ALTERNATIVE DISPUTE RESOLUTION (ADR) POLICY

Purpose
1. Surf Canada supports the principles of Alternative Dispute Resolution (ADR) 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.

Policy

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

Arbitration
3. The Board of Directors of Surf Canada shall have the sole responsibility to administer and manage the arbitration process pursuant to this policy. In the event disputes persist after all internal decision processes, including final appeals, have been exhausted, opportunities for binding final arbitration may be pursued. These issues may be dealt with through binding arbitration pursuant to the rules of the Sport Dispute Resolution Centre of Canada (SDRCC) www.sdrcc.ca.
4. Should a dispute be referred to binding arbitration, and if the matter is accepted by the Sport Dispute Resolution Centre of Canada (SDRCC), all parties to the original appeal shall be parties to the arbitration.
5. The parties to the arbitration shall enter into an Arbitration Agreement that shall specify that the decision of the arbitrator shall be final and binding upon the parties and not subject to any further review by any court of competent jurisdiction or any other body.
6. No evidence of anything said or of any communication made in the course of the arbitration is admissible in any legal proceeding except with the consent of all the parties to the arbitration.
7. No Further Legal Action: No action, application for judicial review or other legal proceeding shall be commenced against Surf Canada in respect of a dispute, unless Surf Canada has failed or refused to participate in binding arbitration in accordance with this Policy.

Review
8. This Policy is subject to review at least once every three years

The publication of Surf Canada polices will be in the English and French languages. In the case of conflicting interpretations, the English version will prevail.