



## **DISCIPLINARY RULES 2020**

# CONTENTS

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<b>INTRODUCTION AND SCOPE</b>	3
<b>SECTION 1: RUGBY AU DISCIPLINARY RULES</b>	4
<b>SECTION 2: JUDICIAL PROCEDURES</b>	5
PART 1: STANDARD PROCEDURES – ORDERING OFF (RED CARD)	6
ALTERNATE PROCEDURES – EARLY ADMISSION OF BREACH SANCTION	7
PART 2: INITIAL PROCEDURES – YELLOW CARDS/CITING COMMISSIONER WARNINGS	8
PART 3: INITIAL PROCEDURES – CITINGS	9
<b>SECTION 3: GENERAL PROCEDURES AT HEARINGS</b>	13
POWER TO REGULATE OWN PROCEDURE	13
PROCEDURE AT HEARING	13
STANDARD OF PROOF	15
ROLE OF JUDICIAL COMMITTEE	15
EVIDENCE ADMISSIBLE AT HEARINGS	16
PROCEEDINGS NOT INVALIDATED FOR DEFECTS, IRREGULARITIES ETC.	16
DECISION OF THE COMMITTEE	16
NOTIFICATION OF DECISION OF THE COMMITTEE	17
SANCTIONS FOR FOUL PLAY	17
APPLICATIONS OF SANCTIONS FOR FOUL PLAY	20
<b>SECTION 4: APPEAL PROCEDURES</b>	21
RIGHT OF APPEAL	22
NOTICE OF APPEAL	22
COMMENCEMENT OF APPEAL AND DEPOSIT	22
CONTENTS OF NOTICE	23
RECORD OF FIRST PROCEEDINGS	23
HEARING DATE	23
GROUNDS OF APPEAL	23
POWER TO REGULATE OWN PROCEDURES	23
DECISION OF THE APPEALS COMMITTEE	23
POWER TO ADJOURN	24
REPRESENTATION	24
DELIVERY OF DECISION	24
FINALITY OF APPEAL	24
CLEMENCY FOR LONG-TERM SUSPENSIONS	24
RECOGNITION OF SANCTIONS AND DECISIONS	24
<b>SECTION 5: MODIFIED PROCEDURES FOR FOUL PLAY IN SEVENS</b>	25
<b>SECTION 6: MISCELLANEOUS MATTERS</b>	27
<b>SECTION 7: DEFINITIONS AND INTERPRETATION</b>	28
<b>APPENDIX 1: WORLD RUGBY SANCTIONS FOR FOUL PLAY</b>	
<b>APPENDIX 2: AGE-GRADE DISCIPLINARY PROCEDURES AND SANCTIONS</b>	
<b>APPENDIX 3: ORDERING OFF REPORT FORMS (REFEREE/ASSISTANT REFEREE)</b>	
<b>APPENDIX 4: CITING COMPLAINT REFERRAL FORM</b>	
<b>APPENDIX 5: CITING COMMISSIONER WARNING FORM</b>	
<b>APPENDIX 6: CITING COMMISSIONER REPORT FORM</b>	
<b>APPENDIX 7: SHORT JUDGMENT FORM</b>	
<b>APPENDIX 8: EXAMPLE TIMING SCHEDULE</b>	

## INTRODUCTION AND SCOPE

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Rugby AU, in consultation with Member Unions, has developed these Rugby Australia Disciplinary Rules (“the Rules”) to ensure uniformity in the way disciplinary procedures are administered in the game across Australia.

The Rules are intended for use within Australian domestic rugby in all Formats, Competitions, Tournaments and Matches, whether or not the Match is for competition points (e.g. pre-season and tour matches with interstate or overseas teams). For the avoidance of doubt, these Rules do not apply to Test Rugby, SANZAAR Super Rugby, Men’s and Women’s Sevens World Series and Oceania Sevens.

The Rules have been designed to achieve a universal and consistent approach to disciplinary proceedings for Foul Play, Citing, Disciplinary Procedures, Sanctions and Appeals. The Rules outline the Core Principles underpinning the disciplinary process and general procedures for disciplinary matters, including universal sanctions (set by World Rugby) for all levels of the game.

Rugby Australia’s disciplinary regime reflects [World Rugby Regulation 17](#). It exists to sanction players whose Foul Play or Misconduct is other than purely accidental, and one of its most important principles is to prevent the risk of injury to other players in a dynamic and physical sport. Players have an obligation to ensure that they do not cause injury to opponents, so there is a presumption that any conduct which is prohibited by [World Rugby Law 9 \(Foul Play\)](#) merits a sanction.

The Rules also recognise that the approach to disciplinary issues for the Age-Grade game should be adjusted to reflect the age and truncated playing seasons of these Players, as well as the need to educate and guide Age-Grade Players. As such, the *Age-Grade Disciplinary Procedures* will ensure a ‘child-centric’ approach when dealing with rugby disciplinary issues in Age-Grade rugby.

In the event of any question or issue arising in connection with the interpretation and/or effect of these Rules, the Rules should be interpreted and given effect in a manner which is consistent with the spirit, scheme and intent of the World Rugby Regulations found at <https://www.worldrugby.org/handbook/regulations>

The following are the “Core Principles” of the Rules:

- (a) the sanctions applicable to Foul Play are to be the same throughout the Game in Australia and all Member Unions shall adopt and utilise the Adult and Age-Grade sanctions tables for offences within the playing enclosure;
- (b) all Matches are equal, that is, regardless of the level of competition provided they meet the criteria in Rule 96. A Player suspended from playing the Game shall be suspended from participating in any Match at any level during the period of his/her suspension;
- (c) the sanctioning process set out in Rules 84 to 97 shall be adhered to;
- (d) the principles of procedural fairness must be adhered to in all disciplinary proceedings. Such principles include, Players cited or Ordered Off having the right to be provided with the evidence against them, have the right to be heard, to be represented, to produce evidence and to defend themselves before independent adjudicators;
- (e) all Judicial Committee members, Appeal Committee members and Citing Commissioners should meet the criteria for appointment set out in these Rules. Each must exercise their functions independently of the parties to the proceedings, the Match and of the Unions or Rugby Bodies under whose jurisdiction responsibility falls for the relevant Match.

## SECTION 1: RUGBY AU DISCIPLINARY RULES

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1. The Rules set out the procedures for dealing with the following matters for which the Union has jurisdiction:
  - (a) when a Player is Ordered Off (Red Carded);
  - (b) when a Player is Cited for an act of Foul Play;
  - (c) when a Player has been yellow carded or received a Citing Commissioner Warning, or a combination thereof, on three (3) or more occasions in any Competition in any one season;
  - (d) other such matters specified in these Rules; and
  - (e) an appeal from a decision of the Judicial Committee.

**Please note that any allegations of off-field misconduct committed by a Player, Participant or other Person must not be dealt with under these Rules and should be dealt with under the Rugby AU Professional Player Code of Conduct, Code of Conduct, Member Protection Policy or other applicable code or policy.**

2. All Participants, Persons, Rugby Bodies and Unions are deemed to have agreed to be subject to the Rules. Furthermore, all Rugby Bodies and Unions **must only use these Rules** to deal with any matter set out in Rule 1 (a) to (e) above. Where a Rugby Body or a Union has applied other rules, regulations, bye-laws or procedures, then any determination is void and the matter shall be reheard by a Judicial Committee or Appeals Committee under these Rules.
3. Rugby AU may amend the Rules as required from time to time and may publish explanatory guidelines to assist a broader understanding of the operation of the Rules.
4. The Rules contain timing requirements e.g. time to refer a citing, time to submit a referee report and time to submit an appeal of a decision by a Judicial Committee. The Rules provide flexibility for Unions, allowing them to set their own schedule. However, when no time is outlined by a Union, the default timings set out herein apply. A Judicial Committee and the Head of Integrity has the discretion, if it is considered to be in the interests of justice to do so, to grant an extension of time, provided that any request for an extension is sought within the original timeframe applicable. The table in Appendix 8 provides a framework for Unions and Rugby bodies to set out their schedule in a simple and accessible format.
5. Please note that there separate disciplinary procedures for Age-Grade Players that are designed to be child-centric and are set out in Appendix 2.
6. Rugby AU recognises the unique structure of Sevens Tournaments and the timelines within which the Sevens Game operates. The provisions contained in Section 5 headed 'Modified Procedures for Foul Play in Sevens' apply to the Sevens Game for Foul Play.

## **SECTION 2: JUDICIAL PROCEDURES**

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### **COMPOSITION OF JUDICIAL COMMITTEES**

7. The Union will appoint a panel of individuals (“Judicial Panel”) of such number as the Union sees fit, each of whom can be selected to sit as a member of a Judicial Committee.
8. When a Judicial Committee is appointed to adjudicate on a case, it should (subject to Rules 13 and 14) be made up of no less than three members of the Judicial Panel. The Judicial Committee must, other than in exceptional circumstances and with approval of the Union with jurisdiction for the Match, include at least one lawyer who holds a current practising certificate; or a lawyer that held a practising certificate for a period of 7 years or more and is still eligible to hold a practising certificate; or a lawyer who is or has been a judicial officer of a Court of the Commonwealth or of a State or Territory.
9. One member of the Judicial Committee should be nominated by the Union to act as chairperson. The chairperson of the Judicial Committee is entitled, at his or her discretion, to invite observers to join the Judicial Committee for the purposes of education and training, provided that such observers are announced to the hearing and do not take part in the adjudication of the case(s) they observe.
10. The decisions of Judicial Committees are to be made by majority. In the event of an equality of votes on any question, the chairperson of the Judicial Committee will have both a deliberative and a casting vote.
11. No person who is a member of the Union or other Rugby Body responsible for the management of either team participating in the Match, is eligible for the appointment as chairperson or member of a Judicial Committee which is required to determine a matter arising out of that Match.
12. The Judicial Committee must act independently, impartially and fairly. A member of the Judicial Committee who has a conflict of interest in dealing with the matter before the Judicial Committee should disclose the conflict and act in such a manner as he/she and/or the Judicial Committee considers appropriate including, if necessary or appropriate in the circumstances, by withdrawing from participation in the hearing.
13. Where circumstances make it a necessity, a Judicial Committee may be formed by less than three (3) members; but in that case, other than in exceptional circumstances and with approval of the Union with jurisdiction for the Match, at least one member of the Judicial Committee, or where it is a single member, that single member, must be a lawyer who holds a current practising certificate; or a lawyer that held a practising certificate for a period of seven (7) years or more and is still eligible to hold a practising certificate; or a lawyer who is or has been a judicial officer of a Court of the Commonwealth or of a State or Territory.
14. Where appropriate, the size, composition and approach of the Judicial Committee may also be adjusted for Age-Grade Players. For such Players, it is important to ensure that the procedures set out in Appendix 2 are adhered to. This includes ensuring that all disciplinary proceedings are ideally conducted by people who have professional experience in dealing with young persons and are equipped to provide a comfortable and safe environment with the appropriate level of informality.

