



**JUDICIAL,
DISCIPLINARY, &
APPEAL PROCEDURES**

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A INTERPRETATIONS & DEFINITIONS

A1 INTERPRETATION

A1.1 In the interpretation of these procedures, unless the contrary intention appears:

- headings are inserted for convenience only and are not to be used to assist interpretation;
- words importing any gender include all other genders;
- words importing the singular include the plural and vice versa;
- references to a "party", "person" or "body" include a natural person, an individual, company and incorporated or un-incorporated body of persons.

A2 DEFINITIONS

A2.1 For the purpose of these procedures the following definitions apply:

“Day” is defined as an ordinary day.

“Designated Tag Official” is defined as the person appointed by the relevant Module Committee, Provincial Association, Associate Member or NZTFI to receive and consider Incident Reports lodged by a referee who has dismissed a player for the remainder of a match.

“Member” is defined as:

- (a) a Provincial Association/Associate Member in accordance with Rule 4b and 4c of the NZTFI Constitution; and
- (b) a Module Committee that is a financial member of a Provincial Association/Associate Member; and
- (c) any person who pays an affiliation fee to NZTFI through a Module Committee/Provincial Association/Associate Member; and
- (d) any other person who is a member of, is officially recognised by or employed by a Module Committee, Provincial Association/ Associate Member or NZTFI.

“NZTFI” New Zealand Tag Football Incorporated.

“Official” is defined as a coach, manager, masseur, or any other person who has a direct association with a Provincial Association, Member Association, or is a NZTFI appointed official or has a direct association with NZTFI.

“Player” is defined as a person who plays the game of Tag.

“Referee” is defined by the NZTFI Playing Rules of Tag;

“Subject Person” is defined as any person who is the subject of an Incident Report, a Module/Provincial Association/Association Member/NZTFI Disciplinary Committee hearing, a Provincial Association/Association Member Appeals Committee hearing, or a NZTFI Appeals Council hearing.

B EXECUTIVE SUMMARY - JUDICIAL, DISCIPLINARY, AND APPEAL PROVISIONS FOR NEW ZEALAND TAG FOOTBALL INC, PROVINCIAL ASSOCIATIONS, ASSOCIATE MEMBERS AND AFFILIATED MEMBERS

B1 SUMMARY

B1.1 Judiciary and disciplinary matters may occur at different levels within the sport of touch. These include the local level (module and provincial) and at the national and international level.

B1.2 In general, disciplinary procedures would include informal or formal disciplinary action along the following lines:

Informal Investigation

- Discussion of the problem with the member/s concerned;
- Assistance to help overcome the problem.

Formal Disciplinary Action

- As set out in the NZTFI Board approved judicial, disciplinary and appeal procedures contained in this document;
- Initiated by lodging a written Incident Report with the Designated Tag Official or secretary of the Module/Provincial Association/Associate Member/NZTFI as appropriate.

B2 GENERAL PROCEDURES

B2.1 This document contains procedures for:

- (i) Hearings in respect of alleged breaches of the NZTFI Code of Conduct which include:
 - Breaches of the NZTFI Sport Drug Policy;
- (ii) Hearings in respect of dismissals for the remainder of a match when a player appeals the automatic 2 match suspension made under rule 18 3b of the NZTFI Playing Rules of Tag, or where a designated tag official requests a disciplinary hearing where the automatic two (2) match suspension is deemed not appropriate; and
- (iii) Appeals in general.

- B2.2 The procedures cover matters originating at Module, Provincial Association/Associate Member and NZTFI level. Such matters are dealt with by the relevant Module Disciplinary Committee, Provincial Disciplinary Committee, Provincial Appeals Committee, NZTFI Disciplinary Committee, and NZTFI Appeals Council. The relevant Committees to which such matters should be referred are set out in the summary flow chart in Rule 4 of this document. The membership and jurisdiction of the Committees are set out in Rule 5 of this document.
- B2.3 The conduct of judiciary and disciplinary hearings shall follow the principles of natural justice which are set out in Rule C of this document. More detailed procedures for the conduct of the judiciary and disciplinary hearings are set out in Rule F, G, H & I of this document.

B3 FINAL AND BINDING DECISIONS

- B3.1 Decisions made by Disciplinary and Appeals Committees and NZTFI Appeals Council are binding on all member associations. This means that a decision made by any Module Disciplinary Committee, is not only binding on that Module but on all other affiliated Modules, Provincial Associations and Associate Members of NZTFI.
- B3.2 Any NZTFI Appeals Council decision is final with no further rights of appeal.

B4 CONSTITUTIONAL BACKGROUND

- B4.1 The procedures in this document have been approved by the NZTFI Board to cover formal judicial and disciplinary actions and appeals across both the local and national levels. The constitutional basis for this approval is contained in clauses 4.1(d) and 18 of the NZTFI constitution.

C GENERAL PRINCIPLES UNDERPINNING THE NZTFI DISCIPLINARY, JUDICIAL AND APPEAL POLICIES AND PROCEDURES
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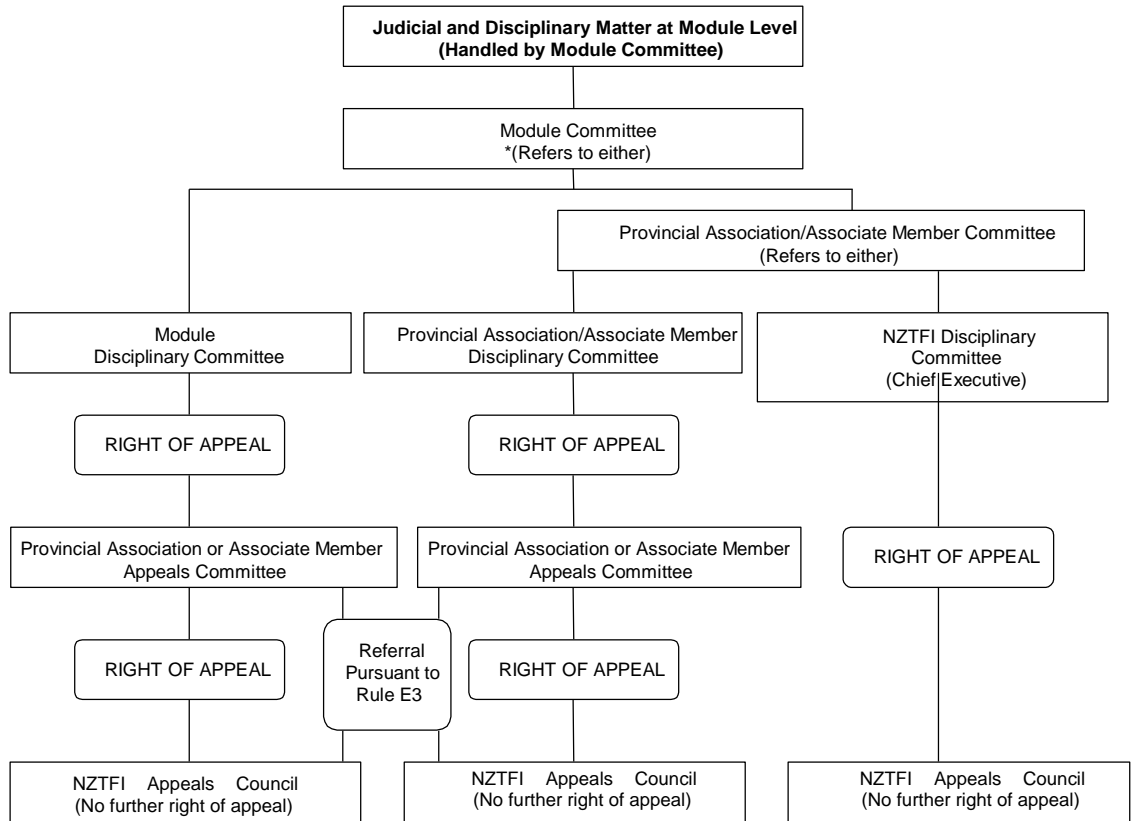
C1 GENERAL PRINCIPLES

C1.1 The general principles underpinning the NZTFI Disciplinary, Judicial and Appeal policies and procedures are:

- (i) Judicial, disciplinary and appeal proceedings are to be considered separately to the management of the Module Committee/Provincial Association/Associate Member or NZTFI. Disciplinary Committees, Appeal Committees and the Appeals Council shall exercise their function independently of respective member associations. They shall be fully autonomous and in particular any decision they make shall be binding on the respective parent bodies which shall not have the power to affirm, revoke or alter any decision;
- (ii) Judicial, disciplinary and appeal proceedings are to be undertaken under the following guiding principles:
 - (a) that proper, adequate and fair notice is given to any person or organisation of the charges against the person or organisation alleged to have breached the rules of the Association;
 - (b) that persons or organisations subject to the judicial, disciplinary and appeal proceedings are given the opportunity to make representations to the appropriate Disciplinary Committee, Appeal Committee and/or the Appeals Council appointed under these rules; and
 - (c) that such Disciplinary Committees, Appeal Committees and the Appeals Council perform their duties in a totally independent and unbiased manner and acting in good faith.

