

Australian Capital Territory Junior Rugby Union (Incorporated)

JUDICIAL COMMITTEE MANUAL

(not abridged)

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1. MANDATE OF THE ACTJRU JUDICIAL COMMITTEE

- 1.1 The ACTJRU Judicial Committee (Judiciary) shall meet as required to adjudicate on matters referred to it as outlined in clause 2.
- 1.2 The Chairman shall keep a record of decisions reached and advise the ACTJRU Secretary in writing of such decisions.
- 1.3 The Judiciary shall keep a record of all suspended players. The ACTJRU Secretary shall ensure that suspensions imposed by the Judiciary are duly served.

2. POWERS OF THE JUDICIARY

- 2.1 In accordance with the International Rugby Board (IRB) Regulation 17 as it applies to the Australian Rugby Union and the ACTJRU, the Judiciary has the power to:
 - a. Consider the reports of referees, referee's assistants and others;
 - b. Hear and question evidence from anybody it considers appropriate;
 - c. Decide if the offence is proved;
 - d. Determine and impose whatever punishments or sanctions considered appropriate;
 - e. Set the starting and finishing dates of any suspensions it imposes;
 - f. Hear appeals against automatic sentences as set out in sub-clause 3.5 and Attachment A; and
 - g. Hear additional Yellow Card offences as set out in sub-clause 3.6 and 3.7.
- 2.2 The matters raised in sub-clause 2.1(a) shall include:
 - a. All player send off reports provided to the Judiciary by the game referee through the ACT Rugby Referees Association (ACTRRA);
 - b. All formal protests, disputes and complaints by affiliated club/school Council Members and referees on matters referred to it by the ACTJRU Secretary, against club/school Council Members, players, officials and supporters arising from incidents occurring under the jurisdiction of the ACTJRU
 - all protests by affiliated club/school Council Members against decisions made by the ACTJRU Secretary in managing the ACTJRU competition under the Rules of Competition; and
 - d. any Rules of Competition matter, that requires approval of the Judiciary, referred to it by the ACTJRU Secretary.





3. SUSPENSIONS AND PENALTIES

3.1 In coming to a decision the Judiciary will take into account (as a guide only) the recommended sanction for offences within the playing enclosure provided by the IRB under Regulation 17. These guidelines are attached at Attachment B and are subject to amendment from time to time by the IRB.

(Refer IRB Web: http://www.irb.com/NR/rdonlyres/4CCDE771-F504-4E27-B230-

6DE6ABA38756/0/060924GFIRBRegulation17.pdf

- 3.2 Where a decision is made by the Judiciary in accordance with sub-clause 2.2(a), the Judiciary may suspend a player for a period it considers appropriate.
- 3.3 Where a decision is made by the Judiciary concerning a player in accordance with sub-clause 2.2(b), the Judiciary may suspend a player for a period of time it considers appropriate.
- 3.4 Where a decision is made by the Judiciary concerning anybody else other than a player in accordance with sub-clause 2.2(b), the Judiciary may suspend that person from coaching or attending the ground for a period it considers appropriate.
- 3.5 All players sent off for offences carrying automatic penalties as per Attachment A must sit out the prescribed number of games. When a player does not seek to have the offence heard by the Judiciary at the next hearing, the player will be deemed to have accepted the automatic penalty. If a player seeks to have his or her offence heard by the Judiciary and is subsequently found guilty by the Judiciary, the Judiciary will impose a penalty higher than what would have been imposed under the automatic penalty arrangement. Players contesting automatic penalties are suspended until the offence is heard by the Judiciary.
- 3.6 The Judiciary reserves the right, on receipt of the referee's report, to override the automatic penalty arrangement and to require players to appear before the Judiciary. Players may not play until they appear before the Judiciary
- 3.7 All players sent off for the offence of "Second Cautionable Offence" (i.e. 2 Yellow Cards in one match), will receive an automatic one (1) match suspension with no right of appeal. Players sent off for this offence a second time in one season will receive an automatic two (2) match suspension with no right of appeal. Players sent off for a further time will be cited by the ACTJRU Secretary to appear at the next Judiciary hearing.
- 3.8 Accumulation of "Cautionable Offence" (Yellow Cards) are recorded by the referee and provided to the ACTRRA, which will in turn provide an accumulated record to the ACTJRU Secretary for action. A player receiving four yellow cards will receive a one (1) match suspension. A further two yellow cards in the season will incur a further two (2) match suspension with no right of appeal. Receipt of further yellow cards may lead to the player being cited by the ACTJRU Secretary to appear at next Judiciary hearing. No player should stand down until instructed to do so by the Judiciary.



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4. STRUCTURE OF THE JUDICIARY

The Judiciary consists of the Chairman and a number of members including a delegate from the Associated Southern Colleges (ASC). A panel comprised of a Chairman and one other member constitutes the minimum requirement for a quorum for the process of hearing a matter in accordance with clause 2. For hearings involving ASC players and officials in the Under 18 competition a panel must contain as a member the delegate from the ASC. All persons convened as a panel must vote on matters considered by them. The Chairman has a deciding or casting vote in the event of a deadlock.

5. JUDICIARY TO ACT IN GOOD FAITH

- 5.1 The Judiciary will keep an open mind about all the matters before it until all the evidence has been heard.
- 5.2 The offender shall be given every opportunity to present a case. However, the Judiciary shall be the sole judge of what witnesses and supporting evidence that shall be permitted at hearings. The Chairman has the right to call a halt to any duplication or repetition of evidence, or to rule on any evidence straying outside the bounds of the case before the Judiciary.
- 5.3 Determination of any charge by the Judiciary does not rely on the principle of "beyond reasonable doubt", but rather a standard of proof that it is comfortable with, having regard to the seriousness of the matter before it and to the level of evidence presented.
- 5.4 At the conclusion of a hearing and after the handing down of a decision, the offender must be advised of his or her rights of appeal.

6. HEARING TIMES

Hearings of the Judiciary are held on Wednesday evenings commencing at 5.30pm at the ACT Brumbies Club, Austin Street, Griffith, ACT 2903. Cases are heard in the order determined by the Judiciary. Generally, cases involving younger players will be heard before all others. The Chairman may alter the timing and location of hearings as and when required.

7. NOTIFICATION OF CHARGES

Every player sent from the field of play must be informed by the referee of the exact charge for which the referee has sent him off, either at the time of the send off or immediately after the game. The team manager/coach only should approach the referee after the match at which time the referee must inform him or her of the offence the player has been charged with. The referee will not discuss any other aspect of the incident at this time. The player is suspended from playing until the incident is heard by the Judiciary. It is the team coach/manager's responsibility to contact the Judiciary to ensure the incident





will be heard. The game referee will submit a Send-Off Report to the Judiciary by 10.00am on the first Monday following the game.

8. NOTIFICATION OF REQUIREMENT TO ATTEND THE JUDICIARY HEARING

- 8.1 All players sent off will be informed in writing of the charge and the time of the hearing through their respective club/school official. Players are suspended from playing rugby until the send off incident has been heard and the decision handed down by the Judiciary.
- Report to the ACTJRU Secretary for citing consideration by him. Players cited for incidents which occur off the field of play, and Council Members, club/school officials, parents and supporters cited to appear for incidents of misconduct, will be advised in writing of the charge (through their respective club/school) by the ACTJRU Secretary and the time of the hearing. A team/club/school officials cited by the ACTJRU Secretary is banned from attending the grounds at which any ACTJRU sanctioned games are played until such time that the incident has been heard by the Judiciary. Parents/supporters cited in this manner are also banned from attending games until the incident has been heard by the Judiciary. It is the responsibility of the affected club/school Council Member to ensure that such people cited by the ACTJRU Secretary resulting from a Referee Abuse Incident Report do not attended club/school games.

9. OUTCOMES OF HEARINGS

- 9.1 Suspensions, applied by the Judiciary, will be expressed in terms of matches or until a specified date. They refer to the periods of time within which the ACTJRU conducts its competitions or to calendar periods and may extend into the following playing season(s).
- 9.2 The Judiciary has the prerogative to consider a player's age and past record, the severity of the offence, and other extenuating circumstances, in determining the penalty
- 9.3 Suspended Sentence where the player has a previous record of good conduct, the Judiciary may choose to apply a suspended sentence or issue an official caution. A suspended sentence means the sentence handed down by the Judiciary is suspended or partially suspended for a period of time (usually the current season but may in some cases be extended to the following season) during which time if the player is found guilty of any offence the suspended sentence will be invoked and applied. In the case of a player, this means he is allowed to play during the period of the suspended sentence. If a suspended sentence is invoked the player must serve that sentence in addition to any sentence handed down by the Judiciary resulting from the new offence.
- 9.4 The Judiciary has the power to impose more severe penalties than prescribed in the guidelines on players found guilty of other offences during the season.



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10. PERSONS REQUIRED TO ATTEND

- 10.1 Players sent off from the field of play must appear at the next scheduled Judiciary hearing after the game. Failure to attend will result in the player being suspended from playing until he does so. Players sent off may not play in any games sanctioned by the ACTJRU between the time of the send off and the Judiciary hearing.
- 10.2 Players cited by the ACTJRU Secretary for incidents immediately after being sent off must attend the next Judiciary hearing as requested. Failure to do so may lead to the player being suspended until he or she appears.
- 10.3 Persons cited for off field and after match incidents must appear at the first scheduled Judiciary hearing after being notified by the ACTJRU Secretary. Not withstanding such a request the players cited are ineligible to play from the date of notification of the citing until such time that the incident has been heard by the Judiciary.

11. PERSONS UNABLE TO ATTEND

- 11.1 Players who are unable to attend the Judiciary hearing on the required night may do one of the following:
 - a. Request that hearing be postponed
 - In this case the player must make application, endorsed by the club/school official, to the Judiciary. The player cannot play until he appears or unless he is granted permission to play by the Judiciary pending the convening of the hearing.
 - b. Have the case heard in his or her absence

Again the player must make application, endorsed by the club/school official to the Judiciary. The player should include in his application for the hearing to be heard in absentia any statement he or she wishes to make regarding the incident leading to the send off including a statement of guilt or innocence

12. RIGHTS OF PARTIES REQUIRED TO APPEAR BEFORE THE JUDICIARY

- 12.1 All principles of Natural Justice apply.
- 12.2 On being sent from the field of play, the referee must tell the player what offence he has been charged with (e.g. stamping or referee abuse etc). This should also be done after the match through the team manager/Coach unless impractical because of the situation at the game. A copy of the Send Off Report is to be provided to the club/school official prior to the hearing. At the commencement of the hearing, the report shall be read out to the offender.



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- 12.3 Any person being cited by the ACTJRU Secretary to appear before the Judiciary; that is:
 - a. a player for actions off the field of play; or
 - b. a team official; or
 - c. a club/school when dealing with the actions of a parent or spectator,

must be advised of the charge being brought at the time of being cited to appear. The charge shall be advised in writing, as part of the citing letter. The hearing of any case or issue shall be held as expeditiously as possible and, until heard the person is not permitted to play, coach, manage or attend any field where junior rugby is played until the matter has been determined by the Judiciary.

12.4 It is an absolute requirement that an offender person shall hear all evidence on which the Judiciary will make its determination. That is, the offender must be offered the opportunity to be present throughout any hearing. The Judiciary is not permitted to view or take into account any material that is not available to the offender unless there are compelling reasons, in which case they must be fully explained to the offender.

13. PERSONS FAILING TO ATTEND A HEARING

- 13.1 When an offender fails to appear before the Judiciary when required to do so, there are two subsequent outcomes:
 - a. Any player who has been sent off, or cited for incidents occurring immediately after a send off, is suspended until he does appear; and
 - b. Where any person is cited for any other incident that person is suspended from playing, coaching, managing and attending the field of the match until he does appear.

14. OPPORTUNITY TO STATE A CASE

- 14.1 This is an opportunity, not a requirement. The offender shall not be required or pressured to make a statement or to produce any case unless he or she wishes to do so.
- 14.2 The offender has the right:
 - a. to ask questions, but only through the Chair of the panel not directly to any other person who is a party to a hearing; and
 - b. to produce any material that may be considered relevant documents or statements. Video evidence is not admissible. It is, of course, a matter for the Judiciary to decide what weight, if any, should be given to any such evidence, how reliable it is, and how far it goes to proving or otherwise a particular fact.



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15. USE OF LEGAL REPRESENTATIVES

The use of legal representatives is not permitted at Judiciary hearing. The offender may be represented by someone from his or her club/school who may argue the offender's case, but no more than that.

16. PRESENTING OF WITNESSES

Any witnesses that a person wishes to be present at any Judiciary hearing should appear in person so that the Judiciary can question them. If this is not possible then written statements will be accepted by the Judiciary.

17. ADMINISTRATION OF PENALTIES

- 17.1 Players are suspended for a number of games or until a specified date or as determined by the Judiciary.
- 17.2 Where the suspension is expressed in terms of a number of games, the player may not play in the next specified number of games his or her team plays. This includes all competition matches sanctioned by the ACTJRU or its parent body. A bye in the competition is not counted as a game.
- 17.3 Games missed following the send off and prior to the judicial hearing will not count in determining sentences.
- 17.4 Where a suspension specifies a date on which the suspension finishes, the player may not play in any match sanctioned by the ACTJRU or its parent bodies until that date has passed.
- 17.5 Players, club/school officials and supporters may also be barred from entering ACTJRU sanctioned grounds during games. In all instances this means that where there is a fence on any side of a ground the barred person must remain outside that fence. Where there is no fence the barred person must stay at least fifty (50) metres from the outer boundaries of the playing field. club/school Council Members will be held responsible for ensuring such sanctions are complied with.
- 17.6 Team coaches and managers may also be barred from holding these positions for a specified period. This may include games and training and is the responsibility of the club/school Council Members to enforce.
- 17.7 Sentences imposed as a result of send offs and citings may carry over from year to year. Players do not have to be registered in the following year for suspensions to expire. Suspensions for yellow card offences expire at the end of the year in which they were applied.
- 17.8 Any person suspended by the Judiciary is also suspended from the activities of all bodies affiliated to Australian Rugby Union unless a specific ruling to the contrary is made by the Judiciary. Similarly, any suspension applied by an affiliated body is binding in ACTJRU.
- 17.9 Players who play whilst suspended will be cited by the ACTJRU Secretary to appear before the Judiciary



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18. NOTIFICATION OF PENALTIES

- 18.1 Players sent off for offences carrying automatic suspensions will be notified of the suspensions through their club/school official.
- 18.2 Players or their club/school official who attend a hearing will be notified on the night of the outcome of the hearing. If no club/school official is present at the hearing then that club/school official will be notified by telephone or e-mail of the decision as soon as possible after the hearing by the ACTJRU Secretary
- 18.3 Where a player allows the case to be heard in his or her absence the ACTJRU Secretary will inform the club/school official by telephone or e-mail of the decision as soon as possible after the hearing.
- 18.4 Where a player is suspended for Yellow Card offences the ACTJRU Secretary will inform the club/school official by telephone or e-mail.
- 18.4 Where action is taken against a club/school Council Member, club/school official or supporter the ACTJRU Secretary will inform the club/school Council Member of the decision and the reasons for the decision.

19. RIGHT OF APPEAL

Any party affected by a decision of the Judiciary may appeal that decision at the next scheduled General Meeting of Council Members. All appeals must be advised to the ACTJRU Secretary within 7 days of notification of the Judiciary decision. All appeals must be lodged by the Secretary of the Club/School Council Member. All appeals must include the grounds for the appeal and any evidence to be presented in support of the appeal.

20. APPEALS TO GENERAL MEETING OF COUNCIL MEMBERS

- 20.1 The Council Members at a General Meeting may hear appeals against:
 - a. a decision handed down by the Judiciary; and
 - b. any decision of the ACTJRU Secretary.
- 20.2 No Club/School Council member connected to the parties involved in the appeal is permitted to vote on the appeal decision.
- 20.3 The General Meeting of Council Members has the power to either affirm or reduce any suspension being appealed against and may impose further penalties as they see fit.
- 20.4 The following parties must be present at any appeal:
 - a. person or party charged; and
 - b. the person or party who originally brought the charge or case. If the charge is based on a Referee's report, the Referee is not required to attend.





21. REFEREES AS MEMBERS OF HEARING PANELS

ACTJRU policy does not require the game Referee be present at any Judiciary or appeal hearing.

22. TIMING OF APPEALS TO GENERAL MEETING OF COUNCIL MEMBERS

Under ACTJRU procedures, any determination at a lower level remains valid until it is changed on appeal by Council Members at the next scheduled General Meeting. Suspensions are to be served during the time lapse between the Judiciary hearing and the next scheduled General Meeting.

23. FURTHER APPEALS

The appeal decision handed down at the General Meeting by Council Members is final and is not appealable.



ATTACHMENT A

ACTJRU JUDICIAL COMMITTEE AUTOMATIC SENTENCING & GUIDELINES

The Judiciary may refer to the following guidelines when determining penalties.

