

REGULATION 17. DISCIPLINE - FOUL PLAY**Preamble**

- A** The underlying rationale for Regulation 17 is to maintain and promote fair play, protect the health and welfare of Players, ensure that acts of Foul Play are dealt with expeditiously and appropriately by independent means within the Game and that the image and reputation of the Game is not adversely affected.
- B** This Regulation sets out a harmonised approach to the administration of discipline and the implementation of sanctions for Foul Play at all levels of the Game. The objective of this Regulation is to achieve consistency in the way in which discipline is administered and uniformity in the manner in which the assessment of the seriousness of Foul Play is conducted and sanctions imposed. Underlying the Regulation is the overall objective that the disciplinary process shall comply with the fundamental principles of natural justice.
- C** This Regulation is drafted from the stand point of the international governing body of the Game. In recognition of the pyramid structure of international sport, the application and enforcement of this Regulation by Unions within their respective jurisdictions may necessitate suitable adjustments to cater for the imperatives of their competitions and domestic structures and as applicable to accord with national legislation.
- D** All participants in the Game shall by means of their participation recognise and agree to be bound by this Regulation including the core principle of universality which means that Players who are suspended at any level of the Game shall have their suspension recognised and applied at all levels of the Game and in the territories of all Unions and Associations. World Rugby has identified certain Core Principles which must be implemented by all Unions and Associations at all levels of the Game in the implementation of disciplinary rules for Foul Play.

17.1 Core Principles

- 17.1.1** The principles set out below shall be the “Core Principles” which shall be mandatorily applied in disciplinary regulations at all levels of the Game are as follows:
- (a) The sanctions applicable to Foul Play shall be the same throughout the Game. Therefore all Unions and Associations shall adopt the World Rugby Sanctions for Offences within the Playing Enclosure (Appendix 1) and ensure that they are applied within their territory.
 - (b) All Matches are equal. A Player suspended from playing the Game shall be suspended from participating in any Match at any level during the period of his suspension.
 - (c) The core sanctioning process set out in Regulation 17.19 shall be applied to all disciplinary cases involving Foul Play at all levels of the Game.

- (d) The principles of natural justice shall be adhered to in all disciplinary proceedings. Such principles include, Players cited/Ordered Off shall have the right to know the evidence against them, shall have the right to be heard, to be represented, to produce evidence and defend themselves before independent adjudicators.
- (e) All Judicial Officers, Disciplinary Committees, Appeal Officers, Appeal Committees and Citing Commissioners shall meet the criteria for appointment in this Regulation 17 and shall be independently appointed and shall exercise their functions independently of the parties to the Match and/or proceedings and of the Unions, Associations or Rugby Bodies under whose jurisdiction responsibility falls for the relevant Match and shall not perform a legislative role in any Union, Association or Rugby Body involved in the Match and/or proceedings.
- (f) Citing Commissioners and/or Citing Commissioner Liaison Officers shall be appointed for all International Matches and Matches set out in Regulation 17.3.2 and 17.3.3. For all other Matches, or where a dispensation is granted under Regulation 17.8.6, team referrals shall be permitted which accord with Regulation 17.11.
- (g) The threshold test for citing ("Red Card" test) shall be as set out in Regulation 17.9.1.
- (h) Timelines for citings and Orderings Off and the holding of hearings for International Matches shall be strictly adhered to unless they fall within Regulation 17.8.6.
- (i) The standard of proof for Ordering Off and citing shall be as provided in Regulation 17.17.1 to 17.17.4.
- (j) Temporary Suspension policies which accord with Regulation 17.25 shall be introduced for all International Tournaments, International Tours and Series of International Matches.
- (k) Players Ordered-Off or cited by a Citing Commissioner shall be provisionally suspended pending the hearing of the case.
- (l) Suspended Players who appeal shall remain under suspension in accordance with Regulation 17.24.3.
- (m) Unions, Tournament Organisers and World Rugby shall have the right to appeal as set out in Regulation 17.22.2(a) to (c).
- (n) It is recognised that due to particular circumstances Unions or Associations or their recognised Tournament Organisers may wish for practical reasons to depart from certain provisions of Regulation 17 which are not Core Principles and where appropriate they have the flexibility to do so provided always that no rules or procedures may be introduced (and/or omitted) by any Union, Association and/or their recognised Tournament Organisers in respect of their disciplinary rules which conflict with (and/or do not properly

implement) the Core Principles of this Regulation 17, the principle of universality and/or are contrary to the Laws of the Game.

17.2 Application of the Regulations

17.2.1 All Unions, Associations and their recognised Tournament Organisers have an obligation to put in place and implement disciplinary regulations within their jurisdictions and in respect of their tournaments and Matches which incorporate fully the Core Principles.

17.2.2 The Core Principles shall apply to all Unions, Associations and Tournament Organisers within their respective jurisdictions (and at all levels). The remaining provisions of Regulation 17 are mandatory guiding principles that allow flexibility in the formulation of regulations by such bodies and it is the responsibility of Unions and Associations to:

- (a) advise their Players, Persons and Rugby Bodies of this Regulation and their obligations hereunder; and
- (b) put in place disciplinary regulations compatible and not in conflict with Regulation 17, embodying the Core Principles and to ensure that such regulations are applied to and by all Rugby Bodies within their jurisdiction.

17.2.3 All participants in Matches in the fifteen-a-side and seven-a-side Game and any other abbreviated versions of the Game shall be bound by the provisions of this Regulation 17.

17.2.4 In the event of non-compliance or improper implementation of this Regulation by any Union or Association, World Rugby may undertake such action as it considers reasonable and appropriate in the circumstances in order to address the matter with the Union or Association. Where a Rugby Body does not comply with or fails to properly implement this Regulation, the Disciplinary Officer or World Rugby may require the relevant Union(s) or Association to undertake appropriate investigations and/or proceedings to remedy the matter. In any event World Rugby shall have the authority to ensure the proper implementation of this Regulation 17 within the Game.

17.3 Categories of Matches

17.3.1 The provisions of Regulation 17 shall apply to the categories of Matches set out in this Regulation 17.3 notwithstanding the body responsible for hosting the Match.

17.3.2 International Matches, International Tours, International Tournaments or Series of International Matches and which, for the purposes of this Regulation, also include:

- (a) all Matches involving The Combined Team of the Pacific Island Unions;
- (b) all Matches involving The British and Irish Lions; and

- (c) all Matches involving the senior or next senior National Representative Teams or senior National Representative Sevens Teams of a Union including where such Matches are against non-National Representative Teams played as part of an International Tour or International Tournament or Series of International Matches.

17.3.3 World Rugby Matches: which means all Matches, International Matches, International Tournaments and Series of Matches under the direct control of World Rugby and shall include but not be limited to Rugby World Cup, Rugby World Cup Sevens, Women's Rugby World Cup, World Championships, World Rugby Sevens World Series, World Rugby Sevens tournaments, designated Olympic Sevens qualification tournaments, the Olympic Games Sevens Matches and other Matches designated by World Rugby from time to time.

17.3.4 Non-International Matches

- (a) Subject to Regulation 17.3.1 and where a Citing Commissioner is not appointed, for all Matches which do not form part of an International Tour, International Tournament or Series of International Matches, the procedures set out in Regulation 17.11 shall apply.

17.4 Responsibility and Compliance

17.4.1 International Matches, International Tours and Series of International Matches not falling under the direct control of World Rugby

- (a) All teams participating in such International Matches shall enter into, and be bound by a Tours Agreement or Match Agreement (being the terms upon which the International Match which is not part of an International Tour is organised) as applicable.
- (b) The Tours Agreement or Match Agreement (as applicable) shall provide for the Host Union (or Tournament Organiser agreed by all the participating Unions) to be responsible for putting in place disciplinary procedures as set out in Regulation 17 and making appointments for such International Matches, save as provided in Regulation 17.5. Where Regulation 17 provides flexibility (such as with regard to timeframes for citings and/or disciplinary hearings) such detail shall be set out in the Tours Agreement or Match Agreement.
- (c) If Unions cannot agree on the disciplinary arrangements to be adopted for such Matches then they shall refer the matter to the Disciplinary Officer of World Rugby who shall determine the arrangements.

17.4.2 World Rugby Matches

- (a) For World Rugby Matches the provisions of this Regulation 17 may be modified and/or additional procedures and rules to those set out

in this Regulation may be adopted by the Tournament Organiser or other body designated by World Rugby.

- (b) World Rugby shall make the relevant appointments in accordance with Regulation 17 and 18 for all World Rugby Matches.

17.4.3 International Tournaments and Cross-Border Matches

- (a) In respect of International Tournaments, the appointment and administration of Disciplinary Tribunals and Citing Commissioners may be delegated by the relevant Unions to an international Tournament Organiser subject to such body adopting disciplinary rules in compliance with this Regulation.
- (b) The Host Union or duly recognised Tournament Organiser shall be responsible for putting in place the disciplinary procedures and appointing the Disciplinary Tribunals and Citing Commissioners for the International Tournament or Cross-Border Match(es) in accordance with this Regulation.
- (c) The Host Union or duly recognised Tournament Organiser shall also put in place an agreement with all participating teams to ensure the teams and their Unions or Rugby Bodies (as appropriate) acknowledge and agree to the disciplinary rules for the International Tournament or Cross-Border Match(es), which shall be compliant with Regulation 17.

17.4.4 Non-International Matches

Subject to Regulation 17.4.1 to 17.4.3, responsibility for Matches shall be that of the Union in whose territory such Matches are played and that Union is responsible for ensuring compliance with Regulation 17.

- 17.4.5 If the Disciplinary Officer (or his nominee), considers that a Union or Association is not applying, or in a particular case did not apply disciplinary rules and procedures in accordance with this Regulation, he may take disciplinary action against the Union or Association concerned on behalf of World Rugby.

- 17.4.6 All Unions, Associations and Tournament Organisers shall provide to World Rugby, upon request, their disciplinary rules and procedures.

- 17.4.7 All disciplinary case decisions shall be made available to World Rugby upon request and in relation to all decisions in International Matches and Matches which form part of International Tours shall be immediately provided to World Rugby in writing for inclusion in the World Rugby judicial database (to discipline@worldrugby.org) by the responsible Union or Tournament Organiser.

17.5. Merit Based Appointment Scheme

- 17.5.1 The merit based appointment scheme was established by Council to permit the independent appointment by World Rugby of Citing

Commissioners, Judicial Officers, Disciplinary Committees, Appeal Officers and Appeal Committees on a merit basis to designated Matches. The following Matches form part of the merit based appointment scheme:

- (a) World Rugby Matches;
- (b) Cross-hemisphere Summer and Autumn International Matches between the Unions forming part of the Six Nations¹ and Rugby Championship² International Tournaments; and
- (c) Upon application, any other Match where World Rugby gives its approval for the Match to form part of the merit based appointment scheme.

17.5.2 Where World Rugby makes appointments under the scheme reference to Host Union or Tournament Organiser appointments within this Regulation should be read as references to World Rugby.

17.6 Scope of Regulation 17

17.6.1 This Regulation 17 sets out the procedures for dealing with the following disciplinary matters:

- (a) When a Player is Ordered Off the playing enclosure (Red Card);
- (b) When a Player is cited for an act or acts of Foul Play (Citing); and
- (c) Where a Player has been Temporarily Suspended three times in accordance with Regulation 17.25 (Accumulated Yellow Cards).

17.7 Definitions - Ordering Off, Temporary Suspension and Foul Play

17.7.1 A Player is Ordered Off when he is sent off the playing enclosure permanently by the referee and can take no further part in the Match in which he was Ordered Off.

17.7.2 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 sin bin).

17.7.3 For the purposes of this Regulation 17, "Foul Play" means a breach or breaches of Law 10 of the Laws of the Game and/or a breach or breaches of Law 3.11(c) or Law 4.5(c).

17.8 Citing

17.8.1 A citing arises where the duly appointed Citing Commissioner cites a Player for an act(s) of Foul Play in accordance with Regulation 17.9.1.

17.8.2 Citing Commissioners satisfying the general requirements of Regulation 17.13.1(a) shall be appointed for all International Matches and all Matches

¹ Being the Unions of England, France, Ireland, Italy, Scotland and Wales.

² Being the Unions of Argentina, Australia, New Zealand and South Africa.

forming part of International Tours, International Tournaments and World Rugby Matches.

- 17.8.3 For all other Matches a Citing Commissioner should be appointed where practicable. When such appointment is not reasonably practicable, then provided the prior agreement of the participating Unions or Rugby Bodies is obtained, no Citing Commissioner may be appointed. In those circumstances team citing in accordance with Regulation 17.11 shall apply.
- 17.8.4 Unions shall strive to introduce the Citing Commissioner role within their domestic Game.
- 17.8.5 The CEO of World Rugby (or his nominee) shall have the right to review the Union policies in place with regard to citing and consider whether it is reasonably practicable for a Citing Commissioner to be appointed to designated Matches under the Union's control.
- 17.8.6 For International Matches, International Tours and/or International Tournaments or Series of International Matches where it is not reasonably practicable to appoint a citing commissioner due to resource issues and/or the non-availability of suitably qualified personnel, the Host Union may apply to the CEO of World Rugby no less than 21 days in advance of the International Match or scheduled start of the Series of International Matches for dispensation. Where World Rugby approval is granted the Union shall apply the procedures set out in Regulation 17.12.

