



## **TRANSFER REVIEW COMMITTEE**

### **REQUEST FOR REVIEW BY DARYL VELTMAN**

Panel: AJ Jomha, Jim Burke, Charles Miller

Representing BCLA – Sohen Gill  
Representing OLA – Doug Luey

BCLA has brought forward to the Transfer Review Committee a request to review the rejection by the OLA of Daryl Veltman's request for a release based upon Section 17.3.4.6 of the Operations Manual of the CLA and specifically 13.3.4.6(iv). These sections are stated as follows:

- 3.4.6 A participant may move from one MA/AMA's jurisdiction to another and be eligible to play under the following circumstances:
- iv) The player moves from one MA/AMA to another where the primary purpose is not to play lacrosse.

A summary of the BCLA's position is as follows:

1. In August of 2006 Daryl Veltman traveled to the Province of British Columbia for the purposes of establishing residency in the Province. He then returned to the Province of Ontario for the purposes of preparing for his move to Hobart University where he is attending.
2. Mr. Veltman has taken steps to evidence his residency by opening a bank account with his address in January of 2007.
3. As further evidence Daryl Veltman has provided a copy of a CAA Card from British Columbia, a British Columbia Health Care Card and a British Columbia driver's license.
4. A letter has provided by the City of Coquitlam Sports Centre evidencing that Mr. Veltman has obtained employment with that organization.
5. The BCLA has also referred to the letter addressed to the Canadian Lacrosse Association by Mr. Veltman making his request and setting out the circumstances surrounding his request.

The BCLA's argument is that there is written documentation confirming Mr. Veltman's intention to establish himself as a permanent resident within the Province and therefore should be provided with a release under Section 17.3.4.6(iv).

In response the OLA's position is that notwithstanding that there may be documents that suggest the establishment of a residency by Mr. Veltman there is no evidence that Mr.



Veltman has in fact resided in the Province of British Columbia or intends to on a permanent basis. It is the OLA's position that Mr. Veltman did travel to the Province of British Columbia, however, returned within a matter of days to the Province of Ontario before leaving to Hobart University, in the State of New York. Further, it appears that when he did return to Canada in the winter he returned to the Province of Ontario as there is some evidence that he attended a function in which he was recognized as getting the most points in the playoffs in the OLA Junior A League.

The parties agree that Mr. Veltman is currently attending Hobart University of New York.

### Decisions

Upon review of the submissions of both parties the Transfer Review Committee declines the request of Mr. Veltman for his release from the MA of Ontario to the MA of British Columbia. While Mr. Veltman has provided evidentiary documentation which would support the position that he has established residency he has not shown any evidence whatsoever that his intention is to remain there permanently and his documentation upon closer review is not conclusive either and would in fact imply that he only intends to remain until the end of the lacrosse season. The evidence being provided is inconsistent with the actions of the individual. Notwithstanding that he has obtained these documents it appears that he has spent less than 7 days in the past year in the Province of British Columbia and perhaps less since obtaining the documents. Notwithstanding that he has identified an address for his residence there is no evidence that he has spent any time there. Further, the documentation is also interesting. We note that the bank statement which identifies Mr. Veltman with a British Columbia address nevertheless comes from a branch of Canada Trust in the Province of Ontario. It is common knowledge that in today's banking world one can attend any branch of a national institution while having a mailing address in another Province. Thus, one would assume that Mr. Veltman was attending the Halton Hills branch to do his banking and therefore residing in Ontario.

The Committee is unconvinced by the documentation and are even more concerned by Mr. Veltman's lack of evidence of his purpose for making the "primary move" to B.C.. Clearly the only evidence we have in front of us that Mr. Veltman will be there for any period of time is an offer of employment by the City of Coquitlam Sports Centre, however, we note that this employment is a finite period and will terminate on August 24, 2007 which coincidentally roughly coincides with the end of the lacrosse season. Further, we understand that he will be returning to Hobart University to continue his education. There is no evidence whatsoever of any long term commitment to becoming a resident in the Province of British Columbia other than his statement that he wishes to be closer to his brother and that he intends to return there after completing his education.

Mr. Veltman has not convinced this Committee that he is making this move for a primary purpose which is not to play lacrosse. Simply stating that you intend to move to another Province for reasons other than lacrosse is not sufficient evidence of the intent. We suggest that the evidence must be conclusive that the reason that an individual is moving is outside the realm of lacrosse. One must provide conclusive evidence that he has legitimate reasons for transferring which do not include playing lacrosse.

This request is rejected.

AJ Jomha

Jim Burke

Charles Miller

Should you wish to appeal this decision included is the Right of Appeal process.

Right of Appeal

3.4.11.1           Should a team or player believe there are exceptional circumstances regarding the denial of a transfer, they can apply to the Transfer Review Committee, as defined in Section 17, Clause 3.4.10, for a ruling stating the exceptional circumstances. Grounds for permitting the transfer under the exceptional circumstance clause include but are not limited to the following:

- Player wants to play at a higher level of lacrosse than what is available within their current MA/AMA.
- Health reasons
- Compassionate reasons

3.4.10           Transfer Review Committee

3.4.10.1           Will review and resolve all disputes as directed by the transfer policy. The Transfer Review Committee will not be used for hearing any discipline related issues. However, the committee may forward on its findings to the CLA for further action if the committee deems it appropriate.

3.4.10.2           Will consist of the following individuals:

- Box Sector Chair (Chair of the committee)
- CLA VP Domestic Competition

- CLA Past President
- Presidents of the MA/AMA involved or their designate

Note: Should any of the CLA members not be able to sit on the committee, replacements will be appointed by the CLA President.

3.4.10.3 All submissions to the committee must be accompanied with a cheque of Five Hundred dollars (\$500). Should the Committee rule in favour of the applicant, Two Hundred and Fifty dollars (\$250) of the amount will be returned.

3.4.10.4 The committee will review and respond to the all requests within seven (7) business days upon receipt at the CLA office.

The decision of the committee may be appealed following the CLA Right of Appeal and Procedure policy as defined in the CLA Operations Manual.