

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)
CENTRE DE RÈGLEMENT DES DIFFÉRENDS SPORTIFS DU CANADA
(CRDSC)**

NO: SDRCC 19-0434

BETWEEN:

**ALBERTA CRICKET COUNCIL (ACC)
(Claimant)**

AND

**CRICKET CANADA
(Respondent)**

AND

**ALBERTA CRICKET ASSOCIATION (ACA)
(Affected Party)**

JANICE JOHNSTON - ARBITRATOR

REPRESENTATIVES:

FOR THE CLAIMANT: Mr. Shahbaz Saadat

**FOR THE RESPONDENT: Mr. Rashpal Bajwa
Mr. Ingleton Liburd**

**FOR THE AFFECTED PARTY: Mr. Salman Khan
Mr. James Bunting – Counsel
Mr. Carlos Sayao – Counsel**

SUPPLEMENTAL AWARD

1. On July 13, 2021, I issued the final decision in this matter. In that decision I concluded that I was satisfied that the ACC had demonstrated effective control of organized competitive cricket within the province of Alberta and should therefore be considered a Member with voting privileges at any meeting of the members pursuant to Cricket Canada's By-Laws. And I also indicated that, to be very clear, I was awarding PSO status for the province of Alberta to the ACC.
2. The Respondent, Cricket Canada has written the following email to the SDRCC:

SDRCC Team

I am writing on behalf of CC to get a clear understanding of the decision by Arbitrator Janice Johnston. In the decision of the Arbitrator states in point 23, 'To be clear, I therefore award PSO status for the province of Alberta to the ACC'. The award was based on information and CC Bylaws from 2019. Interpretation of the 2019 Bylaws would have allowed two members from one Province. Is the Arbitrator's decision saying that Alberta Cricket Association (ACA) is no longer a member of Cricket Canada and that Alberta Cricket Council (ACC) is the only member or that Cricket Canada can consider having both as members.

Kind Regards
Ingleton Liburd
General Manager Cricket Canada

3. In my decision, I found that the ACC was to replace the ACA as the "member" or PSO for the province of Alberta. Therefore, the ACA is no longer a member or the PSO for the province of Alberta. The ACC has taken on that role effective the date of my award.

4. Had the Respondent suggested that it would interpret the By-Laws so as to allow for two members at any point prior to the issuance of my final award, it is a compromise that I would certainly have given serious consideration to and in fact, the parties may have accepted it as a resolution in this case. However, the Respondent did not do so and it is too late to make this suggestion in the context of this case in my view. Having issued my final award in this matter, it is not appropriate to re-visit the remedy I awarded.

5. Certainly, the Respondent is free to reach out to the ACC and suggest this, assuming the province of Alberta could and would divide the funding between two organizations, but I am not prepared to order it at this stage in the proceedings.

Dated in Toronto this 26th day of July 2021.


Janice Johnston
Arbitrator