



3-Di

CODE OF CONDUCT

and

CONFLICT RESOLUTION PROCEDURE

	PAGE :
PREAMBLE	2
INTRODUCTION	2
PURPOSE	2
1. GENERAL PRINCIPLES / CODE OF CONDUCT	2
2. ENFORCEMENT OF THE CODE OF CONDUCT	3
3. ESTABLISHMENT OF DISCIPLINARY COMMITTEE	3
4. COMPOSITION OF DISCIPLINARY COMMITTEE	3
5. NOTICE OF ALLEGED BREACH	3
6. DISCIPLINARY HEARING PROCEDURES	4
7. PENALTIES	4
8. RIGHT OF APPEAL FROM DECISION OF DISCIPLINARY COMMITTEE	4
9. NOTICE OF APPEAL	5
10. APPEALS TRIBUNAL	5
11. APPEALS TRIBUNAL PROCEDURES	5
12. SINGLE RIGHT TO APPEAL	5
13. EXHAUST INTERNAL APPEAL	6
[END]	

PREAMBLE

This Code of Conduct outlines the standard of behavior expected of all member associations of ABO.

INTRODUCTION

This Code of Conduct has been drawn up to hold office bearers, representatives and executives accountable for their actions. This Conflict Resolution Procedure and code of conduct shall comply with relevant national legislation including, but not limited to, the National Sports and Recreation Act as amended, the Promotion of Administrative Justice Act and the Constitution of the Republic of South Africa.

PURPOSE

The code is aimed at the following:

- To help to resolve conflict between members of 3Di.
- To make ethical behavior infringement easy to identify.
- To enhance the ethical reputation of sports persons.
- To promote respect for human dignity, human rights and social justice.
- Provide a framework for all sports persons to conduct their sporting activities according to ethical principles including, but not limited to fairness, honesty, trustworthy, professional and accepting responsibilities for actions.
- To make a positive contribution and refrain from destructive criticism.
- Always act in the best interest of the sport of archery.

1. GENERAL PRINCIPLES / CODE OF CONDUCT APPLICABLE TO ALL MEMBERS

1.1. Trustworthiness. All member associations shall:

- 1.1.1. Be honest, and never deceive, cheat or steal;
- 1.1.2. Have the courage to do the right thing;
- 1.1.3. Work to build a good reputation;
- 1.1.4. Demonstrate loyalty to family, friends, team mates, and country.

1.2. Respect. All member associations shall:

- 1.2.1. Treat others with respect, and be considerate of the feelings of others;
- 1.2.2. Demonstrate a tolerance toward differences;
- 1.2.3. Use good manners, and avoid offensive language and taunting;
- 1.2.4. Never slander, degrade, threaten, hurt or hit anyone; and
- 1.2.5. Deal peacefully with anger, insults and disagreements.

1.3. Responsibility. All members shall:

- 1.3.1. Use self-control and self-discipline;
- 1.3.2. Be accountable for all choices and actions;
- 1.3.3. Demonstrate reliability; and
- 1.3.4. Exhibit supportive behavior and a positive attitude.

1.4. Fairness. All members shall:

- 1.4.1. Adhere to all laws, rules, policies, and guidelines;
- 1.4.2. Be open-minded and demonstrate the ability to listen to others;
- 1.4.3. Not pass blame carelessly;
- 1.4.4. Share equitably and take turns for a particular situation as appropriate; and
- 1.4.5. Never take advantage of others.

1.5. Caring. All members shall:

- 1.5.1. Demonstrate compassion, kindness, and forgiveness; and
- 1.5.2. Provide assistance to others in need when appropriate.

1.6. Citizenship. All members shall:

1.6.1. Respect authority and demonstrate cooperation; and

1.6.2. Properly care for all equipment, uniforms, facilities, and playing fields.

2. ENFORCEMENT OF THE CODE OF CONDUCT

2.1. Responsibility.

2.1.1. Responsibility for enforcement of this Code of Conduct shall reside with the Executive Committee of the 3Di, who is empowered to form a disciplinary committee.

