

Alpine Rugby Championship (ARC) Disciplinary Regulations and Procedures

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ARC has established the following regulations.

I. Alpine Rugby Championship has appointed;

A. A Disciplinary Committee consisting of the Presidents of the Austrian and Slovenian Union (in their absence the Secretaries of the Union) and the League Board. It can appoint Disciplinary Panels at their own discretion.

B. Disciplinary Panels of not less than three. The Committee shall choose the panel members based on qualifications, independence and party affiliation. Panels can be found "case only" or announced for a certain period of time.

II. Disciplinary Structure:

A. The Disciplinary Committee is responsible for the following:

- 1.** Incidents at all Alpine Rugby Championship events.
- 2.** Unresolved differences between two or more Clubs.
- 3.** Appeals of decisions reached by the Disciplinary Panel.
- 4.** Off-field incidents (including those that affect rugby in a negative fashion) by clubs or players or supporters that occur at a location outside the club's or player's or supporter's home.

B. The Disciplinary Panels are responsible for the following:

- 1.** On-field incidents at all matches played within the ARC.
- 2.** For matters for which they were appointed

III. Player Sent Off by a Referee

A. Any player who is sent off for the remaining duration of a match for any reason is suspended for ten days, or one match, whichever is the longer. Pending a review of the red-card report by the Disciplinary Panel, such player is not allowed to play according to *VI.A.1*. The player has a right to a timely appeal.

B. The referee and qualified touch judges, and the club or clubs, involved must fulfill their responsibilities as required. That is:

- 1.** Immediately after the game a hearing with the sent off player has to take place. The player or his club can make a short statement about the incident, the statement will be noted by the Referee or Match-official on the designated field on the Match-report.
- 2.** Reports must be filed to the Disciplinary Panel on a timely basis by e-mail, which shall be no more than forty-eight hours after the incident.
- 3.** The Disciplinary Panel will review the reports immediately and render a decision within forty-eight hours (two business days) of receiving the report. If there is no dispute noted in the clubs reports and no questions arising from the Referee's Report, then the Disciplinary Panel shall act according to the guidelines in Section III C below. If there are questions, the Panel shall interview all those involved, and others at the Panel's discretion, and request additional information and/or documentation of the incident. If necessary, or if requested by the player sent off, a hearing will be convened prior to the end of the period of automatic suspension. Prior to the hearing the individual who is the subject of the disciplinary action shall be informed of the specific conduct that is at issue. At that hearing, which may be conducted by telephone, skype or email, all involved may make statements relating to the incident. The individual who is the subject of the disciplinary action shall have an opportunity to review all evidence, and the hearing shall be consistent with traditional notions of due process. The committee will render its written decision within forty-eight hours (two business days) of the hearing. Such decision may be communicated by e-mail and followed up by regular mail as appropriate.
- 4.** If a club that is a party to a send off does not file a report to the Disciplinary Panel, it will be treated as an undisputed send off.

C. When a player is sent off the field for the following reasons, the sanctions shall be in the range set forth below. These penalties are inclusive of the ten day, or one match suspension.

1. Non Violent Technical Infringements (holding, obstruction, time wasting):

First Offense: - 8 days - 2 weeks.

Second Offense (within one year): - 3 - 4 weeks.

Third Offense (within one year): - two months.

2. Minor Physical Offense (pushing, barging, over-the-top calls, early or late tackles):

First Offense: - 2 - 3 weeks.

Second Offense (within one year): - 4 - 6 weeks.

Third Offense (within one year): - 3 months.

3. Major Physical Offense (kicking, punching, dangerous rucking):

First Offense: - 2 - 6 weeks.

Repeat Offense (within one year): - 4 - 10 weeks.

a) If these strikes were directed to the head or groin:

First Offense: - 3 - 12 weeks.

Repeat Offense (within one year): - 6 - 12 months.

b) If this type of offense is directed at a player who is in a defenseless position, or situation, and/or in the referee's opinion were delivered with the intent to injure, the suspensions shall be increased as follows:

First Offense: - increase by additional 6 - 8 weeks.

Repeat Offense (within one year): - increase by an additional 3 - 6 months.

4. The suspensions noted above shall be interpreted as implying one week equals one regularly scheduled match - whichever is the longer suspension. Clubs accused and found guilty of scheduling additional fixtures to circumvent these regulations will be subject to additional penalties. For repeat offenses, the time calculation shall be the elapsed time since the last infraction. An individual shall be subject to the penalties for "second," "third" or "repeat" offenses only if there has been a prior suspension or disciplinary penalty imposed.

D. Player Sent Off - Offenses against a Referee or Touch Judge, or a game related offense reported by a Referee or Touch Judge:

1. Because of the seriousness of these offenses these sanctions must be strictly adhered to:

a) Persistent criticism/disputing of calls:

First Offense: - 1 - 3 matches.