## PART 1: INITIAL PROCEDURES - ORDERING OFF (RED CARD)

### STANDARD PROCEDURES

15. A Player that has been Ordered Off is, without further notice, provisionally suspended and is not permitted to play any Match until the matter is determined by the Judicial Committee. The Player Ordered Off is required to attend a hearing in relation to the offence at the next constituted meeting of the Judicial Committee.
16. Where a Player is Ordered Off, the referee must submit a written report to the Union with jurisdiction of the Match within the timeframe specified by that Union, or if no time is specified, then by **10 am on the first Business Day following the Match**. Failure to do so will not render any disciplinary proceedings invalid but may be a ground for an adjournment of any hearing.
17. If a Player is Ordered Off as a result of the intervention of an assistant referee, the assistant referee must also send a written report to the Union with jurisdiction for the Match by the time specified by that Union or if no time is specified, then by 10 am on the first Business Day following the Match.
18. Reports prepared by the referee and/or assistant referee should include the following:
  - (a) the date/time of the Match, the venue and the teams participating;
  - (b) the name of the Player Ordered Off, his/her jersey number and his/her Rugby Body;
  - (c) the circumstances in which the Player was Ordered Off;
  - (d) the reason(s) for the Player being Ordered Off (and Law allegedly breached); and
  - (e) any other information the referee (or assistant referee where applicable) considers material.

Rugby AU's Ordering Off Report Form attached to these Rules at Appendix 3 or a form approved by the relevant Union may be used for this purpose.
19. The Union or its nominee must arrange for the Ordering Off reports to be provided as soon as reasonably practicable to the Judicial Committee who will adjudicate on the case.
20. The Union or its nominee will arrange for any video recording commissioned by the Union to be provided as soon as reasonably practicable to the Judicial Committee who will adjudicate on the case.
21. Each Rugby Body involved in the Match that is the subject of the Ordering Off must arrange for any video recording commissioned by that Rugby Body (whether on a formal or informal basis) to be provided as soon as reasonably practicable to the Judicial Committee, who will adjudicate the case, or alternatively, the Rugby Body must provide a statutory declaration to the Judicial Committee, signed by the general manager (or equivalent) of the Rugby Body, declaring that no such recording exists.
22. The Union or its nominee must supply the Player Ordered Off with a copy of the Ordering Off reports and any other relevant evidence (including any video recording) as soon as reasonably practicable and advise the Player of the details for the Judicial Committee hearing.

## **ALTERNATE PROCEDURES – EARLY ADMISSION OF BREACH SANCTION**

23. A Player Ordered Off and provisionally suspended in accordance with Rule 15 is not permitted to play any Match until the matter is finalised pursuant to Rules 23 to 27 or by the Duty Judicial Officer or determined by the Judicial Committee.
24. If, having considered all of the relevant on-field factors regarding the Foul Play, the Duty Judicial Officer or his/her nominee assesses that the Player's conduct is at the lower end entry point of 2 weeks or less, the duty Judicial Officer or its nominee may offer the Player an 'Early Admission of Breach Sanction'. This sanction may include an appropriate reduction for early admission of breach. Unions, in consultation with the Duty Judicial Officer, may impose additional requirements for a Player to receive an Early Admission of Breach Sanction (e.g. that a Player has a clean disciplinary record).
25. A Player offered an Early Admission of Breach Sanction must decide whether to accept the early admission of breach sanction offered by the Duty Judicial Officer or his/her nominee. A Player accepting an Early Admission of Breach Sanction accepts that he or she committed the act of Foul Play for which the Player has been charged and is therefore not required to attend a hearing before a Judicial Committee.
26. A Player accepting an Early Admission of Breach Sanction must advise the Union or its nominee in writing of that acceptance by the time specified by the Union or if no time is specified, then by 5 pm on the first Business Day following the offer of the Early Admission of Breach Sanction.
27. A Player not accepting an Early Admission of Breach Sanction must, either personally or through his/her Rugby Body, notify the Union or its nominee in writing of this non-acceptance by the time specified by the Union or if no time is specified, then by 5 pm on the first Business Day following the offer of the Early Admission of Breach Sanction. In that event, the Player will be required to appear before the Judicial Committee at the time nominated for the hearing of the charge.

***If Ordering-Off proceeds to a hearing, refer to Section 3.***

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## PART 2: INITIAL PROCEDURES – YELLOW CARDS / CITING COMMISSIONER WARNINGS

### PLAYERS YELLOW CARDED THREE OR MORE TIMES

28. A Player who has been yellow carded or received a Citing Commissioner Warning, or a combination thereof, on three (3) occasions in any one (1) particular Tournament, Competition or Series of Matches under the jurisdiction of a Union and has not given notice to challenge any of them in accordance with Rule 30, is automatically suspended for one (1) Match. Any issue that arises regarding how that suspension is to be served, shall be referred to a Judicial Committee for determination in accordance with Section 3 of the Rules.
29. Further accumulation of yellow cards or Citing Commissioner Warnings is to be dealt with according to one of the below options which are at the Union's election. If the Union does not specify its election prior to commencement of the relevant Tournament, Competition or Series of Matches under its jurisdiction, option (a) shall operate:
- (a) a Player that accumulates two (2) additional yellow cards and/or Citing Commissioner Warnings and has not given notice to challenge any of them in accordance with Rule 30, is automatically suspended for one (1) Match and is required to attend a hearing before the next convened Judicial Committee to determine whether any additional sanction is appropriate. For each yellow card or Citing Commissioner Warning thereafter, the Player is automatically suspended for one (1) Match and is required to attend a hearing before the next convened Judicial Committee to determine whether any additional sanction is appropriate; or
  - (b) for each further yellow card or Citing Commissioner Warning where the Player has not given notice to challenge in accordance with Rule 30, the Player is automatically suspended for one Match and is required to attend a hearing before the next convened Judicial Committee to determine whether any additional sanction is appropriate.
30. A Player who receives a yellow card or Citing Commissioner Warning may challenge it only if was received as a result of alleged mistaken identity. For a yellow card the Player must give written notice of his or her challenge within the time specified by the Union with jurisdiction for the Match or if no time is specified, then within **48 hours** of completion of the Match in which the yellow card arose. For a Citing Commissioner Warning the Player must give written notice of his or her challenge within the time specified by the Union with jurisdiction for the Match, or if no time is specified, then within **48 hours** of receiving the Citing Commissioner Warning. The notice must set out the basis of the challenge and will be duly recorded by the Union, to be considered by either the:
- (a) the Duty Judicial Officer (where one is nominated by the Union) who may make a determination; or
  - (b) the Judicial Committee:
    - i. at the next convened meeting; or
    - ii. where it relates to Rule 28, when a Player accumulates three yellow cards and/or Citing Commissioner Warnings in any one particular Tournament, Competition or Series of Matches under the jurisdiction of a Union during a season.

The Union may elect which of the above avenues to take but must consider procedural fairness at all times.

31. If a Player is cited and subsequently sanctioned from an incident that gave rise to a yellow card, for the



purposes of calculating the accumulation of yellow cards such incident will be classified as a citing and not a yellow card.

### **PART 3: INITIAL PROCEDURES – CITINGS**

#### **ROLE OF A CITING COMMISSIONER**

32. The Citing Commissioner's role is to cite Player(s) for act(s) of Foul Play which, in his or her opinion, should have warranted the Player concerned being Ordered Off (i.e. the **"Red Card Test"** has been met).
33. The Citing Commissioner may cite a Player for an act of Foul Play notwithstanding that the act has been detected by a Match Official and notwithstanding that the act may have been the subject of referee action. A Citing Commissioner may not cite a Player for an act of Foul Play in respect of which the Player has been Ordered Off save where the Ordering Off is as a result of 2 yellow cards. A Player in that situation may be cited for the act of Foul Play which resulted in either or both yellow cards. The Citing Commissioner may cite a Player if he or she has been yellow carded. Such citing may be made in respect of the incident for which the Player was yellow carded and/or for other conduct that occurred during the Match.
34. The Citing Commissioner may issue a Citing Commissioner Warning to a Player who has in the Citing Commissioner's opinion committed an act or acts of Foul Play which falls just short of satisfying the Red Card Test, in circumstances where the act of Foul Play was not subject to a yellow card or an Ordering Off. Rugby AU's Citing Commissioner Warning Form attached to these Rules at Appendix 5 or a form approved by the relevant Union may be used for this purpose.
35. On receipt of the Citing Commissioner Warning, the nominated officer of the Union must send a copy of the notification to the Player in respect of whom it is made, his or her Rugby Body and the appropriate Match Officials of the Match in which it is alleged the Foul Play occurred.
36. The Citing Commissioner Warning notification must contain the following information:
  - (a) Date/time and place of the alleged incident of Foul Play;
  - (b) alleged offender's name (or if unknown, the offender's jersey number);
  - (c) alleged offender's team;
  - (d) team alleged offender played against; and
  - (e) full details of the alleged Foul Play.
37. The Citing Commissioner must act independently of the Judicial Committee and of the Match Officials or other Citing Commissioners.
38. A Citing Commissioner's decision as to whether a Player should be cited or given a Citing Commissioner Warning, whether as the result of an incident referred to him/her or otherwise, is final.

## **APPOINTMENT OF A CITING COMMISSIONER**

39. A Union may appoint a suitably qualified Citing Commissioner:
- (a) to a specific Match under the jurisdiction of the Union (see Rules 40 - 43); or
  - (b) post-match to review a Citing Complaint referred by a Union or Rugby Body, for instance to review incidents following a round of fixtures within a Tournament or Competition (see Citing Complaint Procedures below).

## **CITING COMMISSIONER APPOINTED TO A MATCH**

40. A Citing Commissioner appointed to a Match will, where practicable, attend the Match for which he or she is appointed. Where it is possible to view the game remotely (e.g. Match is televised, streamed or recorded) this may be utilised as an alternative.
41. A Citing by a Citing Commissioner appointed to a Match must be made within the time specified by the Union with jurisdiction for the Match, or if no time is specified, within **72 hours** of completion of the Match. A Judicial Committee and the Head of Integrity has the discretion, if it is considered to be in the interests of the justice to do so, to grant an extension of time for the Citing Commissioner to cite, provided that the extension is considered by the Judicial Committee or the Head of Integrity before the expiry of the original timeframe applicable.
42. Where a Citing Commissioner has been appointed to a Match, the Union or other Rugby Body may refer any incident of alleged Foul Play to the Citing Commissioner for consideration. Such a referral should ordinarily be made to the Citing Commissioner within the time specified by the Union with jurisdiction for the Match, or if no time is specified, within **48 hours** of the Match in which the incident is alleged to have occurred. A copy of the referral should be provided to the Union.
43. A Citing Commissioner Warning given where a Citing Commissioner (or nominee) is appointed to a Match must be notified to the nominated officer of the Union within the time specified by that Union or, if no time is specified, within **72 hours** of the conclusion of the relevant Match.

