IRISH ICE HOCKEY ASSOCIATION COMPLAINTS AND DISCIPLINE POLICY

1. The following terms have these meanings in this Policy:

   a) "Complainant" – The Party alleging an infraction,
   b) "Days" – Calendar days including weekends and holidays,
   c) "Designated Independent Third Party (DITP)" – An individual appointed by the IIHA to serve as an independent third party to receive complaints,
   d) "Maltreatment" – as defined in the Code of Ethics,
   e) "Minor" – any person under the age of eighteen (18) years, consistent with the definition of a "child" in the Children First Act 2015,
   f) "Participants" – All categories of individual membership defined in the IIHA's Constitution, as well as all individuals employed by, or engaged in activities with, Irish Ice Hockey including, but not limited to, athletes, coaches, convenors, officials, volunteers, committee members, Directors and Executive members of the IIHA, spectators, clubs, and parents/guardians of athlete's,
   g) "Respondent" – The alleged infracting party,
   h) "Case Manager" – An individual appointed by the IIHA Executive to administer complaints under this Discipline and Complaints Policy. The Case Manager does not need to be a member of, or affiliated with, the Irish Ice Hockey Association,
   i) "Vulnerable Adult" – a person aged eighteen (18) years or over who, by reason of a physical or intellectual disability, illness or other circumstance, may be unable to protect themselves from harm, or who may require support in exercising their decision-making capacity within the meaning of the Assisted Decision-Making (Capacity) Act 2015 (as amended),
   j) "Designated Liaison Person (DLP)" – the person appointed by the IIHA under its Child Safeguarding Statement to act as the liaison with Tusla – Child and Family Agency and An Garda Síochána in respect of child protection concerns,
   k) "Mandated Person" – a person who is a mandated person within the meaning of Schedule 2 of the Children First Act 2015.

Purpose

2. The Irish Ice Hockey Association is committed to providing an environment in which all IIHA members and participants are treated with respect and characterized by the values of fairness, integrity and open communication. Membership in the IIHA, as well as participation in its activities brings with it many benefits and privileges. At the same time, individuals are expected to fulfil certain responsibilities and obligations including, but not limited to, complying with the IIHA's policies, Constitution, rules and regulations, and the Code of Conduct and Code of Ethics. Non-compliance may result in sanctions pursuant to this Policy.

Principles

3. The following principles guide the findings and determinations under this Policy:

   a) Any form of maltreatment violates the integrity of Participants and undermines the values of the IIHA and sport in Ireland,

   b) Sanctions imposed will reflect the seriousness of the maltreatment and the harm to those affected and the values of the IIHA.

Statutory Obligations and Safeguarding

4. Nothing in this Policy displaces, delays or replaces any obligation under Irish law. Where a complaint or concern relates to the welfare or safety of a child, it shall be dealt with in accordance with the Children First Act 2015, Children First: National Guidance for the Protection and Welfare of Children (2017), Sport Ireland's Safeguarding Guidance for Children and Young People in Sport, and the IIHA Child Safeguarding Statement and Safeguarding Policy.

5. Any reasonable concern that a child has been, is being or is at risk of being harmed shall be reported without delay by the IIHA Designated Liaison Person to Tusla – Child and Family Agency and, where a criminal offence may have been committed or a person is in immediate danger, to An Garda Síochána. Mandated Persons retain their individual statutory obligation to report under the Children First Act 2015, and nothing in this Policy relieves any person of that obligation.

6. It is an offence under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 to withhold, without reasonable excuse, information about certain serious offences committed against a child or vulnerable person. All Participants should be aware of this obligation.

7. Where a matter has been reported to Tusla or An Garda Síochána, the IIHA shall not take any step under this Policy (including interviewing the child, the Complainant or the Respondent) that might prejudice a statutory assessment or criminal investigation, and may pause the disciplinary process pending the outcome. Interim measures, including suspension pending a hearing under this Policy, may still be applied to protect Participants.

8. All persons undertaking relevant work or activities with children or vulnerable persons on behalf of the IIHA must be vetted in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. Failure to comply with vetting requirements, or providing false or misleading information for vetting purposes, is a disciplinary offence under this Policy.