D SUMMARY FLOWCHARTS

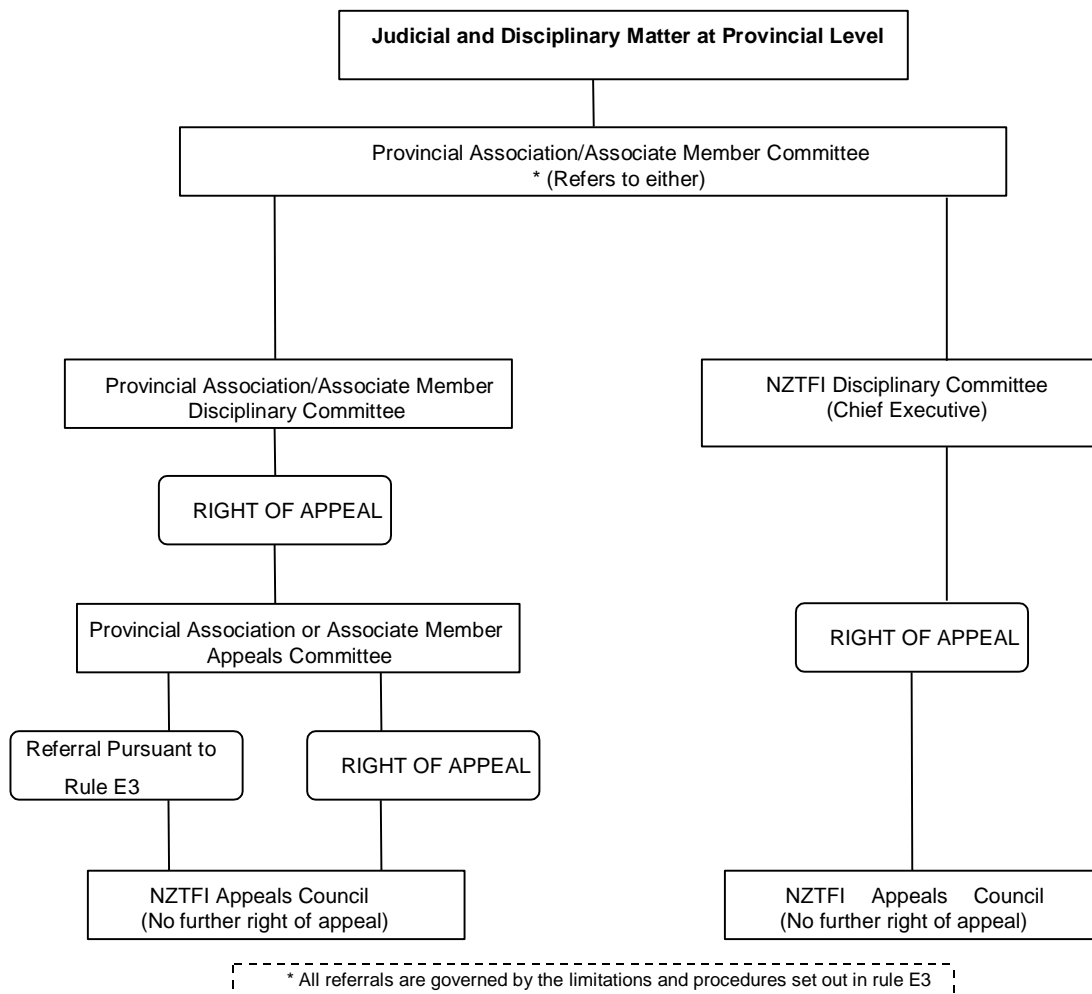
D1 NZTFI DISCIPLINARY, JUDICIAL AND APPEAL MECHANISMS: ORIGINATING AT MODULE LEVEL



* All referrals are governed by the limitations and procedures set out in rule E3

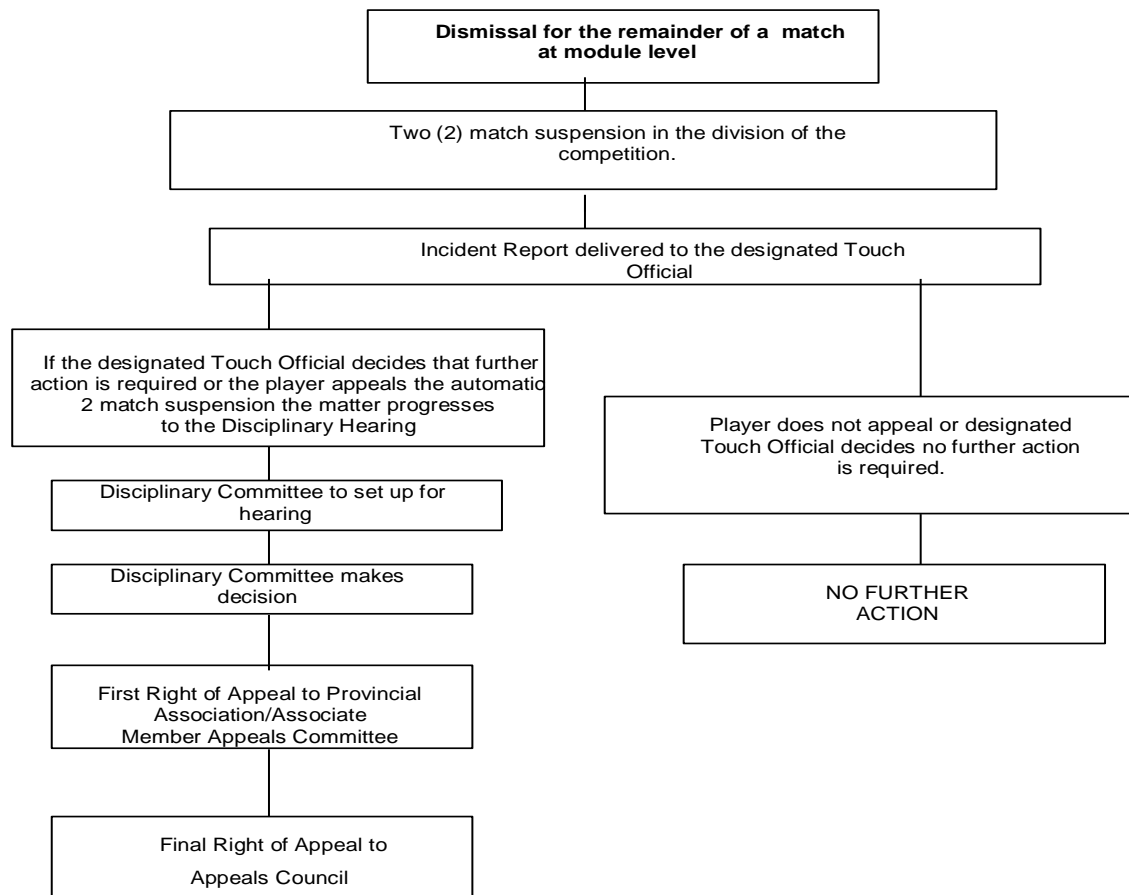
This summary flowchart is intended as a guideline only. Please refer to the following Rules which set out the specific procedures.

D2 NZTFI DISCIPLINARY, JUDICIAL AND APPEAL MECHANISMS: ORIGINATING AT PROVINCIAL LEVEL

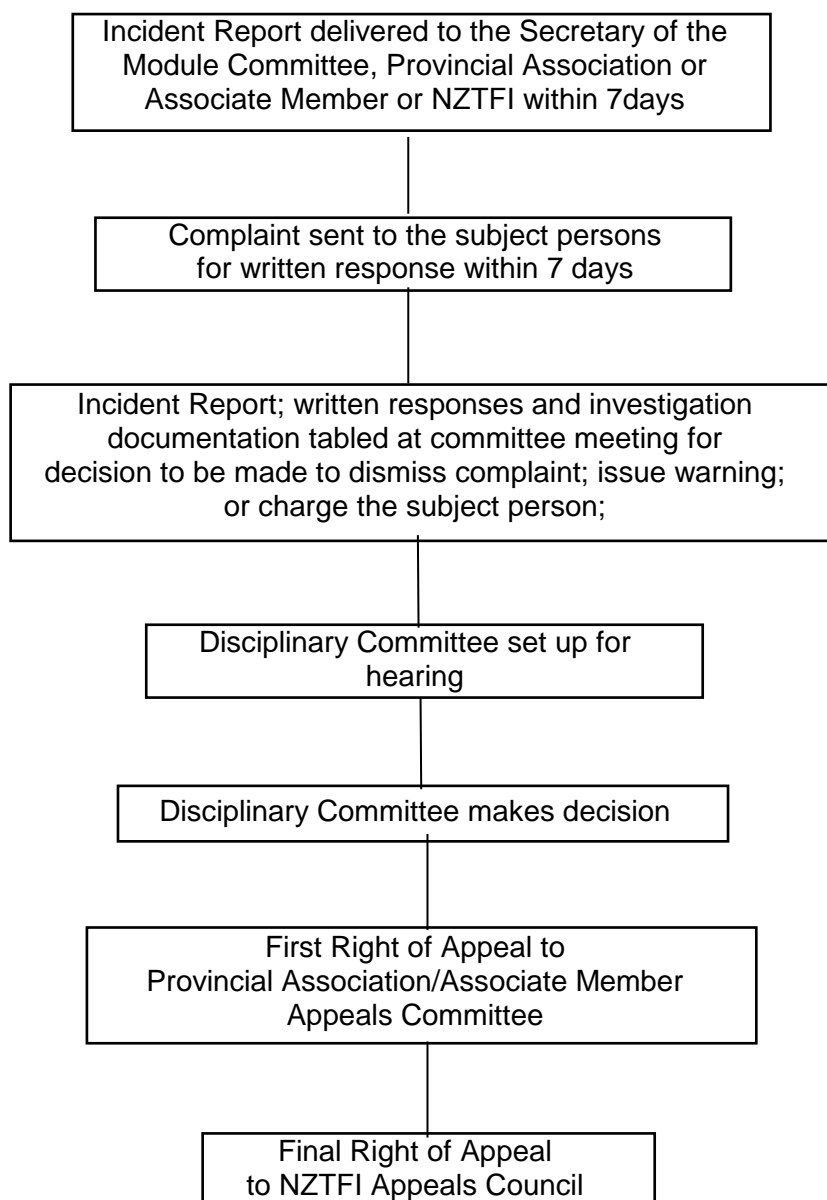


This summary flowchart is intended as a guideline only. Please refer to the following Rules which set out the specific procedures.

D3 DISCIPLINARY AND APPEALS PROCESS : DISMISSAL FOR THE REMAINDER OF A MATCH



This summary flowchart is intended as a guideline only. Please refer to the following Rules which set out the specific procedures.