17.9 Matches where a Citing Commissioner is appointed

- 17.9.1 Citing Commissioners shall be entitled to cite a Player for any act(s) of Foul Play which in the opinion of the Citing Commissioner warranted the Player concerned being Ordered Off.
- 17.9.2 Citing Commissioners may cite Players for an act(s) of Foul Play where such act(s) may have been detected by the referee or assistant referee and which may have been the subject of referee action. A Citing Commissioner may not cite a Player for an act(s) of Foul Play in respect of which the Player has been Ordered Off save where the Ordering Off is as a result of two yellow cards. A Player in that situation may also be cited for the act(s) of Foul Play which resulted in either or both yellow card(s).
- 17.9.3 Citing Commissioners shall be entitled to issue a Citing Commissioner Warning to a Player who has in his opinion committed an act(s) of Foul Play which falls just short of warranting that the Player concerned be Ordered Off in circumstances where the act of Foul Play was not subject to a Temporary Suspension or Ordering Off.
- 17.9.4 Citing Commissioners may cite a Player if he has been Temporarily Suspended. Such citing may be made in respect of the incident(s) for which the Player was Temporarily Suspended or otherwise.

17.9.5 Citing Commissioners shall act independently of the Disciplinary Committee or Judicial Officer and of the Match Officials of a Match or other Citing Commissioners.

17.9.6 Citing Commissioners may be in attendance at the Match for which they are appointed. Where a Citing Commissioner is not present at the Match, there shall be a suitably qualified and experienced Citing Commissioner Liaison Officer in attendance at the Match who is able to provide the Citing Commissioner in accordance with the applicable timeframe with the relevant information and back-up required to assist the Citing Commissioner with his duties.

17.10 Union referral to Citing Commissioner

17.10.1 Where a Citing Commissioner has been appointed, the Union or other affiliated organisation responsible for the management of either participating team in a Match shall not have the power to cite a Player for Foul Play but may refer any incident of alleged Foul Play to the Citing Commissioner for consideration. Such incident shall ordinarily be referred to the Citing Commissioner within **12 hours** of the Match in which the incident is alleged to have occurred.

17.10.2 A Citing Commissioner's decision as to whether a Player should be cited, whether as the result of an incident referred to him or otherwise, shall be final.

17.11 Matches where Citing Commissioners are not Appointed

17.11.1 For Matches where, in accordance with Regulation 17.8.3 or 17.8.6, it is not reasonably practicable for a Citing Commissioner to be appointed, the following shall apply:

- (a) Each team participating in a Match, or any of its authorised officials, or its Union, may cite:
 - (i) a Player(s) for an act(s) of alleged Foul Play committed during that Match provided that such act(s) have not been detected by the Match Officials;
 - (ii) a Player for more than one incident of alleged Foul Play in the same Match; and
 - (iii) more than one Player in any Match.
- (b) Unions and Tournament Organisers shall put in place procedures for team citing which accord with the following:
 - (i) citings by teams or their Unions shall be in writing and sent by an authorised member of the Union or management of the team to the nominated officer of the Host Union or Tournament Organiser responsible for the Match in which the incident that is the subject of the citing complaint occurred.

- (ii) such citing, to be effective, must be made no later than **48 hours** of the conclusion of the Match in which the Foul Play is alleged to have occurred;
- (iii) the responsibility for obtaining information and reports in relation to the citing shall rest with the Union or team management making the citing complaint. The Union or team management shall liaise with the Host Union or Tournament Organiser (or its/their nominated officer) to ensure that relevant information and reports are circulated to the appropriate parties in advance of the hearing;
- (iv) the independent disciplinary body of the Union or Tournament Organiser having jurisdiction over the Match, shall consider the citing complaint and any other evidence it deems appropriate including via televisual means, oral (witness), film or photographic evidence. The Player cited shall have the right to be heard, to be represented and to produce evidence; and
- (v) at any hearing of a citing complaint a representative of the citing team or Union must be in attendance, failing which the citing complaint will be dismissed. If an act of Foul Play is found to have been committed the disciplinary body of the Union or Tournament Organiser having jurisdiction over the Match shall take the appropriate action and shall apply the World Rugby's Sanctions for Foul Play set out in Appendix 1, by following the core sanctioning principles set out in Regulation 17.19.

17.11.2 Players who are the subject of a citing by Unions shall not be provisionally suspended pending the hearing of the case.

17.12 Notification of Citing and Temporary Suspensions Arrangements

17.12.1 In relation to all International Matches (whether or not they form part of an International Tour, International Tournament or Series of International Matches) it is the responsibility of the Host Union or duly recognised Tournament Organiser to notify the Disciplinary Officer, or his nominee, **28 days** prior to the commencement of the International Match of:

- (a) the identity of the Citing Commissioner who has been appointed for the International Matches and in the event of there being more than one, the Matches to which each Citing Commissioner is assigned;
- (b) whether there are any non-International Matches which form part of the International Tour, International Tournament or Series of International Matches to which Citing Commissioner(s) shall be appointed, and their identity;
- (c) the policy to be adopted for Temporary Suspensions in accordance with Regulation 17.25; and

- (d) the timelines applicable to the International Matches for team referrals, citings and the bringing of disciplinary hearings for Foul Play.

17.13 Disciplinary Bodies and Judicial Personnel - Constitution and Appointment

17.13.1 For all International Matches, all Matches forming part of International Tours, International Tournaments, Series of International Matches and World Rugby Matches the Host Union or Tournament Organiser shall, subject to Regulation 17.8.6 above, appoint through an independent process the following personnel and disciplinary bodies:

- (a) An independent Citing Commissioner(s).

The Citing Commissioner shall be from a neutral Union to the participating teams, unless the participating Unions and/or teams agree otherwise. The Citing Commissioner shall have an in-depth knowledge of the Laws and skills of the Game and appropriate Rugby experience. For the purposes of Regulation 20 the Citing Commissioner may undertake the role of designated disciplinary officer.

- (b) Citing Commissioner Liaison Officer(s).

The function of the Citing Commissioner Liaison Officer shall be to liaise with and assist the Citing Commissioner in such manner as the Citing Commissioner directs. If the Citing Commissioner is not in attendance at the Match, then the Citing Commissioner Liaison Officer must be able to satisfy the minimum criteria set out in Regulation 17.9.5. For the purposes of Regulation 20 the Citing Commissioner Liaison Officer may undertake the role of designated disciplinary officer.

- (c) An independent Disciplinary Committee or Judicial Officer.

- (i) A Judicial Officer or a Disciplinary Committee comprising of three members shall be appointed.
- (ii) The Disciplinary Committee or Judicial Officer shall have jurisdiction to determine disciplinary matters arising from Players Ordered Off the playing enclosure, citings and Temporary Suspensions.
- (iii) The Members of the Disciplinary Committee or Judicial Officer shall be from a neutral Union to the participating teams unless the Participating Unions and/or teams agree otherwise in writing.
- (iv) The Chairman of the Disciplinary Committee or Judicial Officer shall be a senior legal practitioner of at least seven years standing or a serving or retired judge who shall have previous experience in rugby disciplinary proceedings and an in-depth

knowledge of the Game. Where a Disciplinary Committee is appointed, the remaining two members appointed by the Host Union or Tournament Organiser shall include an eminent former Player, experienced rugby administrator and/or legally qualified persons with previous experience in rugby disciplinary proceedings.

- 17.13.2 (a) The Host Union or Tournament Organiser through an independent process shall, when required, appoint and have available an Appeal Committee comprising of three independent members or a single independent Appeal Officer to adjudicate on appeals from decisions of Disciplinary Committees or Judicial Officers.
- (b) The Chairman of the Appeal Committee or the Appeal Officer shall be a serving or retired Judge or senior legal practitioner of at least 10 years standing who has previous experience in rugby disciplinary matters and an in-depth knowledge of the Game. The members of the Appeal Committee or the Appeal Officer shall be from a neutral Union to the participating teams unless the participating Unions and/or teams agree otherwise in writing. Where applicable, the persons to be appointed as the two additional members of the Appeal Committee may include eminent former players, experienced rugby administrators, legally qualified persons who have previous experience in rugby disciplinary proceedings or other suitably qualified personnel.
- 17.13.3 No person who is a member or an employee of a Union, Association or Tournament Organiser or other affiliated organisation responsible for the management of either team participating in a Match shall be eligible for appointment as a Citing Commissioner, Judicial Officer or member of a Disciplinary Committee or Chairman or member of an Appeal Committee or as an Appeal Officer.

17.14 Initial Procedures - Ordering Off

- 17.14.1 Where a Player in a Match is Ordered Off the referee shall, ordinarily within **2 hours** of the completion of the Match or such further time as is necessary in the circumstances, give to the nominated officer of the Host Union or Tournament Organiser a written report of the incident. Form 1 (Appendix 2 of this Regulation) may be used by the referee for this purpose.
- 17.14.2 If a Player is Ordered Off the playing enclosure as a result of the intervention of an assistant referee, the assistant referee shall also give to the nominated officer of the Host Union or Tournament Organiser a written report ordinarily within **2 hours** of the completion of the Match, or such further time as is necessary in the circumstances. Form 2 (Appendix 2 of this Regulation) may be used by an assistant referee for this purpose.
- 17.14.3 Reports prepared by referees and/or assistant referees when a Player has been Ordered Off should ordinarily contain the following information:

- (a) the date of the Match, the venue and the teams participating;
 - (b) the name of the Player Ordered Off and his team;
 - (c) the circumstances in which the Player was Ordered Off;
 - (d) the reason for the Player being Ordered Off; and
 - (e) any other information the referee (or assistant referee where applicable) considers relevant.
- 17.14.4 The Host Union's or Tournament Organiser's nominated officer shall arrange for the reports to be provided, as soon as possible, to members of the Disciplinary Committee or Judicial Officer who will adjudicate on the case. In default of appointment the nominated officer shall be deemed to be the Secretary of the Host Union or Tournament Organiser.
- 17.14.5 The Host Union's or Tournament Organiser's nominated officer shall supply the Player Ordered Off with a copy of the referee's report and, where applicable, the assistant referee's report and any other relevant evidence as soon as reasonably practicable and shall advise the Player:
- (a) of the date, place and time of the Disciplinary Committee or Judicial Officer hearing at which the disciplinary proceedings will be heard;
 - (b) of the identity of the Disciplinary Committee members or Judicial Officer;
 - (c) that he will be required to attend in person at the hearing (which may include attendance by telephone or audio-visual means at the discretion of the Disciplinary Committee or Judicial Officer);
 - (d) that if he is unable to appear at the Disciplinary Committee or Judicial Officer hearing as notified, he should advise the nominated officer of the Host Union or Tournament Organiser as soon as practicable;
 - (e) that he is entitled to adduce evidence and make submissions and be represented by his Union or team and/or a legal advisor; and
 - (f) that he is not eligible to play in any Match anywhere in the world and shall be suspended from all on-field activities on Match days pending resolution of the case.
- 17.14.6 Where possible, notice to the Player Ordered Off under this Regulation shall be given in writing. It shall be sufficient compliance with this Regulation if a copy of the referee's report and, where applicable, the assistant referee's report and any other relevant evidence together with oral notice of the information in Regulation 17.14.5 are provided to the Player or the Player's team manager or coach.
- 17.14.7 Cases involving an Ordering Off shall, where reasonably practicable, be heard within **48 hours** and no later than **72 hours** of the conclusion of the Match in which the Player was Ordered Off.

17.15 Initial Procedures – Citing Complaint and Citing Commissioner Warning

17.15.1 Subject to Regulation 17.15.3 and 17.15.4, a citing complaint by a Citing Commissioner must be sent in writing to the nominated officer of the Host Union or Tournament Organiser responsible for the Match in which the incident that is the subject of the citing complaint occurred within ordinarily a minimum of **12 hours** and no later than a maximum of **48 hours** of the conclusion of the Match. In default of appointment, the nominated officer shall be deemed to be the Secretary of the Host Union or Tournament Organiser.

17.15.2 For the purposes of this Regulation 17.15, a citing complaint is deemed to be sent when:

- (a) it is transmitted by facsimile or email provided that timed and confirmed notice of transmission can be provided; or
- (b) if transmitted by some other means, when it is received by the nominated officer or Secretary of the Host Union or Tournament Organiser (or his nominee).