9. Anti-doping rule violations are not dealt with under this Policy. They shall be determined in accordance with the Irish Anti-Doping Rules and the World Anti-Doping Code, as administered by Sport Ireland, and the IIHF Anti-Doping Regulations, as applicable.

10. No person shall be penalised for making a complaint or raising a concern in good faith. Retaliation against, or victimisation or penalisation of, a Complainant, a witness, or any person who makes a report (including a protected disclosure within the meaning of the Protected Disclosures Act 2014, as amended by the Protected Disclosures (Amendment) Act 2022) is itself a disciplinary offence under this Policy.

Disciplinary Bodies

11. The organs for the administration of discipline are:

(a.1.a) i. the Discipline Panel
ii. the Appeal Committee

(a.1.b) The Designated Independent Third Party Officer
(a.1.c) Case Manager

12. The stages of the administration of discipline are:

(a.1.a) First phase: the Discipline Panel

(a.1.b) Second phase: the Appeal Committee

(a.1.c) Third phase: Arbitration

(a.1.d) Fourth phase: Referral to Sport Dispute Solutions Ireland

13. Disciplinary matters relating to IIHA competitions under the jurisdiction of another IIHA disciplinary committee or body shall remain under the jurisdiction of that body until the disciplinary remit of that body is transferred to the IIHA Disciplinary Bodies.

14. Disciplinary matters relating to other competitions under the jurisdictions of another disciplinary committee or body shall remain under the jurisdiction of that body.

Arbitration

15. Any decision of the Appeal Committee may be referred to arbitration by any party to the appeal procedure.

Court of Arbitration for Sport (CAS)

16. Decisions of certain bodies may be appealed to the CAS in Lausanne, Switzerland as provided under the rule of such bodies.

Application of this Policy

17. This Policy applies to all Participants. This Policy applies to matters that may arise during Irish Ice Hockey Association's business, activities, programs and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with IIHA's activities, and any meetings.

18. This Policy also applies to Participants' conduct outside of the IIHA's business, activities, and events when such conduct adversely affects relationships within Irish Ice Hockey (and its work and sport environment), or is detrimental to the image and reputation of the IIHA. Applicability will be determined by the Irish Ice Hockey Association at its sole discretion.

19. This Policy applies to alleged breaches of the Code of Conduct and/or Code of Ethics by participants who have retired/left the sport where any claim regarding a potential breach of the Code of Conduct and/or Code of Ethics occurred when the participant was active in the sport. In addition, this Policy will apply to breaches of the Code of Conduct and/or Code of Ethics that occurred when the participants involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the participant(s).

20. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition or event, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only. Further and/or additional discipline sanctions may be applied in accordance with the terms of this Policy.

21. An employee of the IIHA who is a Respondent will be subject to appropriate disciplinary action per the IIHA's Employment Agreement and grievance and disciplinary procedures, which shall have regard to the Code of Practice on Grievance and Disciplinary Procedures (S.I. No. 146 of 2000) and applicable employment legislation. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

Minors and Vulnerable Adults

22. Complaints may be brought for or against a Participant who is a Minor or a Vulnerable Adult. A Minor must have a parent/guardian or other appropriate adult serve as their representative during this process. A Vulnerable Adult may be accompanied by a support person of their choosing and, where applicable, by any decision-making assistant, co-decision-maker or other person appointed under the Assisted Decision-Making (Capacity) Act 2015.

23. Communication from the Discipline Panel or DITP Officer, as applicable, must be directed to the Minor's representative.

24. A Minor is not required to attend an oral hearing, if held. Where the evidence of a Minor or Vulnerable Adult is required, it shall be obtained in a manner appropriate to their age and needs (for example, in writing or through their representative), and they shall not be required to be in the same room as the Respondent.

Reporting a Complaint

25. Any Participant may:

    a) Report an incident directly to the Designated Independent Third Party Officer: Aeidamar Sally - aeidamarsally@iiha.org,
    b) Submit a written complaint to the Designated ITP Officer with a €100 complaint fee (Complaint fee is non-refundable),
    c) Where the Designated ITP Officer has any actual or potential conflict of interest, he/she shall stand aside from addressing the Complaint/Disciplinary matter and the President of the IIHA shall appoint another Designated ITP Officer in respect of that matter,
    d) In instances whereby a child/minor is involved then the complaint fee will not be applicable. Any and all fees will be waived to facilitate expediting the complaint.