D4 DISCIPLINARY AND APPEALS PROCESS: BREACH OF THE NZTFI CODE OF CONDUCT AT MODULE / PROVINCIAL LEVEL

This summary flowchart is intended as a guideline only. Please refer to the following Rules which set out the specific procedures.

E MEMBERSHIP & POWERS OF COMMITTEES & COUNCIL

E1 POWERS TO ACT

E1.1 Module, Provincial Association and Associate Member Disciplinary Committees:

E1.1.1 Each Module Committee, Provincial Association and Associate Member as the case may be, shall appoint a Module/Provincial Association/Associate Member Disciplinary Committee (“the Disciplinary Committee”) which shall have the power to act in the name of the Module Committee/Provincial Association/Associate Member to hear and determine disciplinary proceedings within its jurisdiction in the following circumstances:

- (i) Where a player is dismissed for the remainder of the match in accordance with Rule 18 3b of the Taag NZ Playing Rules of Tag from any Module/Provincial Association/Associate Member/NZTFI competition; and:
 - (a) the player appeals the automatic two (2) match suspension; or
 - (b) where the Designated Tag Official decides that further action is required and as such a disciplinary hearing will be convened; or
- (ii) Where a member lays a complaint about the conduct of another member and alleges that there has been a breach of the NZTFI Code of Conduct provided that:
 - (a) where the allegation relates to a breach of the NZTFI Sport Drug Policy it will be referred directly to NZTFI for adjudication in accordance with referral provision in Rule E3; or
 - (b) where the allegation relates to participation in an unaffiliated competition, tournament or fixture, it will be referred directly to the secretary of the Provincial Association/Associate Member in accordance with the referral provision in Rule E3, if necessary.

E1.2 Provincial Association/Associate Member Appeals Committee

E1.2.1 Each Provincial Association/Associate Member will appoint a Committee to be known as the Provincial Association/Associate Member Appeals Committee (“the Appeal Committee”) which shall have power to hear and determine appeals from the decisions of its Disciplinary Committee or a Module Disciplinary Committee.

E1.2.2 An appeal to the Appeals Committee may be lodged by the following parties:

- (i) A player affected by the decision of Disciplinary Committee regarding a dismissal for the remainder of the match;
- (ii) A member affected by the decision of the Disciplinary Committee in respect of a breach of the NZTFI Code of Conduct; and
- (iii) A player suspended during a Module/Provincial Association/Associate Member/NZTFI tournament, competition or fixture who meets the requirements of Rule K2.

E1.2.3 The Appeals Committee has the power to increase, decrease or accept any such penalties as already imposed and/or impose any such new penalties as outlined in Rule J of these procedures.

E1.2.4 A Provincial Association/Associate Member may require that an appeal to the Appeals Committee shall be accompanied by a deposit of an amount not exceeding \$100 plus GST.

E1.2.5 In the event of the required deposit not being paid the appeal shall be deemed to be abandoned but the Provincial Association/Associate Member in any case shall have the power to extend the time for payment of the deposit.

E1.2.6 The Appeals Committee may in its discretion order that any deposit paid on the lodgement of an appeal, or any part of it, be refunded. Deposit monies not refunded will remain with the Provincial Association/Associate Member to offset the costs of the appeal process.

E1.3 NZTFI Disciplinary Committee

E1.3.1 The NZTFI Board (or its duly authorised officers) shall appoint a NZTFI Disciplinary Commissioner or alternatively a NZTFI Disciplinary Committee which shall have the power to act in the name of NZTFI to hear and determine disciplinary proceedings within its jurisdiction in the following circumstances:

- (i) Where NZTFI receives a referral from a Provincial Association/Associate Member in respect of disciplinary proceedings before the Provincial Association/Associate Member, and the Chief Executive of NZTFI (or his/her nominee) accepts the referral;
- (ii) To deal with all breaches of the NZTFI Sport Drug Policy, in particular doping "infractions";
- (iii) Where a member lays a complaint about the conduct of persons either employed by NZTFI or who have a national volunteer appointment to NZTFI and alleges that there has been a breach of the NZTFI Code of Conduct by such members;
- (iv) To deal with alleged breaches of the NZTFI Code of Conduct occurring at NZTFI tournaments, competitions or fixtures and/or involving NZTFI representative players; and
- (v) Any other incident or alleged breach of the NZTFI Code of Conduct referred to it by the Chief Executive of NZTFI (or his/her nominee) in his/her absolute discretion.

E1.4 NZTFI Appeals Council

E1.4.1 The Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) after consultation with the Chief Executive of NZTFI (or his/her nominee) will appoint an Appeals Council from time to time where a decision of the Appeals Committee is appealed against or an Appeals Committee refers an appeal directly to the Appeals Council under Rule E3 of these procedures.

E1.4.2 An appeal to the Appeals Council may be lodged by the following parties:

- (i) A player affected by a decision of the Appeals Committee regarding a dismissal for the remainder of the match;
- (ii) A member affected by a decision of the Appeals Committee in respect of a breach of the NZTFI Code of Conduct;
- (iii) A member affected by any other Appeals Committee decision;
- (iv) An Appeals Committee referral pursuant to Rule E3;
- (v) A member who is affected by a decision of the NZTFI Disciplinary Committee in respect of:
 - (a) referrals made by Provincial Association/Associate Member Appeal Committees;
 - (b) breaches of the NZTFI Sport Drug Policy, in particular doping "infractions";
 - (c) breaches of the NZTFI Code of Conduct; and
 - (d) any other incident which is subject of a NZTFI Disciplinary Committee decision;
- (vi) A player suspended during a NZTFI tournament, competition, fixture or tour who meets the requirements of Rule K or Rule L.

E1.4.3 The Appeals Council will have the powers and authorities of the Disciplinary and Appeal Committees as provided for in Rule E1. The Appeals Council has the power to:

- (i) Increase, decrease or accept any such penalties as already imposed and/or impose any such new penalties as outlined in Rule J of these procedures;
- (ii) Remit the matter in dispute to be re-heard by the original Disciplinary Committee or subsequent Appeal Committee.

E1.5 Deposits

E1.5.1 The Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) may require that an appeal to the Appeals Council shall be accompanied by a deposit of an amount not exceeding \$300 plus GST.

E1.5.2 In the event of the required deposit not being paid the appeal shall be deemed to be abandoned but the Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) in any case shall have the power to extend the time for payment of the deposit.

E1.5.3 The Appeals Council may in its discretion order that any deposit paid on the lodgement of an appeal, or any part of it, be refunded. Deposit monies not refunded will remain with NZTFI to offset the costs of the appeal process.

E1.6 Final & Binding Decision

E1.6.1 The Highest Appeal Body is the Appeals Council and the decision of the Appeals Council will be absolute and final with no further right of appeal.

E1.7 Appeals Council Decisions - Precedents

E1.7.1 The Appeal Council is the final decision-making body for the Association in respect of judicial, disciplinary and appeal matters. The Appeal Council is obliged to consider in its deliberations previous Appeal Council decisions of a similar nature to any cases under consideration.

E1.7.2 The Chief Executive of NZTFI (or his/her nominee) is responsible for the administration of the Appeals Council. When the Chair of the Touch NZ Judicial, Legal & Constitutional Committee (or his/her nominee) makes a decision on the membership of an Appeals Council, s/he is to notify the Chief Executive of the membership of the Appeals Council. The Chief Executive will be responsible for forwarding a copy of all previous Appeal Council decisions that are of a similar nature to the Chairperson of the Appeals Council appointed under these provisions.

E1.8 Designated Tag Official

E1.8.1 The Module, Provincial Association, Associate Member or NZTFI will appoint a person to consider Incident Reports lodged by a referee who has dismissed a player for the remainder of a match. The person appointed is to be separate from the membership of the Disciplinary Committee that may be required to be formed to hear any disciplinary proceedings that may result from the dismissal.

E1.8.2 The Designated Tag Official will have the power to:

- (i) Take no further action;
- (ii) Refer the incident to the appropriate Disciplinary Committee for consideration if s/he believes that further action is required.

E1.8.3 There is no right of appeal of the decision of the Designated Touch Official.

E2 MEMBERSHIP OF DISCIPLINARY AND APPEAL COMMITTEES

E2.1 Disciplinary Committee

E2.1.1 The membership of the Disciplinary Committee is to be determined by the Module Committee/Provincial Association/Associate Member. A quorum of the Disciplinary Committee will be a minimum of one (1) person and a maximum of three (3) persons who may be appointed on a case by case basis or for a specific period time. If the Module Committee, Provincial Association or Associate Member appoints one (1) person, the person will be known as a Disciplinary Commissioner.

E2.2 Provincial Association/Associate Member Appeals Committee

E2.2.1 The membership of the Appeal Committee is to be determined by the Provincial Association/Associate Member. A quorum of the Appeals Committee will be a minimum of one (1) person and a maximum of three (3) persons who may be appointed on a case by case basis or for a specific period of time. If the Provincial

Association/Associate Member appoints one (1) person, the person will be known as the Provincial Association/Associate Member Appeals Commissioner.

E2.3 NZTFI Disciplinary Committee

E2.3.1 The membership of the NZTFI Disciplinary Committee is to be determined by the NZTFI Judicial, Legal and Constitution Committee after consultation with the Chairperson of the NZTFI Board. A quorum of the NZTFI Disciplinary Committee will be a minimum of one (1) person and a maximum of three

(3) persons who may be appointed on a case by case basis or for a specific period of time. If the NZTFI Judicial, Legal & Constitutional Committee appoints one (1) person, the person will be known as the NZTFI Disciplinary Commissioner.

E2.3.2 In considering the appointment of members to the NZTFI Disciplinary Committee, the NZTFI Judicial, Legal & Constitutional Committee is to consider the balance of essential expertise required to manage the disciplinary hearing. Such matters may include whether the case contains complex legal or constitutional matters or the cost effectiveness of having the disciplinary hearing convened within geographical proximity to the location of the parties.

E2.4 NZTFI Appeals Council

E2.4.1 The Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) after consultation with the Chief Executive of NZTFI (or his/her nominee) appoints the membership of the Appeals Council on a case by case basis. The Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) will appoint an Appeals Council consisting of a minimum of one (1) person and a maximum of three (3) persons.