3. ESTABLISHMENT OF DISCIPLINARY COMMITTEE

3.1. General

3.1.1. The Executive Committee of 3Di shall establish a Disciplinary Committee as required to deal with all disciplinary actions against Members, breaches of the Codes of Conduct and other matters under the Constitution of 3Di.

4. COMPOSITION OF DISCIPLINARY COMMITTEE

4.1. A Disciplinary Committee Panel of five (5) persons shall be appointed by the Executive Committee of 3Di for the purpose of hearing disciplinary actions and other matters.

4.2. Three (3) members of the Disciplinary Committee Panel should constitute a quorum for the Disciplinary Committee.

The Disciplinary Committee shall also appoint or elect a member of the Disciplinary Committee to act as the Chairperson of the Disciplinary Committee Panel and for the Disciplinary Committee for each hearing.

4.3. A person who has been directly involved in or affected by the matter in dispute, or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Disciplinary Committee which hears the matter in dispute

5. NOTICE OF ALLEGED BREACH

5.1. Where 3Di is advised or considers that a Member of 3Di has allegedly:

5.1.1. breached, failed, refused or neglected to comply with a provision of the Constitution or any resolution or determination of 3Di;

5.1.2. breached the Codes of Conduct of 3Di;

5.1.3. acted in a manner unbecoming of a Member or prejudicial to the objects and interests of the sport of archery; or

5.1.4. brought 3Di and/or the sport of archery into disrepute;

5.1.5. The Executive Committee of 3Di shall appoint a Disciplinary Committee in accordance with Rule 4.

5.2. The Secretary of 3Di shall, within 14 working days following the appointment of a Disciplinary Committee, serve on the Member a notice in writing:

5.2.1. setting out the specific details alleged breach by the Member;

5.2.2. setting out the facts and grounds on which the alleged breach is based;

5.2.3. stating that the Member may address the Disciplinary Committee at a hearing to be held not later than 28 working days after service of the notice;

5.2.4. stating the date, place and time of that hearing;

5.2.5. informing the Member that he or she may do one or more of the following:

5.2.6. attend the hearing;

5.2.7. Give the Disciplinary Committee, before the date of that hearing, a written statement regarding the alleged breach.

5.2.8. Informing the member that if they do not attend the hearing and/or provide a written statement prior to the hearing, the hearing will proceed and the matter will be determined in

their absence.

6. DISCIPLINARY HEARING PROCEDURES

6.1. At a hearing of the Disciplinary Committee, the Disciplinary Committee shall:

6.1.1. Ensure that the committee is correctly constituted and that there are no conflicts of interests and that the chairperson is an impartial chairperson;

6.1.2. Give the Member every opportunity to be heard, present evidence, cross examine evidence and witnesses brought against the member and/or submit written statements;

6.1.3. Give other aggrieved parties and any witnesses the right to be heard, present evidence or submit a written statement;

6.1.4. Give due consideration to any written statement submitted by the Member; and

6.1.5. By majority resolution determine whether the alleged breach occurred.

6.1.6. Neither 3Di nor the Member shall be entitled to any representation (legal or otherwise) without the express permission of the Disciplinary Committee.

6.1.7. The Disciplinary Committee shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) and shall determine what evidence shall be admissible at the hearing, provided that it does so in accordance with the principles of natural justice and relevant legislation where applicable.

6.1.8. The Disciplinary Committee will make its decision immediately following the conclusion of the hearing if possible, but otherwise it shall deliver its decision and reasons to the Member and the Executive Committee of 3Di within fourteen (14) working days of the hearing.

6.1.9. If the Disciplinary Committee considers that the alleged breach did not occur, the matter shall be dismissed.

6.1.10. If the Disciplinary Committee considers that the alleged breach occurred, it may impose any one or more of the penalties set out in 7.

6.1.11. Each party shall be responsible for their own costs associated with the Disciplinary Committee hearing.

The Disciplinary Committee does not have the discretion to make an order to reimburse costs to a party.