26. At the IIHA's discretion, the IIHA may act as the complainant and initiate the complaint process under the terms of this Policy. In such cases, the IIHA Executive will identify an individual to represent the IIHA.

Receipt of a Complaint

27. Upon receipt of a complaint directly by the Designated ITP Officer or if received from the IIHA (at which point the IIHA must forward such compliant to the Designated ITP Officer for further handling), the Designated ITP Officer will:

    a) Receive and acknowledge receipt of the complaint to the complainant,
    b) Determine if the complaint is within the jurisdiction of this policy,
    c) Determine an investigation is required; and/or
    d) Proceed to the Disciplinary Process as outlined below.

28. The Designated ITP Officer has an overall responsibility to ensure procedural fairness is respected at all times in this Policy, and to implement this Policy in a timely manner.

29. If the Designated ITP Officer determines the complaint is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately. This decision may not be appealed.

Investigation

30. The Designated ITP Officer may determine that the alleged incident may require an investigation. In such circumstances the Designated ITP Officer may appoint an independent and qualified third party to investigate the complaint.

31. Offences that shall be considered by the Designated ITP Officer:

    a) Breach of any rules, statutes, codes, regulations provided for by the Irish Ice Hockey Association,
    b) Offensive behaviour to other Participants,

c) Unsporting behaviour,
d) Violation of instructions and directives from IIHA officials,
e) Damaging the dignity of a person or a group of persons, in any way whatsoever, in particular on any of the grounds set out in the Equal Status Acts 2000 to 2018 (gender, civil status, family status, sexual orientation, religion, age, disability, race, or membership of the Traveller community) or by reference to a protected characteristic under the Criminal Justice (Hate Offences) Act 2024 (including colour, nationality, national or ethnic origin, descent and sex characteristics),
f) Violation of contractual obligations towards the IIHA,
g) Cheating,
h) Inciting hatred or violence, including conduct of the kind prohibited by the Prohibition of Incitement to Hatred Act 1989,
i) Fighting,
j) Aggressive or threatening behaviour,
k) Bullying or harassment, including sexual harassment,
l) Online abuse or harmful communications, including via social media or messaging services, and the recording, distribution or publication of intimate images without consent (as addressed by the Harassment, Harmful Communications and Related Offences Act 2020),
m) Ineligibility,
n) Racism,
o) Intimidation or threats,
p) Coercion,
q) Discrimination,
r) Foul language,
s) Disparaging comments,
t) Forgery or falsification,
u) Corruption,
v) Acts or omissions bringing the IIHA into disrepute,
w) Curfew violation,
x) Alcohol or substance use,
y) Failure to comply with safeguarding or vetting requirements, or failure to report a child protection concern as required by this Policy or by law,
z) Criminal investigation for indictable offences,
aa) Criminal conviction which is likely to bring the IIHA into disrepute,
bb) Mischievous or vexatious Complaints,
cc) Retaliation against, or victimisation of, any person who has made a complaint or report, or who has given evidence, under this Policy.

Disciplinary Process (First Phase- Discipline Panel)

32. If the IIHA's Designated ITP Officer has determined that the complaint is admissible and is within the jurisdiction of this Policy, the Designated ITP Officer will notify the IIHA Executive, at which point the IIHA Executive will appoint i) a Case Manager, and ii) the Discipline Panel.

33. The appointed Case Manager will oversee the management and administration of the disciplinary process and has the responsibility to:

    a) Gather all the details of the complaints and provide them to the Discipline Panel,
    b) Coordinate all administrative aspects and set timelines,
    c) Provide administrative assistance and logistical support to the Discipline Panel as required,
    d) Provide any other service or support that may be necessary to ensure a fair and timely proceeding.

34. The appointed Discipline Panel will consist of a minimum of three (3) members, with one of the Discipline Panel's members to serve as the Panel Chair.

