

## **DISCIPLINARY REGULATIONS BYELAW**

Approved by the CSA Board on 9<sup>th</sup> June 2006

In accordance with Clause 35 of the CSA Constitution, the following By-Law is adopted by the Canoeing South Africa Board.

This Disciplinary By-Law sets out the procedure for dealing with disciplinary actions by Canoeing South Africa.

### **DISCIPLINARY MEASURES**

The disciplinary measures of CSA are:

- a) Caution
- b) Reprimand
- c) Cash fine, or admission of guilt fine
- d) Disqualification
- e) Exclusion of some or all members of a Club/Provincial Union from participation in internal competitions and SA Championship events
- f) Suspension
- g) Expulsion

1. Disciplinary measures a-d and (e) up to a maximum of 3 months in respect of contravention of safety regulators or abusive behaviour towards an official, may be taken by race Juries as well as the Board, the Provincial Unions in respect to members of a particular province or a specific disciplinary body to deal with disciplinary matters set up by CSA or Provincial Union as applicable. Disciplinary measures e-g other than mentioned above for e may only be taken by the CSA Board. The Board shall retain jurisdiction and power to take any disciplinary measures in addition to any measures taken by the race jury.
2. Race Juries for National Championships are appointed by the Chairman of the Technical Committee from nominations made by provincial Unions, and should consist of at least three persons. Race Juries for all other events are appointed by the Organising Club or Provincial Union.
3. Decisions of Race Juries are not subject to appeal and are final, and are subject to review only on the legal grounds upon which administrative decisions are subject to review. Any application to review must be lodged with the Secretary General of CSA within 10 calendar days of the decisions, and the decision of the Board thereon shall be final.
4. Each of CSA and Provincial Union, CSA Board and CSA Technical Committees may, upon the application of any Club or Provincial Union, or upon its own initiative, initiate disciplinary procedures. Disciplinary hearings are to be conducted by a disciplinary committee of three persons, at least one of whom is a legal professional, appointed by the Board's Legal Matters representative.
5. The disciplinary committee shall have the power to determine its own procedures but subject always thereto that the athlete against whom the procedures have been adopted shall have the right to be heard and shall have the right to legal representation. The disciplinary committee shall thereupon make a finding within three days of the hearing. That finding shall be final and binding, unless a complainant lodges a written appeal to the Secretary-General within two days. Upon notification of such an appeal, the Board shall appoint an Appeal Committee, comprising a minimum of three person, all with a legal background. The decision of this Appeal Committee will be final.

6. In the event of disciplinary measures a-e being taken by a union the relevant union shall inform CSA Secretary General thereof. CSA Secretary General shall inform all Provincial Unions of the disciplinary measures taken by another union, by CSA Executive or by any disciplinary body set up in terms of this Bylaw, and, where appropriate, publish this information in the federation's internal media (such as the newsletter and/or website).
7. In addition to disciplinary measures being taken by reason of a breach of the race rules or regulations, disciplinary action may also be taken on the following grounds:
  - a) Interference with, or threats or gestures against, any official or referee
  - b) Violation by an official or referee of the Constitution and/or Rules
  - c) Any action by any member, Club or Union of CSA which is contrary to the interests of CSA
8. Race juries may if they wish impose an admission of guilt fine ( to be set at a maximum of 4 times the current the current CSA affiliation fee) for contravention of safety regulations or abusive behaviour towards an official. A second offence in this category within 12 months of the previous one must be considered by the relevant disciplinary body and if the competitor is found guilty a suspension of up to 12 months is recommended.
9. For offences which contravene the ICF and WADA Doping regulations that take place in domestic events the following modifications to the ICF and WADA doping regulations will apply:
  - a) In the case of rule 8.1 the "disciplinary panel" will be a disciplinary committee set up by the Board of CSA. This disciplinary committee will make recommendations to the Board regarding the case and the penalty to be applied.
  - b) In the case of appeals in terms of 13.2.2 an appeals hearing will be set up by the CSA Board. All other appeals would be in terms of the WADA Anti-doping code