



## DISCIPLINARY REGULATIONS 2009/2010

With effect from the start of season 2009/2010, the Disciplinary Process (other than for Anti-Doping Offences which are dealt with separately) shall be as set out in these Regulations.

- 1.1 In these Regulations, the definitions contained in Article 2 of the Articles of Association of the Welsh Rugby Union Limited (“WRU”) shall apply and the following words shall have the following meanings:-

“**Club**” shall have an extended meaning for the purposes of these Regulations and shall include a Regional Organisation and any other Member

“**Disciplinary Notice**” means a notice setting out details of an act of Misconduct in respect of which the recipient of the notice may be disciplined under and in accordance with these Regulations.

“**Disciplinary Officer**” means the person appointed by the WRU to act on its behalf in matters arising under these Disciplinary Regulations.

“**Misconduct**” means any act of Foul Play by a Player and/or any conduct, behaviour, statements or practices by a Member and/or any of its Players, its other Persons or its supporters, on or off the playing enclosure, during a Match or otherwise, that is unsporting and/or insulting and/or that brings or has the potential to bring the sport of rugby union, the WRU and/or any sponsor or other commercial partner of the WRU into disrepute.

“**Person**” means a Player, trainer, referee, touch judge, coach, selector, medical officer, physiotherapist or any other individual who is or has been at any time involved in the Game or in the organization administration or promotion of the Game and any supporter of the Game.

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

- 1.2 Communications from the Union to a Club shall be deemed to have been validly delivered if addressed to the Secretary of a Club or Chief Executive of a regional organisation at the postal address of the club or Regional organisation. It is the responsibility of the Club or Regional Organisation to notify the Union in writing of any temporary or permanent changes of address and to make adequate arrangements to deal with absences (for example, in the case of holiday or sickness).
- 2.1 In respect of a Player whose only or main occupation is the playing of the Game and who, at the time of the alleged offence or breach of the Codes of Conduct, is employed by a Regional Organisation shall be dealt with by



the WRU Professional Disciplinary Panel which will comprise a legally qualified chairman, an ex player and a member of the WRU Regulatory Committee (who shall be from a District which has no connection with the Player or the Teams participating in the match in which the alleged offence occurred).

- 2.2 The provisions in paragraph 2.1 shall apply to a Player who, at the time of the alleged offence is permitted down to a Club.
- 2.3 Disciplinary matters arising out of Schools and Youth Rugby shall be dealt with in accordance with these Disciplinary Regulations.
- 2.4 Players may be subject to a separate disciplinary process when playing in a competition the rules of which provide for a separate process, such as the competitions organized by ERC Limited.
- 2.5 Save as provided in paragraphs 2.1 to 2.4 inclusive, all other disciplinary offences, including breaches of the Codes of Conduct, shall be dealt with by a disciplinary panel of at least 3 members of the disciplinary sub-committee of the Regulatory Committee of the WRU (“Disciplinary Panel”), none of whom shall be from a District which has a connection with the Player, Officials, Clubs or the Teams participating in the match in which the alleged offence occurred.
- 2.6 Breaches of the Players Agents Regulations shall be dealt with by the WRU Professional Disciplinary Panel.
- 3.1 Any act or acts of Misconduct shall constitute an offence under these Disciplinary Regulations that may result in disciplinary proceedings being brought and (where appropriate) sanctions being imposed on the Person(s) involved and/or his Club and/or Regional Organisation and/or Member.
- 3.2 For the avoidance of doubt, a Club and/or a Person may be sanctioned for Misconduct that relates to conduct during a Match even if the Match referee has already penalised one or more Players for that conduct and/or the conduct has been the subject of a citing complaint.
- 3.3 Any matter that constitutes or is capable of constituting Misconduct shall be considered by the Disciplinary Officer, on referral by a Union and/or any Member, at his own instigation or otherwise. However, while the WRU may direct the Disciplinary Officer to investigate a matter and/or bring a Misconduct complaint, a Union or Member or other party may not. In the latter case, the Disciplinary Officer shall have sole discretion to determine whether to investigate a matter and/or bring a Misconduct complaint under these Disciplinary Rules; and his decision shall be final and shall not be subject to appeal by any party.
- 3.4 In carrying out his functions under Regulation 3.3, above, the Disciplinary Officer shall be entitled to undertake such investigations as he may deem



necessary, and every Member and Person shall be obliged to cooperate with such investigations. A failure or refusal to cooperate with such investigations may itself constitute Misconduct under these Disciplinary Regulations.

- 3.5 A Disciplinary Notice shall contain, or incorporate by reference to other documents, the material facts relied upon and particulars of the Misconduct alleged by reference to those facts. Any defect in the Disciplinary Notice shall not preclude the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate) proceeding to consider and adjudicate upon the Misconduct.