17.15.3 In circumstances where a Player has not been cited within the time periods specified in Regulation 17.15.1 as a result of either:

- (a) mistaken identity; and/or
- (b) circumstances exist where the nature of the Foul Play incident(s) concerned is such that an investigation is needed to identify the Player(s) alleged to have committed an act(s) of Foul Play; and/or
- (c) circumstances exist where the nature of the Foul Play incident(s) concerned is such that an investigation is needed to identify or establish the full nature of the alleged act(s) of Foul Play;

then the citing period may be extended by the duly appointed Disciplinary Committee, Judicial Officer, Host Union or Tournament Organiser, however, any such extension will not in any event exceed **12 days** from the last date otherwise permitted by regulation 17.15.1.

17.15.4 The citing complaint should ordinarily contain the following information:

- (a) the date and place of the alleged Foul Play;
- (b) the name of the Player in respect of whom the complaint is made and the team he was playing for at the time of the alleged Foul Play;
- (c) the name of the opposing team; and
- (d) details of the alleged Foul Play including brief details of the evidence relied upon.

Form 3(A) (Appendix 2 of this Regulation) may be used for the purposes of making a citing complaint.

- 17.15.5 All Persons requested to provide reports and/or information must do so within the timescale requested or seek more time if required from the Citing Commissioner. Failure to provide the information and/or reports sought by the Citing Commissioner or his nominee may, in the absence of a reasonable explanation, constitute Misconduct.
- 17.15.6 The Citing Commissioner or his nominee (who may be the Citing Commissioner Liaison Officer) must obtain such reports and information as he considers necessary in relation to the cited act(s) of Foul Play. The Citing Commissioner shall provide to the Host Union or Tournament Organiser who shall in turn forward the documents and televisual evidence (where available) to the Player and other parties who were provided with a copy of the citing complaint including the relevant Match Officials.
- 17.15.7 The Host Union's or Tournament Organiser's nominated officer shall arrange for the reports and related evidence in relation to the matter to be provided, as soon as possible, to the Player and members of the Disciplinary Committee or Judicial Officer that will hear the case. The Player subject to a citing complaint shall be advised that he is not eligible to play in any Match anywhere in the world and shall be suspended from all on-field activities on Match days pending resolution of the case.
- 17.15.8 Where a Player is the subject of a citing complaint, his case should, wherever practicable, be heard ordinarily within **48 hours** and no later than **72 hours** of the conclusion of the Match in which the cited alleged Foul Play occurred.
- 17.15.9 Initial Procedures – Citing Commissioner Warning
- (a) A Citing Commissioner Warning shall be notified to the nominated officer of the Host Union or the Tournament Organiser in which the incident occurred within ordinarily a minimum 12 hours and a maximum of 48 hours of the conclusion of the relevant Match. The Citing Commissioner Warning notification shall contain the information in Regulation 17.15.4 (a) to (d). Form 3(B) (Appendix 2 of this Regulation) may be used for the purposes of notification;
 - (b) On receipt of the Citing Commissioner Warning, the nominated officer of the Host Union or Tournament Organiser shall send a copy of the notification to the Player in respect of whom it is made, his team management and the appropriate Match Officials of the Match in which it is alleged the Foul Play occurred.

17.16 Initial Procedures - Citing by Unions

- 17.16.1 The procedures to be applied for a citing by a Union in circumstances where a Citing Commissioner has not been appointed, shall as far as reasonably practicable, be as set out in Regulation 17.11.

17.17 Standard of Proof for Ordering Off and Citing

- 17.17.1 The standard of proof for all matters under this Regulation shall be on the balance of probabilities.
- 17.17.2 The integrity of Law 6.A.4(a) of the Laws of the Game and the referee's position as sole judge of fact and law during the Match is unassailable. With the sole exception of Regulation 17.19.7 the referee's decisions on the field of play and their sporting consequences shall not be altered or overturned by a ruling of a Disciplinary Committee or Judicial Officer. The purpose of a subsequent review of an incident that occurred during a Match, by a Citing Commissioner and/or Disciplinary Committee or Judicial Officer, is to determine whether there should be any disciplinary sanctions applied for an act of Foul Play as provided for in Law 10.
- 17.17.3 In the case of an Ordering Off, the function of the Disciplinary Committee or Judicial Officer is to consider the circumstances of the case and determine its/his factual findings and what further sanction, if any, should be imposed on the Player. The Player Ordered Off may seek to show that the referee's decision was wrong and the Disciplinary Committee or Judicial Officer may, subject to 17.17.2 review the referee's decision and the circumstances surrounding it. In any such case, the Disciplinary Committee or Judicial Officer shall not make a finding contrary to the referee's decision unless it/he is satisfied, on the balance of probabilities that the referee's decision was wrong.
- 17.17.4 (a) In the case where there has been a citing complaint, the function of the Disciplinary Committee or Judicial Officer is to determine whether an act of Foul Play was committed by the Player. The citing complaint shall not be upheld unless the Disciplinary Committee or Judicial Officer is satisfied on the balance of probabilities that the Player concerned committed the act(s) of Foul Play that are subject to the citing complaint. If the citing is upheld, the Disciplinary Committee or Judicial Officer shall determine the sanction, if any, to be imposed on the Player in accordance with Regulation 17.19. In determining the appropriate sanction, the Disciplinary Committee or Judicial Officer may take account of any action taken during the Match in respect of the Foul Play by the referee.
- (b) In citing cases involving Matches in which no Citing Commissioner was appointed, the Disciplinary Committee or Judicial Officer shall, prior to considering whether the citing complaint by a team is to be upheld, establish that the incident was undetected by the referee and/or assistant referees and whether the alleged Foul Play was sufficiently serious to warrant an Ordering Off. If the Disciplinary Committee or Judicial Officer does not consider the alleged Foul Play of sufficient seriousness to have warranted an Ordering Off they/he shall dismiss the citing complaint.

17.18 Disciplinary Committees and/or Judicial Officers - Powers and Procedures

- 17.18.1 The General Procedures relating to hearings before Disciplinary Committees and Judicial Officers contained in Regulation 18, Appendix 1 shall apply to any matter arising under this Regulation.
- 17.18.2 The referee of the Match in which the Player is Ordered Off (and, if a Player is Ordered Off as a result of an assistant referee's intervention, the assistant referee) shall, unless exceptionally permitted by the Disciplinary Committee or Judicial Officer, attend the hearing (whether in person or via telephonic and/or audiovisual means). Nothing in this Regulation shall prevent the Disciplinary Committee or Judicial Officer hearing and determining disciplinary proceedings in the absence of the referee and/or assistant referee.
- 17.18.3 The Citing Commissioner of the Match in which the Player is cited shall, if so required by the Disciplinary Committee or Judicial Officer, attend the hearing (whether in person or via telephone and/or audiovisual means) for the purposes of providing evidence and/or a further explanation of the factual material relied upon in the making of the citing.
- 17.18.4 In respect of cases involving the Ordering Off or citing of a Player, the Disciplinary Committee or Judicial Officer shall ensure that, prior to the hearing, the Player Ordered Off or cited has been supplied with, and has had a sufficient opportunity to consider, the referee's report and the report of the assistant referee (where applicable), and/or the citing report together with any other information, reports or evidence.
- 17.18.5 Any electronic recording of an incident permitted in evidence by a Disciplinary Committee or Judicial Officer shall preferably be viewed without the sound or commentary associated with it being heard, save where the sound or commentary includes the comments made by the referee through his microphone in relation to the specific incident in question or if the parties agree that the sound or commentary should be played.
- 17.18.6 At any hearing the Disciplinary Committee or Judicial Officer may direct that the Host Union or Tournament Organiser be represented. If so, the Union or Tournament Organiser shall appear by counsel or by a representative at the hearing, in such capacity as the Disciplinary Committee or Judicial Officer requires, to provide assistance to the Disciplinary Committee or Judicial Officer in the discharge of its duties.
- 17.18.7 The Disciplinary Officer (or his nominee), or the disciplinary officer of the Host Union or Tournament Organiser (as the case may be) shall be permitted representation at any hearing arising out of any alleged acts of Foul Play arising from Matches within their jurisdiction and/or control.
- 17.18.8 Where evidence is given before a Disciplinary Committee or Judicial Officer there shall be no cross-examination of any witness other than by

Disciplinary Committee members or the Judicial Officer except to the extent allowed by the Disciplinary Committee or Judicial Officer.

- 17.18.9 For citing complaints initiated by Unions, in circumstances where a Citing Commissioner was not appointed, the Union citing the Player must have a representative in attendance at the hearing to present the basis of the citing complaint and evidence in support. Failure to attend by the Union representative shall result in the case being dismissed.
- 17.18.10 The Player subject to the proceedings (a) shall appear before the Disciplinary Committee, in person or via technological means; (b) may admit the act or alleged act of Foul Play at any time, in which case the Disciplinary Committee or Judicial Officer should proceed immediately to hear evidence and/or submissions as to the sanction, if any, to be imposed.
- 17.18.11 Subject always to Regulation 17.17.4, the Disciplinary Committee or Judicial Officer shall, in the first instance, in the case of a citing determine whether the act of Foul Play has been committed. In the case of an Ordering Off the Disciplinary Committee or Judicial Officer shall, in the first instance, determine its/his factual findings in relation to matters that can be properly raised in accordance with Regulation 17.17.3. Thereafter, as appropriate, it will reconvene and hear and consider evidence and submissions in relation to sanctions.

17.19 Sanctions and Core Sanctioning Process

- 17.19.1 In any case where a Disciplinary Committee or Judicial Officer considers an incident(s) of Foul Play has occurred, it/he may decide to impose a sanction in accordance with the provisions of this Regulation 17.19. When imposing sanctions, all Disciplinary Committees or Judicial Officers dealing with an Ordering Off and/or citing shall apply the World Rugby's sanctions for Foul Play set out in Appendix 1 and do so in accordance with this Regulation 17.19.

Assessment of seriousness of the Foul Play

- 17.19.2 Disciplinary Committees or Judicial Officers shall undertake an assessment of the seriousness of the Player's conduct that constitutes the offending and categorise that conduct as being at the lower end, mid range or top end of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) of Foul Play where such incident(s) is expressly covered in Appendix 1. The assessment of the seriousness of the Player's conduct shall be determined by reference to the following features:
- (a) whether the offending was intentional or deliberate;
 - (b) whether the offending was reckless, that is the Player knew (or should have known) there was a risk of committing an act of Foul Play;
 - (c) the gravity of the Player's actions in relation to the offending;

- (d) the nature of the actions, the manner in which the offence was committed including part of body used (for example, fist, elbow, knee or boot);
- (e) the existence of provocation;
- (f) whether the Player acted in retaliation and the timing of such;
- (g) whether the Player acted in self-defence (that is whether he used a reasonable degree of force in defending himself);
- (h) the effect of the Player's actions on the victim (for example, extent of injury, removal of victim Player from the game);
- (i) the effect of the Player's actions on the Match;
- (j) the vulnerability of the victim Player including part of victim's body involved/affected, position of the victim Player, ability to defend himself;
- (k) the level of participation in the offending and level of premeditation;
- (l) whether the conduct of the offending Player was completed or amounted to an attempt; and
- (m) any other feature of the Player's conduct in relation to or connected with the offending.

Based on the assessment of the offence(s) under consideration against the above features of offending, the Disciplinary Committee or Judicial Officer shall categorise the act of Foul Play as being at the lower end, mid range or top end of the scale of seriousness of offending and identify the applicable entry point as set out in Appendix 1.

- 17.19.3 For offences categorised at the top end of the scale of seriousness of offending, the Disciplinary Committee or Judicial Officer shall identify an entry point between the period shown as the top end for the particular offence and the maximum sanction in Appendix 1.³

Aggravating Factors

- 17.19.4 Having identified the applicable entry point for consideration of a particular incident, the Disciplinary Committees or Judicial Officers shall identify any relevant off-field aggravating factors and determine what additional period of suspension, if any, above the applicable entry point for the offence should apply to the case in question. Aggravating factors include:

³ The plus sign against each top end period suspension denotes this entitlement and flexibility.

- (a) the Player's status generally as an offender of the Laws of the Game;⁴
- (b) the need for a deterrent to combat a pattern of offending in the Game; and
- (c) any other off-field aggravating factor(s) that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.