E2.4.2 In considering the appointment of members to the Appeals Council, the Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) is to consider the balance of essential expertise required to manage the appeal. Such matters may include whether the appeal contains complex legal or constitutional matters or the cost effectiveness of having the Appeals Council convened within geographical proximity to the location of the parties.

E2.5 Conflict of Interest

E2.5.1 Any member of the Disciplinary Committee, Provincial Association/Associate Member Appeals Committee, NZTFI Disciplinary Committee, or the Appeals Council must have no conflict of interest in the proceedings before the relevant committee or council.

E3 REFERRALS

E3.1 Module referral to Provincial Association

E3.1.1 A Module Committee has the power to refer disciplinary proceedings directly to the Provincial Association/Associate Member for adjudication as opposed to hearing any matters in the first instance.

E3.1.2 This may happen where:

- (i) A Module Committee believes that the alleged offence/s are sufficiently serious to require Provincial Association/Associate Member oversight;
- (ii) There may be an insufficient number of local personnel to serve on the Disciplinary Committee; or
- (iii) Any other reason that a Module Committee may consider.

E3.1.3 The Module Committee will immediately contact the secretary of the Provincial Association/Associate Member following their decision to refer the disciplinary proceedings under this rule.

E3.2 Provincial Association/Associate Member Referral to NZTFI

E3.2.1 A Provincial Association/Associate Member has the power to refer disciplinary proceedings, either originating at Provincial Association/Associate Member level or referred to the Provincial Association/Associate Member from a Module Committee, directly to NZTFI for adjudication as opposed to hearing the matter in the first instance.

E3.2.2 This may happen where:

- (i) A Provincial Association/Associate Member believes that the alleged offence/s are sufficiently serious to require NZTFI oversight;
- (ii) There may be an insufficient number of local personnel to serve on the Disciplinary Committee; or
- (iii) Any other reason that a Provincial Association/Associate Member may consider.

E3.2.3 The Provincial Association/Associate Member will immediately contact the secretary of the Module Committee following their decision to refer the matter to NZTFI for adjudication.

E3.2.4 The Chief Executive of NZTFI (or his/her nominee) may in his/her discretion accept or decline the referral. If the referral is declined the matter will be referred back to the Provincial Association/Associate Member for determination.

E3.3 Appeals Committee referral to the NZTFI Appeals Council

E3.3.1 When a notice of appeal has been received by the Appeals Committee, the Appeals Committee in their discretion may refer the appeal to the Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) for consideration for the appeal to be heard by the Appeals Council where:

- (i) The Appeals Committee considers that the appeal contains complex legal or constitutional matters;
- (ii) There are difficulties with constituting an Appeals Committee;
- (iii) A time delay may inconvenience parties to the appeal; or
- (iv) Any other reason that an Appeals Committee may consider.

E3.3.2 The Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) may in his/her discretion accept or decline the referral. If the referral is declined the matter will be referred back to the Appeals Committee for determination.

E3.4 Referral Fees

E3.4.1 NZTFI will charge an initial referral fee of \$100 + GST for an initial investigation, however if a disciplinary hearing results from the initial investigation of the referral, the full fee will be \$500 + GST which includes the cost of accommodation/travel staff time and administration costs.

E3.4.2 The Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) will require that an appeal referral to the Appeals Council shall be accompanied by a deposit of an amount not exceeding \$500 plus GST.

E3.4.3 The Chief Executive of NZTFI (or his/her nominee) will review the initial and full referral fees on an annual basis and has delegated authority to amend the fees as and when required. Referral fees are put in place to offset the costs of any disciplinary hearings and or NZTFI investigations.

E4 BINDING DECISIONS

E4.1 Independence

E4.1.1 The Disciplinary Committee, Appeal Committee and Appeals Council shall exercise their function independently of their respective Module Committee/ Provincial Association/Associate Member and NZTFI. They shall be fully autonomous and in particular any decision they make shall be binding on the respective parent bodies which shall not have the power to affirm, revoke or alter any decision.

E4.2 General

E4.2.1 Any decision made by an affiliated member of NZTFI (Disciplinary and Appeals Committees of a Module, Provincial Association, Associate Member or NZTFI as the case may be) in respect of any person, club, team, Provincial Association, Associate Member is binding on all affiliated member associations of NZTFI.

F SPECIFIC PROCEDURES

F1 DISMISSALS FOR A REMAINDER OF A MATCH**F1.1 Automatic two (2) match suspension - application to other Modules, Provincial Associations/Associate Members**

F1.1.1 Where a player is dismissed for the remainder of a match, an automatic two match suspension is incurred by the player in accordance with Rule 18 3b of the NZTFI Playing Rules of Tag. The two (2) match suspension refers to the period of time it takes for two (2) matches to be completed in the division and competition from which the player was suspended. A bye does not count as a match completed.

F1.1.2 Where a hearing results from an automatic two (2) match suspension, any resulting decision from the Module, Provincial Association, Associate Member or NZTFI Disciplinary Committees will be binding on all affiliated competitions.

F1.2 General

F1.2.1 Where a player is dismissed for the remainder of a match, the referee of the game in question will submit an Incident Report (which may be in the form attached to the procedures) to the Designated Tag Official within one hour of the completion of the match, or such further time as is allowed by the Designated Touch Official.

F1.2.2 The referee who dismissed the player for the remainder of the match may make a recommendation in the Incident Report for a disciplinary hearing to be held.

F1.2.3 The Designated Tag official shall:

- (i) Consider the Incident Report and any recommendations made by the referee;
- (ii) Make any other enquiries they feel are necessary; and either
 - (a) decide that no further action is required and notify the player and referee accordingly; or
 - (b) refer the Incident Report to the appropriate Disciplinary Committee for a hearing.

F1.2.4 A hearing will be convened by the appropriate Disciplinary Committee where:

- (i) A referral is made by the Designated Tag Official in accordance with the above provision; or
- (ii) The player appeals the automatic two (2) match suspension.

F1.2.5 Any such hearing will be undertaken in accordance with the disciplinary hearing procedures in Rule G of these procedures.

F1.2.6 A player may appeal an automatic two (2) match suspension by:

- (i) Lodging written notice of the appeal (including reasons for the appeal) with the Designated Tag Official within 24 hours of the completion of the match, or such further time as is allowed by the Designated Touch Official; and
- (ii) Depositing an appeal fee of \$50 plus GST with the Designated Tag Official.

F1.2.7 Any such appeal will be conducted as a full hearing in accordance with the disciplinary hearing procedures in Rule G of these procedures.

F2 PLAYER DISMISSED FOR THE REMAINDER OF A MATCH MAY NOT PLAY TAG WHILST CASE PENDING

F2.1 A player who is dismissed for the remainder of the match and decides to appeal the automatic two (2) match suspension is not permitted to play any game of tag in that division and competition until either:

- (i) The case has been heard and finally determined before the appropriate Disciplinary Committee as the case may be, unless s/he is specially authorised to do so by the Disciplinary Committee by which his/her case will be heard; or
- (ii) The period of any suspension has expired when the player may resume playing notwithstanding that the appeal has not been heard.

F2.2 The lodging of an appeal shall not have the effect of deferring any suspension imposed.

F3 COMPLAINTS IN RESPECT OF AN ALLEGED BREACH OF THE TOUCH NZ CODE OF CONDUCT

F3.1 Tag NZ Code of Conduct

F3.1.1 Any complaint must be made in writing by completing an Incident Report (which may be in the form attached to the procedures) and delivered to the secretary of the Module Committee, Provincial Association, Associate Member or the Chief Executive (or his/her nominee) of NZTFI.

F3.1.2 The complaint must be lodged within 7 days of the alleged incident or such further time as is allowed by the secretary of the Module Committee, Provincial Association, Associate Member or the Chief Executive (or his/her nominee) of NZTFI.

F3.1.3 The complaint must specify the details of the alleged incident including what provision of the NZTFI Code of Conduct has been breached.

F3.1.4 For the sake of clarity, a breach of the NZTFI Code of Conduct includes but is not limited to:

- (i) Breach of the NZTFI Sport Drug Policy;

F3.2 Procedure After Receipt of Incident Report

F3.2.1 After receipt of the Incident Report, the Module Committee, Provincial Association, Associate Member, or Chief Executive of NZTFI (or his/her nominee) shall immediately refer the complaint to the persons named in complaint alleged to have

either committed a breach of the NZTFI Code of Conduct for a written response to the Module Committee, Provincial Association, Associate Member or NZTFI within seven (7) days. The Incident Report is to be attached to the letter to the member. The member should be given seven (7) days to provide a written response to the allegation.

F3.2.2 If the member does not provide a written response, then the secretary of the Module Committee/Provincial Association/Associate Member or Chief Executive of NZTFI (or his/her nominee) is to initiate an investigation of the complaint. The Module Committee/Provincial Association/Associate Member or Chief Executive of NZTFI (or his/her nominee) may appoint an Investigation Commissioner to undertake an investigation. Further investigation may also be initiated following receipt of any written responses from the member.

F3.2.3 Following an investigation and/or receipt of the member's written response, the secretary of the Module Committee, Provincial Association/Associate Member will submit the Incident Report; written responses; and any investigation report to the next Module Committee/Provincial Association/Associate Member meeting for a formal decision to be made.

F3.2.4 The Module Committee/Provincial Association/Associate Member or Chief Executive of NZTFI (or his or her nominee) will then make a decision on whether the member should be charged with a Breach of the NZTFI Code of Conduct.

F3.2.5 The Module Committee/Provincial Association/Associate Member or Chief Executive of NZTFI (or his or her nominee) shall have the power to:

- (i) Dismiss the complaint;
- (ii) Issue a written warning to the member; or
- (iii) Charge the member with a Breach of the NZTFI Code of Conduct.