#### 4. Players

- a. Players who are sent off in Club matches in Wales will be allowed to continue playing until their case is dealt with by the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate).
- b. Should a player request a personal hearing for a red or yellow card offence, this request must be made in writing to the Disciplinary Officer at the Welsh Rugby Union Ltd within 7 days of receipt of the Disciplinary Notice issued by the Disciplinary Officer or the WRU Administration Department. **A cheque for £100 made payable to the Welsh Rugby Union Ltd is to accompany the request.** The fee will be retained should the personal hearing prove unsuccessful. The player and Club representative **must** attend the hearing, unless the chairman of the Disciplinary Panel or the WRU Professional Disciplinary Panel (as appropriate) directs that the hearing may proceed without such attendance. Whenever possible, the match referee should attend a personal hearing, although not mandatory and no inference may be drawn if the match referee does not attend.
- c. If a Player does not request a personal hearing in writing in accordance with Regulation 4 (b) above, the Disciplinary Panel or the WRU Professional Disciplinary Panel will proceed to deal with the Misconduct specified in the Disciplinary Notice in the absence of the Player.
- d. **Suspensions** will be calculated in numbers of weeks and will be imposed until a stated date (IRB Regulation 17.14.6 (d)).

**Suspension** will commence immediately following the written or, where the Player attends a personal hearing, oral notification (as the case may be) of the Disciplinary Panel or WRU Professional Disciplinary Panel's decision and the player may not play the game of rugby **anywhere** during the period of suspension (IRB Regulation 17.14.6 (a)).

If a Player's suspension has not terminated by the end of the current playing season, it shall continue until a stated date in the next playing season, unless he has been selected for a close season tour, or he intends to



play during the close of season in another Union. In this event the period of the tour in the playing season in the visited Union and the fact that he intends to play in another Union must be taken into account in determining when the suspension shall come to an end (IRB Regulation 17.14.7 (d)).

- e. In cases of fully professional players the WRU Professional Disciplinary Panel reserves the right to impose financial penalties.
- f. Whilst each case will be dealt with on its merits the WRU will apply the IRB list of recommended sanctions for offences within the playing enclosure (IRB Regulation 17). The list of sanctions is set out below.
- g. A player's previous disciplinary record in all competitions and (as appropriate) in other sports during his playing career shall be considered when determining the suspension he will serve and the Disciplinary Panel or WRU Professional Disciplinary Panel may take account of such offending as an aggravating factor.

5. Regional Organisations and **Clubs**

- a. In cases where a Regional Organisation's Team or a Club's 1<sup>st</sup> XV has 4 players sent off or where the players sent off and Regional Organisation or Club officials reported by match officials total 4 in a season, the Regional Organisation or Club will receive a letter warning it as to its future conduct.
- b. In cases where a Club's 1<sup>st</sup> XV has 6 players sent off or where the players sent off and Club officials reported by match officials total 6 in a season, the Club will be fined 5% of the sum (core grant) made available to it in a season by the Union. For each player over 6 sent off, or Club official reported, an additional fine of 1% of the sum (core grant) made available to it in a season by the Union will be imposed on the Club.
- c. In cases where a Regional Organisation's Team has 6 players sent off or where the players sent off and Regional Organisation's officials reported by match officials total 6 or more in a season, such financial penalties as the WRU Professional Disciplinary Panel may determine may be imposed on that Regional Organisation.



6 The recommended sanctions for offences committed by players within the playing enclosure for the 2009//2010 season are:-

6.1. **Players who are Red Carded** (sent off the playing enclosure permanently by the referee and can take no further part in the match in which he was ordered off)

Law No.	Description	Entry point based on scale of seriousness of the player's conduct, which constitutes the offending. Lower end (LE), mid range (MR), top end (TE)	Maximum sanction
6.A.5 10.4(k)	Verbal Abuse of Match Officials	LE - 6 weeks MR - 12 weeks TE - 18+ weeks	52 weeks
6.A.5 10.4(k)	Physical abuse of Match Officials	LE - 24 weeks MR - 48 weeks TE - 96+ weeks	Life
6.A.5 10.4(k)	Threatening Actions or Words at Match Officials	LE - 12 weeks MR - 24 weeks TE - 48+ weeks	260 weeks
10.4 (a)	Striking another Player with a hand, arm or fist	LE - 2 weeks MR - 5 weeks TE - 8+ weeks	52 weeks
10.4 (a)	Striking another Player with the elbow	LE - 2 weeks MR - 5 weeks TE - 9+ weeks	52 weeks
10.4 (a)	Striking with Knee	LE - 3 weeks MR - 8 weeks TE - 12+ weeks	52 weeks
10.4 (a)	Striking with head	LE - 4 weeks MR - 8 weeks TE - 12+ weeks	104 weeks
10.4 (b)	Stamping on an Opponent	LE - 2 weeks MR - 5 weeks TE - 9+ weeks	52 weeks
10.4 (b)	Trampling on an Opponent	LE - 2 weeks MR - 5 weeks TE - 9+ weeks	52 weeks



10.4 (c)	Kicking an Opponent	LE - 4 weeks MR - 8 weeks TE - 12+ weeks	52 weeks
10.4 (d)	Tripping an Opponent with the foot/leg	LE - 2 week MR - 4 weeks TE - 7+ weeks	52 weeks
10.4 (e)	Dangerous tackling of an Opponent including early or late and including the action known as the “stiff arm tackle”	LE - 2 weeks MR - 6 weeks TE - 10+ weeks	52 weeks
10.4 (f)	Holding, pushing or obstructing an Opponent not holding the ball except in a scrum, ruck or maul	LE - 2 weeks MR - 4 weeks TE - 6+ weeks	52 weeks
10.4 (f)	Dangerous charging or obstructing or grabbing of Opponent without the ball, including shouldering.	LE - 2 weeks MR - 5 weeks TE - 9+ weeks	52 weeks
10.4 (g)	Dangerous charging or obstructing or grabbing of Opponent with the ball, including shouldering.	LE - 2 weeks MR - 5 weeks TE - 9+ weeks	52 weeks
10.4 (i)	Causing a scrum, ruck or maul to collapse	LE - 2 weeks MR - 4 weeks TE - 8+ weeks	52 weeks
10.4 (k)	Testicle grabbing or twisting or squeezing	LE - 12 weeks MR - 18 weeks TE - 24+ weeks	208 weeks
10.4 (k)	Biting	LE - 12 weeks MR - 18 weeks TE - 24+ weeks	208 weeks
10.4 (k)	Contact with Eyes or the Eye Area	LE - 12 weeks MR - 18 weeks TE - 24+ weeks	156 weeks