Mitigating Factors

- 17.19.5 Thereafter, the Disciplinary Committee or Judicial Officer shall identify any relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension and subject to Regulations 17.19.6 and 17.19.7 the extent, if at all, by which the period of suspension should be reduced. Mitigating factors include the following:
- (a) the presence and timing of an acknowledgement of culpability/wrong-doing by the offending Player;
 - (b) the Player's disciplinary record and/or good character;
 - (c) the youth and inexperience of the Player;
 - (d) the Player's conduct prior to and at the hearing;
 - (e) the Player having demonstrated remorse for his conduct to the victim Player including the timing of such remorse; and
 - (f) any other off-field mitigating factor(s) that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.
- 17.19.6 Subject to Regulations 17.19.7 and 17.19.8, for acts of Foul Play the Disciplinary Committee or Judicial Officer cannot apply a greater reduction than 50% of the relevant entry point suspension. In assessing the percentage reduction applicable for mitigating factors, the Disciplinary Committee or Judicial Officer shall start at 0% reduction and apply the amount, if any, to be allowed as mitigation up to the maximum 50% reduction.
- 17.19.7 In cases involving offending that has been classified pursuant to Regulation 17.19.2 as lower end offending, where:
- (a) there are off-field mitigating factors; and
 - (b) where the Disciplinary Committee or Judicial Officer considers that the sanction would be wholly disproportionate to the level and type of offending involved;

⁴ The Player's disciplinary record in all competitions and (as appropriate) in other sports during his playing career from the age of 18 shall be considered by a Disciplinary Committee or Judicial Officer. In any case in which the Disciplinary Committee or Judicial Officer establishes that the Player has previously been found by a Judicial Officer and/or Disciplinary Committee to have committed any act of Foul Play and/or Misconduct then the Disciplinary Committee or Judicial Officer in imposing any sanction on the Player may in fixing that sanction take account of such offending as an aggravating factor.

the Disciplinary Committee or Judicial Officer may apply sanctions less than 50% of the lower end entry sanctions specified in Appendix 1 including in appropriate cases no sanction. In exceptional cases where the Disciplinary Committee or Judicial Officer considers it is warranted it/he may (i) expunge the Ordering Off (Red Card) from the Player's disciplinary record, or (ii) in the case of a Temporary Suspension (Yellow Card) issued by the referee, solely in circumstances attributed to mistaken identity, may expunge the Temporary Suspension from the Player's disciplinary record.

- 17.19.8 In cases of multiple offending, Disciplinary Committees and Judicial Officers may impose sanctions to run either on a concurrent or a consecutive basis provided that the total sanction is in all the circumstances proportionate to the level of the overall offending.
- 17.19.9 Disciplinary Committees and Judicial Officers shall ordinarily in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the features set out in Regulation 17.19.2, how they identified and applied any aggravating and mitigating factors and conclude with the resultant sanction, if any, imposed.
- 17.19.10 Decisions on sanctions and suspensions imposed on Players under World Rugby Regulation 17 shall:
- (a) be applied universally by Unions, Associations, Rugby Bodies and their constituent bodies such that the Player may not play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere during the period of suspension;
 - (b) not allow Players to avoid the full consequences of their actions by, for example, playing in Matches prior to the commencement of their suspension, or playing in Matches during a break in the suspension and/or serving their suspension during a period of inconsequential pre-season and/or so-called friendly Matches;
 - (c) apply and be served when the Player is scheduled to play;
 - (d) be imposed until a stated date which should be fixed after taking into consideration all playing consequences of such suspension; and
 - (e) be effective immediately (subject to 17.19.11(b)).
- 17.19.11 When imposing suspensions on Players under Regulation 17 Disciplinary Committees or Judicial Officers shall comply with the requirements set out in Regulation 17.19.10 above. In doing so Disciplinary Committees or Judicial Officers:
- (a) must not suspend the effect of any sanction imposed;
 - (b) may defer the commencement of a suspension provided that the Player is not scheduled to play (and will not be permitted to play) prior to the commencement of the suspension;

- (c) shall, in respect of meaningful off-season application of sanctions, set out the reasons why it or he considers those Matches to be meaningful;
 - (d) may, at its/his discretion in assessing the playing consequences of a sanction apply the suspension to scheduled pre-season and/or so-called friendly Matches, provided such scheduled pre-season and/or so-called friendly Matches have, in the opinion of the Disciplinary Committee or Judicial Officer concerned, a meaningful playing consequence for the Player. In making their assessment Disciplinary Committees and Judicial Officers may, in their discretion, take account of such factors as they consider relevant including, for example, the proximity of the Match to the commencement of the season, the identity and stature of the opponents, likely quality of teams to be selected, and the general Match profile;
 - (e) must, if a Player's suspension has not terminated by the end of the current playing season, continue the suspension until a stated date in the next playing season, unless the Player has been selected for a closed season tour, or he has made plans to play during the close of season in another Union. In this event (and subject to the Disciplinary Committee or Judicial Officer receiving satisfactory verification of such tour or playing arrangements), the period of the tour or the fact that he intends to play in another Union shall be taken into account in determining when the suspension shall come to an end; and
 - (f) may divide the suspension into two separate periods in order to exclude the whole or part of the closed season provided that the Player is not permitted to play during such closed season.
- 17.19.12 In respect of offences not referred to in the World Rugby Sanctions in Appendix 1, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Disciplinary Committee, Appeal Officer and/or Appeal Committee.
- 17.19.13 Notwithstanding the World Rugby Sanctions in Appendix 1 and/or the provisions of this Regulation 17.19 in cases where the Player's actions constitute mid range or top end 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 Judicial Officer and/or Disciplinary Committee may impose any period of suspension including a suspension for life.
- 17.20 Costs**
- 17.20.1 As a general principle and subject to Regulation 17.20.2 and 17.20.3 below, the Host Union or Tournament Organiser shall ordinarily bear the cost of holding the hearing, including the travel, accommodation and/or costs of the Disciplinary Committee members or Judicial Officer and/or Match Officials, Citing Commissioner and other witnesses called by the Disciplinary Committee or Judicial Officer as well as the costs of

interpretation, recording and/or transcription and legal advice for the Disciplinary Committee or Judicial Officer.

- 17.20.2 The Player that is the subject of the proceedings or his Union shall pay his/their own costs, including travel/accommodation costs of the Player, his representatives and his witnesses, as well as his legal costs.
- 17.20.3 Notwithstanding the provisions of this Regulation 17.20, Disciplinary Committees and Judicial Officers shall have complete discretion to impose such cost orders as to the payment of costs relation to any proceedings, including the nature of costs set out in Appendix 1 to Regulation 18.

17.21 Post-Hearing Procedures

- 17.21.1 The decision of the Disciplinary Committee or Judicial Officer shall be advised to applicable parties, as soon as practicable after the hearing and shall be binding on notification to the Player or his representative or Union. The Disciplinary Committee or Judicial Officer may deliver a short oral decision at the conclusion of the hearing (with its/his reasons to be put in writing and communicated to the parties at a later date) or it/he may reserve the decision. If an oral decision is made it shall be binding from the time of communication to the parties.
- 17.21.2 Relevant parties heard by the Disciplinary Committee or Judicial Officer shall be entitled to a copy of the final written decision which shall, where practicable, be sent to them by the Host Union or Tournament Organiser within **48 hours** of its being made available. The timelines for notifying World Rugby in Regulation 17.4.7 shall also be met.
- 17.21.3 Where a relevant party (including a Player, applicable Union(s) or Rugby Body) is adversely affected by a disciplinary decision such party shall be notified by the Disciplinary Committee or Judicial Officer of the circumstances in which an appeal to an Appeal Committee or Appeal Officer may be made. Such notification shall, ordinarily, be included in the Disciplinary Committee's or Judicial Officer's final written decision and notified at the conclusion of the hearing if an oral decision is given.
- 17.21.4 The hearing by the Disciplinary Committee or Judicial Officer may be audio or audio-visually recorded or recorded by a stenographer. The record of the proceedings, and all papers associated with the proceedings, shall be held for a suitable period by the Host Union or Tournament Organiser. Copies of the record shall be made available to the relevant parties at reasonable cost only on appeal of the decision of the Disciplinary Committee or Judicial Officer. Notwithstanding the foregoing, copies of the record shall be made available to World Rugby upon its request.

17.22 Appeals

- 17.22.1 For the purposes of Regulation 17.22, "decision" shall mean the final written decision of the Disciplinary Committee or Judicial Officer.

- 17.22.2 (a) A Player and/or the Player's Home Union/Rugby Body (as appropriate) may appeal to an Appeal Committee or Appeal Officer from a decision of a Disciplinary Committee or Judicial Officer. Any appeal of such decision must be lodged with the nominated officer of the Host Union or Tournament Organiser (as applicable) within **48 hours** of the date on which the decision of the Disciplinary Committee or Judicial Officer has been notified or in default, with the Secretary of the Host Union or the disciplinary officer of the Tournament Organiser (as applicable).
- (b) The following additional parties shall be entitled to appeal to an Appeal Committee or Appeal Officer from the decision of a Disciplinary Committee or Judicial Officer:
- (i) Host Union; and/or
 - (ii) Tournament Organiser; and/or
 - (iii) World Rugby in respect of all World Rugby Matches and Matches falling under the merit based appointment scheme;
- such parties shall lodge an appeal as soon as reasonably practicable but in any event no later than **72 hours** following receipt by the appealing party of the decision.
- (c) World Rugby has a supervisory jurisdiction in respect of disciplinary matters under this Regulation. In the event the Disciplinary Officer determines it is appropriate that a particular decision should be appealed in respect of International Matches, where there is no appropriate hosting body for a Match and/or where the disciplinary regulations for a Match are clearly contrary to Regulation 17, the Disciplinary Officer or other nominee of World Rugby may take such steps as are reasonably necessary to review the matter and make such recommendations to World Rugby as he deems appropriate. The Disciplinary Officer (or other nominee of World Rugby) may appeal the matter and such right of appeal shall be exercised within **72 hours** following receipt of the decision.
- 17.22.3 An appeal shall be deemed to have been lodged by the relevant party (Appellant) when the notice of appeal is received by the nominated officer of the Host Union or Tournament Organiser (or in default the Secretary or Disciplinary Officer of such body) within the timeframes set out in 17.22.2 together with any required deposit referred to in Regulation 17.22.5.
- 17.22.4 The notice of appeal shall be in writing and signed by the particular Appellant lodging the appeal and shall specify the:
- (a) name of the Appellant lodging the appeal;
 - (b) decision appealed against;
 - (c) date of the decision appealed against;

- (d) date of receipt of the decision appealed against by the party appealing; and
- (e) grounds of the appeal.

Except as provided, no specific form of a notice of appeal is required.

- 17.22.5 If the Host Union or Tournament Organiser shall so require, each notice of appeal shall be accompanied by a deposit of an amount not exceeding the equivalent of £1,000 (pounds Sterling), such amount to be determined by the Host Union or Tournament Organiser. In the event of a required deposit not being paid, the appeal shall be deemed to be abandoned, save that the Appeal Committee or Appeal Officer, in any case, shall have power to extend the time for payment of the deposit. In the event of an appeal by World Rugby, the Host Union or Tournament Organiser no appeal deposit shall be payable.
- 17.22.6 On the lodgement of the appeal the Host Union or Tournament Organiser shall:
- (a) notify the applicable parties in Regulation 17.22.2 of the appeal; and
 - (b) make available to the Appeal Committee or Appeal Officer (and the Appellant(s)) the full record of the proceedings before the Disciplinary Committee or Judicial Officer.

Appeal Committee or Appeal Officer

- 17.22.7 The Appeal Committee or Appeal Officer shall determine the basis on which the appeal shall proceed. The General Procedures relating to hearings before Appeal Committees and Appeal Officers contained in Regulation 18, Appendix 1 shall apply to any matter arising under this Regulation.
- 17.22.8 The Appellant(s) will be notified of the names of the Appeal Committee members or Appeal Officer and the fact that the Player is not eligible to play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere in the world pending the appeal save always where no sanction has been imposed by the Disciplinary Committee or the Judicial Officer and/or that where a Player's suspension expires while his appeal is pending the Player shall be eligible to play immediately.
- 17.22.9 An appeal should, where reasonably practicable, be heard within **7 days** after its lodgement.
- 17.22.10 In any appeal before the Appeal Committee or Appeal Officer:
- (a) an Appellant that is a Player may be represented by a Union representative and/or legal counsel. Any other appellant may be represented by legal counsel and/or another representative of the Appellant;

- (b) where the Host Union or Tournament Organiser appeals they shall be represented by a designated disciplinary officer of that body (and/or his nominee);
 - (c) where World Rugby appeals they shall be represented by the Disciplinary Officer (and/or his nominee).
- 17.22.11 If an Appeal Committee or Appeal Officer allows further evidence to be adduced at a hearing, there shall be no cross-examination of witnesses except to the extent allowed by the Appeal Committee or Appeal Officer.
- 17.23 Additional Provisions Relating to Hearings**
- 17.23.1 In all proceedings heard by a Disciplinary Committee or Judicial Officer and/or Appeal Committee or Appeal Officer, referees and/or assistant referees may only give evidence of fact, not opinion.
- 17.23.2 Disciplinary Committees, Judicial Officers, Appeal Committees and Appeal Officers, prior to a hearing or at any stage during a hearing may amend the offence for which the Player has been Ordered Off or cited unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice. Where an amendment is made, in appropriate cases an adjournment may be granted.
- 17.24 Suspension**
- 17.24.1 A Player Ordered Off or cited by a Citing Commissioner may not take part or be selected for any further Match until his case has been dealt with by a Disciplinary Committee or Judicial Officer.
- 17.24.2 Without in any way limiting the effect of Clause 17.19.11, a Player that is subject to an Ordering Off or citing in a domestic or any other Match is not entitled to play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere in the world until his case has been finally resolved.
- 17.24.3 A suspended Player who elects to appeal may not take part or be selected for any further Match until his case has been dealt with by an Appeal Committee or Appeal Officer or the expiry of his suspension whichever occurs earlier.
- 17.25 Temporary Suspensions and Citing Commissioner Warnings**
- 17.25.1 All Unions, for competitions within their jurisdictions and Tournament Organisers International Tournaments or Series of International Matches have an obligation to put in place provisions to regulate the administration and disciplinary consequences arising out of Temporary Suspensions and Citing Commissioner Warnings (including with respect to the accumulation of a combination of three Temporary Suspensions and/or Citing Commissioner Warnings).