SECTION A

OFFENCES BY PLAYERS AGAINST OTHER PLAYERS *				
Description	Law	ACTJRU Mandatory Penalty	ACTJRU Minimum Penalty	ACTJRU Maximum Penalty
- 2 YELLOW Cards.	10.3 a	1 Week	1 Week	-
– Biting.	10.4 a	Attend Judiciary	2 Weeks	6 Weeks
 Contact with the eyes or over the eye area. 	10.4 a	Attend Judiciary	2 Weeks	6 Weeks
- Fighting.	10.4 a	1 Week	1 Week	6 weeks
- Head Butt.	10.4 a	Attend Judiciary	1 Week	8 Weeks
- Kneeing.	10.4 a	1 Week	1 Week	6 Weeks
 Punching or striking. 	10.4 a	1 Week	1 Week	2 Weeks
 Testicle grabbing or twisting or squeezing. 	10.4 a	Attend Judiciary	2 Weeks	6 Weeks
- Third Man into fight.	10.4 a	1 Week	1 Week	2 Weeks
- Illegal Rucking.	10.4 b	Attend Judiciary	1 Week	3 Weeks
- Stamping.	10.4 b	Attend Judiciary	1 Week	4 Weeks
- Kicking.	10.4 c	Attend Judiciary	1 Week	8 Weeks
- Tripping.	10.4 d	Attend Judiciary	1 Week	3 Weeks
 Dangerous tackle – 'stiff arm'; shoulder charge; spear tackle; early and/or late tackle. 	10.4 e	2 Weeks	2 Weeks	6 Weeks
 Playing an opponent without the ball. 	10.4 f	Attend Judiciary	1 Week	2 Weeks
 Dangerous charging. 	10.4 g	Attend Judiciary	1 Week	2 Weeks
 Causing a scrum, ruck or maul to collapse. 	10.4 I	Attend Judiciary	1 Week	4 Weeks
- Tackling the jumper in the air.	10.4 i	Attend Judiciary	1 Week	2 Weeks
- Dangerous play in a scrum, ruck or	10.4 k	Attend Judiciary	1 Week	2 Weeks





OFFENCES BY PLAYERS AGAINST OTHER PLAYERS *					
De	scription	Law	ACTJRU Mandatory Penalty	ACTJRU Minimum Penalty	ACTJRU Maximum Penalty
	maul.		. Charty		. Charty
_	Retaliation.	10.4 l	1 Week	1 Week	2 Weeks
_	Any other acts (not previously referred to) which are contrary to good sportsmanship ¹	10.4 m	Attend Judiciary	1 Week	11+ Weeks
_	Spitting at or on players.	10.4 m	Attend Judiciary	1 Week	3 Weeks
_	Swearing.	10.4 m	1 Week	1 Week	2 Weeks
_	Threatening or intimidating by word or action.	10.4 m	Attend Judiciary	4 Weeks	10 Weeks
=	Verbal abuse of Opponents whether based on religion, race, creed, sex, colour, national or ethnic origin or otherwise.	10.4 m	Attend Judiciary	4 Week	10 Weeks
_	Late-charging the kicker	10.4 o	Attend Judiciary	1 Week	2 Weeks

* Also applies to offences against other persons not covered by Section B, and to offences committed after having been sent from the field

APPENDIX 1. IRB RECOMMENDED SANCTIONS FOR OFFENCES WITHIN THE PLAYING ENCLOSURE (REGULATION 17)



The Secretary ACTJRU 52 Sidaway Street, CHAPMAN ACT 2611 · ABN 40 874 095 564 · Telephone +61 2 6288 5507 · Facsimile: +61 2 628744 67 · Mobile 0429 008 233 · Email ACTJRU@Ludden.com.au · Web www.actjru.rugbvnet.com.au · A member of the ACT and Southern NSW Rugby Union & the Australian Junior Rugby Union

SECTION B

OFFENCES BY PLAYERS AND TEAM OFFICIALS AGAINST MATCH OFFICIALS & TEAM OFFICIALS				
Description	ACTJRU Mandatory	ACTJRU Minimum	ACTJRU Maximum	
	Penalty	Penalty	Penalty	
- Dissent	Attend Judiciary	1 Week	6 Weeks	
 Inciting dissent against Match Official(s) 	Attend Judiciary	2 Weeks	10 Weeks	
- Physical abuse of Match Officials.	Attend Judiciary	6 Months	1 Year	
- Pushing with an open hand, shoulder or hip	Attend Judiciary	6 Weeks	14 Weeks	
- Striking with the ball or other object	Attend Judiciary	6 Weeks	14 Weeks	
- Striking, kicking, elbowing	Attend Judiciary	6 Months	2 Years	
- Head butting	Attend Judiciary	6 Months	2 Years	
- Spitting at or on	Attend Judiciary	4 Weeks	12 Weeks	
 Threatening or intimidating a Match Official by word or action. 	Attend Judiciary	4 Weeks	10 Weeks	
 Verbal abuse of Opponents whether based on religion, race, creed, sex, colour, national or ethnic origin or otherwise. 	Attend Judiciary	1 Week	6 Weeks	
 Using offensive, insulting or abusive language or gestures 	Attend Judiciary	2 Weeks	12 Weeks	
 Any other acts (not previously referred to) which are contrary to good sportsmanship² 	Attend Judiciary	4 Weeks	11+ Weeks	
_				

SECTION C

OTHER OFFENCES BY PLAYERS AND TEAM OFFICIALS			
Description	ACTJRU Mandatory Penalty	ACTJRU Minimum Penalty	ACTJRU Maximum Penalty
- Inciting the crowd	Attend Judiciary	2 Weeks	10 Weeks

APPENDIX 1. IRB RECOMMENDED SANCTIONS FOR OFFENCES WITHIN THE PLAYING ENCLOSURE (REGULATION 17)



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-	Attacking or fighting with spectators	Attend Judiciary	2 Weeks	1 Year
-	Bringing the game into disrepute	Attend Judiciary	4 Weeks	1 Year
-	Deliberately misleading Team or Match Officials of the ACTJRU Council	Attend Judiciary	2 Weeks	10 Weeks
_	Playing while suspended	Attend Judiciary	2 Weeks	10 Weeks
_	Playing overaged Players	Attend Judiciary	see Note 2	see Note 2
_	Spitting at or on spectators	Attend Judiciary	4 Weeks	12 Weeks
_	Any other acts (not previously referred to) which are contrary to good sportsmanship ³	Attend Judiciary	4 Weeks	11+ Weeks

Note:

- 1. The above sentences are guidelines only and the Judiciary reserves the right to vary penalties as appropriate.
- 2. The Judiciary reserves the right to apply an appropriate penalty.

APPENDIX 1. IRB RECOMMENDED SANCTIONS FOR OFFENCES WITHIN THE PLAYING ENCLOSURE (REGULATION 17)



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ATTACHMENT B

IRB REGULATION 17: RECOMMENDED SANCTIONS FOR OFFENCES WITHIN THE PLAYING ENCLOSURE

Description	Entry Point Based on Scale of Seriousness of the Player's conduct, which constitutes the offending. Lower End (LE), Mid Range (MR), Top End (TE).	Maximum Sanction
Physical Abuse of Match Officials	LE – 6 months; MR – 24 months; TE – 5 years.	LIFE
Threatening Actions or Words at Match Officials	LE – 3 months; MR – 12 months; TE – 24 months.	3 Years
Contact with Eyes or the Eye Area	LE – 3 months; MR – 9 months; TE – 18 months.	2 Years
Biting	LE – 6 months; MR – 12 months; TE – 24 months.	3 Years
Testicle Grabbing or Twisting or Squeezing	LE – 3 months; MR – 9 months; TE – 12 months.	2 Years
Kicking an Opponent	LE – 3 months; MR – 9 months; TE – 12 months.	18 Months
Stamping on an Opponent	LE – 1 month; MR – 3 months; TE – 9 months.	1 Year
Trampling an Opponent	LE – 1 month; MR – 3 months; TE – 9 months.	1 Year
Illegal rucking of an Opponent	LE – 2 weeks; MR – 6 weeks; TE – 3 months.	6 months
Dangerous charging or obstructing or grabbing of opponent without the ball, including shouldering	LE – 2 weeks; MR – 3 months; TE – 6 months.	1 Year





Description	Entry Point Based on Scale of Seriousness of the Player's conduct, which constitutes the offending. Lower End (LE), Mid Range (MR), Top End (TE).	Maximum Sanction
Dangerous charging or obstructing or grabbing of opponent carrying the ball, including shouldering	LE -2 weeks; MR – 3 months; TE – 6 months.	1 Year
Striking with Head	LE – 6 weeks; MR – 6 months TE – 12 months	2 Years
Striking with Knee	LE – 2 weeks; MR – 3 months; TE – 6 months.	1 Year
Striking another Player hand, arm, fist including the elbow.	LE – 2 weeks; MR – 3 months; TE – 6 months.	1 Year
Dangerous tackling of an opponent including early or late and including the action known as the "stiff arm tackle".	LE – 2 weeks; MR – 6 weeks; TE – 3 months.	6 Months
To trip an opponent with the foot/leg.	LE – 1 week; MR – 4 weeks; TE – 6 weeks.	3 Months
To hold, push, charge, obstruct an opponent not holding the ball except in a scrum, ruck or maul.	LE – 1 week; MR – 3 weeks; TE – 4 weeks.	6 Weeks
To cause a scrum, ruck or maul to collapse.	LE – 1 week; MR –3 weeks; TE – 6 weeks.	3 Months
Verbal abuse of opponents whether based on race, creed, colour or otherwise.	LE – 2 weeks; MR – 2 months; TE – 4 months.	6 Months
Spitting at Players	LE – 1 month; MR – 3 months; TE – 6 months.	6 Months

In respect of offences not referred to above, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Disciplinary Committee, Appeal Officer and/or Appeal Committee (as the case may be).





Notwithstanding the above, in cases where the player's actions constitute serious Illegal and/or Foul Play for any type of offence which had the potential to result and, in fact, did result in serious/gross consequences to the health of the victim, the Judicial Officers and/or Disciplinary Committees may impose any period of suspension including a suspension for life.





ATTACHMENT C

IRB REGULATION 17: ILLEGAL AND/OR FOUL PLAY AND MISCONDUCT



17.1 Application of the Regulations

- 17.1.1 Subject to Regulation 17.1.2, for International Matches, International Tours, and International Tournaments, the disciplinary procedures set out in this Regulation 17 shall be applied. For the purposes of this Regulation 17 International Matches shall be deemed to include the following:
 - (a) All Matches between a Union and the Combined Team of the Pacific Island Unions; and
 - (b) All Matches involving the British and Irish Lions.
- 17.1.2 For Matches, International Tournaments and International Matches under the jurisdiction of the IRB, which shall be deemed to include the Rugby World Cup, modified and/or additional procedures and rules to those set out in this Regulation 17 may be adopted by the Tournament organiser or other body designated by the IRB.
- 17.1.3 Subject to Regulation 17.1.2, for non-International Matches or Matches that do not form part of an International Tour or International Tournament the procedures set out in Regulations 17.26 and 17.27 shall apply.
- 17.1.4 For IRB Sevens Tournaments, as designated by the IRB, the procedures set out in Regulations 17.34 to 17.41 shall apply, subject to such modifications as are appropriate having regard to the structure of the Tournaments.

17.2 Compliance and Responsibility

- 17.2.1 For Matches played in accordance with the disciplinary procedures set out in this Regulation 17, subject to the provisions of Regulation 17.2.4 the responsibility for the appointment and administration of the relevant disciplinary bodies and disciplinary personnel, and the imposition of sanctions in respect of Illegal and/or Foul Play, shall be the Host Union's. However, in respect of International Tournaments, subject to the prior written approval of the Board and compliance with these Regulations, the appointment and administration of disciplinary bodies and disciplinary personnel and the imposition of sanctions may be delegated to the International Tournament organiser.
- 17.2.2 For International Matches, International Tours and/or International Tournaments, Unions are required to comply with applicable notification requirements and to apply the disciplinary rules and procedures in accordance with this Regulation 17 subject to any prior written IRB dispensation granted by the CEO, or his designee. Such dispensation shall only be granted on the basis that it is not reasonably practicable due to resource issues and/or non-availability of suitably qualified and experienced personnel to apply the disciplinary rules and procedures set out in this Regulation 17.
- 17.2.3 If the CEO of the Board or his designee suspects that a Union(s) or Tournament organiser is not applying, or in a particular case did not apply, the disciplinary rules and procedures in accordance with this Regulation 17 or failed to apply disciplinary rules and/or procedures properly or in good faith, or failed to comply with applicable notification requirements, the CEO, or his designee, may institute disciplinary action against the Union or Tournament organiser concerned. In addition, the CEO or his designee may investigate and/or review the case concerned to establish if any steps should be taken in relation to the Person(s) that were subject to the disciplinary rules and/or procedures. In such circumstances, the CEO or his designee may suspend the Person, on a provisional basis from participation in an International Match, International Tour and/or International Tournament pending





resolution of the matter.

17.2.4 The IRB may appoint relevant disciplinary personnel for Matches designated by Council as forming part of the pilot IRB judicial appointment scheme. Where appropriate in Regulation 17, where the IRB makes such appointment, references to Host Union appointment should be read accordingly.

17.3 Disciplinary Matters

- 17.3.1 This Regulation 17 sets out the procedures for dealing with the following disciplinary matters:
 - (a) When a Player is Ordered Off the playing enclosure:
 - (b) When a Player is cited for an act or acts of Illegal and/or Foul Play;
 - (c) When a Player has been Temporarily Suspended three times in accordance with Regulation 17.20; and
 - (d) When an act or acts of Misconduct may have been committed by a Union, Player or Person.

17.4 Illegal and/or Foul Play

17.4.1 For the purposes of this Regulation 17, Illegal and/or Foul Play means a breach or breaches of Law 10 of the Laws of the Game and/or a breach or breaches of Law 3-11(c), Law 4.5(c) and Law 6.6.

17.5 Ordering Off distinguished from Temporary Suspensions

- 17.5.1 A Player is Ordered Off when he is sent off the playing enclosure permanently by the referee and can take no further part in the Match in which he was Ordered Off.
- 17.5.2 A Player is Temporarily Suspended when he is cautioned in a Match by the referee and temporarily sent off the playing enclosure by the referee for a period of ten minutes playing time which is spent in the so-called sin bin.

17.6 Citing

17.6.1 For International Matches and all Matches forming part of International Tours and International Tournaments, Citing Commissioners satisfying the general requirements of Regulation 17.7.1(a) shall be appointed for each Match. Where the appointment of a Citing Commissioner is not reasonably practicable, due to resource issues and/or personnel availability, then subject to the prior agreement of Participating Unions and the CEO (or his designee) pursuant to Regulation 17.6.7, a Citing Commissioner may not be appointed.





Citing Commissioner

- 17.6.2 When a Citing Commissioner is appointed, the following policy shall apply:
 - (a) Citing Commissioners shall be entitled to cite a player for any act or acts of Illegal and/or Foul Play which in the opinion of the Citing Commissioner warranted the Player concerned being Ordered Off;
 - (b) Citing Commissioners may cite Players for an act or acts of Illegal and/or Foul Play even where such act or acts may have been detected by the referee and/or touch judge and which may have been the subject of action taken by the referee and/or touch judge. A Citing Commissioner may not, however, cite a Player for an act or acts of Illegal and/or Foul Play in respect of which the Player has been Ordered Off:
 - (c) A Player may be cited by the Citing Commissioner if he has been Temporarily Suspended. Such citing may be made in respect of the incident or incidents for which the Player was Temporarily Suspended or otherwise.
 - (d) Citing Commissioners shall act independently of the Judicial Officer or Disciplinary Committee and of the referee and/or touch judges of a Match.
 - (e) The Union or other affiliated organisation responsible for the management of either participating team in a Match shall not have the power to cite a Player for Illegal and/or Foul Play but may refer any incident of Illegal and/or Foul Play to the Citing Commissioner for consideration provided such incident is referred to the Citing Commissioner within 12 hours of the conclusion of the Match in which the incident is alleged to have occurred. A Citing Commissioner's decision as to whether a Player should be cited (or not, as the case may be), whether as the result of an incident referred to him or otherwise shall be final.
 - (f) Citing Commissioners shall be in attendance at the Match for which they are appointed to act as Citing Commissioner save in circumstances where a suitably qualified and independent Citing Commissioner Liaison Officer is in attendance at the Match and is able to provide the Citing Commissioner with the relevant information and back-up required in accordance with the applicable timeframes to allow the Citing Commissioner to discharge his duties in accordance with this Regulation 17.

Matches where Citing Commissioners are Not Appointed.

- 17.6.3 For Matches where, in accordance with Regulation 17.6.1, it is not reasonably practicable for a Citing Commissioner to be appointed, the following policy shall apply:
 - (a) Each Union participating in a Match may cite a Player for an act or acts of Illegal and/or Foul Play committed during that Match provided that such act or acts has or have not been detected by the referee and/or touch judges;
 - (b) Each Union participating in a Match may cite a Player for more than one incident of Illegal and/or Foul Play in the same Match.
 - (c) Each Union participating in a Match may cite more than one Player in any Match.

Notification of Citing and Temporary Suspensions Arrangements

- 17.6.4 With respect to International Matches not forming part of an International Tour it is the responsibility of the Host Union to notify the Board through the CEO, or his designee, 28 days prior to an International Match whether an independent Citing Commissioner will be appointed for the International Match concerned.
- 17.6.5 It is the responsibility of the Host Union to notify the Board through the CEO, or his designee, 28 days prior to the commencement of an International Tour of:
 - (a) which Matches during the International Tour an Independent Citing Commissioner will be appointed for;
 and
 - (b) the policy to be adopted for Temporary Suspensions in accordance with Regulation 17.20.
- 17.6.6 Subject to Regulation 17.1.2, for International Tournaments, the International Tournament organiser shall notify the Board 28 days before the commencement of the International Tournament whether:





- (a) an independent Citing Commissioner will be appointed for all Matches forming part of the International Tournament or only those that are International Matches or otherwise; and
- (b) the policy to be adopted for Temporary Suspension in accordance with Regulation 17.20.
- 17.6.7 If the Citing Commissioner notifications referred to in Regulation 17.6.4, 17.6.5 and/or 17.6.6 do not propose the appointment of Citing Commissioners, the CEO or his designee shall consider whether, in all the circumstances, such approach should be accepted. The CEO (or his designee) shall be entitled to seek information in relation to the proposal from the Union(s) concerned who shall provide such assistance as the CEO or his designee requires. If the CEO (or his designee) considers that it is reasonably practicable for a Citing Commissioner to be appointed, then the Host Union or International Tournament organiser (as the case may be) shall ensure that a Citing Commissioner is appointed.