10.4 (k)	Spitting at Players	LE - 4 weeks MR - 7 weeks TE - 11+ weeks	52 weeks
10.4 (k)	Verbal abuse of Players based on Religion, Race, Colour or National or Ethnic Origin or otherwise	LE - 4 weeks MR - 8 weeks TE - 13+ weeks	52 weeks

**\*NB. In respect of offences not referred to above, appropriate sanctions may be imposed at the discretion of the Disciplinary Panel or WRU Professional Disciplinary Panel or Appeal Panel (as the case may be)**

The Disciplinary Panel or WRU Professional Disciplinary Panel shall undertake an assessment of the seriousness of the player's conduct, which constitutes the offending and categorise the offence as being at the **lower end (LE), mid range (MR) or top end (TE)** of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) where such incident(s) is expressly covered in the above recommended sanctions. Such assessment of the seriousness of the player's conduct shall be determined by reference to the following features of offending:

- a. The offending was intentional, that is, committed intentionally or deliberately;
- b. The offending was reckless, that is the player knew (or should have known) there was a risk of committing an act of illegal and/or foul play;
- c. The gravity of the player's actions in relation to the offence:
  - (i) Nature of actions, manner in which offence committed including part of body i.e. fist, elbow, knee or boot;
  - (ii) The existence of provocation and whether the Player acted in retaliation and/or self-defence;
- d. The effect of the offending Player's actions on the victim (i.e. extent of injury, removal of Player from game)
- e. The effect of offending Player's actions on the game:
- f. The vulnerability of victim Player including the part of victim's body involved/affected, position of victim Player and his (in)ability to defend himself;
- g. The level of participation in the offending and level of premeditation;



- h. Whether the conduct of the offending Player was completed or amounted to an attempt;
- i. Any other feature of the Player's conduct which constitutes the offending.

**Notwithstanding the above, in cases where the Player's actions constitute mid range or top end of 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 Disciplinary Panel or WRU Professional Disciplinary Panel may impose any period of suspension including a suspension for life.**

- 6.2. **Players who are Yellow Carded (Sin Binned when a player is temporarily suspended when he is cautioned in a match by the referee and temporarily sent off the playing enclosure by the referee for a period of ten minutes playing time which is spent in the so called sin bin)**

Players who are sin binned during a match **will not, save in exceptional circumstances, be given an opportunity to lodge an appeal to the Disciplinary Panel or WRU Professional Disciplinary Panel.** If an appeal is lodged, the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate) shall first determine as a preliminary issue whether or not there were any exceptional circumstances and only if it so determines will it then proceed to deal with the appeal.

Players who are sin binned on three occasions during the season will be suspended for one week following notification from the Welsh Rugby Union Ltd.

Should a Player accumulate a further three yellow cards during the season, he will automatically be suspended for 2 weeks.

If a Player is issued with 2 yellow cards for technical offences in any one match, this will constitute a red card and the player will complete a two week suspension. **Save in exceptional circumstances, such a Player will not be given an opportunity to lodge an appeal to the Disciplinary Panel or WRU Professional Disciplinary Panel.** If an appeal is lodged, Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate) shall first determine as a preliminary issue whether or not there were any exceptional circumstances and only if it so determines will it then proceed to deal with the appeal.

However, in cases where one yellow card is issued for a technical offence and a second yellow card is issued for foul play, again this will constitute being awarded a red card but the appropriate sanction will be determined by reference to the available sanctions for offences committed, as scheduled in Regulation 6 above and determined by the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate).

Finally, where a Player is sent from the field of play (yellow carded and/or red carded) for whatever offence and subsequently re-enters the field of play to involve himself with an incident, that Player will receive the suspension applicable to the



original offence, **along with a further 3 week suspension for re-entering the pitch having previously been sent off – either permanently (red carded) or temporarily (yellow carded).**