7. PENALTIES

7.1. If the Disciplinary Committee considers that the alleged breach occurred, the Disciplinary Committee may impose any one or more of the following penalties:

7.1.1. impose a warning;

7.1.2. reprimand the Member;

7.1.3. direct the Member to make a verbal or written apology;

7.1.4. direct that any funding granted or given to the Member cease from a specified date;

7.1.5. direct that any rights, privileges and benefits provided to that member be suspended for a specified period and /or terminated;

7.1.6. suspend the Member from _____ for a specified period;

7.1.7. expel the Member from 3Di; and

7.1.8. Any other penalty that the Disciplinary Committee considers appropriate.

8. RIGHT OF APPEAL FROM DECISION OF DISCIPLINARY COMMITTEE

8.1. A Member may only appeal against a decision of a Disciplinary Committee on one or more of the following grounds of appeal:

8.1.1. Significant new or additional evidence has become available;

8.1.2. The penalty imposed by the Disciplinary Committee is not in accordance with the provisions of this code of conduct;

8.1.3. The penalty imposed by the Disciplinary Committee is manifestly excessive; or

8.1.4. The Disciplinary Committee failed to follow the procedures or requirements of this Code of conduct and this failure caused a significant detriment to the party seeking the appeal.

9. NOTICE OF APPEAL

9.1. A member seeking to appeal a decision of the Disciplinary Committee ("the Appellant") must lodge a notice stating full details of the grounds of appeal ("the Notice of Appeal") with the Secretary of 3Di within seven (7) working days after receiving notice of the decision of the Disciplinary Committee.

10. APPEALS TRIBUNAL

10.1. Upon receipt of a valid Notice of Appeal, the Executive Committee of 3Di shall convene an Appeals Tribunal to hear and determine the appeal.

10.2. The Appellant shall be notified within seven (7) working days of receipt of the Notice of Appeal of the time, date and place of the appeal hearing.

10.3. The Appeals Tribunal shall consist of three (3) people appointed by the Executive Committee of 3Di to hear the appeal.

The Executive Committee of 3Di shall also appoint a member of the Council to the appeals tribunal as the Chairperson.

Three (3) members of the Appeals Tribunal shall constitute a quorum

10.4. A person that has been directly involved in or affected by the matter in dispute or who was a member of the Disciplinary Committee that originally decided the matter or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Appeals Tribunal.

11. APPEALS TRIBUNAL PROCEDURES

11.1. The Appeals Tribunal and persons appearing before it are bound by the same procedures under Rule 6 as if the Appeals Tribunal was a Disciplinary Committee hearing a matter in the first instance.

11.2. The Secretary shall forward records of the Disciplinary Committee hearing in which the matter the subject of the appeal was heard at first instance to the Chairperson of the Appeals Tribunal.

11.3. The appeal hearing shall be a full re—hearing of the facts and circumstances of the matter.

11.4. The Appeals Tribunal may request further information prior to determining the appeal and it has discretion as to whether or not new evidence may be allowed.

11.5. An Appeals Tribunal shall have the power, in such manner as it thinks fit, to:

11.5.1. dismiss the appeal;

11.5.2. uphold the appeal;

11.5.3. impose any of the penalties set out in Rule 7; and/or

11.5.4. Reduce, increase or otherwise vary any penalty imposed by the Disciplinary Committee.

11.6. Within 7 days of the conclusion of the appeal hearing, the Chairperson of the Appeals Tribunal shall ensure that the Appellant and the President are notified of the decision of the Appeals Tribunal.

11.7. The Appeals Tribunal shall be required to provide reasons for its decision.

11.8. Each party to an appeal shall be responsible for their own costs.

12. SINGLE RIGHT TO APPEAL

12.1. There is only one right of appeal following the decision of the Disciplinary Committee hearing, which is the right provided under Rule 8.

12.2. Any appeal must be solely and exclusively resolved by the Appeals Tribunal and the decision of the Appeals Tribunal is final and binding on the parties.

13. EXHAUST INTERNAL APPEAL

13.1. A Member must exercise the right of appeal and have any appeal heard and determined by the Appeals Tribunal before commencing any proceedings or becoming a party to any proceedings in a court of law.

[END]