35. Having regard to the nature of the discipline matter and potential consequences of any resulting sanctions, the Discipline Panel, will decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an:

    a) an oral in-person hearing,
    b) an oral hearing by telephone or another communication medium,
    c) a hearing based on a review of documentary evidence submitted in advance of the hearing, or
    d) a combination of these methods,
    e) The Disciplinary panel shall make decisions on culpability based on the 'balance of probabilities' meaning that the incident in question was more likely than not to have occurred.

Documentary Review

36. Where the panel has determined that the hearing will be held by way of documentary submissions, the panel will govern the hearing fairly and as it sees fit, provided that:

    a) All parties are given a reasonable opportunity to provide written submissions to the Panel, to review written submissions of the other parties, and to provide written rebuttal and argument,
    b) The applicable principles and timelines set out by the panel are respected.

Oral Hearing

37. Where the panel has determined that the hearing will be held by way of oral hearing, the hearing will be governed by the procedures that the Discipline Panel deem appropriate in the circumstances, provided that:

    a) The Parties will be given appropriate notice by the Case Manager of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium,

b) Copies of any written documents which the Parties wish to have the Discipline Panel consider will be provided to all Parties, through the Designated ITP Officer, in advance of the hearing,

c) The Discipline Panel will refrain from communicating with the Parties except in the presence of, or copy to, the other Parties,

d) The Parties may engage a representative, advisor, or legal counsel at their own expense,

e) The Discipline Panel may request that any other individual participate and give evidence at the hearing,

f) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate,

g) The decision will be by a majority vote of the Discipline Panel, where the Chairperson carries a vote,

h) The hearing will be held in private,

i) Once appointed, the Discipline Panel have the authority to abridge or extend timelines associated with any aspect of the hearing.

38. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.

39. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

40. If a decision may affect another Party to the extent that the other Party would have recourse to a complaint or an appeal in their own right, that Party will become a Party to the current complaint and will be bound by the decision.

41. In fulfilling its duties, the Discipline Panel may obtain independent advice.

Decision

42. After hearing and/or reviewing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed by the Case Manager to all Parties, the Designated ITP Officer, and the IIHA Executive. In extraordinary circumstances, the Discipline Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued by the Case Manager before the end of the fourteen (14) day period. The outcome and any sanction will be considered a matter of public record unless decided otherwise by the Discipline Panel, provided that the identity of any Minor or Vulnerable Adult, and any personal data not necessary to give effect to the decision, shall not be published.

Sanctions

43. Prior to determining sanctions, the Discipline Panel will consider factors relevant to determining appropriate sanctions which include:

a) The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance,
b) The Respondent's prior history and any pattern of inappropriate behaviour or maltreatment,
c) The ages of the individuals involved,
d) Whether the Respondent poses an ongoing and/or potential threat to the safety of others,
e) The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the maltreatment, and/or cooperation in the process,
f) Real or perceived impact of the incident on the Complainant, sport organization or the sporting community,
g) Circumstances specific to the Respondent being sanctioned (e.g. lack of appropriate knowledge or training regarding the requirements in the Code of Conduct and/or Code of Ethics; addiction; disability; illness),
h) Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate,
i) A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
j) Other mitigating and aggravating circumstances.

44. Any single factor, if severe enough, may be sufficient to justify the sanction(s) imposed. A combination of several factors may justify elevated or combined sanctions

45. The Discipline Panel, as applicable, may apply the following disciplinary sanctions, singularly or in combination:

a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice and formal admonition that a Participant has violated the Constitution, Code of Conduct and/or Code of Ethics and that more severe sanctions will result should the Participant be involved in other violations,
b) **Education** - The requirement that a Participant undertake specified educational or similar remedial measures to address the violation(s) of the Constitution, Code of Conduct and/or Code of Ethics,
c) **Probation** - This sanction can include loss of privileges or other conditions, restrictions, or requirements for a specified period of time. Should any further violations of the Constitution, Code of Conduct, Code of Ethics and/or other rules imposed occur during the probationary period, will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility,
d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, practice, activity, event, or competition sponsored by, organized by, or under the auspices of the IIHA. A suspended Participant is eligible to return to participation, but reinstatement may

be subject to certain restrictions or contingent upon the Participant satisfying specific conditions noted at the time of suspension,

e) **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions,

f) **Permanent Ineligibility** - Permanent ineligibility to participate, in ice hockey, in any capacity, in any program, activity, event, or competition sponsored by, organized by, or under the auspices of the Irish Ice Hockey Association,

g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary.

46. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.

47. The Discipline Panel may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed maltreatment:

a) Sexual Maltreatment involving a Minor Complainant shall carry a presumptive sanction of permanent ineligibility,

b) Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to Process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions,

c) While a Respondent has pending charges or dispositions in violation of the criminal law, the presumptive sanction shall be a period of suspension.

48. Records of all decisions and sanctions, if any, will be maintained by the organization maintaining jurisdiction.

Suspension Pending a Hearing

49. The Irish Ice Hockey Association may determine that an alleged incident is of such seriousness as to warrant suspension of a Participant pending completion of an investigation, criminal process, the hearing, or a decision of the Discipline Panel.

Second Phase - Appeal Committee

50. Any party to a disciplinary matter may appeal a decision or sanction of the Discipline Panel to the Appeal Committee.

51. An appeal may be lodged to the Appeal Committee against a decision of the Discipline Panel.

52. An appeal may be ruled out of order by Designated ITP Officer the and appeal fees shall be returned in such cases if:

a) it is a matter not open to appeal under this Policy;

b) it is clear that such appeal was legitimately ruled "out of order" by a lower body.

53. A suspension remains in place even if an appeal has been lodged with the appropriate disciplinary body. The suspension can only be lifted by a successful outcome of an appeal.

54. All parties in an appeal shall be notified by the IIHA within three (3) days, by electronic mail and/or registered post, of the decision of the Appeals Committee. In urgent matters, the Chairperson may issue or direct the IIHA to issue an oral decision in advance of written notification.

General Appeals Procedure

55. Appeals must be sent by registered post within four (4) days of the date on which the written notification of the decision being appealed against was received by the appellant. For the avoidance of doubt time limits begin from the day after receipt of the notification. Appeals must be addressed to the IIHA Disciplinary Section. In the event of a postal dispute or similar emergency, the appellant shall contact the IIHA Disciplinary Section to ascertain what temporary alternative arrangements have been put in place by the IIHA Disciplinary Section. The initial appeal documents must include a copy of the decision being appealed against, the Appeal Fee or proof of Inter Bank Transfer and must indicate the date upon which such decision was received by the appellant, and must confirm that a notification of the submission of appeal has been sent in accordance with these provisions, and that the Appeal Fee has been enclosed in.

56. A letter of notification of the submission of an appeal to the IIHA shall be simultaneously sent by registered post to the body whose decision is the subject of the appeal, unless the decision being appealed against is a decision of the IIHA Discipline Panel. The letter of notification shall identify the decision which is the subject of the appeal.

57. Appeals must be accompanied by a Bank Draft, Postal Order or proof of Inter Bank Transfer for the Appeal Fee of €500, made payable to the IIHA. In cases where a party

chooses to make payment through Inter Bank Transfer (payment reference 'IIHA APP'),

the IIHA Disciplinary Section must be contacted to obtain the required banking details. This fee shall be refunded only if the appeal is successful.

58. Within two (2) days of sending the initial appeal documents, the appellant must submit to the IIHA Disciplinary Section, by registered post, proof of the time and date of posting the initial appeal documents to the IIHA Disciplinary Section and all additional documentation, submissions and/or evidence upon which it intends to rely at the Appeal Committee hearing. The IIHA Disciplinary Section shall determine the relevant parties to the appeal and shall copy all parties with all documentation, submissions and/or evidence as soon as possible.

59. The body against whose decision the appeal is made must send to the Case Manager, by registered post and/or email, within three (3) days following receipt of notification of the appeal from the Case Manager, a true copy of the minutes of the meeting in which the decision being appealed against was made and any proof of notification or delivery of such decision to the appellant. Such body shall also send any requested documentation or other documentation relevant to the appeal, and all additional documentation, submissions and/or evidence upon which it intends to rely at the Appeal Committee hearing. Failure to comply with the correct procedure as outlined above may result in disciplinary action being taken. The Case Manager shall copy all parties with all documentation, submissions and/or evidence as soon as possible.