- 17.25.2 The following principles shall be applied for Temporary Suspensions subject to such modifications as may be necessary in the context of the relevant Union competitions, International Tournament or Series of International Matches:
- (a) the referee must report each Temporary Suspension at the conclusion of the Match in which the Temporary Suspension was imposed;
 - (b) the report which may be in a standard form shall be forwarded to the nominated officer of the Host Union or Tournament Organiser, where reasonably practicable, within **2 hours** following the completion of the Match in which the Temporary Suspension was imposed. For the purposes of this Regulation 17.25.2 the nominated officer shall be the Secretary of the Host Union or the disciplinary officer of the Tournament Organiser;
 - (c) the Host Union or Tournament Organiser shall forward a copy of the report to the relevant parties within **48 hours** of receipt. Such report shall clearly state that the Player has the right to challenge the Temporary Suspension but if he wishes to do so he must give notice of his challenge, ordinarily specifying reasons, within **48 hours** of receipt. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Temporary Suspensions;
 - (d) a Player who has been Temporarily Suspended on three or more occasions and/or received a combination of three or more Temporary Suspensions in any particular tournament or competition or Series of Matches under the jurisdiction of the Host Union or Tournament Organiser (for International Matches) during a single season shall be required to appear before a Disciplinary Committee or Judicial Officer independently appointed by the Host Union or Tournament Organiser at an appointed time and place. At that time the Player will be notified as follows:
 - (i) that the purpose of the hearing is to consider whether any further penalty should be imposed on him for his persistent offending;
 - (ii) that he may be represented by his Union and/or by a legal representative;
 - (iii) that save where the Player has given notice of his intention to challenge a Temporary Suspension within the time period specified in 17.25.2(c) above and in the absence of exceptional circumstances relating to the failure to give the prescribed notice, no evidence will be heard other than on the question of sanction;

- (iv) the identity of the Disciplinary Committee members or Judicial Officer, as the case may be; and
 - (v) that the Player shall not be permitted to play in any Match and shall be suspended from all on-field activities on Match days anywhere in the world pending the outcome of his case;
 - (e) the general procedures for hearings and appeals under Regulation 17, subject to such modifications as may be necessary, shall also apply to the hearings and appeals in relation to the accumulation of Temporary Suspensions; and
 - (f) Given the numerous permutations of potential sanctions that could arise in cases involving accumulated Temporary Suspensions the sanctioning of the Player shall be solely within the discretion of the Disciplinary Committee or Judicial Officer.
- 17.25.3 The Citing Commissioner Warning shall become part of the Player's disciplinary record. In this regard:
- (a) The Citing Commissioner is not limited in the number of Citing Commissioner Warnings he may issue to a Player for Foul Play during a Match;
 - (b) If a Player has received two Citing Commissioner Warnings or a combination of a Citing Commissioner Warning and a Temporary Suspension during a Match he shall be treated for disciplinary purposes as if he had been Ordered Off;
 - (c) If the Player concerned wishes to challenge the Citing Commissioner Warning, he shall give notice of his intention to challenge it within 48 hours of its notification. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Temporary Suspensions and/or Citing Commissioner Warnings;
 - (d) If a Player has received three Citing Commissioner Warnings or a combination of three Citing Commissioner Warnings and/or Temporary Suspensions in a tournament, competition or a Series of Matches under the jurisdiction of a Host Union or Tournament Organiser during a single season, he shall be required to appear before a Disciplinary Committee or Judicial Officer independently appointed by the Host Union or Tournament Organiser. At that time, the Player shall be notified as follows:
 - (i) that the purpose of the hearing is to consider whether any further penalty should be imposed on him for his persistent offending;
 - (ii) that he may be represented by his Union and/or by a legal representative;

- (iii) the identity of the appointed Disciplinary Committee members or Judicial Officer; and
- (iv) that the Player shall not be permitted to play any Match and shall be suspended from all on-field activities on Match days anywhere in the world pending the outcome of his case.

17.26 Exceptional Circumstances in relation to Players' Conduct

- 17.26.1 In exceptional circumstances where the conduct of a Player(s) or Person(s) is of such a serious/gross nature that his or their continued involvement in the Game in any capacity pending the final determination of the matter by the relevant authority is deemed by World Rugby to be inappropriate and/or potentially prejudicial to the image and reputation of the sport, then World Rugby is entitled to require as it deems fit that the relevant Union(s) provisionally suspend such Player(s) or Person(s) from any involvement in the sport.
- 17.26.2 It is the responsibility of each Union in membership of World Rugby to ensure that in such circumstances it is able by reference to its regulations or otherwise to effect and/or recognise such provisional suspension on the Player or Person concerned.

17.27 Unforeseen Circumstances

- 17.27.1 In the event that a particular incident takes place for which there is no provision in this Regulation 17 then the Disciplinary Officer, or his nominee may take such action that he considers appropriate in the circumstances in accordance with general principles of natural justice and fairness.

17.28 Miscellaneous

- 17.28.1 In circumstances where an act of Foul Play and an act of Misconduct (as defined in Regulation 20) arise in respect of the same Match for the same Player and provided it does not give rise to an injustice to the Player, for convenience both matters may be dealt with by the same Judicial Officer or Disciplinary Committee, notwithstanding that the acts may be governed by different Regulations.
- 17.28.2 Procedures or proceedings under this Regulation and/or Regulation 18 or any decision of a Disciplinary Committee, Judicial Officer, Appeal Committee or Appeal Officer shall not be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of a Disciplinary Committee, Judicial Officer, Appeal Committee or Appeal Officer or results in a miscarriage of justice.

MODIFIED PROCEDURES FOR FOUL PLAY IN SEVENS**17.29 Introduction**

- 17.29.1 In recognition of the unique structure of Sevens Tournaments and Series of Matches and the timelines within which the Sevens Game operates, the following provisions shall apply to the Sevens Game for Foul Play.
- 17.29.2 For the avoidance of doubt, references in Regulations 17.3, 17.4 and 17.5 to International Tournaments, International Tours and Series of International Matches includes Sevens International Matches. All other references to Matches shall include Sevens.

17.30 Application of the Regulations

- 17.30.1 In respect of all Sevens Matches the procedures and standards in respect of the fifteen-a-side game as provided in Regulation 17 shall apply equally to Sevens save as provided in Regulation 17.31 to 17.32 below. In particular the following provisions shall apply:
- (a) Initial Procedures - Ordering Off; as per Regulation 17.14 save as amended by Regulation 17.31;
 - (b) Initial Procedures – Citing and Citing Commissioner Warning; as per Regulation 17.15 and 17.16 save as amended by Regulation 17.32;
 - (c) Judicial Officer - Powers and Procedures; as per Regulations 17.18 and Regulation 18, Appendix 1 save as amended by Regulation 17.33;
 - (d) Sanctions; as per Regulation 17.19 save as amended in Regulation 17.34;
 - (e) Appeals; per Regulation 17.22 save as amended in Regulation 17.36; and
 - (f) Suspensions; as per Regulation 17.24 and Temporary Suspensions and Citing Commissioner Warnings as per Regulation 17.25 save as amended in Regulation 17.35.

17.31 Initial Procedures - Ordering Off

- 17.31.1 If a Player is Ordered Off the playing enclosure in a Sevens Match, his case shall, whenever practicable, be adjudicated on within **2 hours** of the conclusion of that Match, or prior to him playing another Match in the Tournament (whichever is earlier).
- 17.31.2 Form 4 (Appendix 2 of this Regulation) may be used by the referee for the purposes of a report under Regulation 17.14.1.
- 17.31.3 Form 5 (Appendix 2 of this Regulation) may be used by the assistant referee for the purposes of a report under Regulation 17.14.2.

- 17.31.4 In light of the specific time pressures in Sevens Tournaments and Series of Matches it is not necessary that notice provided for in Regulation 17.14.5 be given in writing to the Player Ordered Off. It shall be sufficient compliance with this Regulation if the referee's report and where applicable, the assistant referee's report and any other relevant evidential material together with notice of the information required in Regulation 17.14.5, are handed to the Player or the Player's team manager.

17.32 Initial Procedures – Citing and Citing Commissioner Warning

- 17.32.1 The Union or other affiliated organisation responsible for the management of either participating team in a Sevens Match shall not have the power to cite a Player for Foul Play but may refer any incident of Foul Play to the Citing Commissioner for consideration provided such incident is referred to the Citing Commissioner within **30 minutes** of the completion of the Match in which the incident is alleged to have occurred. A Citing Commissioner's decision as to whether a Player should be cited (or not, as the case may be), whether as the result of an incident referred to him or otherwise shall be final.
- 17.32.2 Form 3(A) (Appendix 2 of this Regulation) may be used by the Citing Commissioner for the purposes of making a citing complaint.
- 17.32.3 A citing complaint by a Citing Commissioner should ordinarily contain the information provided in Regulation 17.15.4 and be received by the appointed disciplinary officer or in default the Secretary of the Host Union or Tournament Organiser within **60 minutes** of the end of the Match in which the act or acts of Foul Play is alleged to have taken place.
- 17.32.4 The exceptional circumstances for citing out of time in Regulation 17.15.3 shall also apply to Sevens and in addition, upon application by the Citing Commissioner to the Judicial Officer, the time period for citing may be extended where there are extenuating circumstances provided always that the extension of time does not extend beyond the duration of the Tournament.
- 17.32.5 Where a Player is the subject of a citing complaint his case wherever practicable should be adjudicated on within **2 hours** of the citing complaint being received by the Player or prior to his next scheduled Match.
- 17.32.6 A Citing Commissioner Warning shall be notified to the nominated officer of the Host Union or the Tournament Organiser in which the incident occurred ordinarily within 60 minutes of the end of the Match in which the act or acts of Foul Play is alleged to have taken place. The Citing Commissioner Warning notification shall contain the information in Regulation 17.15.4 (a) to (d). Form 3(B) (Appendix 2 of this Regulation) may be used for the purposes of notification.

17.33 Judicial Officer – Power to Regulate Own Procedures

- 17.33.1 In Sevens, any case involving an Ordering Off, Citing, Temporary Suspensions will be adjudicated on by a Judicial Officer who shall act as sole arbiter.
- 17.33.2 Any matters not provided for in these Modified Procedures for Sevens or Regulation 17 shall in the first instance be referred to a Judicial Officer who shall deal with such matter as he sees fit.

17.34 Sanctions in a Sevens context

- 17.34.1 The World Rugby's Sanctions for Foul Play set out in Appendix 1 have been established on the basis that a one week period of suspension would normally result in a Player missing one Match of Fifteens. During a Sevens Tournament, Players may participate or participating Unions may be scheduled to participate in several Matches per day. When determining the appropriate periods of suspension, a Judicial Officer should take cognisance of the fact that during a Sevens Tournament or Series of Matches a Player may miss more than one Match as a result of being made subject to a week's suspension and may impose a suspension based on a number of Tournament Matches. In this respect the Judicial Officer shall have regard to the overall impact of the suspension. This provision does not preclude the imposition of periods of suspension running beyond a Player's participation in the Tournament.
- 17.34.2 The Judicial Officer shall convey his decision using the standard form (a copy of which appears as Form 6 at Appendix 2 of this Regulation 17) or otherwise in writing as soon as reasonably practicable to the Player, to the teams involved in the Match, the appointed disciplinary officer and to World Rugby. The decision shall be binding on the Player as soon as he, his representative, or his team is notified of the decision. "Decision" shall have the meaning set out in Regulation 17.22.1.

