

GOLF NEW BRUNSWICK

DISCIPLINE & PROCEDURES POLICY

PREAMBLE:

WHEARAS Golf NB considers itself responsible to its Member Clubs and their members for the enforcement of the Rules of Golf and the policies and regulations of the GOLF NB with respect to its activities;

AND WHEREAS the Golf NB desires to ensure that any action taken by it involving disciplinary action be conducted in a fair and equitable manner;

AND WHEREAS the Board Committee of Golf NB is authorized by the Association to set-up Standing Committees for the mandate and membership of those committees;

NOW BE IT RESOLVED:

1. The Board of Golf NB create a Standing Committee, to be named the Discipline Committee, and appoint the Chairman of the Rules Committee, one Director of the Association and the Vice-President, who shall be the Chairman of the Discipline Committee. This shall constitute the membership of the Committee; but if the matter arises from an Golf NB sanctioned tournament at a Member Club, the Chairman of that tournament shall also be a member of the Committee;
2. The Discipline Committee shall be empowered to receive, investigate, hear and make decisions with respect to any complaints involving the Rules of Golf, the rules regarding Amateur Status, or the policies and regulations of the Association. The Committee, after rendering a decision as prescribed herein, may suspend or prohibit a member of a Member Club from participation in tournaments which fall under the jurisdiction or control of the Association, subject only to rectification by the Board.
3. The Discipline Committee, in order to take such action as herein authorized, shall proceed in the following manner;
 - a.) Procedure on Investigation
 - i.) Require a written complaint be received by the Committee before any action is taken. The written complaint shall contain the date, place and the nature of the infractions, as well as the name of the complainant, the names of any witnesses to the complained of activity and any other information that may be of assistance to the Committee. Should there be insufficient information in the opinion of the Committee, the complainant shall be requested to furnish such further particulars as the Committee may require, and;
 - ii.) Make a preliminary decision as to whether the complaint is to be investigated further, and if so;
 - iii.) The person against which the complaint has been lodged shall immediately be notified of the complaint and provided with full and complete particulars of the complaint; such written notice being provided by personal service of the same, or by registered mail sent to the last known address of the said person and the notice will be deemed to be effective on the fifth business day after the notice has been mailed, and;
 - iv.) Request that the person against whom the complaint is lodged respond to the complaint in writing within seven days of receipt of the aforesaid notice.
 - b.) Procedure on Hearing
 - i.) If required by the Committee, or at the request of the person whom the complaint is lodged, the said person shall appear, before the Committee, together with legal counsel if desired, at a specific time and place to be set by the Committee not later than thirty days after the date the complaint is lodged with the Committee, and provide information with respect to the said complaint, service of the request to appear being served on the said person in the same manner as hereinbefore provided, and;
 - ii.) In the event that the person against whom the complaint is lodged refuses to appear before the Committee, the Committee shall be entitled to proceed to render a decision on the complaint based on the information that is before the Committee, and;

- iii.) The Committee shall provide a written decision and convey the same to the Board of the Association, the complainant, the person against whom the complaint was lodged and an officer or manager of the member club of the said person; such decision being served in the same manner as provided for the notices herein. The said written decision shall be accompanied by a notice that the decision of the Committee may be appealed to the Board of the Association by the complainant, the person against whom the complaint was lodged, or the Member Club of the said person on written notice of such appeal provided to the Board not later than fourteen days after the date on which the appealing party received notice of the decision of the Committee, and;
4. In the event of an appeal of the decision of the Discipline Committee, the Board Shall;
- a) Convene a special meeting to hear the appeal, said meeting to be within thirty days after having received notice of the appeal and shall notify all interested parties of the date, time and location of the hearing of the appeal, and;
 - b) Hear all of the evidence of the said parties with respect to the complaint, and;
 - c) Render a decision that shall be binding on all of the parties and provide notice thereof to each of the parties in the same manner as is provided for herein for notices, said decision to be delivered within seven days following the meeting to hear the appeal.
5. The decision of the Board shall be binding on all of the interested parties and shall not be subject to review by any Court for any reason.