F3.2.6 If the Module Committee/Provincial Association/Associate Member or Chief Executive of NZTFI (or his or her nominee) decides to charge the member with a Breach of the NZTFI Code of Conduct the secretary of the Module Committee/Provincial Association/Associate Member or Chief Executive of NZTFI (or his or her nominee) will forward all documentation of the charge to the Chairperson of the Disciplinary Committee and will notify the member charged in accordance with Rule G.

F3.3 Alleged Breach of NZTFI Sport Drug Policy

F3.3.1 In respect of an alleged breach of the NZTFI Sport Drug Policy the above procedures are modified as follows:

- (i) Where NZTFI receives a "Notice of Determination" from the New Zealand Sports Drug Agency, this will be considered as an Incident Report in accordance with F3.1.1.
- (ii) NZTFI will accept the lodgement of a "Notice of Determination" from the New Zealand Sports Drug Agency from the date the "Notice of Determination" is received at the NZTFI National Office in accordance with the discretion to extend time as allowed under F3.1.2.

- (iii) Where a “Notice of Determination” is received from the New Zealand Sports Drug Agency, the CEO (or his/her nominee) will have the power to and will automatically initiate action to charge the member with a breach of the NZTFI Sport Drug Policy in accordance with the provisions of F3.2.6.
- (iv) The CEO (or his/her nominee) will write to the member enclosing a copy of the “Notice of Determination” and charging the member with a breach of the NZTFI Sport Drug Policy in accordance with Rule G.

F3.3.2 In addition, the CEO (or his/her nominee) will include in the notification, in accordance with Rule G, the following:

- (i) A copy of the TNZTFI Sport Drug Policy;
- (ii) Advice that, in accordance with the NZTFI Sport Drug Policy, a “Notice of Determination” is accepted as final and conclusive evidence that a doping infraction has been committed;
- (iii) Advise that the member may provide a written submission to the NZTFI Disciplinary Committee within seven (7) days of the letter referred to in F3.3.1 (iv) above. The written submission will outline any matter that the member may wish to put before this Committee.

F3.3.3 For the sake of clarity the provisions of F3.2.1, F3.2.2, F3.2.3, F3.2.4 and F3.2.5 will not apply to a breach of the NZTFI Sport Drug Policy.

F3.4 Further Procedures

F3.4.1 Further procedures for the hearing of the charge are covered in Rule G of these procedures.

F4 REFERRAL TO NEW ZEALAND POLICE

F4.1 It is recommended that where serious allegations are made in respect of a physical assault on a member, that the member is referred to the local New Zealand Police for investigation. In no circumstances is a referral to the New Zealand Police to be viewed as an alternative to disciplinary proceedings being taken under these procedures.

G DISCIPLINARY HEARING PROCEDURES
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G1 NOTICE TO SUBJECT PERSON

- G1.1 Any person that is subject to a disciplinary hearing shall be supplied with a copy of the Incident Report and any investigation report and advised:
- (i) Of the date, place and time of the meeting at which the disciplinary proceedings against him/her will be heard;
 - (ii) The nature of the charge or complaint and the potential penalties that may apply;
 - (iii) That s/he will be required to attend in person at the meeting;
 - (iv) That if s/he is unable to attend at the meeting, s/he should notify the secretary of the Module Committee, Provincial Association and Associate Member forthwith; and
 - (v) That if s/he elects not to attend at the meeting the disciplinary hearing may proceed in his/her absence.
- G1.2 Where possible, notice to the person that is subject to a disciplinary hearing, shall be given in writing. It shall be sufficient compliance with this rule if a copy of the Incident Report and notice of the information required to be given by this rule are sent to the person's last known address or are sent to the manager/coach/contact person of the players club or team as indicated on the team registration form.
- G1.3 At least seven (7) days notice of a disciplinary hearing should be given, however a shorter notice period can be given if negotiated with the respective parties.
- G1.4 Where a person is charged with a breach of the NZTFI Code of Conduct, it will be a requirement that a report is produced for the disciplinary hearing which outlines the evidence that supports the charge. All documentation including this report should be with all of the parties entitled to attend the disciplinary hearing at least seven (7) days prior to the disciplinary hearing, however a shorter timeframe can be negotiated between the respective parties.

G2 PROCEDURE AT HEARING

- G2.1 At each hearing the Disciplinary Committee shall have the power to regulate its procedures as it thinks fit.
- G2.2 Unless the Disciplinary Committee otherwise direct the procedure will be as follows:
- (i) The chairperson or member of the Disciplinary Committee will explain the procedures to be used & advised of the rights of appeal;
 - (ii) The Incident Report will be read followed by the written response, if any, provided by the person subject to the disciplinary hearing;
 - (iii) Any further evidence from the Incident Report writer will then be heard;

- (iv) Any further evidence from the subject person if s/he elects to give evidence will be heard;
- (v) Any other witnesses to be called will then be heard;
- (vi) Any witnesses, other than the Incident Report writer and the subject person/s are to be excluded from the hearing until required to give their evidence and must retire immediately after giving their evidence and answering any questions from the Committee;
- (vii) Questioning of the parties or any witnesses may only be directed by the Committee (through the chairperson) or as otherwise permitted by the Committee at its discretion. The Committee may direct such questions, if further clarification of any relevant issues is required;
- (viii) The parties will then be given the opportunity to make any final submissions. Parties may include in any final submissions consideration of the possible penalties that may apply if the charges are established;
- (ix) The parties will then exit the room.

G3 NOTIFICATION OF DECISION

- G3.1 Notification of the decision of the Disciplinary Committee shall be in accordance with Rule I15 of these procedures.

H APPEAL HEARING PROCEDURES

H1 NOTICE OF APPEAL

- H1.1 An appeal must be lodged within seven (7) days of the decision. The seven (7) days apply from the date letter of the advisement to the member of the decision of Disciplinary Committee or Appeals Committee.
- H1.2 An appeal shall be lodged when Notice of Appeal is received by the Secretary of the Module Committee/Provincial Association/Associate Member or the Chief Executive of NZTFI (or his/her nominee). The Notice of Appeal shall be in writing signed by the person lodging the appeal and shall specify:
- (i) The name of the person lodging the appeal and whether that person is lodging the appeal personally or as a representative of the club/team of the player or official;
 - (ii) The decision appealed against;
 - (iii) The date of the decision appealed against; and
 - (iv) The specific grounds of the appeal.

H2 PROCEDURE AFTER RECEIPT OF NOTICE OF APPEAL

- H2.1 On receipt of an appeal to the Appeals Council, the Chief Executive (or his/her nominee) will notify the Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) of the lodgement of the appeal. The Chair of the NZTFI Judicial, Legal & Constitutional Committee (or his/her nominee) will decide on the composition of the Appeals Council in accordance with E2.4.1 of the NZTFI Judicial, Disciplinary and Appeal Procedures.
- H2.2 On receipt of an appeal to the Provincial Association/Associate Member, the secretary will notify the Chairperson of the Appeals Committee; Appeal Commissioner; or the President of the Provincial Association/Associate Member (where no committee has been appointed for the purpose) of the lodgement of the appeal. The secretary will forward all documentation on the appeal to the members of the Appeals Committee.
- H2.3 The Chairperson of the Appeals Committee or the Appeals Council shall, by telephone conference call or otherwise, communicate with the parties and:
- (i) Determine what, if any, further evidence will be heard;
 - (ii) Determine if further written evidence is to be accepted, and if so, set a date by which time further written evidence must be submitted;
 - (iii) Set a time, date, and place for the hearing of the appeal.

H2.4 The secretary of the Provincial Association/Associate Member or the Chief Executive of NZTFI (or his/her nominee) shall send written confirmation of the details above to the party who has lodged the appeal and any other party who has a right to be heard in accordance with these procedures.

H2.5 All documentation to be used by any party at the appeal must be with all of the parties entitled to attend the appeal hearing and the Appeals Council at least seven (7) days prior to the appeal hearing or as otherwise determined in accordance with Rule H2.3.

H3 APPEAL MAYBE BY WAY OF REHEARING

H3.1 As a general principle, appeals to the Appeals Committee/Appeals Council shall be determined by reference to the record of proceedings before the Disciplinary Committee.

H3.2 However the Appeals Committee or the Appeals Council may, in its discretion, rehear the whole or any part of the evidence given before the Disciplinary Committee as it considers appropriate.

H4 FURTHER EVIDENCE

H4.1 The Appeals Committee or the Appeals Council shall have full discretionary power to hear and receive such further evidence on an appeal as it thinks fit.

H4.2 Where evidence is given before the Appeals Committee or the Appeals Council there shall be no cross examination or questioning of witnesses and except to the extent that Appeals Committee or Appeals Council in its discretion permits.

H5 NOTIFICATION OF DECISION

H5.1 Notification of the decision of the Appeals Committee or Appeals Council will be in accordance with Rule I15 of these procedures.

I GENERAL PROVISIONS GOVERNING DISCIPLINARY COMMITTEES, APPEAL COMMITTEES AND THE APPEAL COUNCIL

I1 DEFICIENCIES IN PROCESS

- I1.1 No proceedings heard by Disciplinary Committees, Appeals Committees or the Appeals Council shall be quashed or held invalid by reason only of any defects, irregularity, omission or other technicality provided there has been no miscarriage of justice.

I2 PROCEDURES

- I2.1 Unless otherwise provided for in these procedures, Disciplinary Committees, Appeals Committees; and the Appeals Council shall have the power to establish their own procedures and determine how they will operate. These procedures must be consistent with the principles of natural justice.

I3 NOTICE

- I3.1 Unless otherwise provided for in these procedures, Disciplinary Committees, Appeals Committees; and Appeal Council must give reasonable notice to parties of any hearings.

I4 ABRIDGEMENT/EXTENSION OF TIME

- I4.1 Disciplinary Committees, Appeals Committees and Appeals Council shall have the power to abridge or extend any time limits in these procedures, if in their absolute discretion, it is considered appropriate in the circumstances.