17.7 Disciplinary Bodies and Personnel, Constitution and Appointment

- 17.7.1 For each Match the Host Union shall, subject to Regulation 17.6.1 and 17.6.7 above, appoint the following personnel and disciplinary bodies:
 - (a) An Independent Citing Commissioner

The Citing Commissioner shall be from a neutral country, unless the participating Unions agree otherwise. The person appointed as Citing Commissioner should have appropriate Rugby experience. No person who is an elected officer or fulltime paid employee of the Host Union or other affiliated organisation responsible for the management of either team participating in a Match shall be eligible for appointment as a Citing Commissioner;

(b) Citing Commissioner Liaison Officer

The function of the Citing Commissioner Liaison Officer shall be to liaise with and assist the Citing Commissioner in such manner as the Citing Commissioner directs. If the Citing Commissioner is not in attendance at the Match, then the Citing Commissioner Liaison Officer must be able to satisfy the minimum criteria set out in Regulation 17.6.2 (f) above;

- (c) Disciplinary Committee or Judicial Officer
 - A Judicial Officer or, subject to the approval of the Participating Unions in the Match concerned, a Disciplinary Committee comprising of three members.
 - (ii) The Disciplinary Committee or Judicial Officer shall have jurisdiction to determine disciplinary matters arising from: Players Ordered Off the playing enclosure; citings; alleged acts of Misconduct; and, as may be applicable, Temporary Suspensions;
 - (iii) The Chairman of the Disciplinary Committee or Judicial Officer (as the case may be), shall be from a neutral country unless the Participating Unions agree otherwise;
 - (iv) Where a Disciplinary Committee is appointed, the two remaining members appointed by the Host Union shall be from a neutral country unless the Participating Unions agree otherwise. No person who is a member or full time paid employee of the Host Union or other affiliated organisation responsible for the management of either team participating in a Match shall be eligible for appointment.
 - (v) The Chairman of the Disciplinary Committee or Judicial Officer shall be a senior legal practitioner of at least seven years standing or a serving or retired judge who shall have had previous experience in rugby disciplinary proceedings. Where a Disciplinary Committee is appointed, the remaining two members appointed by the Host Union may include an eminent former player, eminent rugby administrator or legally qualified persons with previous experience in rugby disciplinary proceedings or other suitably qualified personnel.
 - (vi) The Host Union shall nominate a Designated Disciplinary Official who shall be entitled to undertake such investigations (personally or through a nominee(s)) as he may consider necessary into incidents that constitute or may be capable of constituting Misconduct on the part of Players and/or Persons in accordance with Regulation 17.21. The role of the Designated Disciplinary Official may be undertaken by the Citing Commissioner or the Citing Commissioner Liaison Officer.
- 17.7.2 The Host Union shall, when required, appoint and have available an Appeal Committee comprising of three members or a single Appeal Officer to adjudicate on appeals from decisions of Disciplinary Committees or Judicial Officers. An Appeal Officer (rather than an Appeal Committee) may only adjudicate on appeal if both Unions and the appellant agree. In the absence of agreement, an Appeal Committee will adjudicate on





the appeal. The Chairman of the Appeal Committee or the Appeal Officer (as the case may be) shall be a serving or retired Judge or senior legal practitioner who has had previous experience in rugby disciplinary matters. The Chairman of the Appeal Committee or the Appeal Officer (as the case maybe) shall be from a neutral country unless the Participating Unions agree otherwise. Where applicable, the persons to be appointed as the two additional members of the Appeal Committee may include eminent former players, eminent rugby administrators, legally qualified persons who have had previous experience in rugby disciplinary proceedings or other suitably qualified personnel. Where an Appeal Committee is appointed, the two remaining members appointed by the Host Union shall be from a neutral country unless the Participating Unions agree otherwise. No person who is a member or a full time paid employee of the Host Union or other affiliated organisation responsible for the management of either team participating in a Match shall be eligible for appointment as Chairman or member of an Appeal Committee or as an Appeal Officer.

17.7.3 Where IRB appointments are made under the pilot IRB judicial appointment scheme referred to in Regulation 17.2.4, notwithstanding Regulation 17.7.1 and 17.7.2, the IRB shall determine the person (s) to be appointed and make the appointment of the independent Citing Commissioner, Judicial Officer or Disciplinary Committee Chairman (as the case may be) and Appeal Officer or Appeal Committee Chairman (as the case may be) for the Match concerned. The IRB is not required, in making such appointments, to seek the agreement of the Unions participating in the Match.

17.8 Initial Procedures – Ordering Off

- Where a Player in a Match is Ordered Off the referee shall, within 2 hours of the completion of the Match, or such further time as is necessary in the circumstances, give to the nominated officer of the Host Union a written report of the incident. If a Player is Ordered Off the playing enclosure as a result of the intervention of a touch judge, the touch judge shall also give to the nominated officer of the Host Union a written report within two hours of the completion of the Match, or such further time as is necessary in the circumstances.
- 17.8.2 Form 1 (Appendix 2a of the Regulation) may be used by the referee for the purposes of a report under Regulation 17.8.1.
- 17.8.3 Form 2 (Appendix 2b of this Regulation) may be used by a touch judge for the purpose of a report under Regulation 17.8.1.
- 17.8.4 Reports prepared by referees and/or touch judges when a Player has been Ordered Off should contain the following information:
 - (a) the date of the Match, the venue and the teams participating;
 - (b) the name of the Player Ordered Off and his team;
 - (c) the circumstances in which the Player was Ordered Off;
 - (d) the reason for the Player being Ordered Off; and
 - (e) any other information the referee (or touch judge where applicable) considers relevant.
- 17.8.5 The Host Union's nominated officer shall arrange for the reports to be provided, as soon as possible, to members of the Disciplinary Committee or Judicial Officer (as the case may be), that will adjudicate on the case.
- 17.8.6 The Player Ordered Off shall be supplied with a copy of the referee's report and, where applicable, the touch judge's report by the nominated officer of the Host Union as soon as reasonably practicable and advised:
 - (a) of the date, place and time of the Disciplinary Committee or Judicial Officer hearing at which the disciplinary proceedings will be heard;
 - (b) of the identity of the Disciplinary Committee members or Judicial Officer (as the case may be);
 - (c) that he will be required to attend in person at the hearing;
 - (d) that if he is unable to appear at the Disciplinary Committee or Judicial Officer hearing as notified, he should advise the nominated officer of the Union forthwith;
 - (e) that he is entitled to adduce evidence and make submissions and be represented by his Union and/or a





legal advisor; and

- (f) he is not eligible to play pending resolution of the case.
- 17.8.7 Where possible, notice to the Ordered Off Player under this Regulation shall be given in writing. It shall be sufficient compliance with this Regulation if a copy of the referee's report and where applicable, the touch judge's report and notice of the information required in Regulation 17.8.6 are handed to the Player or the Player's team manager.
- 17.8.8 If a member of a Disciplinary Committee or a Judicial Officer is unwilling or unable for whatever reason to hear the matter referred to the Disciplinary Committee or the Judicial Officer then the Host Union may, at its discretion:
 - (a) appoint another member to the Disciplinary Committee as a replacement; or
 - (b) appoint a new Judicial Officer or appoint a new Disciplinary Committee; or
 - (c) allow the remaining members of the Disciplinary Committee to hear the matter; or
 - (d) appoint a Judicial Officer to take the place of the Disciplinary Committee.
- 17.8.9 Disciplinary Committee Chairmen (without reference to other members of the Disciplinary Committee) and Judicial Officers shall as they consider appropriate be entitled to deal with applications and matters relating to the hearing.
- 17.8.10 In the interests of time and minimising inconvenience, a Player Ordered Off whose disciplinary hearing is pending can be required by the Disciplinary Committee or Judicial Officer, prior to the hearing, to supply it with full particulars of the case that will be presented on his behalf at the hearing.
- 17.8.11 Cases involving an Ordering Off shall, wherever practicable, be adjudicated on within 24 hours of the conclusion of the Match in which the Player was Ordered Off.
- 17.8.12 The Disciplinary Committee or Judicial Officer shall have power to postpone or adjourn a hearing at which disciplinary proceedings are to be heard.

17.9 Initial Procedures – Citing Complaint by a Citing Commissioner

- 17.9.1 A citing complaint by a Citing Commissioner must be sent in writing to the Secretary of the Host Union, or his nominee, in which the incident that is the subject of the citing complaint occurred within 48 hours of the completion of the Match subject to Regulation 17.9.2 below. For the purposes of this Regulation, a complaint is deemed to be sent when:
 - (a) it is transmitted by facsimile or e-mail provided that timed and confirmed notice of transmission can be provided; or
 - (b) it is received by the Secretary of the Host Union or his nominee.
- 17.9.2 A Host Union or International Tournament organiser may, subject to having obtained the approval of relevant Participating Unions, seek the approval of the CEO or his designee to utilise a period within which citing complaints may be initiated of less than 48 hours. In any event, however, this period shall never be less than 12 hours and no more than 48 hours.
- 17.9.3 The citing complaint shall contain the following information:
 - (a) the date and place of the alleged Illegal and/or Foul Play;
 - (b) the name of the Player in respect of whom the complaint is made and the team he was playing for at the time of the alleged Illegal and/or Foul Play;
 - (c) the name of the opposing team; and
 - (d) full details of the alleged Illegal and/or Foul Play including brief details of the evidence relied upon.

Form 3 (Appendix 2c of this Regulation) may be used for the purposes of making a citing complaint.

17.9.4 On receipt of a citing complaint, the Host Union shall send a copy of the complaint to the Player in respect





of whom it is made, his team management, the referee and, where applicable, the touch judges of the Match in which it is alleged the Illegal and Foul Play occurred.

- 17.9.5 The Citing Commissioner or his nominee shall forthwith obtain such information and reports in relation to the act or acts of Illegal and/or Foul Play subject to the citing complaint that he considers appropriate. All persons requested to provide reports and/or information shall cooperate with such requests and provide the reports and/or information as the case may be. Copies of the information and reports obtained shall be forwarded by the Host Union's nominated officer to the Player and other parties that were provided with a copy of the citing complaint.
- 17.9.6 The Host Union's nominated official shall arrange for the reports in relation to the matter to be provided, as soon as possible, to members of the Disciplinary Committee or Judicial Officer (as the case may be), that will adjudicate on the case.
- 17.9.7 If a member of a Disciplinary Committee or a Judicial Officer is unwilling for whatever reason to hear the matter then the Host Union may, at its discretion:
 - (a) appoint another member to the Disciplinary Committee as a replacement; or
 - (b) appoint a new Judicial Officer or appoint a new Disciplinary Committee; or
 - (c) allow the remaining members of the Disciplinary Committee to hear the matter; or
 - (d) appoint a Judicial Officer to take the place of the Disciplinary Committee.
- Disciplinary Committee Chairmen (without reference to other members of the Disciplinary Committee) and Judicial Officers shall as they consider appropriate be entitled to deal with procedural applications and matters prior to the hearing.
- 17.9.8 The Player cited shall be supplied with a copy of the relevant reports and information, and video coverage of the incident, if available, by the nominated official of the Host Union as soon as reasonably practicable and advised:
 - (a) of the date, place and time of the Disciplinary Committee or Judicial Officer hearing at which the disciplinary proceedings will be heard;
 - (b) the identity of the Disciplinary Committee members of Judicial Officer (as the case may be);
 - (c) that he will be required to attend in person at the hearing;
 - (d) that if he is unable to appear at the Disciplinary Committee or Judicial Officer hearing as notified, he should advise the nominated officer of the Union forthwith;
 - (e) that he is entitled to adduce evidence and make submissions and be represented by his Union and/or a legal advisor; and
 - (f) he is not eligible to play pending resolution of the case.
- 17.9.9 At any hearing of a citing complaint, the Disciplinary Committee or Judicial Officer may require the Citing Commissioner or his nominee to attend in person or via telephone conference and/or video link in order to present evidence and/or explain the basis upon which the citing complaint has been made.
- 17.9.10 The Citing Commissioner or his nominee may seek the assistance of a legal advisor.
- 17.9.11 In the interests of time and minimising inconvenience, a Player who has been cited, and whose disciplinary hearing is pending, can be required by the Disciplinary Committee or Judicial Officer, prior to the hearing, to supply it with full particulars of the case that will be presented on his behalf at the hearing
- 17.9.12 Where a Player is the subject of a citing complaint, his case should, wherever practicable, be adjudicated on within 5 days of the end of the Match in which the alleged foul play that is the subject of the complaint occurred.
- 17.9.13 Disciplinary Committee or Judicial Officer shall have power to postpone or adjourn a hearing at which disciplinary proceedings are to be heard.
- 17.10 Initial Procedures -Citings by Unions
- 17.10.1 The procedures to be applied for a citing by a Union in circumstances where a Citing Commissioner has not





been appointed for the Match concerned, shall as far as reasonably practicable be as set out in Regulation 17.9 above, subject to such modifications as may be necessary. In any event, the variations set out in Regulations 17.10.2 to 17.10.5, inclusive, shall apply.

- 17.10.2 A citing complaint by a Union must be sent in writing to the Secretary of the Host Union (or his nominee), in which the incident that is the subject of the citing complaint occurred within 48 hours of the completion of the Match.
- 17.10.3 To be valid, the citing complaint must be signed by a duly authorised member of the Union or other person responsible for the management of the team citing the Player.
- 17.10.4 The responsibility for obtaining information and reports in relation to the citing shall rest with the Union making the citing complaint. The Union must liaise, as appropriate, with the Host Union or its nominated official to ensure that relevant information and reports are circulated to the appropriate parties in advance of the hearing.
- 17.10.5 The provisions of Regulation 17.9.8(f) shall not apply to Players cited by Unions.

17.11 Standard of Proof

- 17.11.1 The Regulations relating to Standard of Proof have been prepared with Law 6-5 of the Laws of the Game in mind. It is essential to preserve the integrity of this Law and the referee's position as sole judge of fact and law during the Match. Any decision by a referee during a Match cannot be affected by a ruling of a Disciplinary Committee or a Judicial Officer. A distinction is drawn between the referee's decision on the field of play and reasons for the decision. This means that when after a Match a Disciplinary Committee or Judicial Officer consider the further disciplinary consequences of an incident, where the referee has already made a decision on the field in relation to that incident, the Disciplinary Committee or Judicial Officer may, nevertheless, enquire into the referee's reasons for that decision and the circumstances surrounding it.
- 17.11.2 In any case where a Disciplinary Committee or Judicial Officer considers an incident(s) of Illegal and/or Foul Play or alleged Illegal and/or Foul Play, it may decide to impose a sanction in accordance with the provisions of Regulation 17.14 or take no further action.
- 17.11.3 In the case of an Ordering Off, the function of the Disciplinary Committee or Judicial Officer is to consider the circumstances of the case and determine what further sanction, if any, should be imposed on the Player. The Player Ordered Off may seek to show that the referee's reasons for his decision were wrong and the Disciplinary Committee or Judicial Officer may, subject always to Regulation 17.11.1, review the referee's reasons for the Ordering Off decision and the circumstances surrounding it. In any such case, the Disciplinary Committee or Judicial Officer shall not make a finding contrary to the referee's decision unless it is satisfied, on the balance of probabilities that the referee's reasons for his decision were wrong.
- 17.11.4 In the case of a citing, the function of the Disciplinary Committee or Judicial Officer shall be to review the case and determine whether on the balance of probabilities the Player concerned committed the act or acts of Illegal and/or Foul Play that are the subject of the citing complaint, provided that:
 - (a) In any case where a Disciplinary Committee or Judicial Officer is required to consider a citing complaint in respect of an incident where the referee has made a decision on the field of play in relation to that incident, the Disciplinary Committee or Judicial Officer may review the referee's reasons for the decision and the circumstances surrounding it. In any such case, the Disciplinary Committee or Judicial Officer shall not make a finding contrary to the referee's decision unless it is satisfied on the balance of probabilities that the referee's reasons for his decision are wrong.
 - (b) In any case where a Disciplinary Committee or Judicial Officer is required to consider an incident of Illegal and/or Foul Play or alleged Illegal and/or Foul Play which has not been the subject of a determination on the field of play by the referee it shall not uphold the citing complaint unless it is satisfied on the balance of probabilities that the Player concerned committed the acts or acts of Illegal and/or Foul Play that are subject to the citing complaint.
 - (c) In citing cases involving Matches in which no Citing Commissioner was appointed, the Judicial Officer or Disciplinary Committee will, prior to considering whether the citing complaint by a Union is to be upheld, establish that the incident was undetected by the referee and/or touch judges.
- 17.12 Disciplinary Committee or Judicial Officer -Power to Regulate its Own Procedures





- 17.12.1 The procedure of Disciplinary Committees or Judicial Officers as the case may be in all proceedings shall be as the particular Disciplinary Committee or Judicial Officer shall determine in each case and the Disciplinary Committee or Judicial Officer shall be entitled to depart from the procedures set out in Regulation 17.13. However, subject to the power to regulate its own procedures and depart from the procedures set out in Regulation 17.13, it shall:
 - (a) seek to conform generally with the procedures set out in Regulation 17.13;
 - (b) ensure that a Player subject to disciplinary proceedings has a reasonable opportunity to be heard and to present his case;
 - (c) comply with the Standard of Proof provisions set out in Regulation 17.11;
 - (d) ensure that for citing complaints made by Unions in Matches where a Citing Commissioner has not been appointed that such Union has a representative in attendance at the hearing, failing which the case will be dismissed.
- 17.12.2 In any case, the Disciplinary Committee or a member thereof or Judicial Officer may convene a pre-hearing conference for the purposes of giving directions for the hearing and clarification of the procedures. Such conference may include any Player Ordered Off or cited or any Union and/or their representative, Match Officials, the Citing Commissioner and any other person or body whose participation is considered desirable.
- 17.12.3 The Disciplinary Committee or Judicial Officer shall endeavour to ensure that disciplinary proceedings are heard in the presence of the Union or Player who is the subject of the proceedings, but nothing in the Regulations, or otherwise, shall prevent a Disciplinary Committee or Judicial Officer hearing and determining disciplinary proceedings in the absence of the Union or Player concerned where the Union or Player does not attend the hearing. In such circumstances the Disciplinary Committee or Judicial Officer may take written representations made by or on behalf of the Union or Player into account in making its decision.

