

RUGBY ALBERTA

DISCIPLINE GUIDELINE AND PROCEDURE 2008

JURISDICTION

- 1.1 This discipline policy covers all matters regarding discipline of individual persons registered under Rugby Alberta and playing within the geographical boundaries and jurisdiction of Rugby Alberta
- 1.2 This discipline policy shall not cover games played within the geographical boundaries of Rugby Alberta, which are played under the direct jurisdiction of Rugby Canada.

DISCIPLINE BOARD

- 2.1 There shall be two Vice Presidents (VP) of Discipline, one from each of the Edmonton and Calgary Rugby Unions. Both VP's of Discipline shall be a sitting member of the Board of Directors of the respective sub-union.

TRIGGERING CIRCUMSTANCES

- 3.1 The ordering off of a participant by the referee of the match triggers the requirement of a suspension determination and the participant ordered off is a suspended from participation until further notice from the VP of Discipline or their designate.
- 3.2 The receipt of a written report or video evidence from an interested party shall, if in the opinion of the VP of Discipline merit further consideration, and upon confirmation by the VP of Discipline that the referee of the match did not see the incident in question, result in the imposition of a suspension by the VP of Discipline
- 3.3 A player, coach, official or club member registered with Rugby Alberta or playing within the geographical boundaries and jurisdiction of Rugby Alberta, may be sanctioned with disciplinary proceedings if they fail to uphold the Rugby Alberta code of conduct or bring the game or Rugby Alberta into disrepute.

REFEREE'S REPORT

- 4.1 The referee who orders a participant off shall as soon as possible after completion of the match, and in any event within 72 hours of completion of the match, forward to the VP of Discipline a referee's report in the form attached hereto as Schedule "A".

SUSPENSION DETERMINATION

5.1 Upon receipt of the referee's report the VP of Discipline shall review the report and determine the appropriate level of suspension in accordance with the schedule of suspension guidelines attached hereto as Schedule "B".

5.2 The VP of Discipline shall after the determination of the level of suspension pursuant to 5.1 above, review the respective sub-union's discipline records over the past 365 days from the date of the ordering off to determine if the suspended person has been suspended within that time frame, and if so, then the suspended person's suspension shall be altered as follows:

- i. If there has been one other suspension within the past 365 days the level of suspension shall be doubled.
- ii. If there has been two other suspensions within the past 365 days the level of suspension shall be tripled.

5.3 Upon determination of the appropriate level of suspension, the VP of Discipline shall notify the designated contact of the suspended person's club of the level of suspension and provide the designated contact with a copy of the referee's report.

CALCULATION OF SUSPENSION PERIOD

6.1 The first game of the suspension is deemed to be the suspended person's club's first game in the same division following the game in which the suspension arose and shall be calculated on the regular and playoff games in the division in which the suspension occurred, together with the representative games which the suspended person was chosen to play in, but shall not include in the calculation any tournament games which the suspended person's club partakes in.

6.2 The person suspended pursuant to this policy shall be suspended from participation as a player, coach or official in all organized play of rugby until the designated number of games for the suspension pursuant to this policy have been served.

6.3 Where a person suspended pursuant to the policy leaves the jurisdiction of the Rugby Alberta and participates in the game of rugby elsewhere the determination of the completion of the suspension shall include regular season and playoff games from that rugby union provided that other union will verify in writing that the suspended person was registered and participated in that other union following the conclusion of their suspension pursuant to this policy.

6.4 Suspensions under this policy shall continue in effect during any Discipline or Appeal Hearing's held pursuant to this policy.

DISCIPLINE HEARING

7.1 The designated contact of the suspended person's club shall have ninety six (96) hours from the receipt of notice of suspension to advise the VP of Discipline in writing of their intention to have a discipline hearing held with respect to the ordering off.

7.2 The VP of Discipline shall upon receipt of the notice of intention to have a discipline hearing held, forthwith schedule a discipline hearing to be held within 7 days of receipt of the notice of intention to hold a discipline hearing.

7.3 The Discipline Hearing Board shall consist of the VP of Discipline or their designate and two members of the Regional Sub-Union Board.

7.4 The parties entitled to be present at the discipline hearing shall be:

- i. The suspended person.
- ii. The referee, or as the case may be, the interested party.
- iii. The representative of the suspended person's club.