## 7. **Citing Procedures**

- a. The Union's Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate) will consider cases in which a Player is cited for an act of foul play.
- b. A player may be cited for an act of foul play by:-
  - i. either of the two Clubs involved in the match
  - ii. the match officials appointed by the WRU and/or appointed from other Member Unions or touch judges appointed to the match by the WRU and/or appointed from other Member Unions
  - iii. a member of the WRU Board of Directors
- c. To be valid the citation must be in writing and addressed to the WRU Administration Department and should be accompanied by a video and/or DVD recording of the complained of incident and must be made within **7 days** of the date of the match concerned. Failure to provide a video and/or DVD recording at the same time as the written citation shall not invalidate the citation but the video and/or DVD must be lodged with the WRU Administration Department in time for the Player who has been cited to adequately consider and prepare for the hearing of the citation by the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate).
- d. The citation may be for an act of foul play dealt with by match officials at the time as well as for incidents of foul play which were not detected by match officials.
- e. On receipt of a citation the Administration Department of the WRU will write to the Club of the Player cited to advise them of the citation and provide the Club of the Player with a copy of the DVD/Video coverage of the reported incident and to require them to attend a hearing of the citation at a meeting of the Union's Disciplinary Panel or WRU Professional Disciplinary Panel.
- f. Once a Player has been cited and referred to the Disciplinary Panel or WRU Professional Disciplinary Panel the case may not be withdrawn by the Citing Club or person. The Disciplinary Panel or WRU Professional Disciplinary Panel alone will have the prerogative to determine whether a case of citation should be withdrawn.



- g. The player, a representative of his Club, representatives of the Citing Club, or the person citing the Player will be requested to attend a meeting of the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate). If the representative of the Citing Club or the person Citing fails to attend the Meeting, the Citing complaint will not be dismissed and the Disciplinary Panel or WRU Professional Disciplinary Panel may proceed to a decision in the matter. Match officials will be invited when required.
  - h. The video and/or DVD of the incident will be viewed by the Disciplinary Panel or WRU Professional Disciplinary Panel without the sound or commentary associated with it being heard (save where the sound commentary includes the comments made by the referee through his microphone in relation to the specific incident in question) and in the presence of all those persons attending the meeting on the matter. The Player and Club representatives will then leave the meeting room after answering any questions which the Disciplinary Panel or WRU Professional Disciplinary Panel may have.
  - i. The Disciplinary Panel or WRU Professional Disciplinary Panel may also wish to view the video and/or DVD evidence in camera and if appropriate, retain the video and/or DVD recording of the incident which is the subject of the Citing Procedure.
  - j. The Disciplinary Panel or WRU Professional Disciplinary Panel will make its decision on the matter after discussing the case in camera and shall be entitled to call on experts to provide specialist advice, including legal advice.
  - k. The player and the representatives of both Clubs will return to the meeting room to be advised of the decision of the Disciplinary Panel or WRU Professional Disciplinary Panel.
  - l. It shall be Misconduct under these Disciplinary Regulations to make a citing complaint frivolously or in bad faith (such as in retaliation for a citing complaint made by another Club).
  - m. If any offence is proved the Disciplinary Panel or WRU Professional Disciplinary Panel may deal with the matter in the same way as a sending off or a sin bin offence and impose a penalty in accordance with the list of sanctions appearing in 6 and 7 above.
8. **Appeals**
- a. In accordance with IRB Regulation 17.17 a Player may appeal to an Appeal Committee from a decision of the Disciplinary Panel or WRU Professional Disciplinary Panel;



- b. Any Person (other than a Player) or a Club may appeal to an Appeal Committee from a decision of a Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate);
  - c. Any appeal must be lodged with the Administration Manager within 48 hours of the date on which the decision of the Disciplinary Panel or WRU Professional Disciplinary Panel has been notified.
  - d. The notice of appeal shall be in writing and signed by the Player, Person or Club lodging the appeal and shall be accompanied by a fee of £100 which may or may not be returned and shall specify:
    - (i) the name of the Player, Person or Club lodging the appeal;
    - (ii) the decision appealed against;
    - (iii) the date of the decision appealed against; and
    - (iv) the specific grounds of the appeal.
- 8.1 The Group Chief Executive of the WRU or the Company Secretary shall appoint a panel of three members to hear any appeal under these Regulations (the “Appeal Panel”) and designate one of those members, who shall have legal experience, to act as chairman.
- 8.2 Any Person or Club may appeal to the Appeal Panel from a decision of a Disciplinary Panel or WRU Professional Disciplinary Panel.
- 8.3 An Appeal Panel has the power to:
- a) Quash a finding and any sanction imposed by the original Disciplinary Panel or WRU Professional Disciplinary Panel; and/or
  - b) Substitute an alternative finding; and/or
  - c) Reduce or increase the original sanction.
- 8.4 Any sanction or suspension imposed or confirmed or varied by the Appeal Panel shall normally commence on the day following the date of the appeal, but may be delayed to take account of the closed season or other relevant factors, or backdated if the player has not played since the incident.
- 8.5 The Appellant should bear in mind that a de novo hearing shall only be permitted at the Chairman’s discretion, if there is new evidence available.



## 8.6. Notice of Appeal

- 8.6.1.1. The Appellant shall serve Notice of Appeal in writing and, in the case of a Player, signed by him, upon the Disciplinary Officer.
- 8.6.1.2. The Notice of Appeal shall state:
- a) the date and decision of the Disciplinary Panel or the WRU Professional Disciplinary Panel against which the appeal is lodged; and
  - b) the grounds of the appeal, setting out a statement of facts upon which the appeal is based, specifying whether the appeal is against the finding and/or the sanction imposed.
- 8.6.2.1. The Notice of Appeal shall be served upon the Disciplinary Officer within 48 hours following the date of the delivery of the written notification of the disciplinary decision against which the appeal is lodged
- 8.6.2.2. For the purposes of paragraph 8.6.2.1, the written notification of the disciplinary decision will be deemed to have been delivered:
- (a) when it is handed to the Appellant at the end of the disciplinary hearing; or
  - (b) the second day after it has been sent by first class post to the Appellant; or
  - (c) where written notification is served by electronic means, on the second day after the day on which it is transmitted.
- 8.6.2.3. For the purposes of paragraph 8.6.2.1, the Notice of Appeal will be deemed to have been served:
- (a) the second day after it has been sent by first class post by the Appellant; or
  - (b) where it has been sent by fax, if it is transmitted on a business day before 4pm, on that day, or in any other case, on the business day after the day on which it is transmitted.
  - (c) where written notification is served by electronic means, on the second day after the day on which it is transmitted.