17.13 Disciplinary Committee and Judicial Officer General Procedures

- 17.13.1 A Player who is required to attend a hearing by a Disciplinary Committee or Judicial Officer shall be entitled to be represented at the hearing by an official of his Union, or other affiliated organisation, or by legal counsel.
- 17.13.2 The referee of the Match in which the player is Ordered Off shall (and, if a player is Ordered Off as a result of a touch judge's intervention, the touch judge) unless exceptional circumstances prevent him, attend the hearing of the Disciplinary Committee or Judicial Officer whether in person or via telephone conference and/or video link. Nothing in this Regulation shall prevent the Disciplinary Committee or Judicial Officer hearing and determining disciplinary proceedings in the absence of the referee and/or touch judge.
- 17.13.3 In respect of cases involving the Ordering Off of a Player, the Disciplinary Committee or Judicial Officer shall ensure that, prior to the hearing, the Player Ordered Off has been supplied with, and has had a sufficient opportunity to consider, the referee's report and where applicable the report of the touch judge, together with other evidence including (where available) video evidence. In respect of cases involving a citing complaint, the Disciplinary Committee or Judicial Officer shall ensure that prior to the hearing, the Player cited has been provided with and has had a sufficient opportunity to consider the information and reports of the incident.
- 17.13.4 In any case where the Disciplinary Committee or Judicial Officer considers it necessary, or desirable, it may direct the Host Union to have an interpreter present at a hearing.
- 17.13.5 The Disciplinary Committee or Judicial Officer, subject to Regulation 17.18.1, shall be entitled to receive such evidence and in such form as it thinks fit (including evidence in writing), notwithstanding the evidence may not be legally admissible and shall be entitled to attach such weight to that evidence as it/he sees fit.
- 17.13.6 Generally, Disciplinary Committees or Judicial Officers shall apply the Best Evidence Rule. This means that first hand accounts from persons present at the hearing as to their observations of the incident in question should be preferred. Hearsay evidence may be accepted. However, caution will be exercised before hearsay evidence is accepted in preference to first hand evidence and generally less weight is likely to be given to hearsay evidence. Further, as a general rule, Disciplinary Committees or Judicial Officers should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence





is only likely to be permitted when the evidence falls outside the every day knowledge of members of the Committee, for example, medical opinion.

- 17.13.7 In the event that the Disciplinary Committee or Judicial Officer accepts as of probative value video tape evidence it shall be viewed without the sound or commentary associated with it being heard, save where the sound commentary includes the comments made by the referee through his microphone in relation to the specific incident in question.
- 17.13.8 The Disciplinary Committee or Judicial Officer shall be entitled to determine whether witnesses that give evidence are able to remain in the room in which the hearing is being heard after their evidence has been given.
- 17.13.9 The Disciplinary Committee or Judicial Officer may direct the attendance at the meeting of any Player Ordered Off or cited, and any witness. Where such a direction is given by the Disciplinary Committee or Judicial Officer it shall be the responsibility of the Union, the Player or Person or witness concerned to ensure that it is complied with, notwithstanding any travel or other arrangements that may need to be made and/or altered. In any case where a direction given by the Disciplinary Committee or Judicial Officer is not complied with, the Disciplinary Committee or Judicial Officer may refuse to allow the evidence of the Union, Player or Person or witness to be given in any other form.
- 17.13.10 At any hearing the Disciplinary Committee or Judicial Officer may direct that the Host Union be represented. If so, the Union shall appear by counsel or by a representative at the hearing, in such capacity as the Disciplinary Committee or Judicial Officer requires, to provide assistance to the Disciplinary Committee or Judicial Officer in the discharge of its duties.
- 17.13.11 Where evidence is given before a Disciplinary Committee or Judicial Officer there shall be no direct questioning of any witness, save by Disciplinary Committee members or the Judicial Officer save where the Judicial Officer or Disciplinary Committee agree otherwise. Questions may, however, be put to a witness through the Chairman of the Disciplinary Committee or Judicial Officer at the Chairman's or Judicial Officer's discretion.
- 17.13.12 Disciplinary Committees or Judicial Officers shall be entitled to call on experts to provide specialist advice, including legal advice.
- 17.13.13 Unless it otherwise directs, the procedure of the Disciplinary Committee or Judicial Officer at a hearing will be as follows:
 - (a) the Chairman will explain the procedure to be followed;
 - (b) for cases involving Ordering Off, the referee's report and, where applicable, the touch judge's report will be read;
 - (c) the Player will be asked to confirm if he admits that he has committed an act or acts of Illegal and/or Foul Play:
 - (d) evidence from the Ordered Off Player, if he elects to give evidence, and from any witnesses to be called will be heard;
 - (e) final submissions will be heard;
 - (f) a similar procedure subject to such modification as the Disciplinary Committee or Judicial Officer deem appropriate may be adopted at the discretion of the Disciplinary Committee or Judicial Officer with regard to cases involving citing however, the Player will be asked to confirm if he admits that he has committed an act or acts of Illegal and/or Foul Play;
- 17.13.14 For citing complaints initiated by a Citing Commissioner, the Disciplinary Committee Chairman or Judicial Officer may request that a person be available to present the case and set out the basis of the citing complaint;
- 17.13.15 For citing complaints initiated by Unions, in circumstances where a Citing Commissioner was not appointed, the Union citing the Player must have a representative in attendance at the hearing to present the basis of the citing complaint and evidence in support.
- 17.13.16 The Player subject to the proceedings may admit the offence at any time in which case the Disciplinary Committee or Judicial Officer should proceed immediately to hear submissions as to the sanction (if any) to be imposed.





- 17.13.17 The Disciplinary Committee or Judicial Officer's deliberations on its decision shall take place in private. A decision of a Disciplinary Committee shall be valid if taken by at least a simple majority of the Members of the Disciplinary Committee. No Member of a Disciplinary Committee may abstain from any decision. Where a Disciplinary Committee has an even number of Members and the Members of such Disciplinary Committee are unable to come to a unanimous or majority decision, then the Chairman of the Disciplinary Committee shall have a casting vote.
- 17.13.18 Subject always to Regulation 17.11, the Disciplinary Committee or Judicial Officer shall, in the first instance, determine, its factual findings. Thereafter, as appropriate, it will reconvene and hear and consider evidence and submissions in relation to sanctions.

17.14 Sanctions

- 17.14.1 When imposing sanctions, Disciplinary Committees or Judicial Officers dealing with an Ordering Off and/or citing shall apply the Board's recommended penalties for Illegal and/or Foul Play set out in Appendix 1 in accordance with this Regulation 17.14.
- Disciplinary Committees or Judicial Officers shall undertake an assessment of the seriousness of the Player's conduct, which constitutes the offending and categorise the offence as being at the lower end, mid range or top end of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) where such incident(s) is expressly covered in Appendix 1. Such assessment of the seriousness of the Player's conduct shall be determined by reference to the following features of offending:
 - (a) The offending was intentional, that is, committed intentionally or deliberately;
 - (b) The offending was reckless, that is the Player knew (or should have known) there was a risk of committing an act of Illegal and/or Foul Play;
 - (c) The gravity of the Player's actions in relation to the offence:
 - (i) Nature of actions, manner in which offence committed including part of body used i.e. fist, elbow, knee or boot;
 - (ii) The existence of provocation and whether the Player acted in retaliation and/or self-defence;
 - (d) The effect of the offending Player's actions on the victim (i.e. extent of injury, removal of Player from game);
 - (e) The effect of offending Player's actions on the game;
 - (f) The vulnerability of victim Player including part of victim's body involved/affected, position of Player, ability to defend himself;
 - (g) The level of participation in the offending and level of premeditation;
 - (h) Whether the conduct of the offending Player was completed or amounted to an attempt;
 - (i) Any other feature relevant to the offending.

Based on the assessment of the offence(s) under consideration against the above features of offending, the Disciplinary Committee or Judicial Officer shall categorise the offence(s) as being at the lower end, mid range or top end of the scale of seriousness of offending and identify the applicable entry point where set out in Appendix 1.

- 17.14.3 Having identified the applicable entry point for consideration of a particular incident, Disciplinary Committees or Judicial Officers shall identify all relevant aggravating factors and determine what additional period of suspension, if any, above the applicable entry point for the offence should apply to the case in question. Aggravating factors include the following:
 - (a) An absence or lack of remorse and/or contrition on the part of the offending Player;
 - (b) The Player's status as a persistent offender of the laws of the game1;
 - (c) The need for a deterrent to combat a pattern of offending;
 - (d) Any other off field aggravating factor that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.
- 17.14.4 (a) Thereafter, Disciplinary Committees or Judicial Officers shall identify all relevant mitigating factors and determine if there are grounds for reducing the period of suspension, if any. Mitigating factors include the following:





- (i) The presence and timing of an acknowledgement of culpability/guilt by the offending Player;
- (ii) A good record and/or good character;
- (iii) The age and experience of the Player;
- (iv) The Player's conduct prior to and at the hearing;
- (v) Remorse for the Player's actions and the victim Player;
- (vi) Any other off field mitigating factor that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.
- (b) In cases involving offending of the least serious kind where there are compelling mitigating features and an absence of aggravating features, sanctions less than the lower end sanctions specified in Appendix 1 may be applied and, in this respect only, the lower end sanctions set out in Appendix 1 are not minimum sanctions.
- 17.14.5 Disciplinary Committees and Judicial Officers shall in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the standard features of offending set out in Regulation 17.14.2, how they applied aggravating and mitigating factors and conclude with the sanction, if any, imposed.
- 17.14.6 Whenever any period of suspension is imposed by a Disciplinary Committee or Judicial Officer, the commencement of such suspensions may be deferred at the discretion of the Disciplinary Committee or Judicial Officer which imposes it based on Regulation 17.29.2.
- 17.14.7 For cases involving Illegal and/or Foul Play, Judicial Officers and Disciplinary Committees may not suspend the effect of any sanction to be imposed.

17.15 Costs

- The Player's disciplinary record in all competitions and (as appropriate) in other sports within the previous five years of the incidence that is the subject of the disciplinary proceedings may be considered by a Disciplinary Committee or Judicial Officer. In any case in which the Disciplinary Committee or Judicial Officer form the view that a Player before it is a persistent offender of the laws of the game, then the Disciplinary Committee or Judicial Officer in imposing any sanction on the Player may in fixing that sanction take account of such persistent offending as an aggravating factor.
- 17.15.1 As a general principle and subject to Regulation 17.15.2 and 17.15.3 below, the Host Union shall bear the cost of holding the hearing, including the travel/accommodation and/or costs of the Disciplinary Committee members and/or Judicial Officer, Match Officials, Citing Commissioner and other witnesses called by the Disciplinary Committee or Judicial Officer as well as the costs of interpretation, transcription and legal advice for the Disciplinary Committee or Judicial Officer.
- 17.15.2 The Player that is the subject of the proceedings or his Union shall pay his/their own costs, including travel/accommodation costs of the person, his representatives and his witnesses, as well as his legal costs.
- 17.15.3 Notwithstanding Regulations 17.15.1 and 17.15.2, Disciplinary Committees and Judicial Officers shall have complete discretion to impose such cost orders as it/he sees fit having regard to the circumstances of the case. Such cost orders may cover the costs referred to in Regulation 17.15.1 and 17.15.2 and such other costs as the Disciplinary Committee or Judicial Officer shall determine.

17.16 Post-Hearing Procedures

- 17.16.1 The decision of the Disciplinary Committee or Judicial Officer shall be advised to applicable parties, as soon as practicable after the conclusion of the hearing and shall be binding on notification to the Player or his representative, if any. Where it considers it appropriate, the Disciplinary Committee or Judicial Officer may deliver a short oral decision at the conclusion of the hearing (with its reasons to be put in writing and communicated to the parties at a later date) or it may reserve its decision.
- 17.16.2 Relevant parties heard by the Disciplinary Committee or Judicial Officer shall be entitled to a copy of the written decision of the Disciplinary Committee or Judicial Officer which shall, where practicable, be sent to them by the Host Union within 48 hours after it is available.
- 17.16.3 In any case where a Player is adversely affected by a decision of the Disciplinary Committee or Judicial





Officer he shall be advised by the Disciplinary Committee or Judicial Officer of the circumstances in which he may appeal to an Appeal Committee or Appeal Officer (as the case may be). Such advice shall, ordinarily, be included in the Disciplinary Committee's or Judicial Officer's written decision and advised at the conclusion of the hearing if an oral decision is given.

17.16.4 The hearing by the Disciplinary Committee or Judicial Officer (save for private deliberations) shall, ordinarily, be fully audio recorded. The record of the proceedings, and all papers associated with the proceedings, shall be held by the Host Union which shall make the same available to the Board if required. Copies of the record shall be made available at reasonable cost only on appeal of the decision of the Disciplinary Committee or Judicial Officer.

17.17 Appeals

- 17.17.1 A Player may appeal to an Appeal Committee or Appeal Officer from a decision of a Disciplinary Committee or Judicial Officer. Any appeal must be lodged with the secretary of the Host Union or its nominated officer within 48 hours of the date on which the decision of the Disciplinary Committee or Judicial Officer has been notified.
- 17.17.2 An appeal shall be deemed to have been lodged when a notice of appeal is received by the secretary of the Host Union together with any required deposit referred to in Regulation 17.17.4.
- 17.17.3 The notice of appeal shall be in writing and signed by the Player lodging the appeal and shall specify:
 - (a) the name of the Player lodging the appeal;
 - (b) the decision appealed against;
 - (c) the date of the decision appealed against; and
 - (d) the specific grounds of the appeal. Except as provided, no specific form of a notice of appeal is required.
- 17.17.4 If the Host Union shall so require, each notice of appeal shall be accompanied by a deposit of an amount not exceeding the equivalent of £1000 (English pounds), such amount to be determined by the Host Union or International Tournament organiser. In the event of a required deposit not being paid, the appeal shall be deemed to be abandoned, save that the Appeal Committee or Appeal Officer (as the case may be), in any case, shall have power to extend the time for payment of the deposit.
- 17.17.5 On the lodgement of the appeal the Host Union shall make available to the Appeal Committee or Appeal Officer the full record of the proceedings before the Disciplinary Committee or Judicial Officer.
- 17.17.6 An Appeal Committee or Appeal Officer shall have power to conduct and regulate the appeal proceedings as it sees fit having regard to the circumstances of the case but shall generally conform to the procedures stated in these Regulations but particularly Regulation 17.17.7.
- 17.17.7 The Appeal Committee or Appeal Officer shall be entitled to conduct a de novo hearing or hear the appeal based on the record of the decision of the Judicial Officer or Disciplinary Committee or a combination thereof, as he deems appropriate. Where the appellant appeals against the sanction and/or cost order alone, the appellant may request that the Appeal Committee or Appeal Officer review the sanction without the need for a personal hearing. The Appeal Committee or Appeal Officer may also determine that a personal hearing is not required in relation to any appeal but if he so wishes, the appellant always has the right to appear and make representations in all cases or alternatively he may make representations by telephone and/or in writing.
- 17.17.8 The Appeal Officer and the Appeal Committee Chairman shall be entitled as he sees fit to deal with pre hearing procedural and/or evidential matters and as may be applicable without reference to other members of Appeal Committees and Appeal Officers and may convene a pre-hearing conference for the purposes of giving directions for the hearing and clarification of the procedures. The Appeal Committee Chairman or Appeal Officer may require any person to attend the hearing as a witness.
- The Appeal Committee or Appeal Officer shall set a time, date and place for the hearing of the appeal which shall be notified by the Host Union to the Union and/or Player who has lodged the appeal. The appellant will at that time also be notified of the names of the Appeal Committee Members or Appeal Officer (as the case may be) and the fact that pending appeal, the Player is not eligible to play the game save always that where a Player's suspension expires when his appeal is pending the Player will be eligible to play forthwith.