I5 EVIDENCE

- I5.1 Disciplinary Committees, Appeals Committees and the Appeals Council shall be entitled to receive such evidence as it thinks fit (including evidence in writing). The evidence would include first hand accounts from persons present at the hearing as to their observations of the incident in question.
- I5.2 Hearsay (second hand) evidence may be considered however great caution should be exercised before hearsay evidence is accepted in preference to first hand evidence and generally less weight should be given to hearsay evidence.
- I5.3 Video evidence may be viewed but with no sound. Great caution should be exercised in considering video evidence in light of dimensional and time perceptions.
- I5.4 Disciplinary Committees, Appeals Committees and the Appeals Council shall not be entitled to introduce or consider opinion evidence other than expert opinion evidence. Expert opinion evidence should be permitted only when the evidence falls outside the every day knowledge of the members of the Committee e.g. medical opinion.

I6 BURDEN OF PROOF

- I6.1 Except for a dismissal for the remainder of a match, no penalty shall be imposed on any person or body in judicial and disciplinary proceedings unless the alleged misconduct against the person or body is proved on the balance of probabilities.
- I6.2 This means that Disciplinary Committees, Appeals Committees and the Appeals Council need to be satisfied that after reading/hearing the evidence it is more likely than not that the subject person committed the alleged offence.

I7 ONUS OF PROOF

- I7.1 The onus is on the party who alleges the offence to establish the elements of the charge and it is not for the subject person to prove their innocence just because the complaint is lodged.
- I7.2 Where a player is dismissed for the remainder of the match:
- (i) All Judicial and Disciplinary and Appeal hearings must give effect to the Playing Rules of Tag whereby the Referee is deemed the sole judge of fact as to events which occur on the playing enclosure during a match.
 - (ii) Where there is a conflict in evidence before Disciplinary Committees, Appeals Committees and the Appeals Council which it is unable to resolve, if considered necessary it may adjourn the hearing for the purpose of obtaining further evidence which may assist in resolving the dispute. However, in event of the Referee's account of the incident remaining in conflict with the player's account, pursuant to the Playing Rules of Tag, the Referee's account must be accepted.
- I7.3 For the sake of clarity, any Disciplinary Committee, Appeals Committee or the Appeals Council reserve the right to make any such inquiry it sees fit in order to establish whether it is more likely than not that the subject person committed the alleged offence.

I8 MEMBER NOT TO PLAY OR PARTICIPATE IN TAG WHILST APPEALS FROM DISCIPLINARY COMMITTEE AND APPEALS COMMITTEE DECISION PENDING

- I8.1 A member suspended in accordance with these procedures is not permitted to play any game of tag or participate in the game of touch until either:
- (i) Any subsequent appeals have been heard and finally determined before an Appeals Committee or the Appeals Council as the case may be, unless s/he is specially authorised to do so by an Appeals Committee or the Appeals Council by which his/her case will be heard; or
 - (ii) The lodging of an appeal shall not have the effect of deferring any suspension imposed.

- I8.2 The period of any suspension has expired when the player may resume playing notwithstanding that the appeal has not been heard.

I9 POWERS OF ADJOURNMENT

- I9.1 Any Disciplinary Committee, Appeals Committee or the Appeals Council shall have the power to postpone or adjourn a meeting at which disciplinary or appeal proceedings are to be heard.
- I9.2 The Disciplinary Committee, Appeals Committee or the Appeals Council shall endeavour to ensure that disciplinary or appeal proceedings are not held in the absence of the subject person but nothing in this rule or otherwise shall prevent a committee hearing and determining proceedings in the absence of the subject person where subject person elects not to attend the hearing.

I10 WRITTEN SUBMISSIONS

- I10.1 Any Disciplinary Committee, Appeals Committee or the Appeals Council may request a player, referee or other member to make further written submissions for consideration at a disciplinary or appeal hearing.

I11 ATTENDANCE OF WITNESSES

- I11.1 Any Disciplinary Committee, Appeals Committee or the Appeals Council may require the attendance at the meeting of any witness.
- I11.2 In any case where a witness required by any Disciplinary Committee, Appeals Committee or the Appeals Council to attend the meeting refuses or fails to so attend the Disciplinary Committee, Appeals Committee or the Appeals Council may refuse to allow the evidence of that witness to be given in any form.

I12 REPRESENTATION

- I12.1 All persons or parties entitled to be heard by the Disciplinary Committee, Appeals Committee or the Appeals Council may be represented by an official of their club/team, or associations as the case may be.

I13 HEARINGS & DELIBERATIONS

- I13.1 Disciplinary and appeal hearings shall be conducted in private and only those person/s who have an involvement with the incident before the hearing in question are permitted to attend. The general public and press are not permitted to a disciplinary or appeal hearing.
- I13.2 Any Disciplinary Committee, Appeals Committee or the Appeals Council deliberations on its decision shall be in private.

I14 RECORDING OF PROCEEDINGS

- I14.1 The hearing of proceedings by the Disciplinary Committee, Appeals Committee or the Appeals Council shall be recorded by the taking of minutes. Alternative methods of recording may be approved by the Disciplinary Committee, Appeals Committee or Appeals Council in their absolute discretion.

I14.2 The record of the proceedings and all papers associated with the proceedings shall be held by the secretary of the Module Committee/Provincial Association/Associate Member or the Chief Executive of NZTFI (or his/her nominee).

I14.3 Copies of the record shall be made available at reasonable cost to any person affected by the decision of the Disciplinary Committee, Appeals Committee or the Appeals Council.

I15 NOTIFICATION OF DECISION

I15.1 The decision of the Disciplinary Committee, Appeals Committee or the Appeals Council shall be advised to all parties as soon as practicable after the conclusion of the hearing. Where it considers appropriate the Disciplinary Committee, Appeals Committee or the Appeals Council may deliver a short oral decision at the conclusion of the hearing with its reasons to be put in writing within seven (7) days or it may reserve its decision to be issued in writing to the parties within seven (7) days.

I15.2 The Incident Report Writer and the subject person shall be entitled to a copy of the written decision of the Disciplinary Committee, Appeals Committee or the Appeals Council. The written decision which shall be sent in a letter of advisement by the Secretary of the Module Committee/Provincial Association/Associate Member or the Chief Executive of NZTFI (or his/her nominee) within 48 hours after it is available.

I15.3 The parties shall be advised by the Disciplinary Committee or Appeals Committee of their respective rights of appeal. Such advice shall be included in the Disciplinary Committee or Appeals Committee written decision.

I15.4 Entitled persons in accordance with Rule E of these procedures will have seven (7) days from the date of the letter of the advisement to the member to lodge an appeal.

I15.5 Where a subject person is suspended from participating in affiliated member association activity, the following shall apply:

- (i) The secretary of the Module Committee, Provincial Association/Associate Member will notify the Chief Executive of NZTFI (or his/her nominee) of the Committee's decision no earlier than 7 days and no later than 14 days from the date of letter of advisement of the decision of any Disciplinary Committee and Appeals Committee to suspend a person,
- (ii) The Chief Executive of NZTFI (or his/her nominee) will notify all affiliated Provincial Associations/Associate Members of the Committee's decision.

J PENALTIES TO BE APPLIED IN JUDICIAL, DISCIPLINARY & APPEAL PROCEEDINGS
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- J1.1 If a complaint is proved to its satisfaction, the Disciplinary Committee, Appeals Committee and Appeals Council shall have the power to impose the following penalties:
- (i) Censure/Warning;
 - (ii) Suspension from affiliated touch activities (including games or Association grounds or meetings or other events either as a referee, coach, player or a designated official of a team) for a specified period of time;
 - (iii) Suspension from affiliated touch activities for a period of time subject to conditions being met to the satisfaction of the appropriate committee;
 - (iv) Life Expulsion from membership;
 - (v) Forfeiture of any competition and or other points as specified;
 - (vi) A fine not exceeding \$100 for an individual member payable within any specified period of time;
 - (vii) A fine not exceeding \$2,000 for a club, team, Provincial Association, Associate Member found guilty of a breach of the NZTFI Code of Conduct;
 - (viii) A combination of any of the above, or any other disciplinary action as considered appropriate and in accordance with the objects of the Association.
- J1.2 A suspension received by a player does not necessarily prevent a player from participating as a referee, coach or other official however a person may in addition be suspended from other forms of participation. Alternatively, a committee may impose additional conditions to a playing suspension stipulating that the player must officiate as a referee during the term of their suspension.
- J1.3 In imposing a penalty it is important that consideration is given to the following:
- (i) While it is important that each case be determined on its own merits there is a need for consistency and uniformity in the level of penalties imposed throughout New Zealand;
 - (ii) The need to recognise and give effect to the level of penalties imposed by the Appeals Council and the NZTFI Disciplinary Committee in endeavouring to achieve consistency and uniformity;
 - (iii) That where possible periods of suspension be imposed by reference to specific dates rather than playing days e.g 1 April to 1 June;
 - (iv) Penalty should always be determined by reference to the seriousness of the incident and the level of fault of the subject person.

J1.4 The Disciplinary Committee, Appeals Committee and Appeals Council must consider the Touch penalty guidelines attached in N Appendix 2 when a Disciplinary Committee, Appeals Committee and Appeals Council is considering imposing a penalty.

K TOURNAMENTS, COMPETITIONS, & FIXTURES

K1 GENERAL PRINCIPLES

- K1.1 The general principles underpinning the NZTFI Judicial, Disciplinary and Appeal procedures apply to NZTFI, Provincial Association, Associate Member and Module Committee Tournaments, Competitions and Fixtures, however it is expected that each member body may develop separate rules and conditions which include judicial, disciplinary and appeal procedures for use at the particular Tournaments, Competitions and Fixtures.
- K1.2 Such rules and conditions must be consistent with the overall intention and principles of these procedures; however the development of separate rules and conditions reflects the need for such matters to be determined through the course of the tournament, competition or fixtures as opposed to time delays being experienced through going through defined procedures in this document.
- K1.3 If the member body does not develop separate rules and conditions, or the separate rules and conditions do not cover a particular incident, then these procedures shall apply.