- 8.6.2.4. In case of dispute the burden shall be on the Appellant to produce the certificate of posting or confirmation of transmission as appropriate.
- 8.6.2.5. An appeal once validly lodged cannot be withdrawn but must be adjudicated upon by an Appeal Panel, unless the Chairman of the Appeal Panel grants permission for the appeal to be withdrawn.
- 8.7.1 The hearing date shall be set by the Chairman of the Appeal Panel and should be the earliest convenient date.
- 8.7.2. The Disciplinary Officer shall prepare and provide for each member of the Appeal Panel either in advance or on the day of the hearing a pack of documents containing:
- a) a copy of the Notice of Appeal; and
  - b) (where relevant) a copy of the Referee's Report; and
  - c) A copy of any other relevant documents or other evidence, which shall include any written statements submitted to the original Disciplinary Panel or the WRU Professional Disciplinary Panel and a copy of their judgment.

## 8.8. **Procedure at Hearing**

- 8.8.1. As at the original hearing, the standard of proof to be applied is the balance of probabilities. In order to succeed on appeal, the Appellant must prove on the balance of probabilities that the decision appealed against was wrong.
- 8.8.2. The Appellant shall have the right to be present in person at the hearing of his Appeal unless he elects to invite the Appeal Panel to review his sanction in his absence. Except in such cases he may be represented and the person representing him may be present throughout the hearing.
- 8.8.3. The Referee (or Touch Judge, in the case of abuse of a Match Official), or a Referee's Adviser (if one was present at the match in question) shall be invited to attend where there is an issue of fact to be determined and in any case where the chairman of the Appeal Panel or the Disciplinary Officer consider it desirable. If the Referee, Touch Judge or Referee's Advisor are unable to attend the hearing may proceed in their absence.
- 8.8.4. A member of the original panel which heard the case at first instance may attend the appeal hearing as an observer. He may give evidence at the appeal hearing about the first hearing where it becomes apparent that the appellant or any witnesses have changed their account of what had occurred.



- 8.8.5. The Disciplinary Officer (or his nominee) shall be in attendance and shall record the decision.
- 8.9 **Special provisions in citing cases or Code of Conduct case**
- 8.9.1 Where the appeal is against a decision which followed a citing or in a Code of Conduct case not arising from a player being sent off ("a citing case") the Club, Union or body or person responsible for the complaint shall be entitled to a copy of the documents referred to in paragraph 8.7.2 and shall be invited to attend the hearing of the appeal to prosecute the case.
- 8.9.2. In a citing case the body or person responsible for the citing or complaint shall be entitled to be present throughout the hearing and call witnesses in a manner similar to the Appellant. The Complainant shall call his evidence first.
- 8.10.1 The chairman of the Appeal Panel may give directions as to the procedure and the evidence to be adduced to limit the issues to be adjudicated upon or for the more efficient determination of the hearing. He shall be entitled to regulate the appeal procedure and depart from the procedures set out below if he deems it appropriate to do so.
- 8.10.2. Where the original decision was taken on the papers or by way of preliminary hearing, the Appeal Panel shall have the discretion to quash the decision and refer the case back to the original panel for consideration.
- 8.10.3. If in advance of the day of the hearing itself, the Appellant makes submissions requesting a rehearing of his case, and the chairman considers it appropriate, a de novo hearing may be held. This would normally only be the case where new evidence arises.
- 8.10.4. The Appellant, Referee, Touch Judge and the Referee's Adviser (if present) and any other parties whom the chairman considers appropriate may be present throughout the hearing in accordance with paragraph 8.8.2 above. In an appeal against a decision in a citing or a Code of Conduct case, the party making the complaint or citing may also be present throughout the hearing. Other witnesses should be asked to withdraw. Witnesses who have given evidence may remain in the hearing until the Appeal Panel considers its decision.
- 8.10.5. Where the appeal is against a finding of fact, the evidence against the Appellant shall be called first.
- 8.10.6. The Appellant may then call witnesses in support of his case.