- 17.17.10 If a Member of the Appeal Committee or Appeal Officer is unable or unwilling, for whatever reason, to hear the appeal, then the Host Union may, at its absolute discretion:
 - (a) appoint a replacement; or
 - (b) appoint a new Appeal Committee or new Appeal Officer;
 - (c) allow the remaining members of the Appeal Committee to hear the appeal.
- 17.17.11 Appeal Committees and Appeal Officers shall be entitled to call on experts to provide specialist advice, including legal advice.
- 17.17.12 An appeal should, where practicable, be heard within 7 days of its lodgement.
- 17.17.13 The Appeal Committee or Appeal Officer shall have power to postpone or adjourn the hearing of an appeal.
- 17.17.14 In any appeal, the Appeal Committee or Appeal Officer may direct that the Host Union be represented. If so, the Host Union shall appear by counsel, or by another representative at the hearing of the appeal in such capacity as the Appeal Committee or Appeal Officer requires, to provide assistance to the Appeal Committee or Appeal Officer in the discharge of its duties.
- 17.17.15 The appellant may be represented before the Appeal Committee or Appeal Officer by a Union representative and/or legal counsel.
- 17.17.16 Where any question of fact arises on an appeal before the Appeal Committee or Appeal Officer it may be determined by reference to the record of proceedings before the Disciplinary Committee or Judicial Officer. However, the Appeal Committee or Appeal Officer, in its discretion, may rehear or receive written evidence in respect of the whole or any part of the evidence given before the Disciplinary Committee or Judicial Officer as it considers appropriate.
- 17.17.17 Subject to Regulation 17.17.7 the Appeal Committee or Appeal Officer shall have full discretionary power to hear and receive such further evidence on an appeal as it thinks fit. Ordinarily, such evidence would only be accepted where it can be established that such evidence was not, on full and proper enquiry, available at the time of the original hearing. The Appeal Committee or Appeal Officer, subject to Regulation 17.18.1, shall be entitled to receive such evidence as it thinks fit, notwithstanding the evidence may not be legally admissible.
- 17.17.18 If in its discretion, and subject to Regulation 17.17.6 and 17.17.7 above an Appeal Committee or Appeal Officer admits further evidence to be adduced at a hearing, there shall be no cross-examination of witnesses except to the extent allowed by the Appeal Committee or Appeal Officer.
- 17.17.19 In any case where a witness required by the Appeal Committee or Appeal Officer refuses and fails to attend before the Appeal Committee or Appeal Officer, the Appeal Committee or Appeal Officer may decide whether or not to allow the evidence of that witness to be given in any other form.
- 17.17.20 The Appeal Committee or Appeal Officer shall be entitled to determine whether witnesses that give evidence are able to remain within the room in which the appeal is being heard after their evidence has been given.
- 17.17.21 Save where the Appeal Committee or Appeal Officer decides to hear the entire case de novo (in which circumstances the applicable first instance standards and burdens shall apply), the appellant shall have the burden of proving that the decision being challenged should be overturned or varied.
- 17.17.22 The Appeal Committee's deliberations on its decision shall take place in private.
- 17.17.23 A decision of an Appeal Committee shall be valid if taken by at least a simple majority of the Members of the Committee. No Members of an Appeal Committee may abstain from any decision. When an Appeal Committee has an even number of Members and the Members of such Committee are unable to come to a unanimous or majority decision, then the Chairman of the Appeal Committee shall have the casting vote.
- 17.17.24 In exercising its jurisdiction, an Appeal Committee or Appeal Officer shall have power to:
 - (a) dismiss the appeal, quash, vary or increase any decision and/or penalty appealed against; and/or





- (b) order that the whole or any part of a deposit lodged pursuant to Regulation 17.17.4 be refunded;
- (c) take any other steps that it considers necessary to deal justly with the appeal.
- 17.17.25 The Appeal Committee or Appeal Officer shall have the discretion to make such cost order as it deems appropriate and may order any party or parties to pay some or all of the costs of proceedings under this Regulation 17 including the cost of holding the hearings, the cost of any interpreters and/or the legal and/or travel/accommodation costs of the members of the Appeal Committee or Appeal Officer, Disciplinary Committee, Judicial Officer and/or the parties.
- 17.17.26 The decision of the Appeal Committee or Appeal Officer shall be advised to the parties as soon as practicable after the conclusion of the hearing and shall be final and binding on notification to the Union, Player or Person, his representative, if any, or his Union. Where it considers it appropriate, the Appeal Committee may deliver a short oral decision at the conclusion of the hearing (with its reasons to be put in writing and communicated to the parties at a later date) or it may reserve its decision.
- 17.17.27 Relevant parties heard by the Appeal Committee or Appeal Officer shall be entitled to a copy of the Appeal Committee's or Appeal Officer's written decision which shall be provided by the Appeal Committee as soon as practicable after it is available.
- 17.17.28 The hearing of any appeal by an Appeal Committee or Appeal Officer shall, ordinarily, be fully audio recorded. The record of proceedings and all papers produced at the hearing shall be retained by the Host Union which shall make the same available to the Board if it requires. The Host Union shall forthwith supply a copy of any decision to the Board.

17.18 Additional Provisions

- 17.18.1 In all proceedings heard by Disciplinary Committee or Judicial Officers and/or Appeal Committees or Appeal Officers, referees and/or touch judges may only give evidence of fact, not opinion.
- 17.18.2 The standard of proof on all questions to be determined by Disciplinary Committee or Judicial Officers or Appeal Committees shall be the balance of probabilities.
- 17.18.3 Procedures or proceedings under this Regulation or any decision of a Disciplinary Committee or Judicial Officer or Appeal Committee or Appeal Officer shall not be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of a Disciplinary Committee or Judicial Officer or Appeal Committee or results in a miscarriage of justice.
- 17.18.4 Hearings by Disciplinary Committees or Judicial Officers shall, ordinarily, take place at the Match venue. Appeal Committee or Appeal Officer hearings shall, ordinarily, be heard in the country where the disciplinary proceedings originated and at a convenient venue nominated by the national Union of that country. All hearings shall be held in private.
- 17.18.5 Where disciplinary proceedings, however arising, are taken against more than one Player as a result of incidents occurring in a Match, such proceedings may be heard by a Disciplinary Committee or Judicial Officer at the same time, provided there is no prejudice to any person against whom the disciplinary proceedings are taken.
- 17.18.6 No member of a Disciplinary Committee or a Judicial Officer or member of an Appeal Committee or Appeal Officer should comment to the media on a decision of those bodies but the Chairman of either may release a copy of that decision to the media when it is available; or if a full written decision is not immediately available, release to the media a brief resume of that decision.
- 17.18.7 Disciplinary Committee or Judicial Officers, Citing Commissioners and Appeal Committees or Appeal Officers constituted under these rules shall exercise their functions independently of both Unions playing in a Match and the National Union within whose jurisdiction the hearing or appeal takes place.
- 17.18.8 Disciplinary Committee or Judicial Officers, Citing Commissioners and Appeal Committees or Appeal Officers shall be fully autonomous and, in particular, any decision they make shall be binding on the National Unions participating, neither of which shall have the power to affirm, revoke or alter any decision.





- 17.18.9 In respect of any matter not provided for in this Regulation the appropriate body or person shall take a decision according to general principles of natural justice and fairness.
- 17.18.10 Disciplinary Committee or Judicial Officers and Appeal Committees, prior to a hearing or at any stage during a hearing, may amend the offence for which the Player or Person has 17.19.2 Without in any way limiting the effect of Clause 17.29.1, a Player that is subject to an been Ordered Off or cited unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice.

17.19 Suspension

- 17.19.1 A Player Ordered Off or cited by an independent Citing Commissioner may not take part or be selected for any further Match until his case has been dealt with by a Disciplinary Committee or Judicial Officer.
- 17.19.2 Ordering Off or citing in domestic competition (or as may be applicable subject to a misconduct complaint) is not entitled to play in any International Match or Match forming part of an International Tournament or International Tour until his case has been finally resolved.
- 17.19.3 A suspended Person or Player who elects to appeal may not take part or be selected for any further Match until his case has been dealt with by an Appeal Committee or Appeal Officer.

17.20 Temporary Suspensions

- 17.20.1 By January 1 2004, or such other later date as the Board may determine, Unions and International Tournament organisers shall introduce provisions to regulate the administration and disciplinary consequences arising out of Temporary Suspensions.
- 17.20.2 In developing its provisions for Temporary Suspensions for International Tournaments, the following indicative procedures and principles may be applied subject to such modifications as may be necessary having regard to the Tournament structure:
 - (a) the referee must report each Temporary Suspension in the Tournament at the conclusion of the Match in which the Temporary Suspension was imposed;
 - (b) the report which may be in a standard form shall, ordinarily, be forwarded to the Host Union or nominated official (or other person appointed by the International Tournament organiser to co-ordinate disciplinary matters) and, where reasonably practicable, within two hours following the completion of the Match in which the Temporary Suspension was imposed;
 - (c) the Host Union, its nominee or International Tournament organiser (as the case may be) shall forward a copy of the report to the relevant parties within 48 hours of receipt;
 - (d) A Player who has been Temporarily Suspended on three or more occasions in Matches under the jurisdiction of the International Tournament organiser shall be required to appear before a Disciplinary Committee or Judicial Officer of the International Tournament organiser at an appointed time and place. At that time the Player will be notified as follows:
 - That the purpose of the hearing is to consider whether any further penalty should be imposed on him for his persistent offending;
 - (ii) That he may be represented by his Union or by a legal representative;
 - (iii) Save where he alleges that a Temporary Suspension in any incident was a result of the referee having wrongly identified the Player as the offending Player ("mistaken identity") no evidence will be heard other than on the question of penalty;
 - (iv) The identity of the Disciplinary Committee Members or Judicial Officer, as the case may be;
 - (v) That the Player may not continue to play the game pending resolution of the case.
 - (e) The general procedures for hearings and appeals under Regulation 17, subject to such modifications as may be necessary, shall also apply to the hearings and appeals in relation to Temporary Suspensions.
 - (f) The sanctions set out in Appendix 1 shall be applied subject to the provisions of Regulation 17.14.
- 17.20.3 Unions will be required, from January 1 2004, or such later date as the Board may determine, to put in place a system to deal with Temporary Suspensions, which may incorporate the indicative principles set out in Regulation 17.20.2 above for all competitions under their jurisdiction.

17.21 Misconduct





- 17.21.1 Unions are responsible and accountable for the conduct of their Players, officials and all Persons under their jurisdiction. Unions, Players and Persons must conduct themselves in a disciplined and sporting manner and ensure that they do not commit an act or acts or Misconduct. For the purposes of this Regulation, Misconduct shall mean any conduct, behaviour or practices on or off the playing enclosure in connection with an International Match, International Tour or International Tournament (excluding Foul Play during a Match) that is unsporting and/or unruly and/or ill-disciplined and/or that brings or has the potential to bring the sport of Rugby Union, the IRB and/or its commercial partners into disrepute.
- 17.21.2 It is not possible to provide a definitive and exhaustive list of the types of conduct, behaviour, statements or practices that may amount to Misconduct under these Regulations. By way of illustration, each of the following types of conduct is an example of Misconduct:
 - (a) acts of violence or intimidation within the Venue in which the Match is being played including (without limitation) the tunnel, changing rooms and/or warm-up areas;
 - (b) acting in an abusive, insulting, intimidating or offensive manner towards referees, touch judges or other officials or any person associated with the Union's participating in the Match or spectators;
 - (c) acts or statements that are or conduct that is discriminatory by reason of religion, race, sex, colour or national or ethnic origin;
 - (d) seeking or accepting any bribe or other benefit to fix a Match, International Tour, International Tournament or series of Matches or to achieve a contrived outcome to a Match, International Tour, International Tournament or series of Matches or to otherwise influence improperly the outcome of any dimension of aspect of any Match, Tour, Tournament or series of Matches;
 - (e) entering into any wager, bet or form of financial speculation, directly or indirectly as to the result of any other dimension or aspect of any International Match, International Tour and/or International Tournament or series of Matches in which the Person is directly or indirectly involved and/or connected with.
 - (f) providing inaccurate and/or misleading information about previous disciplinary record in any
 proceedings under this Regulation or other disciplinary proceedings and/or misleading information
 concerning the Player's future playing intentions;
 - (g) any other breach of Regulation 20 (Code of Conduct) of the IRB Regulations Relating to the Game;
 - (h) comments and/or conduct in connection with current and/or anticipated disciplinary proceedings and/or match officiating (or any aspect thereof), which may be prejudicial to and/or impact on current and/or anticipated disciplinary proceedings and/or which are prejudicial to the interests of the game and/or any Person.

17.22 The Role of the Host Union in Misconduct Matters

The Host Union shall nominate a Designated Disciplinary Official who shall, subject to Regulation 17.23, be entitled to undertake such investigations as he may consider necessary into incidents that constitute or may be capable of constituting Misconduct on the part of Players and/or Persons. The Designated Disciplinary Official shall be entitled to appoint a nominee(s) to undertake such investigation. No person who is a member or a full time paid employee of the Host Union or other affiliated organisation responsible for the management of either team participating in a Match shall be eligible for appointment as the Designated Disciplinary Official, or his nominee(s).

17.23 Initial Procedures – Misconduct

- 17.23.1 The Designated Disciplinary Official or his nominee shall be entitled to undertake such investigations as he may consider necessary into incidents that constitute or may be capable of constituting Misconduct involving a Player(s) and/or Person(s). Every Union, Player and Person shall be obliged to co-operate with any such investigations and a failure to cooperate with such investigation may itself constitute Misconduct under this Regulation.
- Subject to the provisions of this Regulation 17.23, the Designated Disciplinary Official has sole discretion to determine whether to investigate an incident or incidents and/or to bring a Misconduct complaint against a Player(s) and/or Person(s) under these Regulations and his decision in respect of both initiating an investigation and/or bringing a Misconduct complaint shall be final, save that in cases involving conduct and/or behaviour that in his opinion are more appropriately dealt with by a visiting Union, or the Board, the Designated Disciplinary Official may, on behalf of his Union and with the consent of his Union refer the matter to the visiting Union or the Board to deal with.





- 17.23.3 Notwithstanding Regulation 17.23.2, where the Designated Disciplinary Official has reason to believe that an act or acts of Misconduct may have been committed by a Union, he must immediately inform the CEO of the Board (or his designee), in writing. The CEO (or his designee) shall then deal with the matter as he thinks fit.
- 17.23.4 If a matter is properly referred to a visiting Union, pursuant to Regulation 17.23.2 above, then the visiting Union shall be obliged to progress the matter in accordance with appropriate disciplinary procedures which shall be based on those set out in this Regulation, subject to such modifications as may be necessary, having regard to the circumstances of the case.
- The Designated Disciplinary Official shall notify the CEO, or his designee, of any Misconduct matters and/or act or acts which may constitute Misconduct and confirm (a) whether the Designated Disciplinary Official proposes to refer the matter to a visiting Union and, if so, the reasons for the referral or (b) that it is proposed that the matter be handled by the Host Union. On receipt of this notification, the CEO, or his designee, may determine that the case should not be referred and/or should be handled by the Board. If so, or in the event of a referral further to 17.23.3 above, then the Board will advise the visiting Union and Host Union accordingly from which point the Board will take responsibility for the investigation and general conduct of the matter. If, following further investigation or otherwise, the CEO of the Board (or his designee) elect to bring a Misconduct complaint, then the matter shall be referred to a Disciplinary Committee or Judicial Officer (as the case may be) for consideration. The Union, Player or Person concerned shall be notified in accordance with Regulation 17.23.9, with the CEO or his designee fulfilling the role of the Designated Disciplinary Official. The provisions of Regulations 17.23.11 to 17.23.19 shall apply to proceedings brought further to this Regulation 17.23.5, with the CEO or his designee fulfilling the role of the Designated Disciplinary Official as necessary.
- 17.23.6 If the CEO, or his designee, allows the visiting Union to handle the case then the visiting Union shall report the outcome to the CEO, or his designee, as soon as it is concluded.
- 17.23.7 The CEO, or his designee, may take such action against the Union and/or Player and/or Person concerned as he considers appropriate in the event that the visiting Union does not conclude the investigation and/or adjudicate on the matter expeditiously in good faith.
- 17.23.8 If the Designated Disciplinary Official elects to bring a Misconduct complaint, then the matter shall be referred to a Disciplinary Committee or Judicial Officer (as the case may be) for consideration.
- 17.23.9 Subject to Regulation 17.23.2 above, the Misconduct complaint by the Designated Disciplinary Official shall be sent in writing to the Secretary of the Host Union or his nominee. The Misconduct complaint should contain the following information:
 - (a) Date and place of the alleged Misconduct;
 - (b) The name of the Player or Person in respect of whom the complaint is made and (where applicable) his Union;
 - (c) Details of the alleged Misconduct (including brief details of the evidence relied);
- 17.23.10 On receipt of a Misconduct complaint, the Host Union shall, subject to Regulations 17.23.2 and 17.23.3 above, send a copy of the complaint and applicable information and/or reports to the Player or Person (and their Union) in respect of whom it is made together with notification of the date, time and place for the meeting of the Disciplinary Committee or Judicial Officer at which the Misconduct complaint will be heard;
- 17.23.11 In the interests of time and minimising inconvenience, a Union, Player or Person subject to a Misconduct complaint and whose disciplinary hearing is pending, can be required by the Disciplinary Committee or Judicial Officer, prior to the hearing, to supply full particulars of the case that will be presented on his behalf at the hearing;
- 17.23.12 The Disciplinary Committee or Judicial Officer shall have power to postpone or adjourn a hearing at which disciplinary proceedings are to be heard. The Disciplinary Committee or Judicial Officer may impose a provisional suspension on a Player or Person subject to a Misconduct complaint pending the resolution of the case.
- 17.23.13 The Disciplinary Committee or Judicial Officer shall determine the applicable pre-hearing and hearing procedures and may adopt the general procedures for Ordering Off or citing issues subject to such





modifications as is considered appropriate for the case concerned.

- At any hearing of a Misconduct complaint, the Designated Disciplinary Official shall be in attendance to explain the basis of the Misconduct complaint. The Designated Disciplinary Official shall be entitled to appoint a nominee to present the Misconduct complaint and may be assisted by a legal advisor. The Designated Disciplinary Official shall have the burden of proving, on the balance of probabilities that an act or acts of Misconduct have been committed. The Union, Player or Person subject to the Misconduct complaint will be asked if it/he accepts that it/he has committed an act of Misconduct. The Disciplinary Committee or Judicial Officer, as the case may be, shall determine its factual findings and whether it is satisfied on the balance of probabilities that an act or acts of Misconduct has been committed by the Union, Player or Person concerned.
- 17.23.15 If a Disciplinary Committee or Judicial Officer determines that an act or acts of Misconduct has been committed then it/he shall receive and consider representations on Sanctions. The Disciplinary Committees and Judicial Officers shall be entitled to impose such sanction as it/he thinks fit on the Union and/or Person and/or Player concerned including, but not limited to, the following:
 - (a) a caution, warning as to future conduct, reprimand;
 - (b) a fine;
 - (c) a suspension for a specified number of Matches or period of time;
 - (d) exclusion orders from Unions or grounds within Unions;
 - (e) suspension from involvement in Rugby officiating and/or administration;
 - (f) any combination of the above.
- 17.23.16 The decision of the Disciplinary Committee or Judicial Officer shall be communicated to the relevant Union, Player or Person concerned or their representatives as soon as reasonably practicable and shall be binding on notification to the Union, Player and/or Person concerned and their representatives. In cases handled by a Union, the IRB shall also be notified immediately.
- 17.23.17 A Union, Player or Person who is found to have committed and act or acts of Misconduct shall have the right to appeal against the finding of an offence of Misconduct and/or the sanction imposed.
- 17.23.18 Any penalties imposed shall remain effective pending the determination of the appeal.
- 17.23.19 Unless the Board determines otherwise, all penalties imposed in respect of Misconduct shall be applied by and recognised by all Unions.