K2 RIGHTS OF APPEAL

- K2.1 In general, decisions that are made at competitions, tournaments and fixtures in respect of judicial, disciplinary or appeal matters are final with no further rights of appeal, however the following exceptions will apply:
- (i) **Suspensions**
- (a) where a player is suspended for a period of time that exceeds the period of the tournament, competition or fixture, the player will have a further right of appeal to the appropriate Appeals Committee or Appeals Council under Rule E1.2 & E1.4 of these procedures;
 - (b) where a player is suspended for a period of time that does not exceed the period of the tournament, competition or fixture, the player will have no further rights of appeal.
- (ii) **Further Action**
- (a) the secretary of the Module Committee, Provincial Association/Associate Member or Chief Executive of NZTFI (or his/her nominee) may refer the matter to the Module Committee, Provincial Association/Associate Member/NZTFI Disciplinary Committee respectively for a full hearing if s/he believes in her/his absolute discretion that further action may be appropriate in the circumstances;
 - (b) any further action taken by the Module Committee, Provincial Association/Associate Member/NZTFI Disciplinary Committee shall not constitute "double punishment" to the subject person.

L NZTFI NATIONAL PLAYING SQUADS

L1 GENERAL PRINCIPLES

- L1.1 The general principles underpinning the NZTFI Judicial, Disciplinary and Appeal procedures apply to NZTFI National Playing Squads, however the Chief Executive of NZTFI (or his/her nominee) may develop separate rules and conditions which include judicial, disciplinary and appeal procedures for use on the tour.
- L1.2 Such rules and conditions must be consistent with the overall intention and principles of these procedures, however the development of rules and conditions reflects the need for such matters to be determined through the course of the tour as opposed to time delays being experienced through going through defined procedures in this document.

L2 RIGHTS OF APPEAL

- L.2.1 In general decisions that are made by the nominated NZTFI representative in respect of judicial, disciplinary or appeal matters on tour are final with no further rights of appeal to the provisions under these procedures, however the following exceptions will apply:
- (i) **Suspensions**
 - (a) where a player is suspended for a period of time that exceeds the period of the tour, the player will have a further right of appeal to the Appeals Council under the provisions of Rule E1.4 of these procedures;
 - (b) where a player is suspended for a period of time that does not exceed the period of the tour, the player will have no further rights of appeal.
 - (ii) **Further Action**
 - (a) the Chief Executive of NZTFI (or his/her nominee) may refer the matter to the NZTFI Disciplinary Committee for a full hearing if s/ he believes in her/his absolute discretion that further action may be appropriate in the circumstances;
 - (b) any further action taken by the NZTFI Disciplinary Committee shall not constitute “double punishment” to the subject person.

M INCIDENT REPORT

Report Writer	
Club team	
Signature	
Date	
Game Report is on: v.....
Venue	
Field Number	
Division	
Grade	
Person/club cited	
Person/club cited	
Person/club cited	
Charge: or Charge:	A Dismissal for the remainder of the match in accordance with Rule 18 3b of the NZTFI Playing Rules of Touch A breach of the NZTFI Code of Conduct namely: (provide detail of the principles breached)
Reason for incident report	Statement of facts surrounding the incident

OFFICE USE ONLY

GENERAL NOTICE: PENALTIES UNDER THE NZTFI JUDICIAL, DISCIPLINARY AND APPEAL PROCEDURES INCLUDE:

If a complaint is proved to its satisfaction, the Disciplinary Committee, Appeals Committee and Appeals Council shall have the power to impose any of the following penalties that it considers appropriate in the circumstances:

- a Censure/Warning;
- b Suspension from affiliated touch activities (including games or Association grounds or meetings or other events either as a referee, coach, player or a designated official of a team) for a specified period of time;
- c Suspension from affiliated touch activities for a period of time subject to conditions being met to the satisfaction of the appropriate committee;
- d Life Expulsion from membership
- e Forfeiture of any competition and or other points as specified;
- f A fine not exceeding \$100 for an individual member payable within any specified period of time;
- g A fine not exceeding \$2,000 for a club, team, Provincial Association, Associate Member found guilty of a breach of the NZTFI Code of Conduct.
- h A combination of any of the above, or any other disciplinary action as considered appropriate and in accordance with the objects of the Association.

Report received by

Signature

Date

Time

ALL REPORTS MUST BE PASSED ONTO THE DESIGNATED TOUCH OFFICIAL OR SECRETARY OF THE MODULE COMMITTEE/PROVINCIAL ASSOCIATION/ASSOCIATE MEMBER OR CHIEF EXECUTIVE TOUCH NZ

Assessment on Report: Noted/Actioned/Disciplinary Hearing
(DELETE ONE)

Action taken:

Chairpersons Signature

Date

THE



CODE OF
CONDUCT

COVERAGE

This code applies to members of New Zealand Tag Football Inc which for the purposes of this code are deemed to include:

- Any Module Committee that is a financial member of a Provincial Association or Associate Member;
- Persons who pay an affiliation fee to NZTFI through a Module Committee, Provincial Association or Associate Member;
- Any other persons who are officially recognised by a Module Committee, Provincial Association, Associate Member or NZTFI;
- Provincial Associations or Associate Members of NZTFI and all officers, volunteers, employed staff of same.

PURPOSE

As a member of NZTFI a certain standard of behaviour will be expected of you. This reflects the basic requirements of:

- professionalism and integrity needed to ensure that a quality product & service is provided to all members and the public, and that a pleasant and safe working environment exists for all staff; and
- courtesy and respect to be shown to all members and the public.

The purpose of this code is to assist you to know and understand the standards of behaviour expected of you.

SHARED EXPECTATIONS

Where there is a shared expectation between NZTFI and its members, NZTFI can operate effectively **and** provide a quality product and service to its members and the public

This is a two-way commitment and benefits both NZTFI and its members when expectations are met.

Set out below is a summary of the expectations that the New Zealand Tag Football Inc has of you, and the expectations you can have as a member of NZTFI.

MEMBER EXPECTATIONS OF NZTFI

NZTFI has an obligation to behave in a fair and reasonable manner towards its members. NZTFI is committed to ensuring that the following member expectations are met:

- ◆ quality participation opportunities in touch for all levels of the sport
- ◆ quality technical resources, services and training in coaching, refereeing & playing
- ◆ impartial and open selection and appointment procedures
- ◆ effective communication of information
- ◆ freedom from being harassed or unlawfully discriminated against
- ◆ appropriate disciplinary and dispute procedures, and the opportunity for redress against unfair or unreasonable treatment by NZTFI or any of its members.

BREACHES OF THE CODE OF CONDUCT

This Code of Conduct describes the standards of behaviour expected of all members of NZTFI.

Behaviour or actions (as outlined in this Code) that are considered unacceptable by NZTFI or its members may result in disciplinary action against the member concerned through the NZTFI Judicial, Disciplinary and Appeal Procedures as approved by the Board.

CODES OF BEHAVIOUR

Principles

The Code of Conduct establishes three principles of conduct which all members of NZTFI are expected to observe:

- (1) NZTFI members should fulfil their lawful obligations to NZTFI with professionalism and integrity.
- (2) NZTFI members should perform their official duties honestly, faithfully and efficiently, respecting the rights of the public and their fellow members.

- (3) NZTFI members should not bring NZTFI or the sport of tag into disrepute through their activities, whether inside or outside NZTFI. Activities outside NZTFI are unlikely to be acceptable if they damage the standing or reputation of NZTFI or the sport of tag generally.

More particularly members of NZTFI are expected to observe the following principles:

- (4) During the term of your membership with NZTFI you have a duty to treat your fellow members and the public with courtesy and respect.

This means that you are expected to:

- a) respect the privacy of individuals when dealing with personal information
 - b) not unlawfully discriminate against or harass your fellow members or the public on the basis of their gender, age, disability, marital status, ethnicity, religious or ethical beliefs or sexual orientation; and
 - c) not engage in any form of sexual harassment either verbal or physical behaviour of a sexual nature which is unwelcome to the receiver and is embarrassing or intrusive. Some types of behaviour constituting sexual harassment would include sex orientated jibes or abuse; offensive gestures or comments; unwanted and deliberate physical contact; requests for sexual intercourse including implied or overt promises for preferential treatment or threats concerning present or future prospects for other Tag related activities; the use of pictures/posters of a sexual or intimate nature; persistent and unwelcome social invitations, phone calls or mail; or obscene phone calls.
- (5) Behaviour that would be considered unacceptable by NZTFI includes; but is not limited to the following:
- (a) repeated or serious breaches of the NZTFI Playing Rules of Tag;
 - (b) where a player, referee or official participates in an unaffiliated competition, tournament or fixture;
 - (c) breach of the NZTFI Sport Drug Policy;
 - (d) the consumption of alcohol or illegal drugs which interfere with your performance as a member of NZTFI. This is particularly so when dealing with players or teams who are under the age of 20 years of age;
 - (e) misuse, abuse or improper use of your position, or powers that may be delegated to you;
 - (f) unsportmanlike conduct, for example the use of abusive, obscene or threatening language or behaviour to your fellow members or the public;

DISCIPLINARY ACTION/PROCEDURES

NZTFI is concerned about identifying problems associated with behaviour, and making sure that the process for fixing those problems is fair, prompt and consistent. To promote these goals the NZTFI Board has developed the “NZTFI Judicial, Disciplinary & Appeal Procedures”.

In general, disciplinary procedures include informal or formal disciplinary action along the following lines:

Informal Investigation

- Discussion of the problem with member/s concerned;
- Assistance to help overcome the problem;

Formal Disciplinary Action

- As set out in the provisions of the NZTFI Constitution dealing with misconduct and also in the “NZTFI Judicial, Disciplinary and Appeal Procedures” as approved by the NZTFI Board.
- Initiated by lodging a written Incident Report [within the relevant time limit] with the representative of the Module/Provincial Association/Associate Member/NZTFI as appropriate.

A member may lodge a complaint about the conduct of another member where they believe that there has been a breach of the NZTFI Code of Conduct.