- 8.10.7. At the discretion of the chairman, additional evidence may be presented by the Appellant irrespective of whether or not the additional evidence was available to the Appellant or by reasonable enquiry could have been made available to the Appellant at the time of the original hearing.
- 8.10.8. In a citing case the body or person responsible for the citing or complaint shall be entitled to be present throughout the hearing and call witnesses in a manner similar to the Appellant. The Complainant shall call his evidence first.
- 8.10.9. The Appeal Panel shall have discretion to hear any further witnesses and to seek such other evidence as they consider will be of assistance in reaching a fair and correct decision.
- 8.10.10. The Appeal Panel may question:
- a) the Appellant;
  - b) witnesses who have given evidence against the Appellant; and
  - c) any further witnesses called in accordance with paragraph 8.10.9 above.
- 8.10.11. In cases of Match Official abuse, the Referee or where relevant the Touch Judge or the Referee's Advisor may, through the Chairman of the Appeal Panel, question:
- (a) the Appellant; and
  - (b) witnesses who have given evidence against the Appellant.
- 8.10.12. The chairman shall invite the Referee to make any final comment but the Appellant shall be given the right of the last word.
- 8.10.13. The chairman shall then invite all persons other than the Appeal Panel and its Secretary to retire whilst the Appeal Panel considers its decision. The Appeal Panel shall reach a decision on a majority vote with the chairman having the casting vote in the event of equality.
- 8.10.14. All those who have attended or participated in the Hearing will be invited to return when the chairman will announce the decision of the Appeal Panel. The Appeal Panel shall be entitled to reserve its decision, in which case the Appeal Panel shall advise the parties of its decision as soon as possible
- 8.11.1 Whilst the Appeal Panel shall have discretion in this regard, an unsuccessful Appellant will normally be required to pay the costs of the appeal which shall include the travelling expenses of the Referee



and the legal costs of the Union (if any) but not the legal costs of any party to the Appeal.

- 8.11.2. The Appellant may be ordered to contribute towards the cost of any independent members of the Panel.
- 8.12 The decision of an Appeal Panel shall be final and binding upon the parties, and there shall be no further right of appeal from it.
9. Where a breach or breaches of the Players Agents Regulations is proved, the WRU Professional Disciplinary Panel may impose such penalty or sanction as it may in its absolute discretion think fit including without limitation the imposition of a financial penalty, and in addition to any penalties referred to in the Players Agents Regulations:-
- (a) in the case of Players, a reprimand or warning, a match suspension, a ban on taking part in any rugby related activity;
  - (b) in the case of player's Agents, a suspension of licence , a licence withdrawal, a ban on taking part in any rugby related activity;
  - (c) in the case of Clubs, refusal to register a Player to that Club
10. The WRU will publish the decisions of the Disciplinary Panels, WRU Professional Disciplinary Panels and Appeal Panels made under these Regulations, as applicable, as soon as is reasonably practicable after the decision has been communicated to the parties. The public announcement of the decision may include details of offences committed under these Disciplinary Regulations and of the sanctions imposed, if any. Until such time as a decision is published, all parties and participants in the proceedings shall treat such proceedings as confidential.



## **CODES OF CONDUCT**

For breaches of the Codes of Conduct the Disciplinary Panel or WRU Professional Disciplinary Panel may impose such penalties as it deems appropriate but subject to the right to appeal from the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate) to an Appeal Panel in accordance with Regulation 8 of the WRU Disciplinary Regulations. In the 2009/2010 season where a breach of the Codes of Conduct is proved without prejudice to the generality of the foregoing, the Disciplinary Panel or WRU Professional Disciplinary Panel will generally penalise by the imposition of a fine.

The person submitting a Code of Conduct Report will be requested to attend a meeting of the Disciplinary Panel or WRU Professional Disciplinary Panel (as appropriate). If the person submitting a Code of Conduct Report fails to attend the meeting, the Code of Conduct Report will not be dismissed and the Disciplinary Panel or WRU Professional Disciplinary Panel may proceed to a decision in the matter. Match officials will be invited when required.

The Codes of Conduct and the Protocol for the Game are as follows:-

### **CODE OF CONDUCT FOR PLAYERS**

1. A player shall accept and observe the authority and decisions of referees, touch judges, match officials and all other rugby Disciplinary bodies, subject to IRB Regulation 17 and shall not use crude or abusive language or gestures towards referees, touch judges, other match officials or spectators.
2. A player shall not abuse, threaten or intimidate a referee, touch judge or other match official, whether on or off the field of play
3. A player shall not publish or cause to be published or make any public criticism of any match official or any other Team Manager, Club Official or any player, or employee of his or another Club, but he will have recourse to the complaints procedure of the Union and which procedure should be adhered to.
4. A player shall not publish or cause to be published criticism of the manner in which the Disciplinary Panel or WRU Professional Disciplinary Panel handled, or resolved any dispute or disciplinary matter arising from a breach of Bye Laws, Regulations or Laws of the Game.
5. A player shall not do anything which is likely to intimidate, offend, insult, humiliate or discriminate against any other person on the ground of their religion, race, colour or national or ethnic origin.
6. A player shall conduct himself at all times in an ethical and professional manner and shall observe the highest standards of integrity and fair dealing



and shall not engage in any Conduct or any activity on or off the field that may impair public confidence in the honest and orderly Conduct of a Match.

7. A player shall not commit an anti doping rule violation as defined in IRB Regulation 21
8. A player shall promote the reputation of the game of Rugby Union Football and take all possible steps to prevent it being brought into disrepute.