Second Offense (within one year): - 4 - 6 matches.

Third Offense (within one year): - Formal hearing. A formal hearing shall be defined as a meeting of the Disciplinary Committee this requirement shall be satisfied by a meeting of the full Disciplinary Committee.

b) Verbal abuse and/or threatening a Referee or Touch Judge:

First Offense: - 3 - 5 matches.

Second Offense (within one year): - 6 - 10 matches.

Third Offense (within one year): - Formal hearing.

c) Continuation of a) or b) above, and/or nonviolent contact with a Referee or Touch Judge after a send off, or at the end of the match:

First Offense: - 6 months.

Second Offense (within one year): - one or more years.

d) Physical or Attempted Physical Assault of a Referee or Touch Judge on or off the field, during or after the match:

1. Player is suspended immediately.

2. A formal hearing must be held within two weeks of the incident. The President of the Union the player is from must be included in the hearing.

3. Unless overwhelming evidence is presented that would mitigate the situation a minimum suspension of five years will be assessed the guilty party.

E. Tracking Offenders

1. It is the responsibility of the Disciplinary Committee to provide a written report to the League Board of any action taken in Sections C and D above. For all individuals suspended for three or more months the report must contain a recent photograph of the suspended individual. ARC will periodically circulate information on all suspensions throughout the Competition partners.

IV. Undetected Foul Play / Off Field Misconduct - Action to be taken is the same for both situations.

A. When an act of foul play occurs but is undetected by the Referee or Touch Judges it is the responsibility of the witness(es) to report it to the Referee as

soon as practical after the incident. If it is not practical to report the incident to the Referee it is the responsibility of the witness(es) to send a written report of the alleged act of foul play to the Disciplinary Committee (disc.com@rugby-austria.at) and the Union of which the player's club is a member within the time-limits noted in Section III B above. Likewise, off field behavior that is detrimental to the image of the game of rugby should be reported to the Disciplinary Committee in the same timely manner.

B. Upon receipt of these types of reports, the Disciplinary Committee must contact the accused within fortyeight hours (two business days). After receipt of the comments of the accused the Committee will follow the procedures established in Section III B above.

1. From this point forward, the procedures of Section III B 2 should be followed including the opportunity for a hearing and for the individual subject to the disciplinary action to review all the evidence prior to such a hearing.

2. Foul play incidents, if found to be true, should be penalized as in Sections III C and D above.

3. Off field incidents will be reviewed on a case-by-case basis. Proven allegations of misconduct that tends to place the game in disrepute are to be dealt with in the strongest manner. As a reminder, clubs are responsible for the activities of their members and supporters as they relate to the image of the game. Clubs are expected to provide for the discipline of their members and supporters who bring the game into disrepute.

V. Appeals Procedure

A. An individual or club may appeal a decision they feel unjust. This does not apply to suspensions related to players sent off if the initial report was not addressed by the individuals or the clubs deemed guilty.

B. A written notice of appeal must be made within ten days of receipt of the notice of suspension. The appeal must be made to the Chair of the Disciplinary Committee (disc.com@rugby-austria.at). The Disciplinary Chair shall initiate a hearing by contacting and securing the services of two persons not involved in the case. This three persons will form the Appeals Committee.

1. The Disciplinary Chair shall copy and forward all information regarding the case to all members of the Appeals Committee. A hearing date, time and place shall be determined by the Chair and sent to each member of the Appeals Committee and to the appellant. Such details of the hearing shall be agreeable to all parties, subject to them not withholding consent unreasonably. If all parties agree, such a hearing can be made by electronic media (skype, email etc.).

C. The Hearing

1. All parties involved shall be given an opportunity to present all pertinent information.

2. Upon completion of the hearing, the Appeals Committee shall reach a decision by majority vote. A written copy of the decision shall be sent to the appellant the Union he is a member and to the League Board within forty-eight hours of the hearing.

D. Decisions of the Appeals Committee may be appealed if it is felt evidence was not entered, or if extreme bias was present. The appellant must notify the President of the union of Austria and Slovenia in writing within ten days of receiving the Appeals Committee decision. The Presidents shall gather all the material pertinent to the case and review this and any new evidence, or claim of bias, that is presented by the appellant. Within forty-eight hours (two business days) of receiving the case file from the Chair of the Disciplinary Committee, the Presidents shall issue a decision on the case. That written decision will be sent to the appellant, to the Chair of the Disciplinary/Appeals Committee and the League Board. This decision shall be final and no appeals shall be heard or entertained.