17.24 Appeals In Relation To Misconduct Matters

- 17.24.1 To be valid, any appeal against the decision of a Disciplinary Committee or Judicial Officer in relation to Misconduct must be lodged with the Designated Disciplinary Official or his nominee in writing within 48 hours of the written notification of the decision.
- The appeal shall be heard as soon as reasonably practicable. The appeal will be dealt with in the most convenient location having regard to the Unions, Persons or Players involved. It need not take place in the country in which the Misconduct occurred. This will be determined by the Appeal Committee Chairman or Appeal Officer appointed to adjudicate on the appeal.
- 17.24.3 The Appeal Committee or Appeal Officer shall determine the basis on which the appeal shall proceed, including the standard of review. The general principles in relation to appeals set out in Regulation 17.17 shall be applied subject to such modification as the Appeal Committee or Appeal Officer deems necessary.
- 17.24.4 In exercising its jurisdiction, the Appeal Committee or Appeal Officer shall have the equivalent powers to those set out in Regulation 17.17.24.
- 17.24.5 The decision of the Appeal Committee or Appeal Officer shall, as soon as reasonably practical be notified in writing to the appellant and other relevant parties.
- 17.24.6 The majority decision of the Appeal Committee or the decision of the Appeal Officer (as the case may be) shall be effective immediately on notification to the appellant and/or his representatives and shall be final and binding.





- 17.24.7 Each Union or Tournament organiser (as the case may be) shall submit a full report of proceedings and conclusions in Misconduct matters arising out of or within its jurisdiction within 14 days of the final decision having been made. The CEO, or his designee, may, on behalf of the Board, accept the result or refer the matter to the appropriate body for consideration.
- 17.25 Disputes over Procedures to be Adopted for Citing or Temporary Suspension In International Matches, International Tours and International Tournaments.
- 17.25.1 If two Unions cannot agree on citing and/or Temporary Suspension arrangements to be adopted for an International Match, International Tournament or, International Tour then the disciplinary procedures to be applied shall be determined by the CEO, or his designee, whose determination shall be final and binding.

DISCIPLINARY PROCEDURES FOR NON INTERNATIONAL MATCHES OR MATCHES THAT DO NOT FORM PART OF AN INTERNATIONAL TOUR OR INTERNATIONAL TOURNAMENT

17.26 Players Ordered Off the Playing Enclosure

When a Player is Ordered Off the playing enclosure the referee shall, as soon as possible after the Match, send to the Union, or other disciplinary body having jurisdiction over the Match, a report, in the standard form, naming the Player and describing the circumstances that necessitated the ordering off. The Player should be provided with a copy of the report. The Union, or other disciplinary body having jurisdiction over the Match, shall consider such report and any other evidence it deems appropriate. The Player Ordered Off shall have the right to be heard, if he so desires and to produce evidence, including video, oral, film or photographic evidence. The Union, or other disciplinary body having jurisdiction over the Match, shall then take such action and impose such punishment as it sees fit and shall apply the Board's sanctions for Illegal and/or Foul Play set out in Appendix 1 subject to the principles set out in Regulation 17.14.

17.27 Citing of Players

- 17.27.1 Unions may appoint independent Citing Commissioners for matches under its jurisdiction or adopt the citing regime set out in Regulation 17.27.2 below. Where independent Citing Commissioners are appointed for a Match, the principles set out in Regulation 17 in relation to International Matches, International Tours and/or International Tournaments shall be applied.
- Where a Player commits an act of Illegal and/or Foul Play which has not been detected by Match Officials either of the Unions or affiliated organisations participating in the Match have the discretion to cite that Player in writing to the Union or disciplinary body having jurisdiction over the Match. Such citing, to be effective, must be made within 48 hours of the conclusion of the Match in which the foul play is alleged to have occurred. The Player should be provided with a copy of the citing complaint. The Union, or other disciplinary body having jurisdiction over the Match, shall consider the citing complaint and any other evidence it deems appropriate including video, oral, film or photographic evidence. The Player cited shall have the right to be heard and to produce evidence. At any hearing of a citing complaint a representative of the citing Rugby Body or Club must be in attendance, failing which the citing complaint will be dismissed. If an act of foul play is found to have been committed the Union, or disciplinary body having jurisdiction over the Match, shall then take such action and impose such penalties as it sees fit and shall apply the Board's sanctions for Illegal and/or Foul Play set out in Appendix 1 subject to the principles set out in Regulation 17.14 Illegal and/or Foul Play.

17.28 Additional/Alternative Procedures for non international Matches or Matches that do not form part of an International Tour or International Tournament

17.28.1 In addition to the provisions contained in 17.26 and 17.27 above, the Union, Association or other disciplinary body having jurisdiction over a Match, may apply additional procedures (including, but not limited to, a right to appeal), for dealing with a Player Ordered Off or cited and other disciplinary or misconduct matters provided that such procedures meet the objectives of ensuring a fair and impartial procedure within the judicial requirements of the jurisdiction of that Union, Association, or disciplinary body.

17.29 Suspensions

17.29.1 If a Player is suspended from playing by his Union or other appropriate disciplinary body, the suspension shall be effective immediately. The Player may not play the Game anywhere during the period of





suspension.

- Any suspension must be imposed until a stated date which should be fixed after taking into consideration all playing consequences of such suspension.
- 17.29.3 If a Player's suspension has not terminated by the end of the current playing season, it shall continue until a stated date in the next playing season, unless he has been selected for a close season tour, or he intends to play during the close of season in another Union. In this event the period of the tour in the playing season in the visited Union and the fact that he intends to play in another Union must be taken into account in determining when the suspension shall come to an end.

17.30 Exceptional Circumstances

- 17.30.1 In exceptional circumstances where the conduct of a Player(s) or Person(s) is of such a serious/gross nature that his or their continued involvement in the sport in any capacity pending the final determination of the matter by the relevant authority is deemed by the IRB to be inappropriate and/or potentially prejudicial to the image and reputation of the sport, then the Board is entitled to require as it deems fit that the relevant Union(s) provisionally suspend such Player(s) or Person(s) from any involvement in the sport.
- 17.30.2 It is the responsibility of each Union in membership of the IRB to ensure that in such circumstances it is able by reference to its regulations or otherwise to effect and/or recognise such provisional suspension on the Player or Person concerned.

17.31 Unforeseen Circumstances

17.31.1 In the event that a particular incident takes place for which there is no provision in this Regulation 17 then the CEO of the Board, or his nominee may take such action that he considers appropriate in the circumstances in accordance with general principles of natural justice and fairness.

17.32 Technical Non-Compliance

- 17.32.1 Any procedures pursuant to disciplinary processes under these Regulations or proceedings, findings or decisions of Judicial Officers, Judicial Committees, Disciplinary Committees and/or Appeal Committees and Appeal Officers shall not be quashed or invalidated by reason of any departure from the procedural Regulations, defect, irregularity, omission or technicality unless such departure, defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of these bodies or results in a miscarriage of justice.
- 17.33 All Unions and Associations shall register their disciplinary rules and procedures with the Board.

PROCEDURES FOR ILLEGAL AND/OR FOUL PLAY, CITING AND MISCONDUCT FOR IRB SEVENS TOURNAMENTS

17.34 Introduction

- 17.34.1 In recognition of the unique structure of IRB Sevens Tournaments these disciplinary procedures for Illegal and/or Foul Play, citing and Misconduct have been developed to provide a uniform disciplinary process that will enable all disciplinary decisions in IRB Sevens Tournaments to be made in a fair, but expeditious manner.
- 17.34.2 Unions participating in IRB Sevens Tournaments are responsible and accountable for the conduct of their Players and officials. Unions, Players and officials must ensure that Sevens Matches are played in accordance with disciplined and sporting behaviour and that they do not commit an act or acts of Misconduct.
- 17.34.3 For the purposes of these Sevens disciplinary Regulations, Misconduct shall mean conduct, behaviour or practices, on or off the playing enclosure, (excluding Illegal and/or Foul Play during a Match) that may bring the Tournament, and/or the game of rugby and/or the Tournament's commercial partners into disrepute. Misconduct shall include, but shall not be limited to, abusive, threatening or intimidating behaviour towards referees, touch judges, spectators or other officials.





17.34.4 The appointment of Judicial Officers and Appeals Committees to adjudicate on cases pursuant to this Sevens disciplinary Regulations, shall, ordinarily, take place in accordance with the provisions of Regulation 18.2.1 of the Regulations Relating to the Game.

17.35 Standard of Proof

- 17.35.1 The Regulations relating to Standard of Proof have been prepared with Law 6-5 of the Laws of the Game in mind. It is essential to preserve the integrity of this Law and the referee's position as sole judge of fact and law during the Match. Any decision by a referee during a Match cannot be affected by a ruling of a Judicial Officer. A distinction is drawn between the referee's decision on the field of play and reasons for the decision. This means that when after a Match a Judicial Officer considers the further disciplinary consequences of an incident, where the referee has already made a decision on the field in relation to that incident, the Judicial Officer may, nevertheless, enquire into the referee's reasons for that decision and the circumstances surrounding it.
- 17.35.2 In any case where a Judicial Officer considers an incident(s) of Illegal and/or Foul Play or alleged Illegal and/or Foul Play, he may decide to impose a sanction in accordance with the provisions of Regulation 17.36.6 17.36.9 or take no further action.
- In the case of an Ordering Off, the function of the Judicial Officer is to consider the circumstances of the case and determine what further sanction, if any, should be imposed on the Player. The Player Ordered Off may seek to show that the referee's reasons for his decision were wrong and the Judicial Officer may, subject always to Regulation 17.35.1, review the referee's reasons for the Ordering Off decision and the circumstances surrounding it. In any such case, the Judicial Officer shall not make a finding contrary to the referee's decision unless he is satisfied, on the balance of probabilities that the referee's reasons for his decision were wrong.
- 17.35.4 In the case of a citing, the function of the Judicial Officer shall be to review the case and determine whether on the balance of probabilities the Player concerned committed the act or acts of Illegal and/or Foul Play that are the subject of the citing complaint, provided that:
 - (a) In any case where a Judicial Officer is required to consider a citing complaint in respect of an incident where the referee has made a decision on the field of play in relation to that incident, the Judicial Officer may review the referee's reasons for the decision and the circumstances surrounding it. In any such case, the Judicial Officer shall not make a finding contrary to the referee's decision unless he is satisfied on the balance of probabilities that the referee's reasons for his decision are wrong.
 - (b) In any case where a Judicial Officer is required to consider an incident of Illegal and/or Foul Play or alleged Illegal and/or Foul Play which has not been the subject of a determination on the field of play by the referee he shall not uphold the citing complaint unless he is satisfied on the balance of probabilities that the Player concerned committed the acts or acts of Illegal and/or Foul Play that are subject to the citing complaint.

17.36 Player Ordered Off the Playing Enclosure

- 17.36.1 If a Player of either team is Ordered Off the playing enclosure in a Sevens Match, his case shall, wherever practicable, be adjudicated on within 2 hours of the conclusion of that Match, or prior to him playing another Match in the Tournament (whichever the earlier). The case will be adjudicated on by a Judicial Officer who shall act as sole arbiter.
- As soon as reasonably practicable following the conclusion of the Match in which the Player or Players have been Ordered Off, the referee of that Match must submit a written report of the incident, in the standard form, to the designated Tournament Official. A copy of the standard form appears at Schedule A of these Sevens disciplinary Regulations. If a Player is Ordered Off as a result of a touch judge's intervention, the touch judge must also submit a written report, in the standard form, to the designated Tournament Official as soon as reasonably practicable following the conclusion of the Match. A copy of the standard form appears at Schedule B of these Sevens disciplinary Regulations. Such reports must be made available by the designated Tournament Official to the Player concerned, his Union and to the Judicial Officer as soon as practicable in advance of the hearing. The hearing will be convened by the designated Tournament Official or his designee.
- 17.36.3 The Judicial Officer is entitled to be supported by a legal advisor, if so required and shall, subject to Regulation 17.41 of these procedures, have full discretion as to the procedure adopted at the hearing and





what evidence he may require (including video, film oral or photographic evidence), but he must hear the evidence of the referee and, if appropriate, the touch judge. The Player Ordered Off shall have the right to be present throughout the hearing, save for the deliberations of the Judicial Officer, and to be heard if he so desires. The Player is entitled to produce evidence at the hearing and to be represented by a person of his choice, provided such person is readily accessible and available. The Player, or his representative, may question the referee or any witnesses, but such questioning shall only be directed through the Judicial Officer.

- 17.36.4 When a Judicial Officer is appointed, the IRB is responsible for meeting the costs involved in the appointment and attendance of the Judicial Officer and, where applicable, the costs of his legal advisor.
- 17.36.5 A Player Ordered Off may not take part or be selected for any further Match until his case has been dealt with by the Judicial Officer.
- The Judicial Officer will consider the case and come to a decision on his factual findings. Thereafter, the issue of sanction will be considered and submissions and evidence on sanctions heard. The Judicial Officer may suspend the Player. Sanctions for Ordering Off shall only be related to periods of suspension. In accordance with this Regulation 17.36, Judicial Officers shall undertake an assessment of the seriousness of the Player's conduct, which constitutes the offending and categorise the offence as being at the lower end, mid range or top end of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) where such incident(s) is expressly covered in Appendix 1. Such assessment of the seriousness of the Player's conduct shall be determined by reference to the following features of offending:
 - (a) The offending was intentional, that is, committed intentionally or deliberately;
 - (b) The offending was reckless, that is the Player knew (or should have known) there was a risk of committing an act of Illegal and/or Foul Play;
 - (c) The gravity of the Player's actions in relation to the offence:
 - (i) Nature of actions, manner in which offence committed including part of body used i.e. fist, elbow, knee or boot:
 - (ii) The existence of provocation and whether the Player acted in retaliation and/or self-defence.
 - (d) The effect of the offending Player's actions on the victim (i.e. extent of injury, removal of Player from game);
 - (e) The effect of offending Player's actions on the game;
 - (f) The vulnerability of victim Player including part of victim's body involved/affected, position of Player, ability to defend himself;
 - (g) The level of participation in the offending and level of premeditation;
 - (h) Whether the conduct of the offending Player was completed or amounted to an attempt;
 - (i) Any other feature relevant to the offending.

Based on the assessment of the offence(s) under consideration against the above features of offending, the Judicial Officer shall categorise the offence(s) as being at the lower end, mid range or top end of the scale of seriousness of offending and identify the applicable entry point where set out in Appendix 1.

- 17.36.7 Having identified the applicable entry point for consideration of a particular incident, the Judicial Officer shall identify all relevant aggravating factors and determine what additional period of suspension, if any, above the applicable entry point for the offence should apply to the case in question. Aggravating factors include the following:
 - (a) An absence or lack of remorse and/or contrition on the part of the offending Player;
 - (b) The Player's status as a persistent offender of the laws of the game2.
 - (c) The need for a deterrent to combat a pattern of offending;
 - (d) Any other off field aggravating factor that the Judicial Officer considers relevant and appropriate.
- 17.36.8 (a) Thereafter, Judicial Officers shall identify all relevant mitigating factors and determine if there are grounds for reducing the period of suspension, if any. Mitigating factors include the following:
 - (i) The presence and timing of an acknowledgement of culpability/guilt by the offending Player;
 - (ii) A good record and/or good character;
 - (iii) The age and experience of the Player;

The Player's disciplinary record in all competitions and (as appropriate) in other sports within the previous five years of the incidence that is the subject of the disciplinary proceedings may be





considered by a Judicial Officer. In any case in which the Judicial Officer forms the view that a Player before it is a persistent offender of the laws of the game, then the Judicial Officer in imposing any sanction on the Player may in fixing that sanction take account of such persistent offending as an aggravating factor.

- (iv) The Player's conduct prior to and at the hearing;
- (v) Remorse for the Player's actions and the victim Player;
- (vi) Any other off field mitigating factor that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.
- (b) In cases involving offending of the least serious kind where there are compelling mitigating features and an absence of aggravating features, sanctions less than the lower end sanctions specified in Appendix 1 may be applied and, in this respect only, the lower end sanctions set out in Appendix 1 are not minimum sanctions.
- 17.36.9 Judicial Officers shall in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the standard features of offending set out in Regulation 17.36.6, how they applied aggravating and mitigating factors and conclude with the sanction, if any, imposed.
- The Board's recommended sanctions for Illegal and/or Foul Play set out in Appendix 1 have been established on the basis that a one week period of suspension would normally result in a Player missing one Match. During the Tournament, Players may, however, participate or participating Unions may be scheduled to participate in several Matches per day. During a Sevens Tournament, when determining the appropriate periods of suspension, a Judicial Officer should take cognisance of the fact that during a Sevens Tournament a Player may miss more than one Match as a result of being made subject to a week's suspension and may impose a suspension based on a number of Tournament Matches. This does not preclude the imposition of periods of suspension running beyond a Player's participation in the Tournament.
- 17.36.11 The Judicial Officer shall convey his decision using the standard form (a copy of which appears at Schedule C of these Sevens disciplinary Regulations) as soon as reasonably practicable to the Player, to the Unions involved in the Match, the designated Tournament Official and to the IRB. The decision shall be binding on the Player as soon as he, or his representative, if any, or his Union is notified of the decision.
- 17.36.12 A Player shall have a right of appeal against the decision of the Judicial Officer to an Appeal Committee. A suspended Player who elects to appeal may not take part, or be selected for any further Match, until his case has been dealt with by the Appeal Committee.

