

Disciplinary Guidelines

Introduction

The following are guidelines for the setting up and conduct of a disciplinary committee set up to deal with matters referred to it.

Composition of Disciplinary Committee

A disciplinary committee is appointed by the Board for the purpose of hearing complaints of alleged breaches of the Club's Code of Conduct and shall consist of no less than 3 persons.

Members of the disciplinary committee:

- May consist of club members or anyone else; but
- Must not be biased against or in favour of either the complainant or respondent;
- Must not be a director of the club
- Must appoint a chairperson

Members of the disciplinary committee must be advised to all parties at least 72 hours before the hearing to allow sufficient time before the hearing to allow sufficient time for either party to raise reasonable objections and for a replacement member to be found if required.

Disciplinary Hearing Procedures and Conduct

At the hearing, the disciplinary Committee will:

- Give the complainant and respondent every opportunity to be heard;
- Given due consideration to any written statement made;
- Determine whether the alleged breach occurred

The disciplinary committee shall conduct the meeting in such a matter as it sees fit in accordance with the principles of procedural fairness and natural justice and may at its absolute discretion:

- Consider any evidence, and in any form, that it deems relevant;
- Question any person giving evidence;

- Act in an inquisitorial manner in order to establish the truth of the matter before it.

The respondent has the right to be present throughout the hearing and question any person giving evidence.

Unless the disciplinary committee reserves its decision, the decision shall be given in the presence of all, by the chairperson. The disciplinary committee is not obliged to give oral or written reasons for any decision, but may do so if it wishes.

The disciplinary committee may reserve its decision but if it does so, it must provide its decision within 14 days of the hearing.

The chairperson shall notify the Board within 24 hours of the decision being made.

Each party is responsible for their own costs associated with a disciplinary hearing.

Penalties

If the disciplinary hearing determines that, on the balance of probabilities, that alleged breach did take place, it may impose any one or more of the following penalties as set out in the Constitution:

- A formal or verbal warning
- Suspension
- Revocation of membership

When considering appropriate sanctions, the seriousness of the breach and whether it is a repeated offence will be taken into account.

Appeal Rights

A member may appeal any part of the decision of the disciplinary committee by giving the President written notice that they wish to appeal to the decision. The notice of appeal must be provided within 48 hours of the member receiving the decision of the disciplinary committee.

Upon receipt of the appeal notice, the Board must convene a General Meeting of members within 21 days of the date of receiving the notice.

At the General Meeting:

- The disciplinary committee may provide details for the grounds and reasons for its decision
- Member (appellant) must be given the opportunity to be heard
- Members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- Two-thirds of the voting members present vote in favour of the confirmation of the disciplinary committee's determination, the determination is confirmed.
- In any other case, the determination is revoked.