17.35 Temporary Suspension and Citing Commissioner Warning

- 17.35.1 The provisions of Regulation 17.25 shall apply to Temporary Suspensions and Citing Commissioner Warnings in Sevens save as set out below:
- (a) The maximum period of suspension shall not exceed **2 minutes** and does not include half-time for time-keeping purposes. If the period of suspension continues beyond the half-time interval, the suspended Player is not permitted contact with his team.
 - (b) The report which may be in the standard form shall be forwarded to the nominated officer of the Host Union or Tournament Organiser as soon as reasonably practicable and ordinarily within **2 hours** of the completion of the Match in which the Temporary Suspension was imposed.
 - (c) The Host Union or Tournament Organiser shall forward a copy of the report to the relevant parties within **4 hours** of receipt. Such report shall clearly state that the Player has the right to challenge the

Temporary Suspension but if he wishes to do so he must give notice of his challenge within **12 hours** of receipt. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Temporary Suspensions.

- (d) If the Player wishes to challenge the Citing Commissioner Warning he shall give notice of his intention to challenge within **12 hours** of notification. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Citing Commissioner Warnings.

17.35.2 (a) A Player who has been Temporarily Suspended and/or received a Citing Commissioner Warning in three or more Matches and/or received a combination of three or more Temporary Suspensions and/or Citing Commissioner Warnings at a single Sevens tournament or Series of Matches or a Player who has been Temporarily Suspended or received a Citing Commissioner Warning (or a combination of both) five times during a season of World Rugby Sevens World Series, shall be required to appear before a Judicial Officer at an appointed time and place.

- (b) Pending such hearing the Player shall not take part in any Match anywhere in the world and shall be suspended from all on-field activities on Match days pending the resolution of the case.

- (c) Ordinarily, such hearings shall take place at the Tournament venue at which the third or fifth Temporary Suspension, Citing Commissioner Warning or combination of both was imposed on the Player. The decision on the appropriate venue for the hearing shall be made by the Judicial Officer.

17.36 Appeals

17.36.1 To be valid, any appeal against the decision of a Judicial Officer in Sevens must be lodged with the disciplinary officer (or his nominee) of the Host Union or Tournament Organiser in writing, within **24 hours** of the notification of the decision of the Judicial Officer to the Player or his Union.

17.36.2 Appeals shall ordinarily be heard by an Appeal Officer.

**APPENDIX 1. WORLD RUGBY SANCTIONS FOR FOUL PLAY
(REGULATION 17)**

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
10.4(s) 10.4(m)	Verbal Abuse of Match Officials	LE – 6 weeks MR – 12 weeks TE – 18+ weeks	52 weeks
10.4(s) 10.4(m)	Threatening Actions or Words at Match Officials	LE – 12 weeks MR – 24 weeks TE – 48+ weeks	260 weeks
10.4(s) 10.4(m)	Physical Abuse of Match Officials	LE – 24 weeks MR – 48 weeks TE – 96+ weeks	Life
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 – 10 weeks TE – 16+ weeks	104 weeks
10.4(b)	Stamping/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 weeks MR – 4 weeks TE – 8+ weeks	52 weeks


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
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(e)	Dangerous tackling of an Opponent including a tackle or attempted tackle above the line of the shoulders even if the tackle starts below the line of the shoulders	LE – 2 weeks MR – 6 weeks TE – 10+ weeks	52 weeks
10.4(f)	Holding, pushing or obstructing an Opponent not holding the ball, by a Player who is not in possession of the ball, except in a scrum, ruck or maul	LE – 2 weeks MR – 4 weeks TE – 6+ weeks	52 weeks
10.4(f) 10.4(k)	Dangerous charging or obstructing or grabbing of Opponent without the ball, including shouldering	LE – 2 weeks MR – 5 weeks TE – 10+ weeks	52 weeks
10.4(g)	Dangerous charging or knocking down an Opponent with the ball, including shouldering	LE – 2 weeks MR – 5 weeks TE – 10+ weeks	52 weeks
10.4(h)	A player must not charge into a ruck or maul. Charging includes any contact made without use of the arms, or without grasping a player	LE – 2 weeks MR – 5 weeks TE – 10+ weeks	52 weeks
10.4(i)	Tackling, tapping, pushing or pulling an Opponent jumping for the ball in a lineout or in open play	LE – 3 weeks MR – 6 weeks TE – 12+ weeks	52 weeks
10.4(j)	Lifting a Player from the ground and either dropping or driving that Player's head and/or upper body into the ground whilst the Player's feet are off the ground	LE – 4 weeks MR – 8 weeks TE – 12+ weeks	52 weeks

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
10.4(k)	Causing a scrum, ruck or maul to collapse	LE – 2 weeks MR – 4 weeks TE – 8+ weeks	52 weeks
10.4(m)	Testicle grabbing or twisting or squeezing	LE – 12 weeks MR – 18 weeks TE – 24+ weeks	208 weeks
10.4(m)	Biting	LE – 12 weeks MR – 18 weeks TE – 24+ weeks	208 weeks
10.4(m)	Contact with the Eye(s) or the Eye Area	LE – 12 weeks MR – 18 weeks TE – 24+ weeks	208 weeks
10.4(m)	Spitting at Players	LE – 4 weeks MR – 7 weeks TE – 11+ weeks	52 weeks
10.4(m)	Verbal abuse of Players based on Religion, Race, Colour, or National or Ethnic Origin, sexual orientation or otherwise	LE – 4 weeks MR – 8 weeks TE – 16+ weeks	52 weeks
10.4(m)	Any other acts (not previously referred to) which are contrary to good sportsmanship	LE – 4 weeks MR – 7 weeks TE – 11+ weeks	52 weeks
10.4(m)	Hair pulling or grabbing	LE – 2 weeks MR – 4 weeks TE – 6+ weeks	52 weeks

In respect of offences not referred to in Appendix 1 above, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Disciplinary Committee, Appeal Officer and/or Appeal Committee (as the case may be).

Notwithstanding the Sanctions in Appendix 1 and/or the provisions of Regulation 17.19 in cases where the player's actions constitute mid range or top end 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 Judicial Officers and/or Disciplinary Committees may impose any period of suspension including a suspension for life.

APPENDIX 2 – FORM 1 STANDARD FORM REFEREE'S REPORT ON AN ORDERING OFF – INTERNATIONAL MATCH



Player's Union: Full name of Player:

Venue: Date of Dismissal:

Player Number: Playing position:

Match result: pts pts

Nature of offence:
(Please circle appropriate offence and give a short description of the Law)

Infringement of:

Law 3.11 (c)	Law 4.5 (c)	
Law 10.2 (a) (b) (c)	Law 10.3 (a) (b) (c)	
Law 10.4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (s)		
Other		

PERIOD (of game when incident occurred): 1st Half ☐ 2nd Half ☐ Elapsed time in half

Proximity of referee to incident: (metres)

Score at that time: pts pts

Had any cautions been issued to: a) Individual Yes ☐ No ☐ b) General Yes ☐ No ☐

Was the Player ordered off further to the report of an assistant referee? Yes ☐ No ☐
(If yes, Form 2 may need to be completed and submitted by the assistant referee)

REFEREE'S NAME: UNION: Date:


Please give detailed report below: PLEASE WRITE CLEARLY

REPORT: - please use paper apart if necessary

THIS REPORT MUST BE COMPLETED AND PROVIDED TO A DESIGNATED DISCIPLINARY OFFICIAL IMMEDIATELY AFTER THE COMPLETION OF THE MATCH

APPENDIX 2 – FORM 2 STANDARD FORM ASSISTANT REFEREE'S REPORT ON AN ORDERING OFF – INTERNATIONAL MATCH			
Player's Union:	<input type="text"/>	Full name of Player:	<input type="text"/>
Venue:	<input type="text"/>	Date of Dismissal:	<input type="text"/>
Player Number:	<input type="text"/>	Playing position:	<input type="text"/>
Match result:	<input type="text"/>	<input type="text"/> pts	<input type="text"/> pts
Nature of offence: (Please circle appropriate offence and give a short description of the Law)	<u>Infringement of:</u>	Law 3.11 (c)	Law 4.5 (c)
		Law 10.2 (a) (b) (c)	Law 10.3 (a) (b) (c)
		Law 10.4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (s)	
		Other	
PERIOD (of game when incident occurred): 1 st Half <input type="checkbox"/> 2 nd Half <input type="checkbox"/> Elapsed time in half <input type="text"/>			
Proximity of Assistant referee to incident: <input type="text"/> (metres)			
Score at that time: <input type="text"/> pts <input type="text"/> pts			
Had any cautions been issued to: a) Individual Yes <input type="checkbox"/> No <input type="checkbox"/> b) General Yes <input type="checkbox"/> No <input type="checkbox"/>			
ASSISTANT REFEREE'S NAME: _____ UNION: _____ Date: _____			
REFEREE'S NAME: _____ UNION: _____			
Please give detailed report below: PLEASE WRITE CLEARLY			
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REPORT: - please use paper apart if necessary			
THIS REPORT MUST BE COMPLETED AND PROVIDED TO A DESIGNATED DISCIPLINARY OFFICIAL IMMEDIATELY AFTER THE COMPLETION OF THE MATCH			

**APPENDIX 2 – FORM 3(A) STANDARD FORM CITING COMMISSIONER'S REPORT
INTERNATIONAL MATCH**



Player's Union:

Full name of Player:

Venue:

Date of Incident:

Player Number:

Playing position:

Match result: pts

pts

Nature of offence:
(Please circle appropriate offence and give a short description of the Law)

Law 10.4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (s)

PERIOD (of game when incident occurred): 1st Half ☐ 2nd Half ☐ Elapsed time in half

Proximity of Official(s) to incident: (metres)

Score at that time: pts pts

Please give detailed report below: PLEASE WRITE CLEARLY

REPORT: - please use paper apart if necessary

Citing Commissioner

**THIS REPORT MUST BE COMPLETED AND PROVIDED TO A DESIGNATED DISCIPLINARY OFFICIAL
PRIOR TO THE EXPIRATION OF THE CITING PERIOD**

**APPENDIX 2 – FORM 3(A) STANDARD FORM CITING COMMISSIONER'S WARNING
INTERNATIONAL MATCH**

Player's Union: Full name of Player:

Venue: Date of Incident:

Player Number: Playing position:

Match result: pts pts

Nature of offence:
(Please circle appropriate offence and give a short description of the Law)

Law 10.4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (s)

PERIOD (of game when incident occurred): 1st Half ☐ 2nd Half ☐ Elapsed time in half

Proximity of Official(s) to incident: (metres)

Score at that time: pts pts


Please give detailed report below: PLEASE WRITE CLEARLY

REPORT: - *please use paper apart if necessary*

Citing Commissioner

**THIS REPORT MUST BE COMPLETED AND PROVIDED TO A DESIGNATED DISCIPLINARY OFFICIAL
PRIOR TO THE EXPIRATION OF THE CITING PERIOD**

APPENDIX 2 – FORM 4 STANDARD FORM REFEREE'S REPORT ON AN ORDERING OFF – SEVENS MATCH



Player's Union: Full name of Player:

Venue: Date of Dismissal:

Player Number: Playing position:

Match result: pts pts

Nature of offence:
(Please circle appropriate offence and give a short description of the Law)

<p><u>Infringement of:</u></p> <p>Law 3.11 (c)</p> <p>Law 10.2 (a) (b) (c)</p> <p>Law 10.4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (s)</p> <p>Other</p>	<p>Law 4.5 (c)</p> <p>Law 10.3 (a) (b) (c)</p>
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PERIOD (of game when incident occurred): 1st Half ☐ 2nd Half ☐ Extra Time ☐

Elapsed time in half

Proximity of referee to incident: (metres)

Score at that time: pts pts

Had any cautions been issued to: a) Individual Yes ☐ No ☐ b) General Yes ☐ No ☐

Was the Player ordered off further to the report of an assistant referee? Yes ☐ No ☐
(If yes, Form 6 may need to be completed and submitted by the assistant referee.)


