



Alternate Dispute Resolution Policy

Implementation Date: November 15, 2003

Amendment Dates: Nov. 02 (#E02F), Nov. '05 (#E.05), March 2008

Preamble

1. Water Ski and Wakeboard Canada (WSWC) supports the principles of alternative dispute resolution and is committed to the techniques of mediation and arbitration as effective ways to resolve disputes and to avoid the uncertainty and cost associated with litigation. Further, Federal [Bill C-12](#) was enacted in 2003 to establish an independent organization, the Sport Dispute Resolution Centre of Canada (SDRCC), whose mission is to provide to the sport community a national alternative dispute resolution service for sport disputes. As a Registered Canadian Amateur Athletic Association, and as an organization in receipt of funding from Canadian Heritage (Sport Canada), WSWC is obligated to allow disputes to be referred to SDRCC.
2. Within the context of the services available through SDRCC, WSWC shall consider mediation and arbitration processes as outlined below.

Mediation

3. Opportunities for mediation may be pursued at any point in a dispute where it is appropriate and where the disputing parties agree that such a course of action would be mutually beneficial.

Arbitration

4. In the event that a dispute persists after internal avenues of decision-making, appeals and/or mediation have been exhausted, opportunities for final binding arbitration may be pursued.
5. Where the continuing dispute relates to an Appeal Panel having made a decision that was outside its jurisdiction, having failed to follow proper procedures, or having made a decision that was influenced by bias, such a dispute may be dealt with through binding arbitration before an independent arbitrator who is acceptable to the parties in the dispute.
6. Should a dispute be referred to arbitration, all parties to the original appeal will be parties to the arbitration.
7. The parties to the arbitration will enter into a written Arbitration Agreement that will specify that the decision of the arbitrator will be final and binding upon the parties and not subject to any further review by any court or any other body.

No Legal Action

8. No action, application for judicial review or other legal proceeding will be commenced against WSWC in respect of a dispute with a member, unless WSWC has failed or refused to participate in binding arbitration in accordance with this policy.