

CURL MANITOBA RESIDENCY POLICY

Definitions

1. The following terms have these meanings in this Policy:
 - a) “*Days*” – Days irrespective of weekend and holidays.
 - b) “*Curl Manitoba Curler*”- Any individual active curler who is a member of a Curl Manitoba affiliated member club, which is situated within the boundaries of the Province of Manitoba.

Purpose

2. The purpose of this Policy, upon receipt of a residency protest, is to determine the residency status of a Curl Manitoba Curler participating in Zone Play downs, Berth Bonspiels or to qualify through bonspiels with a berth into Manitoba Provincial Championships and National Championships. Eligibility of these competitions requires Curl Manitoba Curlers to be Manitoba residents as of November 1st of the current curling season and at all times until the end of the respective competition.

Application of this Policy

2. This Policy applies to all Curl Manitoba Curlers as defined in the Definitions.
3. This Policy only applies to residency matters that may arise during the course of Zone Play downs, Berth Bonspiels or to qualify through bonspiels with a berth into Manitoba Provincial Championships and National Championships.
4. Residency matters arising within the competition or events organized by entities other than Curl Manitoba, including its member clubs, will be dealt with pursuant to the policies of these other entities unless requested and accepted by Curl Manitoba at its sole discretion.

Residency

5. All Curl Manitoba Curlers are initially deemed residents of Manitoba.
6. Upon receipt of a residency protest, an Curl Manitoba Curler who can submit any two of the following documents naming the Curl Manitoba Curler will be deemed a resident of Manitoba:
 - a) A mortgage, lease or rental agreement for habitable dwelling in Manitoba listing the Curl Manitoba Curler or Curl Manitoba Curler’s spouse or parent/guardian; or
 - b) Valid Manitoba driver’s license with a Manitoba address; or
 - c) Valid Manitoba health card with a Manitoba address; or
 - d) Utility bills for a habitable dwelling in Manitoba listing the Curl Manitoba Curler or Curl Manitoba Curler’s spouse or parent/guardian; or
 - e) Manitoba Public Insurance for a registered vehicle owned by the Curl Manitoba Curler; or
 - f) The previous year’s income tax return listing the Curl Manitoba Curler as a resident of Manitoba.

Students

7. Curl Manitoba Curlers attending school on a full time basis outside of the Province of Manitoba are deemed residents of Manitoba. Curl Manitoba may request that the Curl

Manitoba Curler document their full time student status.

8. Curl Manitoba Curlers attending school on a full basis within the Province of Manitoba must meet the requirements of paragraph 6 to be deemed a resident of Manitoba.

Other Exemptions

9. The Curl Manitoba may define other Curl Manitoba Curlers residents of Manitoba when specifically dealing with family relocations or transfer/change of employment when a Curl Manitoba Curler can reasonably demonstrate that the Curl Manitoba Curler will be a resident of Manitoba for a significant portion of the curling season.

Reporting a Residency Protest

10. Any person or Curl Manitoba staff may report to the Curl Manitoba head office any residency protest with regard to a Curl Manitoba Curler's residency status. Such protest must be signed and in writing. Anonymous complaints may be accepted upon the sole discretion of Curl Manitoba.
11. To allow for due diligence to take place the Curl Manitoba requires that any such residency protest must be received no later than 7 days prior to the start of an event.
12. Curl Manitoba will appoint the Executive Director, or designate, who will determine whether the residency protest is frivolous or vexatious. If the Executive Director, or designate, determines the residency protest is frivolous or vexatious, the residency protest will be dismissed immediately.
13. If a residency protest is determined by the Executive Director, or designate, to be legitimate, the Executive Director will contact the affected Curl Manitoba Curler and request any two documents listed in paragraph 6 to determine the Curl Manitoba Curler's residency status. The Curl Manitoba Curler will have fourteen (14) days to provide the evidence listed in paragraph 6 in support of their Manitoba residency status.
14. The Executive Director, or designate, will govern the decision making process fairly and as they see fit, provided that the affected Curl Manitoba Curler:
 - a) Is provided copies of all evidence to be relied upon; and
 - b) Will have the right to present evidence and argument.
15. After hearing and reviewing the residency protest and all applicable evidence, the Executive Director, or designate, will determine whether or not the Curl Manitoba Curler is deemed a resident of Manitoba in accordance with this Policy. If the Curl Manitoba Curler is deemed a resident of Manitoba the matter is closed; if the Curl Manitoba Curler is deemed a non-resident of Manitoba, the Executive Director, or designate will determine the appropriate penalty to be imposed.
16. The Executive Director's, or designate's, written decision, with reasons, will be distributed to the Curl Manitoba and the affected Curl Manitoba Curler within fourteen (14) days of the conclusion of the hearing and review of evidence.
17. Where the affected Curl Manitoba Curler acknowledges the facts that they are a non-resident of Manitoba, the Executive Director, or designate, will determine the appropriate sanction(s).

18. If the affected Curl Manitoba Curler chooses not to participate in accordance with this Policy, the Executive Director, or designate, may proceed in any event.

Sanctions

19. The Executive Director, or designate, may apply the following sanctions singly or in combination, for being deemed a non-resident of Manitoba:
- a) Written reprimand to be placed in the individual's file;
 - b) Written apology;
 - c) Forfeiture of games, wins, bonspiels and/or championships;
 - d) Ineligible for certain teams, championships, bonspiels, events and/or activities;
 - e) Removal of certain privileges of membership;
 - f) Suspension from certain Curl Manitoba teams, championships, bonspiels, events and/or activities;
 - g) Suspension from all Curl Manitoba activities for a designated period of time;
 - h) Suspension from Curl Manitoba;
 - i) Expulsion from Curl Manitoba; or
 - j) Other sanctions as may be considered appropriate.
20. Curl Manitoba Curlers who give incorrect or misleading information may be disciplined in accordance with Curl Manitoba's Discipline and Complaints Policy.
21. Unless the Panel decides otherwise, any sanctions will commence immediately. Failure to comply with a sanction as determined by the Executive Director, or designate, will result in automatic suspension of membership in Curl Manitoba until such time as compliance occurs.

Timelines

22. If the circumstances of the residency protest are such that this Policy will not allow a timely conclusion, or if the circumstances of the residency protest are such the review cannot be concluded within the timelines dictated in this Policy, the Executive Director, or designate, Panel may direct that these timelines be revised.

Confidentiality

23. The residency protest process is confidential involving only the person submitting the residency protest, the affected Curl Manitoba Curler, the Curl Manitoba Board of Directors and the Executive Director, or designate. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the residency protest to any person not involved in the proceedings.

Appeals Procedure

24. The decision of the Executive Director, or designate, may be appealed in accordance with the Curl Manitoba's Appeal Policy.