### **CODES OF CONDUCT FOR COACHES/TEAM MANAGERS/CLUB OFFICIALS**

1. A Coach/Team Manager/Club Official shall comply with the Laws of the Game, the Regulations of the International Rugby Board, the Regulations of the WRU, the Rules of any Competition in which his Club participates and his Club rules. The Coach/Team Manager/Club Official shall not encourage or incite any person (including other employees of his Club) to act in breach of the same but shall take all possible steps to ensure that they comply with them.
2. A Coach/Team Manager/Club Official shall use best endeavours to ensure that there is in force at his Club a fair and effective disciplinary policy applicable to players and other employees under his control and that it is applied consistently.
3. A Coach/Team Manager/Club Official shall take all reasonable steps to ensure that players and/or other employees under his control accept and observe the authority and decisions of match officials.
4. A Coach/Team Manager/Club Official shall not publish or cause to be published or make any public criticism of any match official or any other Coach, Team Manager, Club Official or any player, and/or employee of his or another Club but he will have recourse to the complaints procedure of the Union and which procedure should be adhered to.
5. A Coach/Team Manager/Club Official shall conduct himself at all times in an ethical and professional manner and shall observe the highest standards of integrity and fair dealing.
6. A Coach/Team Manager/Club Official shall take all possible steps to promote the reputation of the game of Rugby Union Football and to prevent it being brought into disrepute.
7. A Coach/Team Manager/Club Official shall not:
  - a) abuse, threaten or intimidate a referee, touch judge or other match official, whether on or off the field



- b) Use crude or abusive language or gestures towards referees, touch judges or other match officials or spectators.
- c) Do anything which is likely to intimidate, offend, insult, humiliate or discriminate against any other person on the ground of their religion, race, colour or national or ethnic origin.

### **CODE OF CONDUCT FOR MATCH OFFICIALS**

1. A match official shall not make any public criticism of any other match official or any Team Manager, Club Official or player of any Club, but he will have recourse to the complaints procedure of the Union and which procedure should be adhered to.
2. A match official shall conduct himself at all times in an ethical and professional manner and shall observe the highest standards of integrity and fair dealing.
3. A match official shall take all possible steps to promote the reputation of the game of Rugby Union Football and to prevent it being brought into disrepute.
4. A match official shall attain, and subsequently maintain, a level of fitness to the standards set by the WRU.
5. Match officials will endeavour to apply the Laws of the Game fairly and to an agreed interpretation as specified by the WRU and to provide the style of play as determined by the WRU.
6. Match officials must wear the agreed kit and adhere to any sponsorship agreement as determined by the WRU.
7. Match officials are expected to attend disciplinary hearings involving them personally whenever possible. The reason for non-attendance must be given to the WRU's Administration department in advance of the hearing.
8. Match officials are expected, whenever practicable, to attend all training sessions arranged by the National Referee Manager. The same would apply should these training sessions be incorporated into monthly District Match Official meetings.



## **CODE OF CONDUCT FOR REFEREE ADVISERS**

1. An Adviser shall not make any public criticism of any other match official or any Team Manager, Club Official or player of any Club, but he will have recourse to the complaints procedure of the Union and which procedure should be adhered to.
2. An Adviser shall conduct himself at all times in an ethical and professional manner and shall observe the highest standards of integrity and fair dealing.
3. An Adviser shall take all possible steps to promote the reputation of the game of Rugby Union Football and to prevent it being brought into disrepute.



## PROTOCOL FOR GAMES IN WALES

### Before the Game

1. Clubs are responsible for notifying match officials of the date, venue, kick off time and team colours at least **72 hours** before the game.
2. Match officials will arrive at the ground at least 60 minutes before kick off and Clubs should make their arrangements based on this. **Failure to notify a match official of a postponement prior to his arrival at the ground, may result in the home Club having to reimburse the referee's travel costs.**
3. **Clubs are responsible for the safety of match officials during the time that they are at the Club in question.** Where possible a referee liaison officer should be appointed by the home Club to be responsible for match officials.
4. Match officials will be available up to 30 minutes prior to kick off to Club captains and coaches for discussions regarding laws, kit, etc.
5. Access to the match officials dressing room is restricted to persons who have a legitimate reason for seeing them and then only with the express consent of the referee.
6. Clubs will submit their team sheet and replacements to the match official before taking the field for kick off, indicating the replacement front row players. Once this has been submitted no changes should be made without the permission of the Match official.  
  
A team sheet **must** identify any player(s) on permit, dual registration and/or loan and their parent Club.
7. A player may not receive local anaesthetic on match day unless it is for the suturing of bleeding wounds or for dental treatment administered by an appropriately qualified medical or dental practitioner. (IRB Reg 10.2.1).
8. The match official will ensure that the two captains are available to toss up prior to taking the field before kick off. Stud and padding inspection will take place immediately following the toss up.
9. The match balls should be available for inspection by the match officials a minimum of 15 minutes prior to kick off.
10. The home Club shall be responsible for ensuring that the playing area/enclosure is fit to play on and is free of all materials/substances that would prevent the game starting at the allocated time e.g. broken glass, animal droppings, etc.