## **CITING COMPLAINTS FOLLOWING REFERRAL OF A FOUL PLAY ALLEGATION**

44. A Citing Complaint can be made against a Player for an alleged act of Foul Play committed during the Match, as follows:
- (a) by referral from a Rugby Body through a Nominated Official (as defined in Rule 46); or
  - (b) by referral from a Union.

## **CITING COMPLAINT BY A RUGBY BODY WHERE NO CITING COMMISSIONER APPOINTED TO A MATCH**

45. Subject to Rule 42, each Rugby Body participating in a Match may refer a Citing Complaint against:
- (a) a Player for an act of Foul Play committed during a Match;
  - (b) a Player for more than one alleged incident of Foul Play in the same Match; and/or
  - (c) more than one Player in any Match.
46. The person referring the Citing Complaint must be a Nominated Official of a Rugby Body involved with

the Match in which the incident that is the subject of the Citing Complaint occurred.

For the purposes of the Citing Complaint procedure, a **Nominated Official** is:

- (a) an office bearer of a Rugby Body pursuant to the Rugby Body's constitution; or
  - (b) such other persons authorised by the Union for that purpose.
47. A Union may charge a fee for a referral of a Citing Complaint. The amount of the fee is at the discretion of the Union but must be notified in writing to all Rugby Bodies within the jurisdiction of the Union. Such fee may, at the discretion of the Judicial Committee, be returned to the Rugby Body if the referral is determined by either the Union or the Judicial Committee to not be vexatious, frivolous or groundless.
48. A Citing Complaint must be completed in writing (the Citing Complaint Referral Form contained at Appendix 4 or a form approved by the relevant Union may be used for this purpose), be accompanied by any fee payable to the Union (if applicable), and delivered to the Union or its nominee within the time specified by the Union, or if no time is specified, then within **48 hours** of the completion of the Match. All supporting evidence (including any video recordings) must accompany the Citing Complaint. The Union or Judicial Committee may request further information including, if necessary, one or more statutory declarations. The Judicial Committee and the Head of Integrity has the discretion, if it is considered to be in the interests of justice to do so, to grant an extension of time for delivery of the Citing Complaint provided that the request for an extension is considered by the Judicial Committee or the Head of Integrity before the expiry of the original timeframe applicable.
49. The responsibility for obtaining information, reports and video recordings in relation to the Citing Complaint rests with the Nominated Official of the Rugby Body referring the Citing Complaint.

#### **CITING COMPLAINT BY THE UNION WHERE NO CITING COMMISSIONER APPOINTED TO A MATCH**

50. Subject to Rule 42, the Union or its nominee may refer a Citing Complaint against:
- (a) a Player for an act of Foul Play committed during that Match;
  - (b) a Player for more than one alleged incident of Foul Play in the same Match; and/or
  - (c) more than one Player in any Match.
51. A Citing Complaint by the Union must be completed in writing (the Citing Complaint Referral Form contained at Appendix 4 or a Union approved form may be used for this purpose). All supporting evidence including, if necessary, one or more statutory declarations, must accompany the complaint.
52. A Citing Complaint by the Union must be completed in writing by the time specified by the Union or if no time is specified, then within **72 hours** of completion of the Match. The Judicial Committee and the Head of Integrity has the discretion, if it is considered to be in the interests of justice to do so, to grant an extension of time for delivery of the Citing Complaint provided that the request for an extension is considered by the Judicial Committee or the Head of Integrity before the expiry of the original timeframe applicable.

#### **CONTENTS OF A CITING COMPLAINT**

53. A Citing Complaint must be completed in writing, and contain as much information as possible including, but not limited to, the following:

- (a) Date/time and place of the alleged incident of Foul Play;
- (b) alleged offender's name (or if unknown, the alleged offender's jersey number);
- (c) alleged offender's team;
- (d) team alleged offender played against; and
- (e) full details of the alleged Foul Play.

The Citing Complaint Referral Form contained at Appendix 4 or a Union approved form should ordinarily be used for this purpose.

- 54. A Citing Complaint must be accompanied by supporting evidence. Where the Citing Complaint is referred by a Rugby Body it must include any video recording commissioned by the Rugby Body or alternatively a declaration to the Union or its nominee signed by the general manager (or equivalent) of the Rugby Body, declaring that no such recording exists, and such other information required under the Competition or Union rules.

#### **CITING COMPLAINT PROCEDURES**

- 55. Upon receipt of a Citing Complaint, the Union will appoint a Citing Commissioner to review the incident in question.
- 56. If the matter is referred to a Citing Commissioner, he or she will determine whether the act(s) warrant a citing or a Citing Commissioner Warning in accordance with Rules 32 to 38.
- 57. Following a Citing Complaint, a Citing by a Citing Commissioner must be made within the period of time specified by the Union with jurisdiction for the Match, or if no time is specified, within **72 hours** of the Citing Commissioner being appointed to review the incident. The Judicial Committee and the Head of Integrity has the discretion, if considered to be in the interests of justice to do so, to grant an extension of time for a Citing Commissioner to consider whether or not to cite a Foul Play incident provided that the request for an extension is considered by the Judicial Committee or the Head of Integrity before the expiry of the original timeframe applicable.
- 58. Following a Citing Complaint, a Citing Commissioner Warning by a Citing Commissioner must be made within the period of time specified by the Union with jurisdiction for the Match, or if no time is specified, within **72 hours** of the Citing Commissioner being appointed to review the incident. The Judicial Committee and the Head of Integrity has the discretion, if considered to be in the interests of justice to do so, to grant an extension of time for a Citing Commissioner to consider whether or not to cite a Foul Play incident provided that the request for an extension is considered by the Judicial Committee or the Head of Integrity before the expiry of the original timeframe applicable.

#### **HEARINGS FOLLOWING A CITING**

- 59. Players that are the subject of a citing by a Citing Commissioner (whether that Citing Commissioner was appointed to a Match or was appointed following a Citing Complaint) are provisionally suspended and are required to attend a hearing at the earliest possible opportunity following the citing. The Union must, unless exceptional circumstances exist, schedule a hearing prior to his or her next Match. If a hearing is scheduled and the Player does not attend the hearing, Rule 67 applies.

*If a Citing Complaint proceeds to a hearing, refer to Section 3 below*

### **SECTION 3: GENERAL PROCEDURES AT HEARINGS**

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#### **POWER TO REGULATE OWN PROCEDURE**

60. Subject at all times to the provisions of this Section, the Judicial Committee may determine its own procedures.
61. The principles of procedural fairness must be adhered to in all disciplinary proceedings. Such principles include: Players Cited or Ordered Off have the right to know the evidence against them, have the right to be heard, to be represented, to adduce evidence and to defend themselves against any charge before independent adjudicators.
62. The Judicial Committee will endeavour to ensure that disciplinary proceedings are heard in the presence of the alleged offending Participant the subject of the proceedings, but nothing in these Rules or otherwise prevent a Judicial Committee hearing and determining disciplinary proceedings in the absence of the alleged offending Participant. In such circumstances, the Judicial Committee may take written representations made by or on behalf of the alleged offending Participant into account in making its decision.

#### **PROCEDURE AT HEARING**

63. The Judicial Committee will comply with the following procedural requirements:
  - (a) the procedures to be followed at the hearing should be explained clearly by the Chairperson of the Judicial Committee at the commencement of the hearing;
  - (b) the Chairperson of the Judicial Committee will read to the hearing (to the extent considered appropriate) the substance of any reports or other documents or materials provided in relation to the offence, complaint or alleged breach, including without limitation the referee's and assistant referee's report (if applicable);
  - (c) evidence/submissions/determination are to occur in the following sequence:
    - i. evidence taken from the alleged offending Participant;
    - ii. evidence taken from the alleged offending Participant's witnesses (if any);
    - iii. if applicable, evidence from the victim, first-hand accounts from witnesses and/or any expert evidence.
    - iv. submissions (if any) by a senior member of the alleged offending Participant's Rugby Body and/or the alleged offending Participant's legal representative with respect to a breach of the Laws of the Game;
    - v. determination by the Judicial Committee as to whether there has been a breach of the Laws of the Game;
    - vi. if a breach is found, submissions (if any) by the alleged offending Participant, a senior member of the alleged offending Participant's Rugby Body and/or the alleged offending

- Participant's legal representative with respect to Sanction; and
- vii. determination by the Judicial Committee with respect to Sanction;
- (d) At the commencement of the hearing the alleged offending Participant will be asked to confirm if he or she admits that he or she has committed an act of Foul Play;
- (e) if, during a hearing, it becomes evident that the alleged offending Participant may have committed an offence in addition to or other than the charge(s) for which the hearing is being conducted:
- i. the Judicial Committee may vary, alter or add to the charge or substitute an entirely new charge based on facts reported in the initial charge; and
  - ii. the alleged offending Participant should then be given the opportunity to answer the amended charge. An adjournment of the proceedings, if sought, may be granted if the Judicial Committee considers it necessary to ensure that procedural fairness is provided to the parties;
- (f) the Judicial Committee:
- i. may adjourn and/or postpone proceedings as it considers necessary or appropriate;
  - ii. may determine whether witnesses are permitted to remain within the room in which the matter is being heard either before or after their evidence has been given;
  - iii. may direct that an interpreter be present to partake in the proceedings;
  - iv. may call on experts to provide specialist advice;
  - v. may be assisted by a legal advisor;
  - vi. shall deliberate on their decisions in private and at the conclusion of the evidence and submissions;
  - vii. may request that the Match Official(s) or Citing Commissioner give evidence at a hearing (by telephone or in person) where the Committee considers it desirable; and
  - viii. shall allow a nominated officer from the Match Official(s)' Referees Association to attend a hearing as an observer (irrespective of whether the Match Official has been requested by the Committee to attend the hearing in accordance with vii. above).
64. Those giving evidence may be subject to questioning from any member of the Judicial Committee. There is no right on the part of the alleged offending Participant or his/her representative to cross-examine any witness (including the referee or assistant referee). The Judicial Committee may permit cross-examination of that kind only in exceptional circumstances and at its absolute discretion.
65. The alleged offending Participant is entitled to be represented before the Judicial Committee by a senior member of his/her Rugby Body and/or his/her legal representative. In addition, if the alleged offending Participant wishes to call witnesses, he/she may do so if the Judicial Committee is satisfied that the witness in question may be able to give evidence relevant to the proceedings.
66. The proceedings at hearing must be recorded by way of stenography, audio recording and/or audio-visual recording. The record of the proceedings, and all paperwork, must be held by the Union. In the

event of an appeal from the determination of the Judicial Committee, copies of the record shall be made available to the relevant Appeals Committee upon its request.

67. Without derogating from the Judicial Committee's power under Rule 62, in the event that an alleged offending Participant fails to attend the meeting of the Judicial Committee, he or she is automatically suspended (unless already provisionally suspended after having been ordered-off or cited) from participation in all Matches until such time as he or she attends a hearing on a revised date set by the Judicial Committee. Unless reasonable notice and adequate reason for non-appearance is given prior to the appointed meeting of the Judicial Committee, that Judicial Committee may impose such additional suspension as it considers appropriate as penalty for the participant's failure to attend as required.

## **STANDARD OF PROOF**

68. The standard of proof for all matters is the balance of probabilities, unless otherwise specified in these Rules.

## **ROLE OF THE JUDICIAL COMMITTEE**

69. The integrity of Law 6.5(a) of the Laws of the Game and the referee's position as sole judge of fact and law during the Match is unassailable. With the sole exception of Rule 78 (and/or in appropriate circumstances under World Rugby Regulation 6 and/or Regulation 18 and/or Regulation 21) the referee's decisions on the field of play and their sporting consequences shall not be altered or overturned by a ruling of a Disciplinary Committee or Judicial Officer. The purpose of a subsequent review of a Foul-Play incident that occurred during a Match, by a Citing Commissioner and/or Judicial Committee, is to determine whether there should be any disciplinary sanctions applied for an act of Foul Play as provided for in Law 9.
70. In the case of an Ordering Off, the function of the Judicial Committee shall be to consider the circumstances of the case and determine what further sanction, if any, should be imposed on the Player. However, the Judicial Committee may, upon any challenge by the Player, consider whether the referee's decision to order the Player off was correct or not. In this case the Judicial Committee will review the decision and the circumstances surrounding it and may overturn the decision if the Judicial Committee finds that the decision was wrong on the balance of probabilities. The burden of proof is on the player challenging the ordering-off.
71. In the case where there has been a citing complaint, the function of the Judicial Committee is to determine whether an act of Foul Play was committed by the Player. Where a Player accepts that there has been Foul Play or Foul Play is established to the satisfaction of the Judicial Committee, the cited Player may still seek to show that the Citing Commissioner's decision to cite was wrong and the Judicial Committee may review the Citing Commissioner's decision and the circumstances surrounding it. In any such case, the Judicial Committee shall not make a finding contrary to the Citing Commissioner's decision to cite unless it/he is satisfied, on the balance of probabilities that the Citing Commissioner's decision was wrong. If the citing is upheld, the Judicial Committee shall determine the sanction to be imposed on the Player in accordance with the Rules. The Judicial Committee may take account of any action taken during the Match in respect of the Foul Play by the referee and may, subject to Rule 69, review the referee's decision and the circumstances surrounding it and may make a finding contrary to the referee's decision.

## **EVIDENCE ADMISSIBLE AT HEARINGS**

72. The Judicial Committee is not bound by the strict rules of evidence and may inform itself as it sees fit (including by the receipt of evidence in writing) and is entitled to attach such weight to that evidence as the Judicial Committee sees fit.
73. First-hand accounts from persons present at the hearing as to their observations of the incident in question are to be preferred. Hearsay evidence (i.e. second-hand accounts of what occurred) and/or opinion evidence (other than expert opinion evidence), should generally not be admitted or considered by the Judicial Committee in reaching its decision. Expert evidence is only likely to be permitted when the evidence falls outside the everyday knowledge of members of the Judicial Committee.
74. A Participant may tender evidence to the Judicial Committee in writing. Similarly, evidence tendered by witnesses may be in writing.
75. Audio Visual evidence:
  - (a) The Judicial Committee has the sole discretion to determine if it will accept evidence in the form of video recordings.
  - (b) The Judicial Committee will decide what weight should be attached to any video evidence it accepts into evidence.
  - (c) If there is a dispute on the facts, any video accepted into evidence may be shown again on as many occasions as are considered necessary by the Judicial Committee, and at any speed, to resolve any factual discrepancies. The Judicial Committee can, in its discretion, determine, if and when, the video will be replayed.
  - (d) The Judicial Committee must inform the alleged offending Participant of the nature of any conclusions it has drawn from the video evidence.
76. Character evidence will be admissible only in relation to the sanction to be imposed by the Judicial Committee.

## **PROCEEDINGS NOT INVALIDATED FOR DEFECTS, IRREGULARITIES, ETC.**

77. Procedures or proceedings under these Rules or any decision of a Judicial Committee, Judicial Officer, Appeal Committee or Appeal Officer shall not be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of a Disciplinary Committee, Judicial Officer, Appeal Committee or Appeal Officer or results in a miscarriage of justice.

## **DECISION OF THE COMMITTEE**

78. The Judicial Committee may, after having followed the process set out in Rules 84–95, decide upon one of the following courses of action:
  - (a) expunge the Ordering Off (Red Card) or yellow card from the Player's disciplinary record;
  - (b) take no further action and let any on field decision(s) stand;
  - (c) caution the alleged offending Participant as to his or her future conduct; or
  - (d) impose a sanction, including, but not limited to suspension of the alleged offending Participant.



## **NOTIFICATION OF DECISION OF THE COMMITTEE**

79. The Participant must be advised, without delay, of the decision of the Judicial Committee that conducted the hearing.
80. The Judicial Committee shall provide a written report of the decision to the Participant and the relevant State/Territory Union or Rugby Australia no later than 5 Business Days after the hearing. Rugby AU's Short Judgment Form contained at Appendix 7 or a form approved by the relevant State/Territory Union may be used for this purpose. In a case involving an Ordering Off or allegation of Match Official abuse, a copy of the report shall also be provided to the Referee Association of the Match Official(s) concerned by the State/Territory Union or Rugby Australia.
81. In all cases an offending Participant must be advised that he/she has a right of appeal to the Appeals Committee within the time prescribed by the relevant Union, or if no time is prescribed, then within the time prescribed by these Rules.
82. In the event that an appeal is lodged, the record of the hearing before the Judicial Committee made in accordance with Rule 66 shall be made available to the Appeals Committee.
83. No member of a Committee (Judicial or Appeals) may make any comment to the media or other public comment in relation to a decision of that body.

## **SANCTIONS FOR FOUL PLAY**

84. When imposing sanctions for Foul Play in relation to an Ordering Off or Citing in accordance with these Rules, the Judicial Committee will apply the World Rugby sanctions regime set out in **Appendix 1** in respect of adult Players and **Appendix 2 for Age-Grade Players** (unless the Age-Grade Player is participating in adult rugby).

### **Assessment of Seriousness of the Foul Play**

85. The Judicial Committee will first undertake an assessment of the seriousness of the Player's conduct that constitutes the offending and categorise that conduct as being at the lower, mid-range or top end on the scale of seriousness as prescribed in the sanction regimes in Appendices 1 and 2. This is required in order to identify the appropriate entry point for consideration of an act of Foul Play.
86. The assessment of the seriousness of the Player's conduct must be determined by reference to the following matters:
  - (a) whether the offending was intentional or deliberate;
  - (b) whether the offending was reckless, that is, the Player knew (or should have known) there was a risk of committing an act of Foul Play;
  - (c) the gravity of the Player's actions in relation to the offending;
  - (d) the nature of the actions and the manner in which the offence was committed, including which part of body used (for example, fist, elbow, knee or boot);
  - (e) the existence of provocation;
  - (f) whether the Player acted in retaliation and, if so, the timing of that retaliation;

- (g) whether the Player acted in self-defence (that is, whether he/she used a reasonable degree of force in defending himself/herself);
- (h) the effect of the Player's actions on the victim (including the extent of injury, whether it caused the removal of the victim Player from the Match and (if applicable) the length of time the victim will be absent from the Game due to the injury);
- (i) the effect of the Player's actions on the Match;
- (j) the vulnerability of the victim Player, including which part of the victim's body was involved/affected, the position of the victim Player at the time of the relevant conduct and the ability of the victim Player to defend himself/herself;
- (k) the level of participation in the offending and level of premeditation;
- (l) whether the intended conduct of the offending Player was completed or amounted to an attempt; and
- (m) any other feature of the Player's conduct in relation to or connected with the offending which the Judicial Committee considers relevant.

#### **Aggravating Factors**

87. The Judicial Committee will identify any relevant off-field aggravating factors and determine if there are grounds for increasing the period of suspension (or other sanction), if any, and the extent, if at all, by which the period of suspension (or other sanction) should be increased.

Off-field aggravating factors include:

- (a) the Player's status as an offender against the Laws of the Game. In the case of a Player having had a previous sanction or sanctions imposed, in determining penalty, the Judicial Committee may take into account previous sanction(s) as an aggravating factor;
- (b) the need to deter a particular type or pattern of offending in the Game; and
- (c) any other off-field factor which the Judicial Committee considers to be a relevant aggravating factor, including relevant offending in another sport.

#### **Mitigating Factors**

88. The Judicial Committee will identify any relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension, if any, and the extent, if at all, by which the period of suspension should be reduced.

Off-field mitigating factors include:

- (a) the acknowledgement of culpability/wrongdoing by the offending Player, and the timing of that acknowledgement;
- (b) the Player's good record and/or good character;
- (c) the age and experience of the Player;
- (d) the Player's conduct prior to and at the hearing;
- (e) any demonstration of remorse by the offending Player, including the timing of that

demonstration; and

- (f) any other off-field factor which the Judicial Committee considers to be a relevant mitigating factor.

89. If a Judicial Committee categorises an offence at the top end of offending, it must then make a further assessment of the appropriate entry point between the period shown as the top end and the maximum sanction.
90. Where a Player has been found to have committed an act of Foul Play not specifically prescribed in the sanction regimes in Appendix 1 or 2, appropriate sanctions may be imposed at the discretion of the relevant Judicial Committee and/or Appeals Committee (as the case may be).
91. The Judicial Committee will determine the appropriate entry point for offences not expressly prescribed in the sanction regimes in Appendix 1 or 2.
92. Subject to Rules 93 and 94, for acts of Foul Play, the Judicial Committee cannot apply a reduction for mitigating factors greater than 50% of the relevant entry point suspension. In assessing the percentage reduction applicable for mitigating factors, the Judicial Committee will start at 0% reduction and apply the amount, if any, to be allowed as mitigation up to the maximum 50% reduction.
93. In a case involving offending that has been classified pursuant to Rule 86 as lower end offending, where:
  - (a) there are off-field mitigating factors; and
  - (b) the Judicial Committee considers that the lower end entry sanctions specified in Appendix 1 would be wholly disproportionate to the level and type of offending involved,the Judicial Committee may apply a sanction less than 50% of the lower end entry sanction specified in Appendix 1, including in appropriate cases, no sanction.
94. In cases of multiple offending, the Judicial Committee may impose sanctions to run either on a concurrent or a cumulative basis provided the total sanction is in all the circumstances proportionate to the level of the overall offending.
95. The Judicial Committee will ordinarily in its written decision, pursuant to Rule 80, set out the reasoning for their findings, including:
  - a. the finding on culpability;
  - b. how they have categorised the seriousness of the offence by reference to the features set out in Rules 85 and 86;
  - c. how they identified and applied any aggravating and mitigating factors; and
  - d. conclude with the resultant sanction imposed (if any). For the avoidance of doubt; this should include the expiry date of the suspension setting out a list of the Matches (or Match weekends, rounds or dates where specific fixtures have not yet been scheduled) for which the Player is suspended (based on the best information available at the time of the decision and in accordance with Rule 96).

## APPLICATION OF SANCTIONS FOR FOUL PLAY

96. For the purposes of imposing a meaningful suspension, the Judicial Committee shall take into account weeks in which there is a Match(es) which comply with each of the following criteria:
- (a) until such time as he was suspended, the Player would otherwise have been scheduled to play in the Match, the burden resting with the Player to prove that he was scheduled to play. Where the Player was scheduled to play in more than one Match in a week (for example, a mid-week fixture) this week still only counts as one week of the suspension save where the rules of the particular tournament or tour from which the suspension arises and in which there is more than one Match per week allow for a suspension within that tournament or tour to be served in Matches;
  - (b) the Match is to be played between two teams in compliance with all of the Laws of the Game;
  - (c) where the Match is not part of a tournament, tour or Series of Matches which has been sanctioned by Rugby Australia or a State or Territory Union, the Match:
    - (i) is to be played between teams of equivalent level (for example, similar divisions or standards of play) and who play at the same or an equivalent level of the Game to the Player's ordinary level;
    - (ii) is to feature the best players available to each team;
    - (iii) is to be played at a venue of the capacity and characteristics ordinarily used by teams of this level or standard;
    - (iv) is to be open to the public (and in the case of a Match involving professional teams, tickets will be sold);
    - (v) is scheduled within 4 weeks prior to a Match, tournament, tour or Series of Matches which has been sanctioned by Rugby Australia or a State or Territory Union.
  - (d) where the Match is a playoff, final or similar Match for which the Player's team has not yet qualified, the Match shall be counted if it is reasonably likely the team will qualify for the Match based on the best information available at the date of the decision;
  - (e) where the Player is scheduled to play in a different form of the Game to that from which the sanction arises and those Matches in the other form of the Game fall within the period of the suspension, those Matches shall be taken into account for the purposes of the suspension if they meet all of the criteria set out in this Rule 96 save that in the case of a Player whose suspension arises from a fifteen-a-side Match, only tournaments or Series of Matches in an abbreviated form of the Game which have been sanctioned by Rugby Australia or a State or Territory Union shall be taken into account and, in such case, each tournament or Series of Matches played over a weekend shall be considered to equate to one week for the purposes of calculating the suspension of a Player arising from a fifteen-a-side Match.
97. Players shall not be free to participate in rugby activities which a Judicial Committee (or, as applicable, Appeal Committee) has considered do not meet the criteria in this Rule 96 and thus have not been included as a week for which the Player is suspended. Notwithstanding, where such rugby activity is a Match as defined by WR Regulation 1, these Rules shall still apply to such Match and any suspension

arising therefrom shall commence at the expiry of any existing suspension. The following principles shall apply to the imposition of decisions on sanctions and suspensions under these Rules:

- (a) sanctions and suspensions shall be applied immediately and may not be suspended;
- (b) sanctions and suspensions shall be recognised and applied universally by Member Unions, Associations, Tournament Organisers, Rugby Bodies and their constituent bodies; and
- (c) Players subject to a suspension may not play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere from the time they are Ordered Off, cited or where the Player has been suspended due to the accumulation of Temporary Suspensions until their suspension expires or their case is dismissed;

## **SECTION 4: APPEAL PROCEDURES**

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### **COMPOSITION OF APPEALS COMMITTEE**

- 98. A Union must appoint a panel of individuals ("Appeals Committee") of such number as the Union sees fit, each of whom can be selected to sit as members of an Appeals Committee.
- 99. Subject to Rule 103, an Appeals Committee must be comprised by at least three (3) persons nominated by the relevant Union and, other than in exceptional circumstances and with approval of the Union with jurisdiction for the Match, must include at least one lawyer who holds a current practising certificate; or a lawyer that held a practising certificate for a period of seven (7) years or more and is still eligible to hold a practising certificate; or a lawyer who is or has been a judicial officer of a Court of the Commonwealth or of a State or Territory. One member of the Appeals Committee should be nominated by the Union to act as the Chairperson. The decisions of Appeals Committees must be made by majority. In the event of an equality of votes on any question, the chairperson of the Appeals Committee will have both a deliberative and a casting vote.
- 100. No person who is a member of the Union or other Rugby Body responsible for the management of either team participating in the Match, is eligible for appointment as Chairman or member of an Appeals Committee.
- 101. The Appeals Committee must act independently, impartially and fairly. A member of the Appeals Committee who has a conflict of interest in dealing with the matter before the Appeals Committee must disclose the conflict and act in such a manner as he/she and/or the Appeals Committee considers appropriate (including, if necessary or appropriate in the circumstances, by withdrawing from participation in the hearing).
- 102. A member of a Judicial Committee may also sit on an Appeals Committee but cannot hear an appeal with respect to a decision in which that member participated as part of the Judicial Committee.
- 103. Where circumstances make it a necessity, an Appeals Committee may be formed by less than three (3) members; but in that case, other than in exceptional circumstances and with approval of the Union with jurisdiction for the Match, at least one member of the Appeals Committee, or where it is a single member, that single member, must be a lawyer who holds a current practising certificate; or a lawyer that held a practising certificate for a period of seven (7) years or more and is still eligible to hold a practising certificate; or a lawyer who is or has been a judicial officer of a Court of the Commonwealth or of a State or Territory.

104. Where appropriate, the size, composition and approach of the Appeals Committee may also be adjusted for Age-Grade Players. For such Players, it is important to ensure that the process is conducted by people who are accustomed to dealing with children and are equipped to provide a comfortable and safe environment with the appropriate level of informality.

#### **RIGHT OF APPEAL**

105. There is a right of appeal to an Appeals Committee from a decision of a Judicial Committee by:
- (a) the offending Person or Participant;
  - (b) the Referee Association of the Match Official whose report included an allegation of match official abuse but subject to the approval of the relevant Union;
  - (c) the Board of the relevant Union or its nominee; or
  - (d) the Board of Rugby AU or its nominee.
106. Where an offending Participant is suspended or had other sanctions imposed, such suspension and/or sanction will remain in place and will not be stayed pending the outcome of an Appeal.

#### **NOTICE OF APPEAL**

107. An appeal to the Appeals Committee by the offending Person or Participant or a person or body affected by a decision concerning Foul Play is invalid unless, it is lodged in writing with the relevant Union within the time specified by the Union, or if no time is specified, then within **48 hours** from the time in which the written decision was provided to the offending Person or Participant or a person or body affected by a decision. The Appeals Committee may, if it considers it to be in the interests of justice to do so, grant an extension of time within which to lodge an appeal provided that the request for an extension is considered by the Appeals Committee before the expiry of the original timeframe applicable.
108. An appeal to the Appeals Committee by the Board of the relevant Union or the Board of Rugby AU must ordinarily be lodged within **72 hours** from the time at which the Union or the Board of the Rugby AU (as applicable) is provided with the written decision of the Judicial Committee. The Appeals Committee may, if it considers it to be in the interests of justice to do so, grant an extension of time within which to lodge an appeal provided that the request for an extension is considered by the Appeal Committee before the expiry of the original timeframe applicable.

#### **COMMENCEMENT OF APPEAL AND DEPOSIT**

109. An appeal is commenced by the lodgment of a notice of appeal in writing with the relevant Union within the time prescribed by the Rules, together with any required deposit.
110. Each notice of appeal, save where the Board of Rugby AU is appealing, must be accompanied by a deposit of \$250 (or such other amount as determined in writing by the relevant Union), which will be forfeited to the Union if the appeal is determined by the Appeals Committee to be vexatious, frivolous or groundless.
111. In the event the required deposit is not paid, the appeal is deemed to be abandoned. The Appeals Committee may, if it considers it to be in the justice to do so, grant an extension of time within which to lodge the deposit provided that the request for an extension is considered by the Appeal Committee

before the expiry of the original timeframe applicable.

#### **CONTENTS OF NOTICE**

112. The notice of appeal must be in writing and must specify:
- (a) the name of the offending Participant or Person;
  - (b) the decision appealed against;
  - (c) the date of the decision appealed against; and
  - (d) the specific grounds of the appeal.

#### **RECORD OF FIRST PROCEEDINGS**

113. On lodgment of the appeal, the relevant Union will provide the Appeals Committee with the record of the hearing before the Judicial Committee made in accordance with Rule 66.

#### **HEARING DATE**

114. The Appeals Committee must, as soon as practicable, appoint a time, date and place for the hearing of the appeal, and provide the Appellant with details of that appointment.

#### **GROUND OF APPEAL**

115. An appeal may only be brought on one or more of the following grounds:

- (a) the decision was wrong in fact or in law;
- (b) the sanction imposed was manifestly excessive; and/or
- (c) the sanction imposed was manifestly inadequate,

and the Appellant bears the onus and burden of satisfying the Appeals Committee that the grounds of the appeal have been made out, on the balance of probabilities.

#### **POWER TO REGULATE OWN PROCEDURES**

116. An Appeals Committee can determine its own procedures subject to the requirement that it must accord procedural fairness in the determination of an appeal. An Appeals Committee will determine the appeal based on the evidence that was received and considered by the Judicial Committee in the prior hearing. An Appeals Committee may only receive further evidence in the course of an appeal if it is satisfied that the evidence is relevant to the issues to be determined in the appeal and was not reasonably available to the Appellant at the time of the hearing by the Judicial Committee.

#### **DECISION OF THE APPEALS COMMITTEE**

117. In determining an appeal, the Appeals Committee:
- (a) if not satisfied that one of the grounds in Rule 115 has been established, may dismiss the appeal and affirm the decision appealed from;
  - (b) if it finds some form of error which did not impact the final result or give rise to a substantial miscarriage of justice, may dismiss the appeal and affirm the decision appealed from; or

- (c) if satisfied one or more of the grounds specified in Rule 115 is established, may vary, reverse or set aside the decision appealed from, in whole or in part, and substitute its own decision (including as to penalty or sanction).

#### **POWER TO ADJOURN**

- 118. The Appeals Committee may postpone or adjourn the hearing of an appeal.

#### **REPRESENTATION**

- 119. The Appellant may be represented before the Appeals Committee by a representative of his/her Rugby Body and/or legal representative.

#### **DELIVERY OF DECISION**

- 120. The Appeals Committee must advise the Appellant of its decision as soon as practicable after the conclusion of the hearing.
- 121. The Appeals Committee must provide a written report of the decision to the relevant Union as soon as practicable after the conclusion of the hearing.