7.5 The evidence considered by the Discipline Hearing Board shall be:

- i. The referee's, or as the case may be, the interested party's written report.
- ii. The referee's, as the case may be, the interested party's verbal submissions.
- iii. The verbal submissions of the suspended person.
- iv. The verbal submissions of the suspended person's team.
- v. Video tape of the game in question, provided the tape is continuous, unedited copy of the entire game, from the opening kickoff to the game's conclusion.

7.6 After having heard all of the evidence presented, the Discipline Hearing Board shall retire to consider the evidence and render a verbal decision within thirty (30) minutes, or if they consider it necessary to further review the evidence, a written decision within forty-eight (48) hours, in each case communicated to the designated contact of the subject person's club.

APPEAL HEARING

8.1 The designated contact for the suspended person's club shall have forty-eight (48) hours from receipt of the notice of suspension to notify the VP of Discipline in writing of their intention to appeal the decision.

8.2 Upon receipt of the intention to appeal the decision of the Appeal Board the VP of Discipline shall forthwith advise the President of the respective sub-union of the Notice

of Appeal and thereafter the executive of the respective sub-union Board shall have exclusive jurisdiction over the appeal.

8.3 The President of the respective sub-union, or their designate and two other members of the respective sub-union Board shall hear the appeal of the decision of the VP of Discipline

8.4 The President of the respective sub-union, or their designate, shall upon receipt of the notice of appeal forthwith schedule an appeal hearing to be held within 7 days of receipt of the notice of appeal by the President, or their designate.

8.5 The parties entitled to be present at the Appeal Hearing shall be:

- i. The suspended person.
- ii. The representative of the suspended person's club.
- iii. The VP of Discipline, or their designate.

8.6 The evidence to be considered by the Appeal Board may include:

- i. The report of the Director of Discipline.
- ii. The referee's, or as the case may be, the interested party's written report.
- iii. The verbal representation's of the suspended person.
- iv. The verbal representation's of the suspended person's club representative.
- v. Any video evidence presented at the discipline hearing.

8.7 After having heard all of the evidence presented, the Appeal Board shall retire to consider the evidence and render a verbal decision within thirty (30) minutes, or if they consider it necessary to further review the evidence, a written decision within forty-eight (48) hours, in each case communicated to the designate contact of the suspended person's club and to the VP of Discipline.

CONDUCT OF HEARINGS

9.1 The referee's, or as the case may be, the interested party's written report shall be read and the referee, or as the case may be, the interested party shall make any comments they wish to add thereto. The suspended person shall make their statement. The representative of the suspended person's club shall be called to make their representations. It is to be noted that only the chairman and other member of the board may question the parties at the hearing, however the suspended person may request the chairman to put questions to the parties at the hearing with a view to clarifying the written report, but in the case of a referee's report not to challenge its truth as the referee's report shall be taken to be the truth in all instances in accordance with Law 6.A.5. of the Laws of the Game of Rugby.

CASH DEPOSITS

10.1 In the event of an appeal of the original determination of suspension by the VP of Discipline is made, then in such event the party appealing shall deposit with the respective sub-union the following sum of money:

- i. In the case of a request for a discipline hearing, the sum of ONE HUNDRED (\$100.00) DOLLARS.
- ii. In the case of an appeal of the decision of the appointed Discipline Board, the sum of TWO HUNDRED (\$200.00) DOLLARS.

10.2 The cash deposit referred to in paragraph 10.1 above shall only be refunded to the appealing party in the event the appeal reduces the level of suspension originally imposed by the VP of Discipline

NOTICES

11.1 All notices required to be given in pursuant to these discipline policies and procedures shall be given fax, email or personal delivery as follows:

- i. To the VP of Discipline at the address listed for the director in the ARU Handbook or website.
- ii. To the designated contact of each club as listed in the ARU Handbook.

11.2 Service of notice pursuant to these policies and procedures shall be deemed to be received at:

- i. The time on the VP of Discipline email / fax transmitted sheet if faxed in normal working hours (8:30a.m. to 4:30p.m.) on regular working days.
- ii. At 8:30a.m. on the next business day following transmission after business hours.
- iii. In the case of personal service, at the time of actual service.

MISCELLANEOUS

12.1 The VP of Discipline and the appointed Board of Discipline shall not in any instance reconsider a decision that they make after a discipline hearing as outlined in Article 7.

12.2 The VP of Discipline and the appointed Board of Discipline shall only have the authority to consider discipline matter beyond the scope of incidents revolving around an actual game where specifically directed to do so by Rugby Alberta, the President of the respective sub-unions, or their designate.