17.37 Citing of Players

- 17.37.1 For each IRB Sevens Tournament a Citing Commissioner shall be appointed by the IRB. The Citing Commissioner should have appropriate rugby experience.
- 17.37.2 The Citing Commissioner has the power to cite a Player for Illegal and/or Foul Play when that Player has not been Ordered Off the playing enclosure, notwithstanding that the act of Illegal and/or Foul Play may have been detected by the referee and/or touch judge provided that in the opinion of the Citing Commissioner, the act or acts of Illegal and/or Foul Play warranted the Player concerned being Ordered Off.
- 17.37.3 Unions participating in the Tournament shall not have the power to cite a Player for Illegal and/or Foul Play pursuant to Law 26 of the Laws of the Game of Rugby Football, but may refer any incident of Illegal and/or Foul Play in Matches in which they participated to the Citing Commissioner for consideration, provided that such referral is made within 30 minutes of the end of the Match in which the incident of Illegal and/or Foul Play is alleged to have occurred. The decision of the Citing Commissioner to cite any Player for Illegal and/or Foul Play, or not (as the case may be) as a result of an incident referred to him by a Union pursuant to this rule or otherwise, shall be final.
- 17.37.4 A citing complaint by a Citing Commissioner must:
 - i) contain the cited Player's name and the Player's Union;
 - ii) full details of the alleged Illegal and/or Foul Play, including brief details of the evidence relied on;
 - iii) be signed by the Citing Commissioner; and
 - iv) be received by the designated Tournament Official within 1 hour of the end of the Match in which the act or acts of Illegal and/or Foul Play is alleged to have taken place.





- 17.37.5 The designated Tournament Official shall provide a copy of the citing complaint to the Judicial Officer, the Player cited, his Union, the referee and touch judges. The designated Tournament Official, or his designee, shall obtain, forthwith, reports from the referee, touch judges and such other persons who he considers may be able to provide evidence. Copies of the reports obtained shall be sent to the parties to whom the citing complaint has been sent with notification of when and how the Judicial Officer will deal with the citing complaint.
- 17.37.6 If a Player of either team in a Match is cited in accordance with the procedures set out in these Regulations, the case should be adjudicated on as soon as practicable, and, wherever possible, during the course of the Tournament. The adjudication will be made by a Judicial Officer. Hearings will be convened by the designated Tournament Official or his designee. The Judicial Officer is entitled to be supported by a legal advisor if so required.
- 17.37.7 The Judicial Officer shall examine any evidence in support of the citing and shall then review the same. The referee, and if appropriate the touch judges, where requested to do so by the Player or by the Judicial Officer should attend any hearing of the citing complaint.
- 17.37.8 The Judicial Officer shall, subject to section 17.41 of these procedures, have full discretion as to the procedure adopted prior to and at any hearing and as to what (further) evidence he may require (including video, oral, film, or photographic evidence). Any video evidence should be viewed in the presence of the Player.
- 17.37.9 The Player cited must be given the opportunity to attend any hearing of the citing complaint, allowed to adduce evidence and be represented by a representative of his choice, provided such representative is readily accessible and available. Save for the Judicial Officer's deliberations, the Player cited shall be entitled to be present throughout a hearing, including when statements are taken from the Match referee and touch judge(s). The Judicial Officer may require the Citing Commissioner to be in attendance at any hearing of a citing complaint to present evidence, explain the basis of the citing complaint or otherwise.
- 17.37.10 A Player cited may not take part or be selected for any further Match until his case has been dealt with by the Judicial Officer.
- 17.37.11 The Judicial Officer will consider the case and come to a decision on his factual findings. Where it is established that an act of Illegal and/or Foul Play has been committed, the Judicial Officer may suspend the Player. The issue of sanction will be considered and submissions and evidence on sanctions heard. Sanctions for citing shall only be related to periods of suspension. In accordance with this Regulation 17.37, Judicial Officers shall undertake an assessment of the seriousness of the Player's conduct, which constitutes the offending and categorise the offence as being at the lower end, mid range or top end of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) where such incident(s) is expressly covered in Appendix 1. Such assessment of the seriousness of the Player's conduct shall be determined by reference to the following features of offending:
 - (a) The offending was intentional, that is, committed intentionally or deliberately;
 - (b) The offending was reckless that is the Player knew (or should have known) there was a risk of committing an act of Illegal and/or Foul Play;
 - (c) The gravity of the Player's actions in relation to the offence:
 - (i) Nature of actions, manner in which offence committed including part of body used i.e. fist, elbow, knee or boot;
 - (ii) The existence of provocation and whether the Player acted in retaliation and/or self-defence.
 - (d) The effect of the offending Player's actions on the victim (i.e. extent of injury, removal of Player from game);
 - (e) The effect of offending Player's actions on the game;
 - (f) The vulnerability of victim Player including part of victim's body involved/affected, position of Player, ability to defend himself;
 - (g) The level of participation in the offending and level of premeditation;
 - (h) Whether the conduct of the offending Player was completed or amounted to an attempt;
 - (i) Any other feature relevant to the offending.

Based on the assessment of the offence(s) under consideration against the above features of offending, the Judicial Officer shall categorise the offence(s) as being at the lower end, mid range or top end of the





scale of seriousness of offending and identify the applicable entry point where set out in Appendix 1.

- 17.37.12 Having identified the applicable entry point for consideration of a particular incident, the Judicial Officer shall identify all relevant aggravating factors and determine what additional period of suspension, if any, above the applicable entry point for the offence should apply to the case in question. Aggravating factors include the following:
 - (a) An absence or lack of remorse and/or contrition on the part of the offending Player;
 - (b) The Player's status as a persistent offender of the laws of the game .
 - (c) The need for a deterrent to combat a pattern of offending;
 - (d) Any other off field aggravating factor that the Judicial Officer considers relevant and appropriate.
- 17.37.13 a) Thereafter, Judicial Officers shall identify all relevant mitigating factors and determine if there are grounds for reducing the period of suspension, if any. Mitigating factors include the following:
 - (i) The presence and timing of an acknowledgement of culpability/guilt by the offending Player;
 - (ii) A good record and/or good character;
 - The Player's disciplinary record in all competitions and (as appropriate) in other sports within the previous five years of the incidence that is the subject of the disciplinary proceedings may be considered by a Judicial Officer. In any case in which the Judicial Officer forms the view that a Player before it is a persistent offender of the laws of the game, then the Judicial Officer in imposing any sanction on the Player may in fixing that sanction take account of such persistent offending as an aggravating factor.
 - (iii) The age and experience of the Player;
 - (iv) The Player's conduct prior to and at the hearing;
 - (v) Remorse for the Player's actions and the victim Player;
 - (vi) Any other off field mitigating factor that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.
 - (b) In cases involving offending of the least serious kind where there are compelling mitigating features and an absence of aggravating features, sanctions less than the lower end sanctions specified in Appendix 1 may be applied and, in this respect only, the lower end sanctions set out in Appendix 1 are not minimum sanctions.
- 17.37.14 Judicial Officers shall in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the standard features of offending set out in Regulation 17.37.11, how they applied aggravating and mitigating factors and conclude with the sanction, if any, imposed.
- 17.37.15 The Board's recommended sanctions for Illegal and/or Foul Play set out in Appendix 1 have been established on the basis that a one week period of suspension would normally result in a Player missing one Match. During the Tournament, Players may, however, participate or participating Union's may be scheduled to participate in several Matches per day. During a Sevens Tournament, when determining the appropriate periods of suspension, a Judicial Officer should take cognisance of the fact that during a Sevens Tournament a Player may miss more than one Match as a result of being made subject to a week's suspension and may impose a suspension based on a number of Tournament Matches. This does not preclude the imposition of periods of suspension running beyond a Player's participation in the Tournament.
- 17.37.16 The Judicial Officer shall convey his decision using the standard form (a copy of which appears at Schedule C of these Sevens disciplinary Regulations) as soon as reasonably practicable to the Player, to the Unions involved in the Match, the designated Tournament Official and to the IRB. The decision shall be binding on the Player as soon as he, or his representative, if any, or his Union is notified of the decision.
- 17.37.17 A Player shall have a right of appeal against the decision of the Judicial Officer to an Appeal Committee. A suspended Player who elects to appeal may not take part, or be selected for any further Match, until his case has been dealt with by the Appeal Committee.
- 17.38 Temporary Suspension and Card System
- 17.38.1 A Player who breaches Law 3 -11 (c) , Law 4 -7 (c), Law 6 6, Law 10 -3 (a) (c) Law 10 2, Law 10 -4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) shall either be Ordered Off, Temporarily Suspended or cautioned that





he will be sent off if he repeats the offence. For a similar offence, after Temporary Suspension or caution, the Player must be Ordered Off.

- (i) A Temporary Suspension is a formal caution under the penalty provisions of Law 10.
- (ii) Temporary suspension is not a substitute for Ordering Off a Player. If an offence warrants a Player being Ordered Off then the Player must be Ordered Off.
- (iii) The maximum period of suspension shall not exceed two minutes and does not include half-time for time-keeping purposes. If the period of suspension continues beyond the half-time interval, the suspended Player is not permitted contact with his team.
- (iv) The referee may delegate the control and management of Temporarily Suspended Players including keeping the time that the Player is off the field, to the reserve touch judge who can be assisted by another person.
- (v) Time commences when the Player leaves the field of play.
- (vi) The Temporarily Suspended Player may not be replaced by another Player nor replace an injured Player except as provided for in Law 3.14.
- (vi) In the event of two Players (one from each team) being Ordered Off or Temporarily Suspended as a result of the same incident and one Player being injured and the other leaves the field of play, the replacement Player is not permitted to enter the game until the period of Temporary Suspension has expired.
- 17.38.2 If a Player is Temporarily Suspended he shall proceed to the touchline and remain there alone, away from members of his own team or the other team. The Player will be under the supervision of the reserve touch judge who can be assisted by another person. The Player shall not re-enter the field of play until he is permitted by the referee to do so.
- 17.38.3 If a Player breaches any of the requirements in Regulation 17.38.2 above, he must be Ordered Off.
- 17.38.4 The referee must report each Temporary Suspension at the conclusion of the Sevens match to the designated Tournament Official. The reports on all Temporary Suspensions imposed on Players during a Tournament shall be forwarded to the IRB by the designated Tournament Official within 48 hours of the conclusion of the Tournament.
- A Player who has been Temporarily Suspended in three or more matches at a single Sevens Tournament or a Player who has been Temporarily Suspended five times over the IRB Sevens, shall, except as provided in Regulation 17.38.7 be required to appear before a Judicial Officer at an appointed time and place. Pending such hearing the Player may not take part in any further Match. Ordinarily, such hearings shall take place either at the Tournament Venue at which the third or fifth (as the case may be) Temporary Suspension was imposed on the Player. However, in the case of a fifth IRB Sevens Temporary Suspension being imposed on a Player, the hearing may take place at the Home Union of the Player concerned. The decision on the appropriate venue for the hearing shall be made by the Judicial Officer.
- 17.38.6 The Player will be notified of the time and place of the hearing by the Judicial Officer, or his designee. The Player shall be provided with copies of the referee's reports on the Temporary Suspensions and notified that:
 - a) the purpose of the hearing of the Judicial Officer is to consider whether any further penalties should be imposed on the Player by reason of his persistent Illegal and/or Foul Play;
 - b) he may be represented at the hearing by a legal representative and/or a representative of his team or Union:
 - except where he alleges that his Temporary Suspension in any incident was a result of the referee
 having wrongly identified the Player as the offending Player ("mistaken identity"), no evidence will be
 heard other than on the question of penalty;
 - d) in the event he alleges mistaken identity, he shall be required to give written notice to the Judicial Officer in sufficient time for the Judicial Officer to arrange for the attendance at the hearing of the referee and (where applicable) other witnesses as may be required;
- 17.38.7 Notwithstanding Regulation 17.38.5 above, in any case where a Player who has been Temporarily Suspended alleges his Temporary Suspension was the result of the Player having been wrongly identified as an offending Player, that Player may, within 48 hours of the completion of the Match in which he was Temporarily Suspended, apply to the Appeal Committee Chairman, or his designee, for a review of his Temporary Suspension. The procedures governing appeals are set out in Regulation 17.40 of these





Regulations.

17.39 Misconduct

- 17.39.1 Where the designated Tournament Official, or his designee, or the Citing Commissioner believes that an act or acts of Misconduct, during or in connection with the Tournament may have been committed by a Union and/or a Player and/or an official the designated Tournament Official, or his designee, or the Citing Commissioner (as the case may be) may refer the matter to a Judicial Officer for adjudication.
- 17.39.2 Subject to Regulation 17.41 of these procedures, the Judicial Officer shall have full discretion as to the procedures adopted and as to what evidence he may require when dealing with an alleged act or acts of Misconduct and he is entitled to be assisted by a legal advisor. The Judicial Officer will not be bound by judicial rules governing his procedures or the admissibility of evidence, provided that the proceedings are conducted in a fair manner with a reasonable opportunity for the Union(s) Player(s) and official(s) concerned (as the case may be) to present their case.
- 17.39.3 The Judicial Officer shall deal with cases involving alleged Misconduct as soon as practicable and, wherever possible, during the course of the Tournament. If a case is not dealt with during the course of a Tournament it will, ordinarily, be dealt with within seven days of the conclusion of the Tournament, at a convenient location for the Union(s), Player(s) or official(s) concerned. This location does not have to be in the country in which the Tournament was played and shall be determined by the Judicial Officer or his designee.
- 17.39.4 If the Judicial Officer determines that an act or acts of Misconduct has been committed he shall be entitled to impose such penalty as he thinks fit including, but not limited to, the following:
 - a) a caution, warning as to future conduct, reprimand;
 - b) a fine;
 - c) a suspension for a specified number of Matches;
 - d) expulsion of a Participating Union and its team from the remainder of the Tournament;
 - e) expulsion of any member or members of a Union's team from the remainder of the Tournament;
 - f) the cancellation of a Match result;
 - g) The replaying of a Match;
 - h) The forfeiture of a Match; the deduction or cancellation of points or any such similar sports or Tournament based sanction;
 - i) The withdrawal of other benefits of membership of the IRB including, but not limited to, the right to apply to host International Tournaments; or
 - j) any combination of the above.
- 17.39.5 The decision of the Judicial Officer shall be communicated to the relevant Union, Player or official, or their representatives, as soon as reasonably practicable and shall be binding on notification to the Union, Player and/or official concerned or their representatives. The IRB shall also be notified.
- 17.39.6 A Union, Player or official who is found to have committed an act or acts of Misconduct shall have the right to appeal against the finding of an offence of Misconduct and/or the sanction imposed. Any penalties imposed shall remain effective pending the determination of the appeal.

17.40 Appeals

- 17.40.1 To be valid, any appeal against the decision of a Judicial Officer under these Sevens disciplinary Regulations must be lodged with the designated Tournament Official, or his designee, in writing, within 24 hours of the notification of the decision of the Judicial Officer to the Union, or Player or official concerned, or his/their representative(s), if any.
- 17.40.2 If a Union, Player or official lodges an appeal then, subject to the discretion of the Appeal Committee Chairman and, where reasonably practicable, the appeal shall be dealt with during the course of the Tournament. If the appeal is not dealt with during the course of the Tournament then it will be dealt with as soon as reasonably practicable thereafter and, ordinarily, within 7 days of the lodgement of the appeal.
- 17.40.3 For the avoidance of any doubt, the Appeal Committee need not be chaired by the Appeal Committee





Chairman who decided that the appeal should not proceed during the course of the Tournament. The appeal will be dealt with in the most convenient location having regard to the Union(s), Player(s) and official(s) involved. It need not take place in the country in which the Tournament was held. This will be determined by the Appeal Committee Chairman or his designee. The appellant shall be advised, as soon as practicable, when and how the appeal will be dealt with.

- 17.40.4 The appellant shall have the right to attend any hearing of the appeal, adduce evidence and be legally represented. The procedure to be adopted in relation to an appeal shall, subject to Regulation 17.41 of these procedures, be determined at the discretion of the Chairman of the Appeal Committee that will adjudicate on the appeal. The Appeal Committee shall determine the basis on which the appeal will proceed, including the standard of review and may, at its discretion rehear the whole or any part of the evidence given before the Judicial Officer as it considers appropriate. The Appeal Committee may hear and receive such further evidence as it thinks fit, provided that it is established by the appellant that such evidence was not, on reasonable enquiry, available at the time of the original hearing.
- 17.40.5 In circumstances where an appellant appeals against the sentence alone, or otherwise, the appellant may request, or the Appeal Committee Chairman may determine, that the appeal can be dealt with without the need for a personal hearing. In such circumstances the appellant shall be entitled to make representations in writing, supplemented, where necessary, by submissions via a telephone conference call. The Appeal Committee does not have to meet in person before it arrives at its decision on any appeal provided that it has a reasonable opportunity to consider the relevant submissions.
- 17.40.6 In exercising its jurisdiction, the Appeal Committee shall be entitled to dismiss the appeal or quash, vary or increase any decision and/or penalty appealed against.
- 17.40.7 The decision of the Appeal Committee shall, as soon as reasonably practicable after the conclusion of the appeal, be notified in writing to the appellant and other relevant parties. The majority decision of the Appeal Committee shall be effective immediately on notification to the Player, his representative, if any, or his Union and shall be final and binding.

17.41 General Procedures

- 17.41.1 In all proceedings under these Sevens disciplinary Regulations for Illegal and/or Foul Play referees and/or touch judges may only give evidence of fact, not opinion.
- 17.41.2 The standard of proof on all questions to be determined by Judicial Officers and Appeal Committees shall be the balance of probabilities applied having regard to the gravity of the allegations in question.
- Judicial Officers and Appeal Committees shall be entitled to receive such evidence as they think fit (including evidence in writing), notwithstanding that the evidence may not be legally admissible. However, Judicial Officers and Appeal Committees shall be concerned to obtain first hand evidence from parties involved in any incident and shall be careful to afford any hearsay evidence only so much weight as is appropriate.
- 17.41.4 Questions of witnesses, including the referee and touch judge, shall be put through the Judicial Officer or Appeal Committee Chairman as the case may be.
- 17.41.5 Judicial Officers and Appeal Committees shall be entitled to publish, as they think fit, reports of their proceedings, findings and penalties, provided such publication is made through the IRB.
- 17.41.6 Judicial Officers and Appeal Committees shall have absolute discretion in imposing orders as to the payment of costs in relation to any proceedings under these Sevens disciplinary Regulations.
- 17.41.7 Judicial Committees and Appeal Committee shall be entitled to adjourn and/or postpone proceedings.
- 17.41.8 All hearings shall take place in private.
- 17.41.9 The non-attendance of a party at a hearing in respect of which that party has received notice shall not prevent the matter being dealt with in that party's absence.
- 17.41.10 Any procedures under these Sevens disciplinary Regulations and/or proceedings, findings or decisions of





Judicial Officers, and/or Appeal Committees shall not be quashed or invalidated by reason of any defect, irregularity, omission or technicality, unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the, findings or decisions of these bodies and results in a miscarriage of justice.