REFEREE'S NAME: UNION: Date:

Please give detailed report below: PLEASE WRITE CLEARLY

REPORT: - please use paper apart if necessary

THIS REPORT MUST BE COMPLETED AND PROVIDED TO A DESIGNATED DISCIPLINARY OFFICIAL IMMEDIATELY AFTER THE COMPLETION OF THE MATCH

APPENDIX 2 – FORM 5
**STANDARD FORM ASSISTANT REFEREE'S REPORT ON
AN ORDERING OFF – SEVENS MATCH**



Player's Union:

Full name of Player:

Venue:

Date of Dismissal:

Player Number:

Playing position:

Match result:

pts

pts

Nature of offence:
(Please circle appropriate offence and give a short description of the Law)

Infringement of:

Law 3.11 (c)

Law 4.7 (c)

Law 10.3 (a) (b) (c)

Law 10.2 (a) (b) (c)

Law 10.4 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (s)

Other

PERIOD (of game when incident occurred):

1st Half ☐

2nd Half ☐

Extra Time ☐

Elapsed time in half

Proximity of Assistant referee to incident: (metres)

Score at that time: pts pts

Had any cautions been issued to: a) Individual Yes ☐ No ☐ b) General Yes ☐ No ☐

ASSISTANT REFEREE'S NAME: _____ UNION: _____ Date: _____

REFEREE'S NAME: _____ UNION: _____

Please give detailed report below: PLEASE WRITE CLEARLY

REPORT: - please use paper apart if necessary

**THIS REPORT MUST BE COMPLETED AND PROVIDED TO A DESIGNATED DISCIPLINARY OFFICIAL
IMMEDIATELY AFTER THE COMPLETION OF THE MATCH**

APPENDIX 2 - FORM 6 IRB SEVENS TOURNAMENTS
JUDICIAL OFFICER'S HEARING REPORT

Date of Hearing: _____

Name of Unions participating in the Match: _____

Date of Match: _____

Match Venue:

Player's Name: _____

Player's Union: _____

Referee's Name: _____

Offence as stated in the Referee's / Citing Commissioner's Report (please circle as appropriate):

Judicial Officer's Decision (please continue on a separate sheet if necessary)

[illegible]

Signature of Judicial Officer: _____

REGULATION 18. DISCIPLINARY AND JUDICIAL MATTERS**18.1 Breach of the Bye-Laws or Regulations**

18.1.1 A Union or Association shall be subject to sanction by a Judicial Officer or Judicial Committee if it is found to have breached the Bye-Laws or Regulations or to have:

- (a) brought World Rugby or the Game or any Person into disrepute;
- (b) engaged in conduct, behaviour or practice(s) which may be prejudicial to the interests of World Rugby or of the Game;
- (c) disclosed any confidential information obtained through connection with the Game;
- (d) breached the Code of Conduct; or
- (e) breached the Wagering Regulations (Regulation 6).

18.1.2 A Rugby Body, Club or Person that contravenes these Regulations, brings World Rugby or the Game into disrepute, engages in conduct, behaviour or practices which may be prejudicial to the interests of World Rugby or the Game, discloses any confidential information obtained through connection with the Game, or which breaches the Code of Conduct shall be subject to sanction by the Union or Association having jurisdiction in respect thereof in accordance with the bye-laws regulations, code of conduct or other undertakings or agreements of that Union or Association.

18.1.3 A Person shall be subject to sanction by a Judicial Committee or Judicial Officer appointed by World Rugby if he breaches the World Rugby Code of Conduct and/or brings World Rugby or the Game into disrepute, engages in conduct, behaviour or practices which may be prejudicial to the interests of World Rugby or the Game, and/or discloses any confidential information obtained through his connection with the Game, in accordance with these Regulations.

18.2 The Appointment and Functions of Judicial Officers and Judicial Committees

18.2.1 The Council shall appoint a panel of individuals ("the Judicial Panel") of such number as the Council shall think fit, each of whom shall be eligible to sit as Judicial Officers and/or as Members of Judicial Committees. The Council shall appoint a chairman of the Judicial Panel. The Chairman of the Judicial Panel (or his designee) shall, in consultation with the Chairman of the Council, or his nominee, appoint individual Judicial Officers or Judicial Committees from members of the Judicial Panel to resolve, hear and adjudicate on the following:

- (a) an alleged breach(es) of the Bye-Laws and/or the Regulations and/or alleged offences under Regulation 18.1.1 and/or 18.1.3;
- (b) disputes arising under Regulation 4;

- (c) disciplinary matters arising out of Foul Play and/or Misconduct (Regulation 17 and Regulation 20); and
 - (d) such other matters as the Council, Chairman of the Judicial Panel or CEO may from time to time refer to a Judicial Officer or Judicial Committee for adjudication.
- 18.2.2 Members of the Judicial Panel shall be appointed for a period of up to two years, following which they shall, unless re-appointed by the Council, automatically cease to be a member of the Judicial Panel. The Council may, at its discretion, remove any member of the Judicial Panel, at any time. The decision of the Council shall be final and binding.
- 18.2.3 Council members appointed as members of the Judicial Panel shall not cease to be members of the Judicial Panel if, during the period of appointment as a Judicial Panel member, they cease to be a member of the Council.
- 18.2.4 When a Judicial Committee is appointed to adjudicate on a case it shall, ordinarily, be made up of three members of the Judicial Panel, one of whom shall be nominated to act as Chairman of the Committee. The Chairman of the Judicial Panel shall, however, in any case, be entitled, at his discretion, to appoint a Judicial Committee of such number as he considers appropriate, up to a maximum of 5 and a minimum of 2.
- 18.2.5 Judicial Officers or Judicial Committee members shall not have had any personal involvement with any case referred to them for adjudication or any connection with any of the parties involved in such matter.
- 18.2.6 If a Judicial Officer or member of a Judicial Committee having been appointed to deal with a case is unable or unwilling to adjudicate then the Judicial Panel Chairman may; (1) appoint another member of the Judicial Panel as a replacement; or (2) appoint a new Judicial Committee; or (3) allow the remaining Judicial Committee members to proceed and adjudicate on the case.
- 18.2.7 The Chairman of the Judicial Panel shall have the power, exercisable in his discretion, to co-opt from time to time additional persons with specialist skills and experience to sit as Judicial Officers and/or as members of a Judicial Committee to deal with cases that require such specialist skills and experience whether such persons are members of the Judicial Panel or not.
- 18.3 The Appointment and Functions of Appeal Committees**
 - 18.3.1 The Council shall appoint a panel of individuals of such number as the Council thinks fit ("the Appeal Panel"), each of whom shall be eligible to sit as members of Appeal Committees. The Council shall appoint a Chairman of the Appeal Panel. Members of the Appeal Panel shall not be current members of the Council or any other World Rugby standing committee.

- 18.3.2 Members of the Panel shall include the following:
- (a) Senior legal practitioners with previous experience of judicial proceedings in rugby. Such legal practitioners shall be appointed to sit as Chairmen of Appeal Committees.
 - (b) Eminent rugby administrators, rugby players, coaches and officials with previous experience of judicial proceedings in rugby.
 - (c) Such other individuals as the Council may consider appropriate.
- 18.3.3 The functions of Appeal Committees shall be to hear and decide appeals from decisions made by Judicial Officers or Judicial Committees. The Chairman of the Appeal Panel shall appoint Appeal Committees from Appeal Panel members to hear such appeals.
- 18.3.4 Members of the Appeal Panel shall be appointed for a period of up to two years, following which they shall, unless re-appointed by the Council, automatically cease to be a member of the Appeal Panel. The Council may, at its discretion, remove any member of the Appeal Panel, at any time. The decision of the Council shall be final and binding.
- 18.3.5 When an Appeal Committee is appointed to adjudicate on a case it shall, ordinarily, be made up of three members of the Appeal Panel, one of whom shall be nominated to act as Chairman of the Appeal Committee. The Chairman of the Appeal Panel shall be entitled, however, at his discretion to appoint Appeal Committees of such number as he considers appropriate, up to a maximum of 5 and a minimum of 2.
- 18.3.6 If a member of an Appeal Committee having been appointed to deal with a case, is unable or unwilling to adjudicate then the Appeal Panel Chairman may: (1) appoint another member of the Appeal Panel as a replacement; or (2) appoint a new Appeal Committee; or (3) allow the remaining Appeal Committee members to proceed and adjudicate on the appeal.
- 18.3.7 The Chairman of the Appeal Panel shall have the power, exercisable in his discretion, to co-opt from time to time additional persons with specialist skills and experience to sit as Appeal Committee Members to deal with cases that require such specialist skills and experience whether such persons are members of the Appeals Panel or not.
- 18.4 Procedures Relating to a Breach of the Regulations or Bye-Laws, or Offences under Regulation 18.1.1(a) to (e)**
- 18.4.1 A Union or Association must, as soon as is reasonably practicable, investigate each and every alleged breach of the Regulations occurring or committed within or relating to its jurisdiction and of which it has knowledge. Following such investigation, it shall take such action as is appropriate and thereafter report its decision and the procedures adopted to the CEO in writing within 28 days of its decision. The CEO shall submit the report to the Council.

- 18.4.2 In the event of the Council and/or CEO not being satisfied with the procedures adopted and/or decision reached by a Union or Association pursuant to Regulation 18.4.1 or in the event of a failure to investigate by that Union or Association, then the Council and/or CEO may refer the matter, via the Judicial Panel Chairman, or his designee to a Judicial Officer or Judicial Committee or take such other action as it deems appropriate.
- 18.4.3 A Union or Association which considers another Union or Association to have so conducted itself as to be in breach of these Regulations or the Bye-Laws or to have committed an offence under Regulation 18.1.1(a) to (e), may make complaint of such conduct to the CEO. To be valid, such complaint must be made in writing, set out full details of the complaint and should be received by the CEO not later than 28 days following the complainant Union or Association having knowledge of the said conduct. Upon receipt of any such complaint, the CEO shall initiate an enquiry into the matter and/or refer the complaint via the Judicial Panel Chairman, or his designee to a Judicial Officer or Judicial Committee for adjudication.
- 18.4.4 The Council or CEO may, whether at the request of a Union, Association, or of its own motion, initiate an enquiry into any alleged, or apparent breach of the Bye-Laws and/or Regulations or alleged offences under Regulation 18.1.1(a) to (e). Such enquiry shall be carried out by the CEO or his designee(s). The procedure for such enquiry shall be determined by the CEO. At the conclusion of any such enquiry, the CEO shall either submit a report to Council or refer the matter, via the Judicial Panel Chairman, or his designee, to a Judicial Officer or Judicial Committee for adjudication. The Council on receipt of the report may refer the matter via the Judicial Panel Chairman, or his designee, to a Judicial Officer or Judicial Committee or take such other action (if any) as is deemed appropriate.
- 18.5 Referral to Judicial Officers or Judicial Committees**
- 18.5.1 Where a matter is referred to a Judicial Officer or Judicial Committee, the Judicial Officer or Judicial Committee shall, subject to Appendix 1, be entitled to deal with the matter procedurally as it considers appropriate provided that the parties concerned are aware of the case against them and are afforded a reasonable opportunity to make representations and present their case. For the avoidance of doubt, World Rugby shall have the right to be represented and shall be entitled through its nominated representative to make submissions during any proceedings conducted by Judicial Officers or Judicial Committees.
- 18.5.2 The decisions of Judicial Committees shall be made by majority. In the event of an even vote, the Chairman of the Judicial Committee shall have a casting vote.
- 18.5.3 All Judicial Committee members must take part in the deliberations of the committee and no member of a Judicial Committee may abstain.

18.5.4 The decision of the Judicial Officer or Judicial Committee shall, subject to the right of appeal under Regulation 18.7, be final and binding. Any punishment or penalty imposed by a Judicial Officer or Judicial Committee shall not, ordinarily, take effect until the period allowed for an appeal in Regulation 18.7.2 has elapsed or the appeal has been determined. The decision of the Judicial Officer or Judicial Committee may be published by World Rugby.

18.6 Penalties

18.6.1 Upon finding a breach of the Bye-Laws and/or Regulations, or that an offence pursuant to Regulation 18.1.1(a) to (e) inclusive has been committed, Judicial Officers and Judicial Committees shall be entitled to impose such penalties as they think fit. Such penalties may include, but shall not be limited to:

- (a) a caution, warning as to future conduct, reprimand and/or a fine;
- (b) a suspension for a specified number of Matches and/or a specified period; a requirement that a Match or Matches be played with the exclusion of the public; the cancellation of a Match result and, where appropriate, the replaying of a Match; the forfeiture of a Match or matches and/or tie(s); the deduction or cancellation of points; the immediate or future expulsion or suspension from a tournament(s) or competition(s); or any such similar sanctions;
- (c) cancellation or refusal of the registration of any Person registered in contravention of the Regulations;
- (d) a recommendation to the Council that a Union or Association be expelled or suspended from Membership of World Rugby. Subject to the provisions of Bye-Law 6(d), only the Council shall be competent to expel or suspend a Union or Association and any such expulsion or suspension shall only have effect if approved by a two-thirds majority of the votes cast at a properly convened and quorate Council meeting;
- (e) an order that any Union, Association, Rugby Body, Club or Person pay compensation and/or restitution;
- (f) the withdrawal of other benefits or membership of World Rugby, including, but not limited to, the right to apply to host International Tournaments; and
- (g) any combination of the penalties set out in 18.6.1(a) to (f) above.

18.6.2 Judicial Officers and Judicial Committees shall be entitled to make such order in relation to cost as is deemed appropriate;

18.6.3 In determining the appropriate penalty under these Regulations, a Judicial Officer or Judicial Committee shall be entitled to take account of mitigating and/or aggravating circumstances. Aggravating circumstances shall

include, but shall not be limited to, the repetition of a breach of a particular Bye-Law or Regulation.