#### **FINALITY OF APPEAL**

- 122. Subject to Rules 147 to 148, the Decision of the Appeals Committee is final. No further avenue of appeal is available.

#### **CLEMENCY FOR LONG-TERM SUSPENSIONS**

- 123. A person the subject of a Long-Term Suspension may apply to the Rugby AU Chief Executive Officer for clemency after he or she has served at least eight (8) years of the suspension handed down by the relevant Judicial Committee. Rugby AU's Chief Executive Officer or his/her nominee will determine, at his/her absolute discretion, whether it is appropriate for the applicant to return to the game of Rugby.

#### **RECOGNITION OF SANCTIONS AND DECISIONS**

- 124. Rugby AU respects and recognises suspensions and sanctions imposed by disciplinary bodies of other sports. A Participant found guilty of an offence by a sport will not be permitted to participate in any rugby union competition, tournament or match under the auspices of Rugby AU for the duration of the suspension. If a sanction other than a suspension is imposed on a Participant by another sporting body then that sanction will be recognised and enforced by the Rugby Bodies to the extent practicable. The Head of Integrity may, having consulted with the Rugby AU CEO and CEO of a relevant Member Union, recognize and apply, in any manner considered appropriate, decisions of other sporting bodies in Australia or elsewhere to bar, deregister, to refuse to register or any other similar decision.
- 125. Any person aggrieved by a decision of the Head of Integrity under Rule 124 may appeal, in accordance with Section 4, to an Appeal Committee within 14 days beginning with the date on which the written decision was sent. The decision of the Appeal Committee is final and may not be appealed further.



## SECTION 5: MODIFIED PROCEDURES FOR FOUL PLAY IN SEVENS

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### INTRODUCTION

126. In recognition of the unique structure of Sevens Tournaments (and other Series of Matches) and the timelines within which the Sevens Game operates, the following provisions apply to the Sevens Game for Foul Play.

### APPLICATION OF THE RULES

127. In respect of all Sevens' Matches, the procedures and standards in respect of the fifteen-a-side game as provided in these Rules apply, save as provided in this Section 5.

### INITIAL PROCEDURES – ORDERING OFF

128. If a Player is Ordered Off in a Sevens Match, his or her case will, whenever practicable, be adjudicated on within **2 hours** of the conclusion of that Match, or prior to him or her playing another Match in the Tournament (whichever is earlier). Rugby AU's Ordering Off Report Form attached to these Rules as Appendix 3 or a Union approved form may be used for this purpose.
129. In light of the specific time pressures in Sevens' Tournaments and Series of Matches it is not necessary that written notice of the proposed Judicial Committee hearing be given to the Player Ordered Off. This rule is sufficiently complied with if the referee's report and where applicable, the assistant referee's report and any other relevant evidential material, together with verbal confirmation of the hearing details are provided to the Player or the Player's team manager.

### INITIAL PROCEDURES – CITINGS AND CITING COMMISSIONER WARNINGS

130. The Rugby Body responsible for the management of either participating team in a Sevens Match does not have the power to cite a Player for Foul Play but may refer any incident of Foul Play to the Citing Commissioner (where one has been appointed) for consideration, provided such incident is referred to the Citing Commissioner within the time specified by the union responsible for the Match, or if no time is specified, then within **30 minutes** of the completion of the Match in which the incident is alleged to have occurred. A Citing Commissioner's decision as to whether a Player should be cited or not, whether as the result of an incident referred to him or otherwise, is final.
131. The notice of a citing by a Citing Commissioner appointed to a Match should ordinarily contain the information provided in Rule 53 and be received by the Judicial Committee or in default the nominated officer of the Union with jurisdiction of the Tournament within the time specified by the Union, or if no time is specified, then within **60 minutes** of the end of the Match in which the act or acts of Foul Play is alleged to have taken place.
132. Where a Player is the subject of a citing pursuant to Rule 131 his or her case wherever practicable should be adjudicated on within **2 hours** of the Citing Complaint Form having been received by the Player or prior to his or her next scheduled Match.
133. A Citing Commissioner Warning, where a Citing Commissioner is appointed to the Match, must be notified to the nominated officer of the Union with jurisdiction of the Tournament in which the incident

occurred ordinarily within **60 minutes** of the end of the Match in which the act or acts of Foul Play is alleged to have taken place. The Citing Commissioner Warning notification must contain the information provided in Rule 36.

134. Where no Citing Commissioner is appointed to the Match, Rules 44 to 59 apply.

#### **JUDICIAL OFFICER – POWER TO REGULATE OWN PROCEDURE**

135. In Sevens, any case involving an Ordering Off or Citing, will be adjudicated on by the Judicial Committee (which may, subject to Rule 13, be a single member).
136. Any matters not provided for in these Modified Procedures for Sevens or the sanction regime in Appendices 1 and 2 shall in the first instance be referred to the Judicial Committee who can deal with such matter as it sees fit.

#### **SANCTIONS IN A SEVENS CONTEXT**

137. The World Rugby's Sanctions for Foul Play set out in Appendices 1 and 2 to these Rules have been established on the basis that a one-week period of suspension would normally result in a Player missing one Match of Fifteens. During a Sevens Tournament, Players may participate, or participating Unions may be scheduled to participate, in several Matches per day. When determining the appropriate period of suspension, the Judicial Committee should take cognisance of the fact that during a Sevens Tournament or Series of Matches a Player may miss more than one Match as a result of being made subject to a week's suspension and may impose a suspension based on a number of Tournament Matches. In this respect the Judicial Committee must have regard to the overall impact of the suspension. This provision does not preclude the imposition of periods of suspension running beyond a Player's participation in the Tournament.
138. The Judicial Committee must convey its decision in writing as soon as reasonably practicable to the Player and to the teams involved in the Match. The decision is binding on the Player as soon as he or she, his/her representative, or his/her team is notified of the decision.

#### **YELLOW CARDS AND CITING COMMISSIONER WARNINGS**

139. The maximum period of exclusion for a yellow card must not exceed **2 minutes** and does not include half-time for time-keeping purposes. If the period of exclusion continues beyond the half-time interval, the excluded Player is not permitted contact with his or her team.
140. A Player who has been yellow carded and/or received a Citing Commissioner Warning in three or more Matches, or a combination, at a single Sevens tournament or Series of Matches, that has not given notice of a challenge to the yellow card or Citing Commissioner warning in accordance with Rule 140, will be automatically suspended for one (1) Match.
141. A Player who receives a yellow card or Citing Commissioner Warning may challenge that yellow card or Citing Commissioner Warning if it was received only as a result of mistaken identity. For a yellow card the player must give written notice of his or her challenge within the time specified by the Union with jurisdiction for the Match or if no time is specified, then within **2 hours** of completion of the Match in which the yellow card arose. For a Citing Commissioner Warning, the Player must give written notice of his or her challenge within **24 hours** of receiving notice of the Citing Commissioner Warning. A Judicial Committee and the Head of Integrity may, if considered to be in the interests of justice to do

so, grant an extension of time for a notice of challenge to be given provided that the request for an extension is considered by the Judicial Committee or the Head of Integrity before the expiry of the original timeframe applicable.

The notice must set out particulars about the challenge and will be duly recorded by the Union, to be considered by either the:

- (a) Duty Judicial Officer (where one is nominated by the Union) who may make a determination;
- (b) Judicial Committee at the next convened meeting; or
- (c) Judicial Committee after a Player has accumulated three (3) yellow cards and/or Citing Commissioner Warnings.

The Union may elect which of the above avenues to take but must consider procedural fairness at all times.

- 142. A report of the foul play resulting in the yellow card(s) must be forwarded to the nominated officer of the Union with jurisdiction of the Tournament as soon as reasonably practicable and ordinarily within **2 hours** of the completion of the Match in which the yellow card was imposed.
- 143. The Union will ordinarily forward a copy of the report to the relevant parties within **4 hours** of receipt. Such report must clearly state that the Player has the right to challenge the yellow card on the grounds of mistaken identity but if he or she wishes to do so he or she must give notice of his or her challenge within the time specified by the Union, or if no time is specified, then within **60 minutes** of receipt. Such notice will be duly recorded by the Union and will be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of yellow cards.

## **APPEALS**

- 144. To be valid, any appeal against the decision of the Judicial Committee in Sevens must be lodged with the Union in writing, within the time specified by the union, or if no time is specified, then within **24 hours** of the notification of the decision of the Judicial Committee to the Player or his Union.
- 145. Appeals will ordinarily be heard by the Appeals Committee (which may, subject to Rule 103, be a single Judicial Officer).

## **SECTION 6: – MISCELLANEOUS MATTERS**

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### **UNFORSEEN CIRCUMSTANCES**

- 146. In the event that a particular incident takes place for which there is no provision in these Rules then a Judicial Officer/Committee or Appeals Officer/Committee may take such action as he/she/it considers appropriate in the circumstances in accordance with general principles of natural justice and fairness.

### **POWER OF REVIEW**

- 147. The Head of Integrity, or his/her nominee, shall have the power to refer any matter to a Judicial Officer/Committee for review where the Head of Integrity is of the view that there has been a failure on behalf of any Rugby Body or its Judicial and/or Appeal Committees in applying these Rules resulting

in serious error, injustice or unfairness.

148. If the Judicial Officer/Committee finds that there has been a failure to properly apply these Rules, resulting in serious error, injustice or unfairness, he/she/it can take any such action as he/she/it considers necessary in all the circumstances of the case.

## SECTION 7: DEFINITIONS AND INTERPRETATION

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149. Unless otherwise defined in these Rules, defined terms of World Rugby Regulation 17 apply.

150. The following definitions apply in these Rules:

**“Age-Grade Players”** means those players that are under 18 years of age. For the avoidance of doubt this does not include individuals playing professional, semi-professional or in adult rugby.

**“Age-Grade Rugby”** means rugby played by Age-Grade Players.

**“Business Day”** means a day that is not a Saturday, a Sunday or a public holiday in the place concerned.

**“Citing Complaint”** means the complaint of an act/s of alleged Foul Play.

**“Citing Commissioner”** means an independent official, appointed by the Union to a Match or post-match, that is responsible for reviewing alleged acts of Foul Play and for citing players who commit any alleged act(s) of Foul Play which in the opinion of the Citing Commissioner, having viewed all the available evidence, merited the player concerned being Ordered Off (i.e. the Red Card Test has been met).

**“Club”** or **“Rugby Club”** means any club affiliated with a Member Union or an affiliated Rugby Body;

**“Competition”** includes any Match played as part of a structured competition or series, a trial match, a friendly match, a match against a visiting team from another union or matches, trials or any other competitions involving a Rugby Body.

