

GENERAL INFORMATION¹

Lead Area:	Rugby Operations
Lead Procedure Title:	Appeals Procedure & Policy
Procedure Reference No:	ROP 7
Policy Reference No:	ROPol 7
Authors:	Carl Jones
Date last modified:	19 April 2011

SCOPE OF RESPONSIBILITY

- The person requesting an Appeal from the decision of the Judicial Committee, the decision of the JYRC or the decision of the Conduct Committee must be the participant the subject of that decision, the Union, the person who made the original citation or notification (as the case may be) or such other person as may be granted leave by the Appeals Committee upon separate application made to the Appeals Committee.
- An Appeal is an opportunity to make submission on errors in the application or interpretation of the laws of the game, relevant codes of conduct or the Competition Rules by the Judicial Committee, the JYRC or the Conduct Committee. An Appeal is not an opportunity to revisit the evidence presented to the Judicial Committee, the JYRC or the Conduct Committee or an opportunity to submit or hear new evidence unless the Appeals Committee determines that extraordinary circumstances exist.

STEP BY STEP PROCEDURES

- SUBMITTING AN APPEAL

Step	Description of action	Responsible
1	An Appeal must be lodged in writing with the CEO of the Union by 5:00 pm on or before the 14 th day following the relevant decision in the form determined by the Union from time to time. The Appeal form must be accompanied by detailed written submissions on behalf of the Appellant stating the grounds upon which the Appeal is made by reference to the error in the application or interpretation of the laws of the game or the applicable codes or competition rules made by the Judicial Committee, the JYRC or the Conduct Committee and the arguments in support of such grounds.	Appellant
2	Except where an Appeals is made by the Union the Appellant must pay a deposit of \$200 at the same time as they submit an Appeal.	Appellant

¹ This procedure has the effect of a Rule under the Competition Rules issued by the Union and terms used here and defined in the Competition Rules have the same meaning and the rules of interpretation set out in the Competition Rules apply to this procedure.

▪ PROCEDURE ON RECEIPT OF AN APPEAL

Step	Description of action	Responsible
3	Upon receipt of an Appeal and the deposit, the Union will refer the Appeal to the Appeals Committee.	Union

▪ PROCEDURES ON CONSIDERATION OF APPEAL

Step	Description of action	Responsible
5	The Appeals Committee will follow the procedures and processes for the consideration of an Appeal as determined by the Appeals Committee in consultation with the Union from time to time.	Appeals Committee
6	Prior to any hearing to consider an Appeals the Appeals Committee through the Union will ensure that any person who is the subject of or who should be considered to be a respondent to an Appeal: <ul style="list-style-type: none"> (a) is given a copy of the Appeal within 7 days of the receipt of the Appeal by the Appeals Committee; (b) is given at least forty-eight (48) hours notice of the date, time and location scheduled for the hearing of oral evidence and the receipt of written submissions on the Appeal by any respondent; and (c) is notified of the potential consequences of any failure to appear before the Appeals Committee at the scheduled time. 	Appeals Committee
7	At any hearing of the Appeals Committee the Appeals Committee will ensure that the person the Appellant and the identified respondents the subject of the Appeal are given the opportunity: <ul style="list-style-type: none"> (a) to be present at the hearing; (b) to be represented by a third party; (c) to hear and (where applicable) receive copies of any video or written submissions made in relation to the Appeal; (d) to speak or have their representative speak at the hearing; and (e) at the first hearing related to the Appeal, to request an adjournment of the hearing for a period determined by the Appeals Committee to allow that person to consider the evidence presented to the Appeals Committee and to prepare a response. 	Appeals Committee
8	Unless otherwise determined by the Appeals Committee, the decision of the Appeals Committee will be provided in writing to the appellant, the respondent and the Union as soon as practicable.	Appeals Committee

OTHER INFORMATION

- The deposit paid on submission of an Appeals will be forfeit to the Union unless the Appeal is upheld or the Appeals Committee otherwise determines.

OPERATIONAL PROCEDURE & POLICY



- Any person the subject of an Appeal and who has been suspended from playing Matches or attending at Union events must not participate or attend until such time as the Appeals Committee determines otherwise at a hearing conducted in accordance with these procedures.
- If a person the subject of an Appeal fails to appear before the Appeals Committee that person will be ineligible to participate or attend at Matches or Union events until such time as they do appear before the Appeals Committee.
- Any decision of the Appeals Committee will be final.

DOCUMENTS REQUIRED TO IMPLEMENT PROCEDURE

- SA Rugby Appeals Form.