60. Any other party to the appeal must send to the Case Manager, by registered post and/or email, within three (3) days following receipt of notification of the appeal from the Case Manager, any documentation, submissions and/or evidence upon which it intends to rely at the Appeal Committee hearing. The Case Manager shall copy all parties with all documentation, submissions and/or evidence as soon as possible.

61. Any documentation or submissions sent by email are only confirmed as being received once confirmation of receipt has been issued by the Case Manager by email. Confirmation of receipt is only an acknowledgement that the email has been received.

62. All appeal hearings shall commence within fifteen (15) days of receipt of the appeal by the Case Manager unless there are exceptional circumstances which require an extension of this time period. The Case Manager shall inform all parties to the appeal of the venue, date and time of the Appeal Committee hearing.

63. The Appeal Committee, once appointed, can issue directions to the parties in respect of the hearing prior to proceedings commencing.

64. All parties involved in the appeal must, at least three (3) days before the hearing, confirm in writing, by post or email to the Case Manager the name and the role within, or

relationship to the party, of all persons who will be attending the hearing on their behalf, or at their request. The Appeal Committee shall have discretion to permit the attendance of any persons not confirmed within the stated deadlines.

65. Any party involved in the appeal, which fails to attend an Appeal hearing if requested to do so by the Appeal Committee may be subject to disciplinary action.

66. In cases of urgency, the Appeal Committee, or if the Appeal Committee has not yet been appointed, the Case Manager, may amend the time limits and/or submission process indicated above, with the exception of the time limit to file an appeal, in order to facilitate an expedited appeals process.

Remit of the Appeal Committee

67. The Appeal Committee shall re-hear the case in question as each hearing, before the Appeal Committee is a de novo hearing.

68. The Appeal Committee shall consider all evidence that it deems relevant to the case.

69. The Appeal Committee shall have the power to uphold or reject the appeal and/or to replace or vary the decision of the previous decision making body or to rule the appeal out of order, provided the decision of the Appeal Committee is not in conflict with any of the rules of the IIHA, which shall take precedence at all times. The Appeal Committee shall also have the power to send a case back to a previous decision making body to be re-heard, where appropriate in exceptional circumstances.

70. The Appeal Committee may adjourn or suspend proceedings for further deliberation or to seek further or additional evidence or expert advice or where it is otherwise considered necessary to do so, provided an adjournment does not unduly prejudice any party. Following an adjournment the Appeal Committee must reconvene within ten days unless there are exceptional circumstances which require an extension of this time period.

Conclusion to the Appeal Proceedings

71. The Appeal Committee makes its decision, in principle, as a body of final instance.

72. Notwithstanding the above, Appeal Committee decisions may be appealed to an Arbitrator or, where the applicable regulations provide, to the CAS.

Third Phase - Arbitration

73. Any decision of the Appeal Committee may be appealed to an arbitrator by any party to the appeal procedure.

74. No arbitration shall be commenced unless all rights or redress and/or appeal have been exhausted i.e. through First Phase (Discipline Panel), and Second Phase (Appeal Committee).

75. At its opening meeting each year, the Board shall appoint a minimum panel of five (5) Arbitrators all of whom must have dispute resolution experience and none of whom shall be members of Executive.

76. Any party referring a dispute to Arbitration arising out of a decision of the Appeal Committee must do so within ten (10) days of the notification of the Appeal Committee decision. In exceptional circumstances, the Appeal Committee may reduce the time limits for referring a matter to Arbitration.

77. When seeking Arbitration, the requesting party must do so in writing by registered post to the Case Manager. The request for Arbitration must include a summary of the facts, the arguments being relied upon, a copy of the decision being appealed against and €500 bank transfer fee.

In cases where a party chooses to make a €500 payment through Inter Bank Transfer (payment reference 'IIHA ARB') the Case Manager must be contacted to obtain the required banking details. Proof of payment must be included in the initial submission for Arbitration.

78. An exact copy of this request shall be sent to all other interested parties in the dispute by registered post.

79. The registered post receipt shall be proof of time and date of posting in all cases.

80. The Arbitrator shall be appointed from the panel as approved by the Board subject to availability, independence, and professional and sporting (preferably ice hockey) background to meet the needs of each specific case.

81. A request for Arbitration may be ruled out of order by the Case Manager where it is not in accordance with the relevant rules.

