



Disputes Resolution Policy Waikato Table Tennis Association

Last Updated: August 2025

1. Definitions

The following definitions apply to this Disputes Resolution Policy:

Association means the Waikato Table Tennis Association Incorporated.

Bylaw is a rule made by WkTTA to manage its affairs or the actions of its Members.

Complaint is the process of formally raising a Dispute.

Complainant is the person or body who raises a Complaint.

Constitution refers to Waikato Table Tennis Association Incorporated's constitution as lodged with the Incorporated Society.

Decision is the outcome of a Dispute as determined by the Decision Maker.

Decision Maker is the person appointed by WkTTA to investigate the Complaint.

Disagreement is a difference of opinion between two or more Parties.

Dispute is a Disagreement if it specifically relates to an allegation covered by the scope of this Policy.

Incident is an event that has led to a Disagreement between the Parties.

Member means and includes all classes of members of WkTTA.

Officer is a Committee Member.

Parties include all individuals affected by a Disagreement and is limited to Members, Officers and WkTTA itself.

Respondent is the person or body to whom the Complaint relates.

WkTTA means the Waikato Table Tennis Association Incorporated.



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2. Scope

2.1. This Disputes Resolution Policy applies only if a Disagreement has arisen between the Parties and involves one or more of the following:

- a) that a Member or an Officer has engaged in material misconduct
- b) that a Member, an Officer, or WkTTA has materially breached, or is likely to materially breach, a duty under its Constitution, Policies or Bylaws or the Incorporated Societies Act 2022
- c) that a Member's rights or interests or Members' rights or interests generally have been materially damaged.

otherwise recourse must be taken up elsewhere.

3. Purpose

3.1. WkTTA is committed to providing an environment in which the Parties involved are treated with respect and fairness whilst handling matters in complete confidence.

3.2. WkTTA provides the Parties with this Disputes Resolution Policy to enable fair, affordable, and expedient resolution of any Disputes arising.

4. Timing Constraints

4.1. Those who wish to follow through with a Complaint have twenty one (21) days from the date of the Incident to commence the process as herein described.

5. How Complaints are raised

5.1. **A Member or an Officer may make a Complaint** by providing a notice in writing to the Committee that:

- a) states that the Member or Officer is starting a procedure for resolving a Dispute in accordance with WkTTA's Constitution **AND**
- b) sets out the allegation to which the Dispute relates and to whom the allegation is against **AND**
- c) sets out any other information reasonably required by WkTTA.

5.2. **WkTTA may itself make a Complaint** involving an allegation against a Member or an Officer by giving to that Member or Officer a notice in writing that:

- a) states that WkTTA is starting a procedure for resolving a Dispute in accordance with the constitution **AND**
- b) sets out the allegation to which the Dispute relates.

5.3. The information given under 5.1 and 5.2 must be enough to ensure that a person against whom an allegation is made is fairly advised of the allegation concerning them, with sufficient details given, to enable them to prepare a response.



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5.4. A Complaint, when raised, becomes a Dispute between the Parties involved.

6. Person who makes a Complaint has a right to be heard

6.1. A Member or an Officer who makes a Complaint has a right to be heard before the Complaint is resolved or any outcome is determined.

6.2. If WkTTA makes a Complaint:

- a) WkTTA has a right to be heard before the Complaint is resolved or any outcome is determined **AND**
- b) an Officer may exercise that right on behalf of the Association.

6.3. Without limiting the manner in which the Member, Officer, or WkTTA may be given the right to be heard, they must be taken to have been given the right if:

- a) they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held) **AND**
- b) an oral hearing is held if the Decision Maker considers that an oral hearing is needed to ensure an adequate hearing **AND**
- c) an oral hearing (if any) is held before the Decision Maker **AND**
- d) the Member's, Officer's, or WkTTA's written statement or submissions (if any) are considered by the Decision Maker.

7. Person who is the subject of the Complaint has a right to be heard

7.1. The Respondent has a right to be heard before the Complaint is resolved or any outcome is determined.

7.2. If the Respondent is WkTTA, an Officer may exercise the right on behalf of the Association.

7.3. Without limiting the manner in which a Respondent may be given a right to be heard, a Respondent must be taken to have been given the right if:

- a) the Respondent is fairly advised of all allegations concerning them, with sufficient details and time given to enable them to prepare a response **AND**
- b) the Respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held) **AND**
- c) an oral hearing is held if the Decision Maker considers that an oral hearing is needed to ensure an adequate hearing **AND**
- d) an oral hearing (if any) is held before the Decision Maker **AND**
- e) the Respondent's written statement or submissions (if any) are considered by the Decision Maker.



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8. Investigating and determining the Dispute

8.1. WkTTA must, as soon as is reasonably practicable and within ten (10) days after receiving or becoming aware of a Complaint made in accordance with this Policy:

- a) advise the Respondent that a Complaint has been raised against them, forwarding all relevant information to them including the name of the Complainant
- b) commence a process to ensure that the Dispute is investigated and determined
- c) and then keep the Respondent apprised of the progress of the Dispute.

8.2 Disputes must be dealt with in a fair, efficient, and effective manner.

9. WkTTA may decide not to proceed further with the Complaint

9.1. Despite the clause 'Investigating and determining the Dispute' above, WkTTA may decide not to proceed further with a Complaint if:

- a) the Complaint is considered trivial **OR**
- b) the Complaint is out of the scope of this Disputes Resolution Policy as referenced in Section 2 above.
- c) the Complaint appears to be without foundation or there is no apparent evidence to support it **OR**
- d) the person who makes the Complaint has an insignificant interest in the matter **OR**
- e) the conduct, incident, event, or issue giving rise to the Complaint has already been investigated and dealt with under this Policy **OR**
- f) there has been an undue delay in making the Complaint.

10. WkTTA may refer the Complaint

10.1. WkTTA may refer a Complaint to:

- a) a subcommittee or an external person to investigate and report **OR**
- b) a subcommittee, an external person or an arbitral tribunal to investigate and make a decision.

10.2. WkTTA may, with the consent of all Parties to a Complaint, refer the Complaint to any type of consensual Dispute resolution (for example, mediation, facilitation, or a tikanga-based practice).

11. Decision Makers

11.1. A person may not act as a Decision Maker in relation to a Complaint if two (2) or more Members of the Committee or a Complaints subcommittee consider that there are reasonable grounds to believe that the person may not be:

- a) impartial **OR**
- b) able to consider the matter without a predetermined view.



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12. Dispute Decision

12.1. The Decision Maker shall:

- a) issue its Decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion
- b) distribute the Decision to all the Parties involved
- c) in extraordinary circumstances, the Decision Maker may first issue a verbal or summary Decision soon after the hearing's conclusion, with the full written Decision to be issued thereafter
- d) the Decision will be considered a matter of public record unless decided otherwise by the Decision Maker.

13. Timelines

13.1. If the circumstances of the Dispute are such that adhering to the timelines outlined by this Policy will not allow a comprehensive resolution to the Dispute, the Decision Maker may direct that these timelines be revised.

14. Confidentiality

14.1. Once initiated and until a Decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

15. Final and Binding Decision

15.1. The Decision Maker's ruling will be binding on all the Parties.

16. Legal Recourse

16.1. No action or legal proceeding will be commenced against WkTTA in respect of a Dispute, unless WkTTA has refused or failed to provide or abide by this Disputes Resolution Policy.