VI. General Information and Requirements

A. Officials at every level have a responsibility to ensure that all their members are fully aware of and follow these procedures. For its part, ARC will cause these regulations to be posted on the ÖRV-WEB site and via other electronic or printed media.

1. Reciprocity is mandated. Players and/or clubs sanctioned in one competition/division are sanctioned in all competitions/divisions.

2. All members of ARC must keep their Union and the ARC apprised of address and e-mail changes.

B. It appears that a small minority of players has a disregard for fair play and the overall good of the game, this fact make the following procedures necessary:

1. Each Union, and the Disciplinary Committee shall maintain written records of all decisions reached and actions taken. The information may be brief, but must include name, address, date and type of incident, action taken, etc. Details on how long to keep this information on file will be circulated. These files must be kept in a professional manner and passed to new Chairs of Disciplinary Committees. The information is required in order to determine whether an individual is a repeat offender. The information is only to be used during the "sentencing" portion of any hearing or action, and only if there has been prior disciplinary action

taken. It may not be utilized in determining the guilt or innocence of the individual.

2. If an individual has been found guilty of an offense and the party moves to a new location, the file(s) of any incidents must be copied and the copy sent to the Disciplinary Chair the new location. This will ensure continued awareness of past problems that will need to be addressed if the individual is again accused of misconduct.

Appendix 1. Yellow Cards.

In order to address the issue of repeat offenders and professional fouls the following disciplinary procedures will be implemented.

(a) If a player receives two yellow cards in a game that player will be ejected from the game and will receive an automatic minimum suspension of ten days or one competitive game, whichever is the longer, pending a review by the Disciplinary Panel.

(b) If a player receives a yellow card in successive games that player will receive an automatic minimum suspension of ten days or one competitive game, which ever is the longer, pending a review by the Disciplinary Panel.

(c) If a player receives four yellow cards during a twelve month period that player will receive an automatic minimum suspension of sixteen days or two competitive games, which ever is the longer, pending a review by the Disciplinary Panel.

(d) If a player receives six yellow cards during a twelve month period that player will receive an automatic minimum suspension of twenty days or three games, whichever is the longer, plus a disciplinary hearing before the Disciplinary panel.

Appendix 2. Procedures applicable to citing in domestic games pursuant to Section IV of these Guidelines.

1. Citing occurs where a player commits an act of foul play that was not detected by the match officials and either the Unions or Clubs participating in the match have the discretion to cite that player to show cause why that player should not be held accountable in the same way as a player who has been ordered off.

2. Who can cite?

Only Unions or Clubs in membership with the ARC participating in the match.

3. How to cite in domestic games

3.1. The citing must be in writing and signed by an official, or nominated person acting on behalf of the Union or Club seeking to cite. A citing by email is acceptable provided a hard copy is posted within five days of the email.

3.2. The citing must be addressed to the Disciplinary Committee and the Union of which the player's club is a member within the time-lines noted in Section III B above. Likewise, off field behavior that is detrimental to the image of the game of rugby should be reported to the Disciplinary Committee in the same timely manner.

3.3. The citing must state:

3.3.1. Date, venue and teams participating in the match.

3.3.2. Details of the alleged act of foul play including as accurately as possible the time elapsed in the game, the score, and the position on the field where the alleged incident occurred.

3.3.3. The identity of the player or players alleged to be guilty of foul play, or provide the means of doing so..

4. Receipt of a written citing.

4.1. Upon receipt of a written citing whether direct or through ARC, the Disciplinary Committee shall consult the match officials, which in this context shall mean the Referee and any touch judges officially appointed (and not appointed by a participating club) to determine whether they had detected the alleged act of foul play which is the subject of the citing.

4.2. In the event any official detected the alleged act of foul play which is the subject of the citing, and having detected the act considered that it did not constitute foul play, the citing shall be dismissed, and no further action shall be taken other than advising the Complainant that the citing is dismissed together with the reasons for doing so.

4.3. Where the alleged act of foul play was not detected by any of the match officials the Chair of the Disciplinary Committee shall consider the complaint and unless he considers it to be frivolous or vexatious the player cited shall be advised in writing of the allegations made in the citing.

4.4. If the Disciplinary Committee considers the complaint to be frivolous or vexatious the Complainant will be so advised. The Complainant, if aggrieved, may refer the matter to Presidents of

the Unions whose decision shall be final and given within four days of the reference. Any such reference to the Presidents of the Unions shall be in writing and posted within three days of the Union of the affiliated Club being informed the complaint is considered frivolous or vexatious.

4.5. Where the player, having been advised, admits the allegations the player may invite the Disciplinary Committee to deal with the complaint under the provisions of Section IV.B of these regulations.

4.6. A player who has been cited is presumed innocent until proved guilty and may continue playing pending the hearing of the complaint whether or not the player admits allegations of foul play.