**“Duty Judicial Officer”** means a member of the Judicial Panel that is tasked with making an initial assessment of the seriousness of the Foul Play allegedly committed by the Player (and if applicable taking into account any mitigating factors) and offering an appropriate reduction in sanction for early admission of wrongdoing.

**“Format”** means XVs, Rugby Sevens, Rugby Tens and any other format of rugby union.

**“Foul Play”** Anything a player does within the playing enclosure that is contrary to Law 9 of the Laws of the Game governing obstruction, unfair play, repeated infringements, dangerous play and misconduct.

**“Game”** means Rugby football played in accordance with the Laws of the Game.

**“Head of Integrity”** means the Rugby Australia Head of Integrity

**“Judicial Committee”** means a committee appointed by the Union to hear and adjudicate on disciplinary matters.

**“Judicial Panel”** means a panel of individuals appointed by the Union from which a Judicial Committee may be selected.

**“Laws of the Game”** means the World Rugby Laws of the Game.

**“Long-Term Suspension”** means a Match suspension of eight (8) or more years.

**“Match”** means a rugby match sanctioned by the Union in which two teams compete against each other and includes all Formats and all Matches irrespective of whether the Match is played for competition points (e.g. pre-season and trial Matches).

**“Match Official”** means the referee and/or assistant referees appointed for that Match.

**“Member Union”** means a Union in membership of the Rugby AU.

**“Ordered Off”** means a Player sent off the playing enclosure permanently by the referee (including by way of two yellow cards) and whom can take no further part in the Match in which he was Ordered Off.

**“Participant”** means a Player (including an amateur or non-contract player), a referee, touch judge or other Match Official, a selector, coach, trainer, manager or other team official, or an individual involved in the organisation, administration or promotion of Rugby Football including a director, other officer or employee of a Rugby Body.

**“Person”** means any other individual who is or has been at any time involved in, or a spectator at, the Game or Match in question, or involved in the organisation, administration or promotion of the Game.

**“Player”** means a player of the Game.

**“Red Card Test”** means an act of illegal and/or Foul Play that is sufficiently serious to justify the match referee sending the Player from the field of play for the remainder of the Match.

**“Rugby AU”** means the Rugby Australia Union Ltd.

**“Rugby Body”** means the Rugby AU, any Member Union or Affiliated Union of the Rugby AU, or any Rugby Union, Club or other body in membership with or affiliated to a Member Union or Affiliated Union.

**“Rules”** means Rugby AU Disciplinary Rules including, including any Appendices.

**“Series of Matches”** means two or more associated Matches.

**“Tournament”** means an event in which teams and representing Unions at any level meet to participate in a Series of Matches in any Format.

**“Union”** means the governing body responsible for the affiliation, jurisdiction and sanctioning of a Match and/or a Competition.

151. In the interpretation of the Rules:

- (a) words in the singular include the plural and vice versa;
- (b) words denoting any gender include the other gender;
- (c) “including” and similar words do not imply any limitation; and
- (d) headings are included for convenience only and shall not affect the interpretation of the provision.

**APPENDIX 1. WORLD RUGBY SANCTIONS FOR FOUL PLAY (TAKEN FROM WR REGULATION 17)**

**NOTE: ANY ACT OF FOUL PLAY WHICH RESULTS IN CONTACT WITH THE HEAD AND/OR NECK SHALL RESULT IN AT LEAST A MID-RANGE SANCTION.**

9.11 Players must not do anything that is reckless or dangerous to others

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.12 A player must not physically abuse anyone. Physical abuse includes, but is not limited to:

Biting	Low- end: 12 weeks	Mid- range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Punching or striking with hand or arm (including stiff-arm tackle)	Low- end: 2 weeks	Mid- range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Intentional contact with Eye(s)*	Low- end: 12 weeks	Mid- range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Reckless contact with Eye(s)*	Low- end: 6 weeks	Mid- range: 12 weeks	Top-end: 18+ weeks	Max: 208 weeks
Contact with Eye Area**	Low- end: 4 weeks	Mid- range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Striking with hand or arm (including stiff-arm tackle)	Low- end: 2 weeks	Mid- range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
Striking with the elbow	Low- end: 2 weeks	Mid- range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with shoulder	Low- end: 2 weeks	Mid- range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with head	Low- end: 6 weeks	Mid- range: 10 weeks	Top-end: 16+ weeks	Max: 104 weeks
Striking with knee	Low- end: 4 weeks	Mid- range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Stamping or Trampling	Low- end: 2 weeks	Mid- range: 6 weeks	Top-end: 12+ weeks	Max: 52 weeks
Tripping	Low- end: 2 weeks	Mid- range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
Kicking	Low- end: 4 weeks	Mid- range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks

\*The “eye” involves all tissues, including the eye lids within and covering the orbital cavity

\*\*The “eye area” is anywhere in close proximity to the eye.

9.12 A player must not verbally abuse anyone. Verbal abuse includes, but is not limited to, abuse based on religion, colour, national or ethnic origin, sexual orientation.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.13 A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes, but is not limited to, tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.14 A player must not tackle an opponent who is not in possession of the ball.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.15 Except in a scrum, ruck or maul, a player who is not in possession of the ball must not hold, push, charge or obstruct an opponent not in possession of the ball.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
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9.16 A player must not charge or knock down an opponent carrying the ball without attempting to grasp that player.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.17 A player must not tackle, charge, pull, push or grasp an opponent whose feet are off the ground.

Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
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9.18 A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.

Low-end: 6 weeks	Mid-range: 10 weeks	Top-end: 14+ weeks	Max: 52 weeks
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- 9.19 Dangerous play in a scrum.
- a. The front row of a scrum must not form at a distance from its opponents and rush against them.
  - b. A front-row player must not pull an opponent.
  - c. A front-row player must not intentionally lift an opponent off their feet or force the opponent upwards out of the scrum.
  - d. A front-row player must not intentionally collapse a scrum.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
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- 9.20 Dangerous play in a ruck or maul.
- a. A player must not charge into a ruck or maul. Charging includes any contact made without binding onto another player in the ruck or maul.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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- b. A player must not make contact with an opponent above the line of the shoulders.
- c. A player must not intentionally collapse a ruck or a maul.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
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- 9.25 A player must not intentionally charge or obstruct an opponent who has just kicked the ball.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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- 9.27 A player must not do anything that is against the spirit of good sportsmanship including but not limited to:

Hair pulling or grabbing	Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
Spitting at anyone	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Grabbing, twisting or squeezing the genitals (and/or breasts in the case of female players)	Low-end: 12 weeks	Mid-range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Other	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks

- 9.28 A player must not disrespect the authority of a Match Official

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
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9.28 A player must not verbally abuse a Match Official. Verbal abuse includes, but is not limited to, abuse based on religion, colour, national or ethnic origin, or sexual orientation.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.28 A player must not make physical contact with Match Officials.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.28 A player must not use threatening actions or words towards Match Officials.

Low-end: 12 weeks	Mid-range: 24 weeks	Top-end: 48+ weeks	Max: 260 weeks
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9.28 A player must not physically abuse Match Officials.

Low-end: 24 weeks	Mid-range: 48 weeks	Top-end: 96+ weeks	Max: Life
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## **RECOMMENDED SANCTIONS FOR TWO YELLOW CARDS IN A MATCH**

**2 Technical yellow cards in a match or 1 Technical and 1 Foul Play in a match – sending off sufficient; or**

**2 Foul Play yellow cards in one match – 1 match suspension**

### **PLEASE NOTE**

**In respect of offences not referred to in Appendix 1 above, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Judicial Committee, Appeal Officer and/or Appeal Committee.**

**Notwithstanding the Sanctions in Appendix 1 and/or the provisions of the Rules, in cases where the player's actions constitute mid-range or top end offending for any type of offence which had the potential to result and, in fact, did result in serious/gross consequences to the health of the victim, the Judicial Officers and/or Judicial Committees may impose any period of suspension including a suspension for life.**

**In instances of verbal abuse of players, officials or spectators based on religion, race, colour, or national or ethnic origin, higher match suspensions should be applied.**

**APPENDIX 2: RUGBY AUSTRALIA - AGE-GRADE RUGBY DISCIPLINARY PROCEDURES**

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**APPENDIX 2 (CONTINUED) - WORLD RUGBY AGE-GRADE SANCTIONS FOR FOUL PLAY (TAKEN FROM WR REGULATION 17)**

**NOTE: ANY ACT OF FOUL PLAY WHICH RESULTS IN CONTACT WITH THE HEAD AND/OR NECK SHALL RESULT IN AT LEAST A MID-RANGE SANCTION.**

**9.11. Players must not do anything that is reckless or dangerous to others.**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

**9.12. A player must not physically abuse anyone. Physical abuse includes, but is not limited to:**

<b>Biting</b>	<b>Up to U15s Sanction</b>	Low-end: 4 matches	Mid-range: 8 matches	Top-end: 12 + matches
	<b>U16 to U18 Sanction</b>	Low-end: 8 matches	Mid-range: 10 matches	Top-end: 14+ matches
<b>Intentional Contact with Eye(s)<sup>1</sup></b>	<b>Up to U15s Sanction</b>	Low-end: 4 matches	Mid-range: 8 matches	Top-end: 12+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 8 matches	Mid-range: 10 matches	Top-end: 14+ matches
<b>Reckless Contact with Eye(s)<sup>3</sup></b>	<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 8+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 12+ matches
<b>Contact with Eye Area<sup>4</sup></b>	<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches
<b>Punching or striking with hand or arm (including stiff- arm)</b>	<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

<sup>1, 3 & 4</sup> The “eye” involves all tissues including the eye lids within and covering the orbital cavity and the “eye area” is anywhere in close proximity to the eye.