82. If, for any reason, an Arbitrator becomes unable to act or refuses to act, a replacement shall be appointed in the same manner as the original appointment.

83. Prior to the hearing, the Arbitrator shall fix their own terms of reference and determine the issues to be heard, direct who the appropriate parties to the Arbitration are and who is entitled to be heard.

84. The Arbitrator may, at their discretion, invite all relevant parties to attend a preliminary hearing to deal with any preliminary issues.

85. Prior to the hearing commencing, the Arbitrator shall obtain written confirmation from all of the parties to the Arbitration that the decision of the Arbitration is final and binding on all parties provided the decision is not in breach of any of the Rules of the IIHA.

86. The Arbitration hearing shall take place within fifteen (15) days of the appointment of the Arbitrator and a decision shall be issued within five days of the date of the hearing.

87. At the conclusion of the arbitration, the Arbitrator shall decide which party shall bear the arbitration costs, or in what proportion the arbitration costs shall be borne by the parties.

88. Any arbitration under this Policy shall be conducted in accordance with the Arbitration Act 2010, save to the extent that the parties have validly agreed otherwise.

Fourth Phase - Referral to Sport Dispute Solutions Ireland (SDSI)

89. Any party to a disciplinary matter may appeal a decision or sanction of Arbitration for the determination of SDSI within ten (10) days of the date the decision of the Arbitration is notified to them.

90. For the avoidance of doubt, no referral to SDSI shall be commenced unless all rights of redress and/or appeal have been exhausted, being the procedure having passed from First Phase (Discipline Panel) to Second Phase (Appeal Committee), and to Third Phase (Arbitration).

91. No referral to SDSI shall be permissible from Discipline Panel. No referral to SDSI shall be permissible from Appeal Committee.

Criminal Convictions

92. A Participant's conviction for a criminal offence shall carry a presumptive sanction of permanent ineligibility from participating with the IIHA. Criminal offences may include, but are not limited to:

a) Any offence relating to child sexual abuse material (including offences under the Child Trafficking and Pornography Act 1998, as amended),
b) Any sexual offence, including offences under the Criminal Law (Sexual Offences) Acts 2006 to 2017,
c) Any offence of physical violence,
d) Any offence of assault, including offences under the Non-Fatal Offences against the Person Act 1997,
e) Any offence of harassment, stalking or harmful communications, including offences under the Harassment, Harmful Communications and Related Offences Act 2020,
f) Any offence aggravated by hatred under the Criminal Justice (Hate Offences) Act 2024, or any offence under the Prohibition of Incitement to Hatred Act 1989,
g) Any offence involving trafficking of illegal drugs,
h) Any offence involving illegal trafficking of legal substances or drugs.

Confidentiality

93. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Designated ITP Officer, the Discipline Panel, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings. Confidentiality does not prevent any person from reporting a matter to Tusla, An Garda Síochána or any other statutory authority, or from making a protected disclosure.

94. Members of the Panel will have had no involvement with the alleged infraction and will be free from any other bias or conflict of interest. The IIHA Executive will have final say on any instances of bias or conflict of interest.

Data Protection

95. Personal data processed under this Policy, including special category data and data relating to criminal convictions, offences or alleged offences, shall be processed in accordance with the General Data Protection Regulation (EU) 2016/679, the Data Protection Acts 1988 to 2018 and the IIHA's data protection policy.

96. Such personal data shall be shared only with those who need it to administer this Policy or to comply with a legal obligation, shall be kept secure, and shall be retained for no longer than is necessary for those purposes. Parties may exercise their data protection rights by contacting the IIHA, subject to any restrictions permitted by law.

Timelines

97. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Discipline Panel may direct that these timelines be revised.

Records and Distribution of Decisions

98. Subject to data protection law, other individuals or organisations, including but not limited to Sport Ireland, the International Ice Hockey Federation (IIHF), other national governing bodies, IIHA clubs, and Tusla or An Garda Síochána where required, may be advised of any decisions rendered in accordance with this Policy.

Review and Approval

99. This Policy was originally approved by the IIHA Executive on 2 December 2022 and was reviewed and amended to reflect current Irish law and approved by the IIHA Board in July 2026.

100. This Policy shall be reviewed (and amended if necessary) every three years.