



# **Geelong Baseball Association**

Pennant Committee Appeals  
2023

# Appeal of a Pennant Committee Decision (Schedule Three)

## Notice of Appeal

1. A person or club seeking to appeal a decision of the GBA's Pennant Committee must lodge with Executive Officer a Notice of Appeal, setting out full details of the grounds of appeal, within 48 hours of the notification of the determination of the Pennant Committee.
2. The person or club seeking to appeal ("Appellant") shall be notified within 24 hours of receipt of the Notice of Appeal as to whether an appeal hearing is to be granted. If granted, the time, date and place of the appeal hearing will be advised in due course. The Board of the Association (Board) will hear the appeal.

## Appeals Officer

1. The Association shall appoint the Executive Officer of the Association to the position of Appeals Officer. The Executive Officer shall not thereafter participate in any decision which may be made by the Board in resolving the appeal.

## Grounds for an Appeal

1. There shall be no appeal from a decision of the Pennant Committee unless the Appellant first satisfies the Appeals Officer, in that person's sole discretion, that there are serious and reasonable grounds upon which the Board on appeal is likely to be satisfied that one or more of the following grounds of appeal is satisfied:
  - That significant new or additional evidence has become available that will significantly alter the original decision made by the Pennant Committee;
  - That a penalty imposed by the Pennant Committee is manifestly excessive;
  - That an action required by the Pennant Committee is significantly impossible to achieve;
  - or
  - That the Pennant Committee failed to follow procedures or requirements of the Association or of the rules of natural justice to the significant detriment of the person or club seeking to appeal, thus causing a decision that is excessive or impossible to achieve.
2. The Appeals Officer must determine one of the following:
  - That the person/club appealing has not established any grounds for the appeal, in which case the Appeals Officer shall inform the Appellant that the appeal is unsuccessful;
  - If the Appeals Officer decides that the person/club appealing has established to his/her satisfaction any of the matters set out above. The Appeals Officer shall refer the hearing of the Appeal to the Board, in which case any penalty imposed by the Pennant Committee shall be stayed pending the hearing and determination of the Appeal hearing.

## Board

1. The appeal shall be heard by the Board of the GBA. Three (3) members of the Board shall constitute the Appeals Committee. The Appeals Officer shall not sit on the Appeals Committee but shall attend the appeal to record the minutes of the hearing.

## Proceedings of the Board (Appeals Committee)

1. The proceedings will be at the discretion of the Board provided that a party is given an adequate opportunity to present their own case and to controvert the case which they have to meet.

## Powers of the Board

1. The Board shall have the power to:
  - Dismiss the appeal – thus resolving the same penalty or action implemented by the Pennant Committee remains; or
  - Uphold the appeal – thus reduce, increase or otherwise vary any decision by the Pennant Committee in such manner as it thinks fit
  - The Board is not obliged to give oral or written reasons for its decision.
  - At the conclusion of the appeal, the Appeals Officer shall ensure that persons directly affected by the decision of the Board are notified of that decision. The decision may also be made public by the Association's website.
  - There shall be no appeal from the decision of the Board.