You can obtain a copy of the NZTFI procedures on such matters from NZTFI (www.nztagfootball.co.nz).

N APPENDIX 2

NZTFI Penalty Guidelines

The list of suggested penalties is provided as a guideline only

1. The following list of suggested penalties are provided as a guideline to assist a Disciplinary Committee, Appeals Committee and Appeals Council in its role of deciding suitable penalties that may need to be imposed upon a member who is the subject of a disciplinary/judicial matter.

Minimum and maximum penalties

2. A minimum suggested penalty and a maximum suggested penalty have been included with each of the infringements listed. The spread between the minimum and maximum suggested penalties has deliberately been made wide to provide a large range of possible penalties. However, these are only suggested minimum and maximum penalties and the Disciplinary Committee, Appeals Committee and Appeals Council may determine that it is appropriate to impose a higher or lower penalty.
3. As each matter must be judged upon its own merits, it is highly likely that individual cases of what might appear to be 'similar' infringements will receive different penalties due to the possibility of differing circumstances surrounding the incidents.

Each individual case must be judged upon its own merits

4. Each individual case must be judged entirely upon its own merits. A Disciplinary Committee, Appeals Committee and Appeals Council upon hearing all the evidence presented may decide to waive the imposition of any penalty, or award a lesser or greater penalty than the suggested minimum or maximums. The exact penalty to be imposed in all instances will be at the sole discretion of the Disciplinary Committee, Appeals Committee and Appeals Council hearing the matter.

The reason for imposing penalties

5. Any penalty that may be imposed by a Disciplinary Committee, Appeals Committee and Appeals Council is to discourage unacceptable behaviour from members, either on or off the field of play.

Good behaviour bonds

6. The Disciplinary Committee, Appeals Committee and Appeals Council may impose a sentence which is partly or wholly suspended by use of a "good behaviour bond" which may be used to encourage participants to improve their behaviour in future.

Provocation is no excuse for retaliation

7. In any instance of misconduct, provocation used as an excuse for retaliation will not be accepted as an adequate explanation of, or excuse for, unacceptable behaviour.

Where NZTFI Personnel subject to disciplinary/judicial proceedings

8. For any person who is a NZTFI staff member (permanent, fixed term or contract for service) or holds a NZTFI volunteer appointment, then the standards of behaviours required are very high. Such NZTFI personnel are expected to be role models for the highest levels of behaviour within touch settings at any level of the sport.

9. Where a Disciplinary Committee, Appeals Committee and Appeals Council is imposing a penalty on a person, and if the person is a NZTFI staff member or holds a NZTFI volunteer appointment at the time of the alleged offence irrespective of whether the offence was committed in a different role, then the Disciplinary Committee, Appeals Committee and Appeals Council is entitled to take that into account when imposing a penalty.
10. Depending on the severity of the offending, the Disciplinary Committee, Appeals Committee and Appeals Council is entitled to add an additional multiplier to the penalty of 1.5 to 2 times the penalties outlined in the guidelines if the person is a NZTFI staff member or holds a NZTFI volunteer appointment at the time of the alleged offence irrespective of whether the offence was committed in a different role.

Precedents - Disciplinary Committee, Appeals Committee and Appeals Council decisions

11. Disciplinary Committees, Appeals Committees and the Appeals Council must take notice of any previous decisions made and penalties imposed, wherever practical or possible. This particularly applies to disciplinary or appeal decisions that are similar to the current disciplinary or appeal matter in front of a Disciplinary Committee, Appeals Committee or the Appeals Council.
12. Contact should be made with the Chief Executive of NZTFI (or his/her nominee) to seek information on previous decisions made and penalties imposed.

Persons subject to a previous NZTFI, Provincial Association or Module disciplinary decision (previous infringements)

13. Where a person is subject to disciplinary/judicial proceedings, and that person has been subject to any previous NZTFI, Provincial Association or Module disciplinary decisions, then Disciplinary Committees, Appeals Committees and the Appeals Council may consider previous decisions (subject to their being a written record of the previous decisions) if any charges are established and penalties are being considered.
14. In such circumstances Disciplinary Committees, Appeals Committees and the Appeals Council may take into account a number of factors when considering previous disciplinary decisions including:
 - a. What was the offending/misconduct from the previous NZTFI, Provincial Association or Module disciplinary decisions;
 - b. How long ago did the previous NZTFI, Provincial Association or Module disciplinary decision/s occur;
 - c. Is there are pattern of offending/misconduct emerging; and
 - d. Any other factors determined relevant by the Disciplinary Committees, Appeals Committees and the Appeals Council.

NZTFI Disciplinary Penalty Guidelines

Infringements: player on player

Infringements	Example	Minor Incident	Major Incident	Recommendation
Bad sporting behaviour	Claiming a touch when it has not occurred	Minimum 1 game suspension	Maximum of 12 games or 3 months suspension	Any action considered not to be in the spirit of the game of Tag should receive a penalty.
Condescending language or signals	Sledging	Minimum 1 game suspension	Maximum of 12 games or 3 months suspension	Speaking in a condescending manner, or using condescending signals towards another participant should receive a penalty
Offensive language or signals	Swearing	Minimum 2 games suspension	Maximum of 24 games or 6 months suspension	Use of offensive language or signals towards another participant should receive a penalty.
Deliberately pushing, grabbing or tripping	Pushing, grabbing or tripping	Minimum 3 games suspension	Maximum 48 games or 12 months suspension	Deliberately pushing, grabbing or tripping another participant should receive a penalty.
Deliberately using an elbow, forearm or shoulder	Impact through elbow, forearm or shoulder	Minimum 4 games suspension	Maximum life suspension	Deliberately using an elbow, forearm or shoulder on another participant should receive a penalty
Deliberately striking, with an open hand	Slapping – with the intent to connect	Minimum 4 games suspension	Maximum 48 games or 12 months suspension	Deliberately striking another participant, with an open hand, should receive a penalty
Deliberately striking, with a closed fist	Punching – with the punch thrown with the intent to connect	Minimum 6 games suspension	Maximum life suspension	Deliberately striking another participant, with a closed fist, should receive a penalty
Deliberately striking, with a closed fist	Punching – with the punch thrown with the intent to connect	Minimum 12 games suspension	Maximum life suspension	Deliberately striking a referee or official, with a closed fist towards should receive a penalty

Infringements: player against a referee or other Touch NZ or Member official

Infringements	Example	Minor Incident	Major Incident	Recommendation
Bad sporting behaviour suspension	Continual backchat	Minimum 2 games	Maximum of 24 games or 6 months suspension	Any action considered not to be in the spirit of the game of Tag should receive a penalty
Condescending language or signals	Sledging	Minimum 2 games suspension	Maximum of 24 games or 6 months suspension	Speaking in a condescending manner, or using condescending signals towards a referee or official should receive a penalty
Offensive language or signals	Swearing	Minimum 4 games suspension	Maximum 48 games or 12 months suspension	Use of offensive language or signals towards a referee or official should receive a penalty
Deliberately pushing, grabbing or tripping	Pushing, grabbing or tripping	Minimum 6 games suspension	Maximum life suspension	Deliberately pushing, grabbing or tripping towards a referee or official should receive a penalty
Deliberately using an elbow, forearm or shoulder	Impact through elbow, forearm or shoulder	Minimum 8 games suspension	Maximum life suspension	Deliberately using an elbow, forearm or shoulder towards a referee or official should receive a penalty
Deliberately striking, with an open hand	Slapping – with the intent to connect	Minimum 8 games suspension	Maximum life suspension	Deliberately striking, with an open hand, towards a referee or official should receive a penalty
Deliberately striking, with a closed fist	Punching – with the punch thrown with the intent to connect	Minimum 12 games suspension	Maximum life suspension	Deliberately striking, with a closed fist, towards a referee or official should receive a penalty

Infringements: Team Official (including team coach; manager or any person holding a formal role in a team) against a referee or other Touch NZ or Member official

Infringements	Example	Minor Incident	Major Incident	Recommendation
Condescending language or signals	Sledging	Minimum 2 games suspension	Maximum of 24 games or 6 months suspension	Speaking in a condescending manner, or using condescending signals towards a referee or official should receive a penalty
Offensive language or signals	Swearing	Minimum 4 games suspension	Maximum 48 games or 12 months suspension	Use of offensive language or signals towards a referee or official should receive a penalty
Intentional physical contact with a referee or referee official	Pushing, grabbing or tripping	Suspended remainder of competition or tournament	Maximum life suspension	Deliberate physical contact with a referee must receive a penalty
Breach of NZTFI Coaching positions and communication policy	Leaving a sub box to abuse the referees or referee officials	Minimum 4 games suspension	Suspended remainder of competition or tournament	Any person breaching the NZTFI Coaching positions and communication policy must receive a penalty
Deliberately striking, with an open hand	Slapping – with the intent to connect	Minimum 8 games suspension	Maximum life suspension	Deliberately striking, with an open hand, towards a referee or official should receive a penalty
Deliberately striking, with a closed fist	Punching – with the punch thrown with the intent to connect	Minimum 12 games suspension	Maximum life suspension	Deliberately striking, with a closed fist, towards a referee or official should receive a penalty

Other infringements

Infringements	Example	Minor Incident	Major Incident	Recommendation
Deliberate breach of competition or tournament rules of eligibility	Unregistered players	Suspended remainder of competition or tournament	Maximum of 24 games or 6 months suspension	Breach of the Rules of Eligibility for that Tournament should receive a penalty

Participating while suspended in any NZTFI or Member Association competition or event	Currently serving a suspension	Increased sentence by half the original suspension	Increased sentence by the full amount of time originally suspended	Anyone participating in a game of Tag whilst under suspension should have the original suspension increased
Continual send offs throughout a competition	After serving an automatic suspension for a send-off, incidents occur again	Minimum 2 games suspension	Increased penalty if any of the above infringements have occurred	Summoned to appear before the Committee to show cause why they should not receive an increased penalty