11. **The playing enclosure must be roped off.**

**During the game**

12. **Premier Division Clubs** must provide technical zones and comply with the Technical Zone Protocol issued by the IRB – **see Appendix 1.**
13. Clubs must restrict entry to the playing enclosure to all but players, match officials, ball boys, replacements when required, two coaches, two water carriers, two medical support staff, and where necessary, television personnel. **Coaches are not allowed in the Technical Zone.**
14. Coaching staff must remain within the confines of their own 10m line and halfway line or take up a position behind the posts within the playing enclosure throughout the match. **At no time will they be allowed to move along the touchline.** Medical staff will be allowed to enter the playing enclosure to treat injured players or to supply drinks in the agreed manner. Replacements will only be allowed to enter the playing enclosure when warming up and also when nominated to participate in the match.
15. Clubs will provide an area clearly indicated for medical support personnel (Divisions 1-6) and coaches. Clubs will provide a seated area for replacements on the same side of the ground, where applicable under the control of the fourth match official.
16. **Replacements, must remain seated outside the playing enclosure at all times during the match** unless they are warming up in the agreed area or going into the playing area as a replacement. Where no seating is available **replacements must still remain outside the playing enclosure.**
17. Prior to kick off, depending on the ground, an agreed warm up area will be designated following consultation between the Clubs and match officials.
18. Replacements will only enter the field of play at the half way line after the player being replaced has left the field. Replacements will only be allowed during a stoppage of play and when the match official has clearly signalled the replacement.
19. Drinks will be permitted during a stoppage in play. **Drinks must not be taken on following the awarding of a penalty.**
20. Throughout the game, Clubs must ensure that spectators are not allowed to molest, or otherwise attempt to interfere with or intimidate or verbally/physically abuse match officials (see Article 15 regarding available sanctions).



21. Where match officials leave the field at half time, Clubs must ensure that there is no entry to their dressing room during that period by any player, Coach, administrator or spectator.

### **After the Game**

22. At the end of the game Clubs should ensure that match officials are not harassed by players, coaches, Club officials or spectators and are escorted safely to their dressing room.
23. There should be no unauthorised entry to the match officials dressing room area after the end of the match. Players, coaches and Club officials should not attempt to enter this area unless with the express permission of the match officials.
24. Clubs are responsible for ensuring that match officials leave the Clubhouse and ground safely without any harassment from players, coaches, Club officials or spectators.

***Sanctions for a breach of this protocol will be applied in accordance with Articles 14 – 17.***



## Appendix 1

### Premier Division Technical Zone Protocol

#### 1. Dimensions of the Technical Zone

- a. For the Premier Division two technical zones must be provided within the playing enclosure on the same side of the pitch, each one on either side of the half-way line and outside the field of play.
- b. These technical zones must be marked on the ground.
- c. The line nearest the touch line must be parallel to the touch line.
- d. The technical zones commence **a minimum of** five metres from the half-way line. The technical zones must not exceed ten metres in length and three metres in width and must not be less than two metres from the touch line (see attached schematic)
- e. Wherever practically possible the zones should be behind advertising hoardings with easy access to the field of play.
- f. At any venue where there is insufficient space for such zones at the places identified above, alternative places and/or dimensions shall be designated by the WRU.

#### 2. Personnel permitted in the Technical Zone

- a. No more than two medically trained persons (certified doctors or physiotherapists only) and two water carriers per team are permitted to operate from the technical zones. All personnel in the Technical Zone should wear the appropriate sponsors bib.
- b. No other person (including team officials or players) is permitted in the technical zones.
- c. One of the medically trained personnel permitted to operate from the technical zone, as listed in (a) above, may be positioned instead on the far side of the playing area on the touch line opposite the technical zone.
- d. Where practically possible the medical person on the far side must stay outside the advertising hoardings. The medical person on the



far side may keep up with play, but must pay due regard to the needs and rights of players, spectators, broadcasters and commercial partners.

- e. The medical personnel may enter the field of play in accordance with Law at any time a player is injured. They **must not** obstruct, interfere or aim comments at match officials.
- f. Substituted players must return to their allocated seats in the stand or if no stand, they must move outside the playing enclosure.

### **3. Roles of Personnel in the Technical Zone**

- a. Water may only be taken on the field during stoppages in play for injuries in the playing area and when a try has been scored.
- b. Only the two authorised water carriers are permitted in the playing area. They are not permitted in the playing area during penalty kicks at goal.**
- c. The water carriers must remain in the technical zone at all times unless they enter the playing area to provide water or when **ONE** enters to provide a kicking tee to a kicker at a penalty kick.
- d. Players may come to the touch line adjacent to the technical zone to receive water.
- e. Water bottles must not be thrown on to the field of play.

**NB – Apart from injuries requiring a doctor or stretcher, there can only be a maximum of 4 personnel on the field from each Club during a stoppage.**

### **4. Management of the Technical Zone**

- a. All personnel permitted in the technical zones must have some distinguishing mark e.g. arm bands/vests/sponsors bib (where appropriate)
- b. The fourth and fifth officials where appointed will manage the technical zones. If there is a transgression of the protocol, the matter will be reported to the match referee.
- c. The match referee may caution any offender or at his discretion expel the person(s) from the playing enclosure for any breach of the protocol.

- d. Any breach of the protocol may be reported to the Welsh Rugby Union who shall be entitled to undertake investigations.
- e. Should any person be expelled from the playing enclosure for a breach of the protocol they must be reported by the match referee to the WRU Disciplinary Panel or WRU Professional Disciplinary Panel, who shall be entitled to undertake investigations and where deemed appropriate, impose sanctions

**5. Personnel outside of the Technical Zone**

- a. The replacement bench and the location of the coaches should, wherever possible, be outside the playing enclosure.
- b. If replacements require to warm up and there is not an area outside the playing enclosure, they may warm up in the opposition in-goal area but must not use balls in their warm up.

Technical Zone:

