

OPERATIONAL PROCEDURE



GENERAL INFORMATION*

Lead Area:	Rugby Operations
Lead Procedure Title:	Citing Procedure
Procedure Reference No:	ROP 6
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Date last modified:	10 February 2010

SCOPE OF RESPONSIBILITY

- The person initiating a Citing Report must have been a direct eye-witness to the incident and must not submit a Citing Report solely upon the request of others.

STEP BY STEP PROCEDURES

- Submitting a Citing Report

Step	Description of action	Responsible
1	A Citing Report must be lodged in writing with the CEO of the Union by 5:00 pm on the first Business Day following the alleged incident.	Witness
2	Except where a Citing Report is made by a Referee or by a Director of the Board who is not associated with either Club participating in the Match in question, the Citing Report must be accompanied by a deposit of \$200.	Witness

- Procedure on receipt of a Citing Report

Step	Description of action	Responsible
3	<p>Upon receipt of a Citing Report, the Union:</p> <p>(a) may elect to obtain a report from the Referee to determine whether the alleged incident the subject of the Citing Report has already been:</p> <ul style="list-style-type: none"> • reported by the Referee pursuant to the Rules; or • dealt with during the course of the Match. <p>(b) will, if the alleged incident has not already been reported or dealt with, refer the Citing Report to the Judicial Committee.</p>	Union / Referee

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

4	<p>The chair of the Judicial Committee (or their nominee) will determine by reference to the Citing Report and any other sources:</p> <p>(a) whether or not there is sufficient evidence to justify the further investigation of the alleged incident;</p> <p>(b) whether or not to call any witnesses and the person the subject of the Citing Report before the Judicial Committee to answer to the allegations made in the Citing Report.</p>	Judicial Committee
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▪ Procedures on consideration of Citing Report by Judicial Committee

Step	Description of action	Responsible
5	The Judicial Committee will follow the procedures and processes for the consideration of a Citing Report as determined by the Judicial Committee in consultation with the Union from time to time.	Judicial Committee / Union
6	<p>In addition to the procedures determined by the Judicial Committee, prior to any hearing to consider the allegations made in any Citing Report the Judicial Committee will ensure that any person who is the subject of a Citing Report:</p> <p>(a) is given a copy of the Citing Report within 7 days of the receipt of the Citing Report by the Judicial Committee;</p> <p>(b) is given at least forty-eight (48) hours notice of the date, time and location scheduled for the hearing of oral evidence, the consideration of video evidence and the receipt of written submissions on the Citing Report; and</p> <p>(c) is notified of the potential consequences of any failure to appear before the Judicial Committee at the scheduled time.</p>	Judicial Committee

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Step	Description of action	Responsible
7	<p>At any hearing of the Judicial Committee related to an alleged incident the subject of a Citing Report the Judicial Committee will ensure that the person the subject of the Citing Report:</p> <p>(a) is given the opportunity:</p> <ul style="list-style-type: none"> • to be present at the hearing; • to be represented by a third party; and • to hear and (where applicable) receive copies of any video or written submissions made in relation to the Citing Report; • to speak or have their representative speak at the hearing; and • at the first hearing related to the Citing Report, to request an adjournment of the hearing for a period determined by the Judicial Committee to allow them to consider the evidence presented to the Judicial Committee and to prepare a response. 	Judicial Committee

OTHER INFORMATION

- A Citing Report is not an opportunity to reconsider the decision (if any) made by the Referee with respect to an incident or its interpretation and in circumstances where the alleged incident has already been detected and dealt with by the Referee during the Match no further action will be taken unless the Union determines that extraordinary circumstances exist.
- The deposit paid on submission of a Citing Report will be forfeit to the Union unless the alleged incident the subject of the Citing Report is found by the Judicial Committee to constitute a breach of the Rules and that breach is also found not to have been dealt with by the Referee.
- Any Player the subject of a Citing Report may continue to participate in Matches until such time as the Judicial Committee determines otherwise at a hearing conducted in accordance with these procedures.
- If a Player the subject of a Citing Report fails to appear before the Judicial Committee that Player will be ineligible to play in any Match in the Competition until such time as they do appear before the Judicial Committee.

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OPERATIONAL PROCEDURE



- Any decision of the Judicial Committee with respect to an alleged incident the subject of a Citing Report may be appealed by the person the subject of the Citing Report, the Union or by the person who submitted the Citing Report by notice to the Appeals Committee under these Rules.

DOCUMENTS REQUIRED TO IMPLEMENT PROCEDURES

- SA Rugby Citing Form.

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