<b>Striking with the elbow</b>	<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches
<b>Striking with shoulder</b>	<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches
<b>Striking with head</b>	<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches:	Top-end: 6+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches
<b>Striking with knee</b>	<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 8+ matches
<b>Stamping or Trampling</b>	<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 10+ matches
<b>Tripping</b>	<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
<b>Kicking</b>	<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

**9.12. A player must not verbally abuse anyone. Verbal abuse includes, but is not limited to, abuse based on religion, colour, national or ethnic origin, sexual orientation.**

<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 8 matches	Top-end: 12+ matches

**9.13. A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes, but is not limited to, tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders.**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches

**9.14. A player must not tackle an opponent who is not in possession of the ball.**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches

**9.15. Except in a scrum, ruck or maul, a player who is not in possession of the ball must not hold, push, charge or obstruct an opponent not in possession of the ball.**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

**9.16. A player must not charge or knock down an opponent carrying the ball without attempting to grasp that player.**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches

**9.17. A player must not tackle, charge, pull, push or grasp an opponent whose feet are off the ground.**

<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

**9.18. A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.**

<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

**9.19. Dangerous play in a scrum.**

- a. **The front row of a scrum must not form at a distance from its opponents and rush against them.**
- b. **A front-row player must not pull an opponent.**
- c. **A front-row player must not intentionally lift an opponent off their feet or force the opponent upwards out of the scrum.**
- d. **A front-row player must not intentionally collapse a scrum.**

<b>Up to U15s Sanction</b>	Low-end: warning <sup>2</sup>	Mid-range: 1 match	Top-end: 2+ matches
<b>U16 to U18 Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches

**9.20. Dangerous play in a ruck or maul.**

- a. **A player must not charge into a ruck or maul. Charging includes any contact made without binding onto another player in the ruck or maul.**
- b. **A player must not make contact with an opponent above the line of the shoulders.**
- c. **A player must not intentionally collapse a ruck or a maul**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

**9.25. A player must not intentionally charge or obstruct an opponent who has just kicked the ball.**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches

**9.27. A player must not do anything that is against the spirit of good sportsmanship including but not limited to:**

<b>Hair pulling or grabbing</b>	<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
<b>Spitting at anyone</b>	<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches
<b>Grabbing, twisting or squeezing the genitals (and/or breasts in the case of a female)</b>	<b>Up to U15s Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 12+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 6 matches	Mid-range: 12 matches	Top-end: 18+ matches
<b>Other</b>	<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

**9.28 A player must not disrespect the authority of a Match Official**

<b>Up to U15s Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
<b>U16 to U18 Sanction</b>	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches

**9.28 A player must not verbally abuse a Match Official. Verbal abuse includes, but is not limited to, abuse based on religion, colour, national or ethnic origin, sexual orientation**

<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

**9.28. A player must not make physical contact with Match Officials**

<b>Up to U15s Sanction</b>	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
<b>U16 to U18 Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

**9.28. A player must not use threatening actions or words towards Match Officials**

<b>Up to U15s Sanction</b>	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 12+ matches
<b>U16 to U18 Sanction</b>	Low-end: 6 matches	Mid-range: 12 matches	Top-end: 24+ matches

**9.28. A player must not physically abuse Match Officials**

<b>Up to U15s Sanction</b>	Low-end: 6 matches	Mid-range: 12 matches	Top-end: 24+ matches
<b>U16 to U18 Sanction</b>	Low-end: 12 matches	Mid-range: 24 matches	Top-end: 48+ matches



## **RECOMMENDED SANCTIONS FOR TWO YELLOW CARDS IN A MATCH**

**2 Technical yellow cards in a match or 1 Technical and 1 Foul Play in a match – sending off sufficient; or**

**2 Foul Play yellow cards in one match – 1 match suspension**

## **PLEASE NOTE**

**Where ‘+’ is denoted, Schools, Clubs, Rugby Australia and the State/Territory Unions’ Judicial Committees have the power to apply, up the maximum sanction indicated, increased sanctions for very serious breaches of conduct.**

**Please note that in respect of any offence(s) not referred to above, appropriate sanctions may be imposed at the discretion of the School, Club or Rugby Australia and the State/Territory Unions’ Judicial Committees.**

**In instances of verbal abuse of players, officials or spectators based on religion, race, colour, or national or ethnic origin, higher match suspensions should be applied.**

**A Warning shall form part of the Players disciplinary record while at Age-Grade level but shall not extend into their senior disciplinary record.**

**APPENDIX 3. RUGBY AU ORDERING OFF REPORT FORM (REFEREE / ASSISTANT REFEREE)**

Name of player:  
 Player's number:  
 Player's club:  
 Date of ordering off  
 Match between:  
 Grade:  
 Final Score:




Approximate time into match offence occurred:  
 Where did offence occur on the field:  
 Where were you in relation to the offence:  
 Player's reaction after being sent off:


ORDERING OFF DUE TO 2 X YELLOW CARDS (LEAVE BLANK IF ORDERING OFF IS FOR A STRAIGHT RED CARD)	
For what offence/s was the 1 <sup>st</sup> YC issued? <i>(List Law reference/s)</i>	
For what offence/s was the 2 <sup>nd</sup> YC issued? <i>(List Law reference/s)</i>	
STRAIGHT RED CARD OFFENCE (LEAVE BLANK IF ORDERING OFF IS FOR 2 YELLOW CARDS)	
For what offence/s was the red card issued? <i>(List Law 9 'Foul Play' reference/s):</i>	
If the player had been previously warned or yellow carded during the game, provide details:	
DETAILED DESCRIPTION OF OFFENCE:	
<i>As a minimum, include brief context (pre- &amp; post events), exact language used if dissent, whether an AR was consulted, and for dangerous play indicate part of the body used by offender and part of victim's body involved/affected.</i>	
Match Official Name	(Delete as applicable – Referee/Assistant Referee)

**APPENDIX 4. CITING COMPLAINT REFERRAL FORM**

Referring Team/Rugby Body/Union:		Nominated Official name:	
Match:			
Venue:		Date/time of Incident:	
Name of alleged 'offending' player (IF KNOWN):			
Playing Position of Player:		Number:	Team/Rugby Body/Union:
<b>Incident:</b>			
<i>Describe what occurred in detail (include time of incident):</i>			
<i>Name of alleged victim player/s:</i>			
<i>Injuries sustained (if any):</i>			
<i>Names of any witnesses:</i>			
<i>Detected by Match Officials? If so, what action was taken:</i>			
<i>Any other information i.e. evidence to be provided:</i>			

NOMINATED OFFICIAL (SIGNATURE): \_\_\_\_\_

TEAM/RUGBY BODY/UNION \_\_\_\_\_

*Referrals must be made within [            ] hours of completion of match and returned to [            ] name [            ] email.*

*A separate form must be completed for each incident*

**APPENDIX 5. CITING COMMISSIONER WARNING FORM**

Team:	Full Name of Player:
Venue:	Date of Incident:
Playing Position of Player:	Number:
Match & Result: ( pts)	v ( pts)
Nature of Offence: (Please set out Law 9 offence alleged and provide a short description of the relevant Law).	
Period of game when incident occurred: 1st Half ( ) 2nd Half ( )	
Elapsed Time in Half (game time & real time):	
Proximity of Officials to incident: (metres)	
Score at that time: ( pts) v ( pts)	
Please give detailed report below (please type where possible or write clearly if handwritten and continue on a separate sheet if necessary) and set out why offence narrowly failed to meet the red card test.	

Citing Commissioner signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Please complete form within \_\_\_\_\_ hours of completion of the match and return to:

\_\_\_\_\_ (Name) at \_\_\_\_\_ (Email)

**APPENDIX 6. CITING COMMISSIONER REPORT FORM**

Team:	Full Name of Player:
Venue:	Date of Incident:
Playing Position of Player:	Number:
Match & Result: ( pts)	v ( pts)
Nature of Offence: (Please set out Law 9 offence alleged and provide a short description of the relevant Law).	
Period of game when incident occurred: 1st Half ( ) 2nd Half ( )	
Elapsed Time in Half (game time & real time):	
Proximity of Officials to incident: (metres)	
Score at that time: ( pts) v ( pts)	
Please give detailed report below (please type where possible or write clearly if handwritten and continue on a separate sheet if necessary) and set out why, in your assessment, the foul play met the red card test.	

**Citing Commissioner signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Please complete form within \_\_\_\_\_ hours of completion of the match and return to:**  
 \_\_\_\_\_ (Name) at \_\_\_\_\_ (Email)

**APPENDIX 7. RUGBY AU SHORT JUDGMENT FORM**

Match			
Union		Competition	
Date of match		Match venue	
Applicable Rules	Rugby Australia Disciplinary Rules		

**PARTICULARS OF OFFENCE**

Player's surname		Date of birth	
Forename(s)			
Referee Name		Plea	Admitted <input type="checkbox"/> Not admitted <input type="checkbox"/>
Offence		SELECT:	Red Card <input type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/>

**HEARING DETAILS**

Hearing date		Hearing venue	
Chairman/JO			
Appearance Player	YES <input type="checkbox"/> NO <input type="checkbox"/>	Appearance Union	YES <input type="checkbox"/> NO <input type="checkbox"/>

**ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/DVD FOOTAGE**

**FINDINGS OF FACT**

**DECISION**

Breach admitted  Proven  Not proven  Other disposal (please state)

## SANCTIONING PROCESS

**PAGE 3**

### ASSESSMENT OF SERIOUSNESS

Assessment of Intent
Intentional/deliberate <input type="checkbox"/> Reckless <input type="checkbox"/>
State Reasons

Gravity of player's actions	Nature of actions
Existence of provocation	Whether player retaliated
Self-defence	Effect on victim
Effect on match	Vulnerability of victim
Level of participation/premeditation	Conduct completed/attempted



Other features of player's conduct

**PAGE 4 ASSESSMENT OF SERIOUSNESS CONTINUED**

Entry point					
<u>Top end*</u>	<u>Weeks</u>	<u>Mid-range</u>	<u>Weeks</u>	<u>Low-end</u>	<u>Weeks</u>
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	

\*If Top End the JO or Panel should identify, if appropriate, an entry point between the Top End starting point and the maximum sanction and provide the reasons for determining this below:

Reasons for selecting the Top End entry point

**ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS**

Player's status as an offender of the Laws of the Game
Need for deterrence
Any other off-field aggravating factors

**Number of additional weeks:**

Acknowledgement of guilt and timing	Player's disciplinary record/good character
Youth and inexperience of player	Conduct prior to and at hearing
Remorse and timing of remorse	Other off-field mitigation

Number of weeks deducted:

SANCTION

**NOTE: PLAYERS ORDERED OFF OR CITED BY A CITING COMMISSIONER ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING**

Total sanction		Sending off sufficient <input type="checkbox"/>
Sanction commences		
Sanction concludes		
Matches/tournaments included in sanction		

Costs	
-------	--

Signature (JO or Chairman)	_____	Date	_____
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## APPENDIX 8. EXAMPLE TIMING SCHEDULE

### PLAYERS ORDERED OFF

#### STANDARD PROCEDURE

Action	Timing
Submission of Referee's Report	
Submission of Assistance Referee's Report	

#### YELLOW CARDS

Action	Timing
Challenge of yellow card for mistaken identity	

#### CITINGS

Action	Timing
Citing by a Citing Commissioner	
Notification of Citing Commissioner Warning to the Union	
Referral of alleged Foul Play to a Match appointed Citing Commissioner	

#### HEARINGS

Action	Timing
Judicial Committee report of its decision	
Notice of Appeal - Person or Participant or a person or body affected	
Notice of Appeal - Union, the Board of the Rugby AU or World Rugby	

#### ADMISSION OF BREACH SANCTION

Action	Timing
Notification of acceptance or rejection of proposed sanction	

#### CITING COMMISSIONER WARNINGS

Action	Timing
Challenge of Citing Commissioner Warning for mistaken identity	

#### CITING COMPLAINTS

Action	Timing
Submission of Citing Complaint by a Union	
Submission of Citing Complaint by a Rugby Body	