



## **JOZI CATS RUGBY CLUB: DISCIPLINARY POLICY**

### **1. Composition of the Disciplinary Committee and Appointment of its Members**

1.1. The AGM shall appoint a Disciplinary Committee consisting of:

1.1.1. in the event that a complaint is brought against a member of the management committee of the club, the Chairman, the Vice-Chairman, the Secretary, the Communications Manager, a Team Manager<sup>1</sup> and a Culture Champion; and

1.1.2. for all other complaints, the Vice-Chairman, the Secretary, the Communications Manager, a Team Manager<sup>2</sup> and a Culture Champion.

### **2. Duties and Powers of the Disciplinary Committee**

2.1. This committee shall be charged with examining alleged breaches of discipline within the club and adjudicating on them. The Disciplinary Committee shall discharge its duties and fulfil its mandate in a manner that upholds and ensures compliance with the Jozi Cats Rugby Club's Code of Conduct ("Code of Conduct").

2.2. The Disciplinary Committee may investigate and adjudicate on matters including, but not limited to, allegations of members behaving in a manner that brings the club into disrepute or breaches the Code of Conduct or club values.

2.3. The Disciplinary Committee has the power to discipline members of the club in any manner which it reasonably deems appropriate in light of the

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<sup>1</sup> The Team Manager selected to investigate and adjudicate and particular complaint will be determined in light of the nature of the dispute and the stream (contact or touch) to which the complainee(s) is aligned.

<sup>2</sup> The Team Manager selected to investigate and adjudicate and particular complaint will be determined in light of the nature of the dispute and the stream (contact or touch) to which the complainee(s) is aligned.

circumstances, which may include suspension or expulsion from the club, provided that such election is not contrary to law or public policy.

2.4. Notwithstanding any provision of these Disciplinary Procedures, the Disciplinary Committee has the power to adopt rules of procedure and to amend those rules from time to time. Such rules will only be effective from such date as they are published and made known to the rest of the club.

### **3. Institute Proceedings in the Disciplinary Committee**

3.1. Members can be referred to the Disciplinary Committee by:

- 3.1.1. any management committee member upon a complaint from a member of the club;
- 3.1.2. a motion tabled during an AGM/EGM;
- 3.1.3. a team captain or coach; or
- 3.1.4. an officially affiliated rugby body.

3.2. Should the disciplinary procedure be instituted by anyone referred to in Articles 3.1.1 or 3.1.3 above, such individual must make contact with the Chairman or Secretary in order to trigger the disciplinary procedure.

3.3. The Chairman or Secretary must contact the Disciplinary Committee immediately but, in any event, no later than the allotted Rugby Union guidelines for on-the-pitch matters, or 48 hours.

3.4. Any complaint brought to the Disciplinary Committee must be investigated, resolved and actioned within 6 weeks from receipt of such complaint. This time frame may be subject to any investigation that is concurrently being undertaken by an external body.

3.5. All discussions of and decisions reached by the Disciplinary Committee will be recorded and stored by the Secretary. These records should be confidential, detailing the nature of any breach of disciplinary rules, the action taken and the reasons for it, the date action was taken, whether an appeal was lodged, its outcome and any subsequent developments.

#### **4. Decision-Making of the Disciplinary Committee**

- 4.1. The Disciplinary Committee shall have quorum when all members of the committee are present at a meeting.
- 4.2. A meeting of the Disciplinary Committee may be conducted by electronic means if necessary to expedite resolution. In the event of a meeting being conducted by electronic means, quorum will be reached once all members of the Disciplinary Committee have confirmed their participation using whatever means has been chosen for that meeting prior to the commencement of discussions.
- 4.3. The opinion supported by the majority of votes of members of the Disciplinary Committee shall be the decision of the Disciplinary Committee.
- 4.4. A decision of the Disciplinary Committee may only be overturned in accordance with the appeals procedure set out below or by a contrary vote of the majority of the members of the club at an AGM duly convened in accordance with the Constitution of the club.
- 4.5. **Appeals Process:** If any decision of the Disciplinary Committee is appealed it should be heard by the full club leadership (together with the two non-management committee members that were on the Disciplinary Committee).

#### **5. Disqualification of a Member of the Disciplinary Committee**

- 5.1. A member of the Disciplinary Committee participating in a disciplinary procedure shall be impartial and independent. Members shall immediately notify the Disciplinary Committee of any factors that may be deemed to endanger impartiality or independence.
- 5.2. The Disciplinary Committee may, on the initiative of itself or of a party to the disciplinary procedure, declare a member disqualified from adjudicating on a particular disciplinary procedure if such member were disqualified to handle the matter as a judge as well as due to other factors that, for a justifiable reason, may be deemed to endanger such member's impartiality and independence.

## **6. Confidentiality**

The proceedings of the Disciplinary Committee shall be confidential and no member of the Disciplinary Committee may discuss with or disclose to any third party any matters pertaining to any disciplinary procedure except as required to fulfil his/her duties as a member of the Disciplinary Committee or as required by law or regulation.

## **7. Entry into Force of the Rules**

These Disciplinary Procedures shall enter into force on 2 September 2017.