the player's residence is the residence of the parent who has *legal* custody of the player. Should the parents have "joint" legal custody, the player's residence is the residence of the parent with whom the player usually resides (defined as 4 out of 7 days).

If the player lives equally with both parents (very rare), then residence will be determined by the Branch (BC Hockey).

If legal custody has been granted by a court of law to a third party (e.g., grandparents or uncle/aunt), then application must be made to BC Hockey to deem the player resident with the third party. This is not a "guardianship" arrangement, but a change of parental authority ordered by a court.

Any situation that does not fit into the above hierarchy can only be accommodated by application to BC Hockey for a residential exemption (for example, an international student) as discussed in Tabs 8 and 9.

**NOTE:** Hockey Canada Regulation F Paragraph 22 states any player who's a registered member of a branch, and who has been proven guilty by his branch, or Hockey Canada of (b) falsifying or forging Hockey Canada registration information shall be automatically suspended from playing hockey with any team for a period of up to 3 years.

## **Notarization of "All Inclusive" Leases:**

The original lease document is to be signed in front of a Notary Public by both the Tenant and the Landlord and stamped by the Notary Public.

**The Notary stamped original lease to be up-loaded on the HCR and also mailed into the VIAHA Office:**

2301 Suite E McCullough Road  
Nanaimo, BC  
V9S 4M9  
Attention: Charlotte Johnson

**\*Should documentation be falsified or a player found not to be residing in the location he/she registered at, the following actions can be taken:**

- Transfer or membership can be rejected prior to commencement of season
- Player/s can be removed from playing hockey
- His/her team could lose all team points earned during the playing season while he/she was on the team
- Player/s and parents could face possible sanctions for up to as much as 3 years

**\*Players who move during the season must advise VIAHA.**

**\*VIAHA and the MHA have the responsibility to investigate residency and verify any information provided by the parents/caregivers and player to support a residency or transfer at anytime.**