17.41.11 Any matters not provided for in these procedures shall, in the first instance, be referred to a Judicial Officer who shall deal with such matter as he sees fit.



APPENDIX 1



IRB RECOMMENDED SANCTIONS FOR OFFENCES WITHIN THE PLAYING ENCLOSURE (REGULATION 17)

Description	Entry Point Based on Scale of Seriousness of the Player's conduct, which constitutes the offending. Lower End (LE), Mid Range (MR), Top End (TE).	Maximum Sanction
Physical Abuse of Match Officials	LE – 6 months; MR – 24 months; TE – 5 years.	Life
Threatening Actions or Words at Match Officials	LE – 3 months; MR – 12 months; TE – 24 months.	36 Months
Contact with Eyes or the Eye Area	LE – 3 months; MR – 9 months; TE – 18 months.	24 Months
Biting	LE – 6 months; MR – 12 months; TE – 24 months.	36 Months
Testicle Grabbing or Twisting or Squeezing	LE – 3 months; MR – 9 months; TE – 12 months.	24 Months
Kicking an Opponent	LE – 3 months; MR – 9 months; TE – 12 months.	18 Months
Stamping on an Opponent	LE – 1 month; MR – 3 months; TE – 9 months.	12 Months
Trampling an Opponent	LE – 1 month; MR – 3 months; TE – 9 months.	12 months
Illegal rucking of an Opponent	LE – 2 weeks; MR – 6 weeks; TE – 3 months.	6 months
Dangerous charging or obstructing or grabbing of opponent without the ball, including shouldering	LE – 2 weeks; MR – 3 months; TE – 6 months.	12 Months
Dangerous charging or obstructing or grabbing of opponent carrying the ball, including shouldering	LE -2 weeks; MR – 3 months; TE – 6 months.	12 Months
Striking with Head	LE – 6 weeks; MR – 6 months TE – 12 months	24 Months
Striking with Knee	LE – 2 weeks; MR – 3 months; TE – 6 months.	12 Months
Striking another Player hand, arm, fist including the elbow.	LE – 2 weeks; MR – 3 months; TE – 6 months.	12 Months
Dangerous tackling of an opponent including early or late and including the action known as the "stiff arm tackle".	LE – 2 weeks; MR – 6 weeks; TE – 3 months.	6 Months
To trip an opponent with the foot/leg.	LE – 1 week; MR – 4 weeks; TE – 6 weeks.	3 Months
To hold, push, charge, obstruct an opponent not holding the ball except in a scrum, ruck or maul.	LE – 1 week; MR – 3 weeks; TE – 4 weeks.	6 Weeks





To cause a scrum, ruck or maul to collapse.	LE – 1 week; MR –3 weeks; TE – 6 weeks.	3 Months
Verbal abuse of opponents whether based on race, creed, colour or otherwise.	LE – 2 weeks; MR – 2 months; TE – 4 months.	6 Months
Spitting at Players	LE – 1 month; MR – 3 months; TE – 6 months.	6 Months

In respect of offences not referred to above, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Disciplinary Committee, Appeal Officer and/or Appeal Committee (as the case may be).

Notwithstanding the above, in cases where the player's actions constitute serious Illegal and/or Foul Play for any type of offence which had the potential to result and, in fact, did result in serious/gross consequences to the health of the victim, the Judicial Officers and/or Disciplinary Committees may impose any period of suspension including a suspension for life.







FORM 1

APPENDIX 2(a) (Regulation 17)

STANDARD FORM REFEREE'S REPORT ON AN ORDERING OFF INTERNATIONAL MATCH REFEREE'S REPORT ON ORDERING OFF

Player's Union:		Full Name of Player:	
Venue:		Date of Dismissal:	
Playing Position of Player:		Number:	
Match result:	pts	pts	
Nature of offence: (please list applicable La	w Number(s)	and short description of the Law)	
DEDIOD of some other inside of some of the	st nd	-16/)	
PERIOD of game when incident occurred: 1	1 Haif () 2 H	air()	
Ground & Weather Conditions:			Elapsed Time in Half:
Proximity of Referee to incident:	(r	metres)	
Score at that time:	pts	pts	
Was the Player ordered off further to the rep	port of a touch	judge?	
(If yes, appendix 4(b) may need to be comp		· · · · · · · · · · · · · · · · · · ·	
Please give detailed report below: PLEASE	WRITE CLEA	ARLY	
REPORT: -please use paper apart if neces.	sary		
REFEREE'S NAME:		UNION:	

THIS REPORT MUST BE COMPLETED AND GIVEN TO THE DESIGNATED OFFICIAL IMMEDIATELY AFTER THE COMPLETION OF THE MATCH





FORM 2

APPENDIX 2(b) (Regulation 17)

STANDARD FORM TOUCH JUDGE'S REPORT ON AN ORDERING OFF INTERNATIONAL MATCH TOUCH JUDGE'S REPORT ON ORDERING OFF

Player's Union:		Full Name of Player:
Venue:		Date of Dismissal:
Playing Position of Player:		Number:
Match result:	pts	pts
Proximity of Touch Judge to incident [] metres	
Please give detailed report below: PLEASE V	VRITE CLEARLY	
REPORT: -please use paper apart if necessar	ary	
TOUCH JUDGE'S NAME:	(JNION:

THIS REPORT MUST BE COMPLETED AND GIVEN TO THE DESIGNATED OFFICIAL IMMEDIATELY AFTER THE COMPLETION OF THE MATCH





FORM 3

APPENDIX 2(c) (See Regulation 17)

STANDARD FORM CITING COMMISSIONER'S REPORT INTERNATIONAL MATCH

Player's Union:		Full Name of Player	:
Venue:		Date of Dismissal:	
Playing Position of Player:		Number:	
Match result:	pts	pts	
Nature of offence: (please list	applicable Law Number(s) ai	nd short description of th	ne Law)
PERIOD of game when incide	ent occurred: 1 Half () 2 H	Half() Ground & We	eather Conditions:
Elapsed Time in Half:			
Proximity of Officials to incider	nt:		(metres)
Score at that time:	pts	r	ots
Please give detailed report be	low: PLEASE WRITE CLEAF	RLY	
REPORT: -please use paper a	apart if necessary		
CITING COMMISSIONER'S N	IAME:	UNION:	

THIS REPORT MUST BE COMPLETED AND GIVEN TO THE DESIGNATED TOURNAMENT OFFICIAL WITHIN THE APPLICABLE TIME PERIOD





SCHEDULE A

(Regulation 17)

IRB SEVENS TOURNAMENTS REFEREES REPORT ON ORDERING OFF

Player's Union:	Full Name of Player:	
Venue:	Date of Dismissal:	
Playing Position of Player:	Number:	
Match result:	pts pts	
Nature of offence: Infringementaw 3 - 11 (c)	ent of:	
Law 4 - 7(c)		
Law 6 - 6		
Law 10 - 3(a)(c)		
Law 10 - 2		
Law 10 - 4 (a) (b) (c) (d) (e) (f (Put a line through the approp		
PERIOD of game when incide	lent occurred: 1 st Half (); 2 nd Half (); Extra Time; Elapsed Time in Period: []	
Proximity of Referee to incide	ent [] metres.	
Score at that time:	pts pts	
Had any cautions been issued	ed to a) Individual b) General	
Please give detailed report be REPORT: -please continue or	elow. PLEASE WRITE CLEARLY. overleaf if necessary	
REFEREE'S NAME:	UNION:	
	THIS REPORT MUST BE COMPLETED AND GIVEN TO	



THE DESIGNATED TOURNAMENT OFFICIAL IMMEDIATELY AFTER THE COMPLETION OF THE MATCH



SCHEDULE B

(Regulation 17)

IRB SEVENS TOURNAMENTS TOUCH JUDGES REPORT ON ORDERING OFF

Player's Union:	Full Name of Player:
Venue:	Date of Dismissal:
Playing Position of Player:	Number:
Match result:	pts pts
Nature of offence: Infringement of: Law 3 - 11 (c)	
Law 4 - 7(c)	
Law 6 - 6	
Law 10 - 3(a)(c)	
Law 10 - 2	
Law 10 - 4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j)) (k) (l) (m)
(Put a line through the appropriate referen	
	,
PERIOD of game when incident occurred:	: 1 st Half (); 2 nd Half (); Extra Time; Elapsed Time in Period: [
Proximity of Touch Judge to incident []	metres.
Score at that time:	pts pts
Had any cautions been issued to a) Individ	dual b) General
Please give detailed report below. PLEAS	E WRITE CLEARLY.
REPORT: -please continue overleaf if nec	
•	•
TOUCH JUDGE'S NAME:	UNION:

THIS REPORT MUST BE COMPLETED AND GIVEN TO THE DESIGNATED TOURNAMENT OFFICIAL





SCHEDULE C

(Regulation 17)

IRB SEVENS TOURNAMENTS JUDICIAL OFFICERS HEARING REPORT

Date of Hearing:	
Name of Unions par	rticipating in the Match:
Date of Match:	
Match Venue:	
Player's Name:	
Player's Union:	
Referee's Name:	
Offence as stated in	n the Referee's Report:
Judicial Officers De	cision (please continue on a separate sheet if necessary)
Signature of Judicia	ll Officer:

NOTE: THE RIGHT OF THE PLAYER TO APPEAL AGAINST THE DECISION OF THE JUDICIAL OFFICER IS LAID DOWN IN SECTION 7 OF THE TOURNAMENT DISCIPLINARY PROCEDURES.





ATTACHMENT D

IRB REGULATION 20: CODE of CONDUCT



- 20.1 All Unions, Associations, Rugby Bodies, Clubs and Persons:-
 - 20.1.1 must ensure that the Game is played and conducted in accordance with disciplined and sporting behaviour and acknowledge that it is not sufficient to rely solely upon the Match Officials to maintain those principles;
 - 20.1.2 shall co-operate in ensuring that the spirit of the Laws of the Game are upheld and refrain from selecting players guilty of foul play;
 - 20.1.3 shall not repeatedly breach the Laws of the Game;
 - 20.1.4 shall accept and observe the authority and decisions of referees, touch judges, Match Officials and all other rugby disciplinary bodies, subject to Regulation 17;
 - 20.1.5 shall not publish or cause to be published criticism of the manner in which
 - 20.1.6 shall not publish or cause to be published criticism of the manner in which Council or any other rugby disciplinary body handled or resolved any dispute or disciplinary matter resulting from a breach of the Bye-Laws, Regulations, or Laws of the Game;
 - 20.1.7 shall not engage in any conduct or any activity on or off the field that may impair public confidence in the honest and orderly conduct of a Match, tour, tournament or Series of Matches (including, but not limited to, the supply of information in relation to the Game, directly or indirectly, to bookmakers) or in the integrity and good character of any Person;
 - 20.1.8 shall promote the reputation of the Game and take all possible steps to prevent it from being brought into disrepute .
 - 20.1.9 shall not commit a Doping Offence as defined in Regulation 21.
 - 20.1.10 shall not abuse, threaten or intimidate a referee, touch judge or other Match Official, whether on or off the field of play; touch judges or other Match Officials or spectators;
 - 20.1.12 shall not do anything which is likely to intimidate, offend, insult, humiliate or discriminate against any other Person on the ground of their religion, race, colour or national or ethnic origin.
 - 20.1.13 shall not to do anything, which adversely affects the Game of Rugby Football, the Board, any member Union or any commercial partner of the Game.
- 20.2 Each Union and Association is under an obligation to:
 - 20.2.1 Comply with and to ensure that each of its members comply with this Code of Conduct; and
 - 20.2.2 Adopt procedures to monitor compliance with and impose sanctions for breaches of the Code of Conduct by Persons under its jurisdiction.





ATTACHMENT E



Australian Rugby Union Limited (ACN 002 898 544)

Code of Conduct By-Laws

1 Interpretation

In these By-Laws:

- "ARU" means the Australian Rugby Union Limited;
- "Bookmaker" means a person or organisation in the business of receiving, negotiating, or settling bets;
- "Competition" means any match played as part of a structured competition or series, a trial match, a friendly match, a match against a visiting team from another union or matches, trials or any other competitions involving a Rugby Body;
- "game" means rugby football;
- "Laws of the Game" means the Laws of the Game of the International Rugby Board;
- "match" means a rugby football match;
- "Member Union" means a union in membership of the ARU;
- "officer" means a director, other officer or employee of the Rugby Body;
- "participant" means a player (including an amateur or non-contract player), a referee, touch judge or other match official, a selector, coach, trainer, manager or other team official, or an individual involved in the organisation, administration or promotion of Rugby Football including a director, other officer or employee of a Rugby Body;
- "Rugby Body" means the ARU, any Member Union or Affiliated Union of the ARU, or any Rugby Union, Club or other body in membership with or affiliated to a Member Union or Affiliated Union;
- "Rugby-related conduct" includes behaviour which occurs outside the playing enclosure that may damage the image of the game or which may impair public confidence in the integrity and good character of participants, including, but not limited to, conduct during travel to or from either matches or authorised tours (whether within Australia or overseas), conduct when on tour, conduct at rugby functions and promotional events and other conduct where a participant is involved in activities connected with the ARU or its sponsors; words in the singular include the plural and vice versa; and a reference to a gender includes the other genders.

2 Object of these By-Laws

The ARU is committed to promoting and strengthening the positive image of the game and its participants in Australia. In light of this commitment, the Code of Conduct seeks to establish standards of performance and behaviour to ensure that participants act in a professional and proper manner and to ensure that the game is played and conducted with disciplined and sporting behaviour. The Code of Conduct also seeks to deter all on-field and rugby-related conduct that could damage the game by impairing public confidence in the honest and orderly conduct of matches and competitions or in the integrity and good character of participants. In addition, these By-Laws seek to ensure that every participant is liable to effective sanctions if they are found to have breached the Code of Conduct.

3 Code of Conduct

All participants in the game are bound:

- (a) not to bet or otherwise financially speculate, directly or indirectly, on the outcome or on any other aspect of a match or Competition which he or she is either involved in (whether as a player, official or in any other capacity) or connected to:
- (b) not to throw or fix a match, try to achieve a contrived outcome to a match or a Competition, or otherwise influence improperly the outcome or any other aspect of a match or a Competition;
- (c) not to provide information to a Bookmaker about a match or any aspect of a match which he or she is either involved in (whether as a player, official or in any other capacity) or connected to;
- (d) not to seek or accept a bribe or other benefit to do anything mentioned in sub-paragraphs (b) and (c);
- (e) to report immediately to the Managing Director and Chief Executive Office of the ARU in writing any offer of a bribe or other benefit to do anything mentioned in paragraph (b) and (c) or any attempt by any other person to do anything mentioned in paragraphs (a) or (d);





- to promote the reputation of the game and to take all reasonable steps to prevent the game from being brought into disrepute;
- (g) not to engage in any Doping Practice as defined in the ARU's Doping By-Laws;
- (h) to comply with the ARU's Safety Directives for Referees, Coaches and Players;
- not to repeatedly breach the Laws of the Game, including but not limited to, the Laws of the Game relating to Foul Play or Misconduct;
- (j) to accept and observe the authority of a referee, touch judge or other match official;
- (k) not to abuse, threaten or intimidate a referee, touch judge or other match official, whether on or off the field, or a selector, coach, manager or other team official;
- not to show unnecessary obvious dissension, displeasure or disapproval, whether on or off the field, towards a
 referee, touch judge or other match official, his or her decision or generally following a decision of a match
 official;
- (m) not to use crude or abusive language or gestures towards referees, touch judges or other match officials or spectators;
- (n) not to do anything which is likely to intimidate, offend, insult or humiliate another participant on the ground of the religion, sexual orientation, disability, race, colour or national or ethnic origin of the person:
- not to conduct themselves in any manner, or engage in any activity, whether on or off the field, that would impair
 public confidence in the honest and orderly conduct of matches and competitions or in the integrity and good
 character of participants; and
- (p) not to do anything which adversely affects or reflects on or discredits the game, the ARU, any Member Union or Affiliated Union of the ARU, or any squad, team, Competition, tournament, sponsor, official supplier or licensee, including, but not limited to, any illegal act or any act of dishonesty or fraud.

4 Officers of a Rugby Body

An officer must, in relation to the Rugby Body of which he or she is an officer:

- (a) act in good faith and in the best interests of the Rugby Body;
- (b) avoid all conflicts of interest between:
 - (i) the interests of the Rugby Body; and
 - (ii) his or her own interests or the interests of any other person, including another Rugby Body; and
- (c) not disclose to any person or use for his or her own purposes confidential information obtained as a result of the officer's relationship with the Rugby Body, including but not limited to deliberations of the board of directors or other governing organ of the Rugby Body.

5 Duty to Comply

Each Member Union and each Affiliated Union is obliged:

- (a) to comply with, and to require Rugby Unions, Clubs and other bodies and persons in membership with it or affiliated to it to comply with, these By-Laws; and
- (b) to adopt procedures for monitoring and disciplining breaches of the Code of Conduct approved by the ARU and notified to the Member Union and Affiliated Union from time to time for monitoring compliance with, and imposing sanctions for breaches of, these Bylaws by participants under its jurisdiction or the jurisdiction of Rugby Unions, Clubs and other bodies in membership with it or affiliated to it.

A person may be an officer of more than one Rugby Body, in which case it is important for the person to distinguish the separate capacities in which he or she acts as an officer; for example, a director of the ARU, when acting in that capacity, must act in the best interests of the ARU in preference to the interests of any other Rugby Body of which he or she is an officer.



