



South African Practical Shooting Association

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Disciplinary Procedure (As adopted at the Annual Council Meeting on 24 February 2018)

1. OBJECTIVES

- 1.1 To determine the Rules & Regulations pertaining to the procedure whereby disciplinary action is taken against an individual member or member organisation.

2. RATIONALE

- 2.1 Disciplinary action is a serious event with possible long-lasting and devastating ramifications.
- 2.2 Disciplinary action should be a fair and consistent procedure to correct unacceptable behaviour, applied without prejudice.

3. DEFINITIONS AND INTERPRETATION

- 3.1 Unless inconsistent with the context, all words and expressions imparting the masculine gender shall include the feminine, words signifying the singular number shall include the plural and vice versa.
- 3.2 Unless already defined in the Federation's Constitution, the following expressions shall have the following meanings assigned to them:
 - 3.2.1. **Charge/s**
Details of the reasons for the initiation of the disciplinary process.
 - 3.2.2. **Defendant**
An individual member or member organisation against whom a disciplinary process has been initiated.
 - 3.2.3. **Disciplinary Hearing**
The process which allows the Defendant to explain his actions and the Disciplinary Committee to evaluate this explanation.
 - 3.2.4. **Disciplinary Process**
A process initiated in terms of the Federation's Constitution.
 - 3.2.5. **Sanction**



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The penalty imposed by the Disciplinary Committee.

3. DEFINITIONS AND INTERPRETATION (cont)

- 3.3 In the event of any doubt as to the meaning of any of the provisions of this agreement, the interpretation placed thereon by the Executive Council shall be final and binding upon all members of the Federation.

4. GENERAL TERMS OF REFERENCE

- 4.1 A Disciplinary process may only be initiated in terms of the relevant clauses in the Federation's Constitution.
- 4.2 A Disciplinary process should only be initiated in the event of unacceptable behaviour by a member. Such behaviour includes but is not limited to:
- 4.2.1. Being in breach of relevant Policy Documents; or
 - 4.2.2. Gross unsportsmanlike behaviour; or
 - 4.2.3. Bringing the sport into disrepute; or
 - 4.2.4. The use of prohibited substances at all levels of competition.
- 4.3 Only the facts which led to the initiation of a disciplinary process, and circumstances relevant to the specific disciplinary process, must be taken into consideration by the Disciplinary Committee.
- 4.4 The outcome must be based on the facts pertinent to each individual process and not on precedent.



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5. DISCIPLINARY PROCESS

- 5.1 The Disciplinary Officer shall notify the member, in writing, within fourteen (14) days of the decision to initiate a disciplinary process, failing which the alleged offense will lapse and be of no further effect.
- 5.2 Such notification must include:
 - 5.2.1. A summary of the incident that resulted in the disciplinary process.
 - 5.2.2. The names of the appointed Presiding and Disciplinary Officers.
 - 5.2.3. The member's right to make representation, in writing, to the Disciplinary Officer, within fourteen (14) days of receipt of the notification, as to why the disciplinary process should not proceed.
- 5.3 Should the member not make representation within the prescribed time or should the Disciplinary Officer deem that the representation made does not mitigate the circumstances, a Disciplinary Committee will be appointed in terms of the Federation's Constitution.
- 5.4 The Disciplinary Officer will notify the member of the:
 - 5.4.1. Intent to proceed with a disciplinary hearing
 - 5.4.2. Names of the members of the Disciplinary Committee
 - 5.4.3. Details of the charges
 - 5.4.4. Date and Venue of the disciplinary hearing.
- 5.5 With the exception of the mutual consent of the Disciplinary Officer and the Defendant, the disciplinary process must be concluded expeditiously, but no later than three (3) months after the alleged offense, failing which the alleged offense will lapse and be of no further effect.



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6. RIGHTS OF THE DEFENDANT

- 6.1 Before any disciplinary action is taken against a defendant, the defendant shall be given the opportunity to state his case, and to explain or defend himself either in writing or verbally to the disciplinary committee, as he may elect.
- 6.2 Any written submission must reach the Disciplinary Officer at least two (2) days prior to the disciplinary hearing being convened.
- 6.3 The defendant shall be entitled to representation by one (1) additional individual and may request the presence of no more than two (2) witnesses.
- 6.4 The costs of additional representation and/or witnesses shall be for the account of the defendant.

7. TERMS OF REFERENCE FOR THE DISCIPLINARY COMMITTEE

- 7.1 The Disciplinary Officer shall monitor and ensure that substantive and procedurally fair principles are applied prior to the disciplinary hearing.
- 7.2 The Disciplinary Officer shall be entitled to request the presence of no more than two (2) witnesses.
- 7.3 The cost of such attendance shall be for the account of the Federation, subject to prior approval by the Management Committee.
- 7.4 All members of the Disciplinary Committee must be in attendance at a Disciplinary Hearing.
- 7.5 Members of the Disciplinary Committee shall have one (1) vote each.
- 7.6 In the event of an equality of votes, the Presiding Officer shall have the casting vote in addition to his deliberate vote.



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7. TERMS OF REFERENCE FOR THE DISCIPLINARY COMMITTEE (cont)

- 7.7 Decisions relating to the charges must be unanimous.
- 7.8 The Presiding Officer shall ensure that minutes are kept of the Disciplinary Hearing.
- 7.9 The Disciplinary Committee may, by majority vote, decide that certain parts of its deliberations shall be kept confidential to the Disciplinary Committee, in which event:
 - 7.9.1. A resolution to that effect shall be duly passed and recorded in the minutes
 - 7.9.2. Details of the confidential matter shall not appear in the said minutes
 - 7.9.3. No member of the Disciplinary Committee shall divulge to any other person, those parts of the deliberations which it has been decided shall be kept confidential.
- 7.10 The Presiding Officer shall report to the Management Committee or Executive Council as applicable, in writing, within seven (7) days of the conclusion of the disciplinary hearing, on the outcome and sanction, if applicable.
- 7.11 The Chairperson shall notify the defendant, in writing, within seven (7) days of receipt of the Presiding Officer's report, of the outcome and sanction, if applicable.
- 7.12 If requested by the Executive Council, the Presiding Office shall within two (2) months of the request, furnish such explanation and/or information as the Executive Council may request, subject to the conditions of Clause 6.9.