



Sunshine Coast District Bowls Association

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SUNSHINE COAST DISTRICT BOWLS ASSOCIATION INC.

POLICY 02/23 DISCIPLINE POLICY

Application

This policy applies to all personnel who represent the Association in any capacity, including the members of the Management Committee, the Patron, the Chairperson and all members of sub-committees, Bowls Queensland delegates, member club delegates and players and officials selected to represent the district in any competition.

This policy was adopted by the SCDBA Management Committee at their meeting on 17 April 2023 and shall remain in effect indefinitely.

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SCDBA DISCIPLINARY POLICY 02/23

These By-Laws are in accordance with the Constitution of the Sunshine Coast District Bowls Association Inc. (SCDBA) and the Bowls Queensland Member Protection Policy.

1. NOTICE OF ALLEGED BREACH

Where the Management Committee is advised or considers that a member has allegedly:

- (a) Intentionally breached, failed, refused, or neglected to comply with a provision of the Constitution, By-Laws, or any resolution or determination of the Management Committee or any other duly authorized committee which is not of a trivial nature.
- (b) Has breached the District Code of Conduct; or
- (c) Acted in a manner prejudicial to the objects and interests of the SCDBA and brought the SCDBA District or the game of bowls into disrepute.

The Management Committee shall decide to:

- (a) Dismiss the matter; or
- (b) Refer the matter to a Disciplinary Committee.

2. **ESTABLISHMENT OF DISCIPLINARY COMMITTEE**

The Management Committee shall establish a Disciplinary Committee as required to deal with reported breaches of the code of conduct or actions against affiliated clubs, affiliated members of the district, members of district teams or matters that arise out of conduct which occurs at an event run by the SCDBA.

3. **COMPOSITION OF DISCIPLINARY COMMITTEE.**

- 3.1 A Disciplinary Committee of up to a minimum of three (3) persons may be appointed by the Management Committee for the purpose of hearing disciplinary actions and other matters under this By-Law. The Management Committee shall also appoint a member of the Disciplinary Committee to act as Chair of the Committee.
- 3.2 No member of the Management Committee shall be appointed to the Disciplinary Committee.
- 3.3 A person that has been directly involved in or affected by the matter in dispute, or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Disciplinary Committee

Definition

Disrepute literally means bad reputation. When the word disrepute is used in the context, of this policy, it is normally in relation to bringing the sport or members of the sport into disrepute. That is to say that it is to damage the reputation of the sport or members and office-bearers of the SCDBA itself. To bring something into disrepute is to damage the reputation which is equivalent to reducing the standing.

- (a) Lack or decline of good reputation; a state of being held in low esteem and
- (b) To diminish public confidence in something or to cause the public to lose confidence in the integrity of something.

4. **DISCIPLINARY COMMITTEE PROCESSES**

The Management Committee may refer the matter to a Disciplinary Committee and nominate a Chair of the Disciplinary Committee in accordance with Rule 3 of this By-Law.

The Secretary of the SCDBA shall, as soon as practicable following the appointment of a Disciplinary Committee, serve on the Member a notice in writing:

- 4.1 that each party must present their own case and not be represented by legal or other agents.
- 4.2 setting out the specific details of the alleged breach by the Member.
- 4.3 setting out the facts and grounds on which the alleged breach is based.
- 4.4 stating the date, place, and time of that hearing and that member may address the Disciplinary Committee at a hearing to be held not earlier than 7 days and not later than 28 days after the service of the notice.
- 4.5 stating the date, place, and time of that hearing
- 4.6 Informing the member that they may do one more of the following:
 - (a) attend the hearing.
 - (b) give the Disciplinary Committee, before the date of that hearing, a written statement regarding the alleged breach.
 - (c) Informing the Member that if they do not want to attend the hearing and/or provide written statement prior to the hearing, the hearing will proceed, and the matter will be determined in their absence.

- 4.7 At the aforementioned hearing the Disciplinary Committee shall: -
(a) give the member every opportunity to be heard.
(b) give any witnesses the right to be heard, present evidence or submit a written statement.
(c) give due consideration to any written statement submitted by the Member; and
(d) by resolution determine whether the alleged breach occurred.
- 4.6 The Disciplinary Committee will make its decision immediately following the conclusion of the hearing, if possible, but otherwise it shall inform the member of its decision within 7 days of the hearing.
- 4.5 If the Disciplinary Committee considers that the alleged breach did not occur, the matter shall be dismissed.
- 4.6 If the Disciplinary Committee considers that the alleged breach occurred, it may impose any one or more penalties set out in Rule 5 (Penalties) of this By-Law.
- 4.7 The Disciplinary Committee shall not be required to but may provide reasons for its decision.
- 4.8 Each party shall be responsible for their own costs associated with the Disciplinary Committee hearing. The Disciplinary Committee has no power to award costs to any party.

5. PENALTIES

If the Disciplinary Committee considers that the alleged breach occurred, the Disciplinary Committee may impose any one or more of the following penalties:-

- 5.1. issue a warning:
- 5.2 direct the member to make a verbal or written apology.
- 5.3 where there has been damage to property, direct that the member pay restitution to the relevant person or organization that controls or has possession of the damaged property.
- 5.4 withdrawal of any awards, placings, records, or achievements bestowed upon the Member in any tournaments, activities or events held or sanctioned by the SCDBA. That appertain to the breach.
- 5.5 direct that any rights, privileges, and benefits provided to the member by the SCDBA be suspended for a specific period and/or terminated.
- 5.6 any other such penalty that the Disciplinary Committee considers appropriate.

6. APPEALS

There shall be the right of appeal of the decision of the Disciplinary Committee to an Appeals Tribunal of three (3) persons appointed by the Management Committee to hear the appeal, all of whom shall have the appropriate experience to deal with such matters.

- 6.1 An appellant must seek leave to appeal against the decision of the Disciplinary Committee by applying to the management Committee with reasons for the appeal within fourteen (14) days of the decision of the Disciplinary Committee. A Notice of Appeal form is available for this purpose.
- 6.2 An application for leave to appeal shall be lodged with an appeal fee of \$100.00, which will be returned if the appeal is upheld.
- 6.3 The Management Committee shall decide on whether to grant leave to appeal at the next Management Committee Meeting after the application for leave is submitted.