18.7 Appeals

- 18.7.1 A Union or Association, or World Rugby (through the Executive Committee or CEO), may appeal against the decision of a Judicial Officer or Judicial Committee, against the penalty imposed and/or any costs order. To be valid, any such appeal, together with the written grounds of appeal, must be lodged with the Appeal Panel Chairman, or his designee, within 14 days of the date of the written decision of the Judicial Officer or Judicial Committee.
- 18.7.2 On receipt of a notice of appeal and the grounds for appeal within the time limit set out in Regulation 18.7.1, an Appeal Committee shall be appointed by the Appeal Panel Chairman or his designee. The Appeal Committee shall, ordinarily, be made up of three members of the Appeal Panel, under the Chairmanship of a senior legal practitioner who shall, subject to Regulation 18.7.3 and Appendix 2, have the discretion to regulate the procedure prior to and at any Appeal Committee hearing.
- 18.7.3 The Appeal Committee shall determine the basis on which an appeal will proceed, including the standard of review and may, in its discretion rehear the whole or any part of the evidence given before the Judicial Officer or Judicial Committee (as the case may be) as it considers appropriate. For the avoidance of doubt World Rugby shall have the right to be represented and shall be entitled through its nominated representative to make submissions in any proceedings conducted by Appeal Committees.
- 18.7.4 The Appeal Committee shall have full discretionary power to hear and receive such further evidence as it thinks fit, provided it is established by the appellant that such evidence was not, on reasonable enquiry, available at the time of the original hearing.
- 18.7.5 For appeal hearings procedural matters shall be determined by the Appeals Committee Chairman. Decisions of the Appeals Committee shall be made by majority. In the event of an even vote, the Chairman of the Appeal Committee shall have a casting vote. No member of an Appeal Committee may abstain and all members of the Committee must take part in its deliberations.
- 18.7.6 Where an appeal relates to a recommendation by a Judicial Officer or Judicial Committee that a Union or Association be expelled or suspended from membership of World Rugby, the appeal will be heard by the Council. In the event of such an appeal, a meeting of the Council shall be convened by the CEO as soon as reasonably practicable. The procedures on any such appeal, including, but not limited to, the standard of review shall be determined by the Council. The Council may confirm the suspension or expulsion and/or impose such other punishment or penalties as it considers fit. The decision of the Council shall be made by a two-third majority of members present and shall be final and binding.

The decision of the Council shall be effective immediately on written notification to the Union or Association concerned.

18.8 Powers of Appeal Committees

18.8.1 An Appeal Committee shall have the power to:

- (a) allow or re-affirm, or dismiss the appeal;
- (b) vary the decision in such manner as it shall think fit (including power to reduce, uphold, decrease or cancel any penalty);
- (c) make such further order (in relation to costs or otherwise) as it thinks fit; and
- (d) take any other step which in the exercise of its discretion the Appeals Committee considers it would be appropriate to take in order to deal justly with the case in question.

18.9 Notification of Appeal Committee Decision

18.9.1 The parties to the appeal shall be notified in writing as soon as reasonably practicable following the conclusion of the hearing. On notification to the Union or Association the decision shall be final and binding. The decision of the Appeal Committee may be published.

18.10 Procedures Relating to Disputes over Player Status, Player Contracts and Player Movement¹

18.10.1 Disputes arising out of those matters referred to in Regulation 4 may be referred, by Unions or Associations only, to the CEO who shall, via the Judicial Panel Chairman or his designee, refer such disputes to a Judicial Officer or Judicial Committee for adjudication. The Judicial Officer or Judicial Committee appointed shall, subject to Appendix 1, have the discretion to determine the procedures to be adopted prior to and at any hearing in connection with such a dispute. The decision of the Judicial Officer or Judicial Committee shall be binding on the Union, Association, Person, Club or other Rugby bodies who are parties to the dispute upon receipt of notification of the Judicial Officer's or Judicial Committee's decision.

18.10.2 An appeal against the decision of a Judicial Officer or Judicial Committee in relation to the issues referred to in 18.10.1 above may be lodged with the Appeal Panel Chairman in accordance with Regulation 18.7. The Appeal Panel Chairman shall refer the matter to an Appeal Committee for final and binding adjudication.

¹ Disputes arising out of Regulation 4 will, preferably, be adjudicated on by members of the Judicial Panel who are experienced in player issues including, but not limited to, training and development, and may include eminent ex-players.

- 18.11 General Procedures relating to proceedings of Commissioners, Judicial Officers, Judicial Committees, Disciplinary Committees, Appeal Committees and Appeal Tribunals**
- 18.11.1 The general procedures to be applied by Commissioners, Judicial Officer(s), Judicial Committees, Disciplinary Committees and Appeal Committees and Appeal Tribunals are set out in Appendix 1.
- 18.11.2 The Council may prescribe additional regulations for the conduct of Commissioners, Judicial Officer(s), Judicial Committees, Disciplinary Committees, Appeal Committees, Appeal Tribunals and may from time to time vary, revoke or replace any such regulations.
- 18.11.3 In respect of any matter not provided for in this Regulation 18 the appropriate body shall take a decision according to general principles of justice and fairness.

APPENDIX 1. PROCEDURES AND POWERS OF JUDICIAL OFFICERS, JUDICIAL COMMITTEES, DISCIPLINARY COMMITTEES, APPEAL COMMITTEES AND APPEAL OFFICERS ("DISCIPLINARY TRIBUNAL") IN CONNECTION WITH JURISDICTION, PROCESS AND EVIDENTIAL MATTERS RELATING TO HEARINGS.

1. General

- 1.1 Disciplinary Tribunals constituted under these Regulations shall exercise their functions independently, including independently of (i) the parties to the Match and/or proceedings, (ii) the Unions, Associations or Rugby Bodies under whose jurisdiction responsibility falls for the relevant Match and shall not perform a legislative role in any Union, Association or Rugby Body involved in the Match and/or proceedings.
- 1.2 Disciplinary Tribunals shall be fully autonomous and, in particular, any decision they make shall be binding on the Player, Person, his/their national Union(s), Rugby Body(ies) and all other Unions, Associations, Tournament Organisers and their constituent bodies, none of whom shall have the power to affirm, revoke or alter any decision.
- 1.3 The standard of proof on all questions to be determined by Disciplinary Tribunals shall be the balance of probabilities unless otherwise specified in a particular Regulation. Disciplinary Tribunals shall have no discretion in this regard.
- 1.4 Unions, Associations and Disciplinary Tribunals shall be entitled to publish as they think fit reports of their proceedings, findings and penalties and in the case of such bodies appointed by World Rugby, such publication shall be made through World Rugby. No member of a Disciplinary Tribunal shall comment to the media on a decision of that body.
- 1.5 Disciplinary Tribunals shall have absolute discretion in imposing orders as to the payment of costs in relation to any proceedings including the cost of holding the hearings, interpretation and legal costs, travel and accommodation costs of the members of the Disciplinary Tribunals and/or any other expenses necessary for the proper conduct of the hearing.
- 1.6 All hearings shall take place in private.
- 1.7 Disciplinary Tribunals:
 - (a) shall be entitled to adjourn and/or postpone proceedings;
 - (b) shall be entitled to determine whether witnesses that give evidence are able to remain within the room in which the matter is being heard after their evidence has been given;

- (c) may direct that an interpreter be present to partake in the proceedings;
 - (d) shall be entitled to call on experts to provide specialist advice;
 - (e) shall be entitled to be assisted by a legal advisor;
 - (f) shall deliberate in private on their decisions.
- 1.8 The non-attendance of a party at a hearing and/or preliminary hearing in respect of which that party has received notice shall not prevent the matter being dealt with in their absence.
- 1.9 A decision of a Judicial Committee, Disciplinary Committee or Appeal Committee shall be valid if taken by at least a simple majority of the members of the Committee. No member of the Judicial, Disciplinary or Appeal Committee may abstain from any decision. Where a Committee has an even number of members and they are unable to reach a unanimous or majority decision then the Chairman of the Judicial, Disciplinary or Appeal Committee shall have a casting vote.
- 1.10 Any procedures, findings or decisions of Disciplinary Tribunals pursuant to disciplinary processes under these Regulations shall not be quashed or invalidated by reason only of any departure from the procedural Regulations, defect, irregularity, omission or other technicality unless such departure, defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of these bodies or results in a miscarriage of justice.
- 1.11 Hearings by Disciplinary Tribunals shall, unless otherwise specified in the Regulations, ordinarily be heard in the country where the disciplinary proceedings originated or at a convenient venue nominated by World Rugby, Host Union or Tournament Organiser as appropriate. In appropriate circumstances technology may be employed to assist the process.
- 1.12 Hearings by Disciplinary Tribunals (save for private deliberations) may be fully audio or audio-visually recorded or by a stenographer. The record of proceedings and all papers associated with the proceedings shall be held for a suitable period by World Rugby, Union or Tournament Organiser under whose jurisdiction the hearing took place and who shall promptly make the same available to World Rugby if it requires.
- 1.13 In respect of any matter not provided for in this Regulation 18, Appendix 1, the appropriate body or person shall take a decision according to general principles of natural justice and fairness.

2. Judicial Committees² and Judicial Officers - Power to Regulate their Own Procedures

2.1 The procedure of Judicial Committees or Judicial Officers in all proceedings shall be as the appointed Judicial Committee or Judicial Officer shall determine in each case. However, subject to the power to regulate its own procedures, it shall:

- (a) seek to conform generally with the procedures set out in Section 1 above, this Section 2 and Section 3 below; and
- (b) ensure that a Player and/or Person subject to disciplinary proceedings has a reasonable opportunity to be heard and be informed of the charge(s) and to present his case.

2.2 The Chairman of the Judicial Committee and the Judicial Officer shall be entitled to determine pre-hearing procedural and/or evidential matters. Such matters may include:

- (a) a pre-hearing conference convened for the purposes of giving directions for the hearing and clarification of the procedures; and
- (b) the requirement for any person to attend the hearing as a witness.

For the purposes of pre-hearing case management the Chairman of the Judicial Committee may exercise this function without reference to the other Judicial Committee members.

2.3 The Judicial Committee or Judicial Officer shall endeavour to ensure that disciplinary proceedings are heard in the presence of the Union, Player and/or Person who is the subject of the proceedings. Nothing in the Regulations, or otherwise, shall prevent a Judicial Committee or Judicial Officer hearing and determining disciplinary proceedings in their absence where the Union, Player and/or Person concerned (and/or their representatives) do not attend the hearing. However hearings may only be held in the absence of any of the parties if those parties have first been given the opportunity to attend and have declined the opportunity without reasonable excuse or consented to a hearing in absentia. In such circumstances the Judicial Committee or Judicial Officer may take any written representations into account in making its decision.

2.4 If a member of a Judicial Committee or a Judicial Officer is unwilling or unable, for whatever reason, to hear the matter referred to them then World Rugby, Host Union or Tournament Organiser may, at its discretion:

- (a) appoint another member to the Judicial Committee as a replacement;
- (b) appoint a new Judicial Officer or appoint a new Judicial Committee;

² For convenience, only Judicial Committee is referred to but the term also encompasses Disciplinary Committees established for the purposes of Regulations 17.

- (c) allow the remaining members of the Judicial Committee to hear the matter; or
- (d) appoint a Judicial Officer to take the place of the Judicial Committee.

2.5 Where a disciplinary hearing is pending, a Player may, prior to the hearing, be required by the Judicial Committee or Judicial Officer to:

- (a) supply it or him with full particulars of the case that will be presented on the Player's behalf at the hearing and any witnesses intended to be called by the Player;
- (b) provide it or him with copies of any documents or reports that may be relied on by the Player at the hearing; and
- (c) comply with such directions as shall be considered appropriate by the Judicial Committee or Judicial Officer at, or prior to, the hearing.

3. Judicial Committee and Judicial Officer - General Procedures

3.1 The general procedures relating to proceedings of Disciplinary Tribunals set out in Sections 1 and 2 above shall apply.

3.2 Any Union, Player, Person and/or Connected Person who is required to attend a hearing to answer charges or allegations shall be entitled to be represented at the hearing including by a Union representative and/or by legal counsel.

Evidence

3.3 The Judicial Committee or Judicial Officer shall be entitled to receive such evidence and in such form as it thinks fit (including evidence in writing), notwithstanding the evidence may not be legally admissible and shall be entitled to attach such weight to that evidence as it/he sees fit.

3.4 First-hand accounts from persons present at the hearing as to their observations of the incident in question are to be preferred. Hearsay evidence may be accepted. However, caution will be exercised before hearsay evidence is accepted in preference to first hand evidence and generally less weight is likely to be given to hearsay evidence.

3.5 Judicial Committees or Judicial Officers should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence is only likely to be permitted when the evidence falls outside the everyday knowledge of members of the Judicial Committee or of the Judicial Officer.

3.6 Where a direction is given by a Judicial Committee or Judicial Officer it shall be the responsibility of the Union, the Player, Person or witness concerned to ensure that it is complied with, notwithstanding any travel or other arrangements that may need to be made and/or altered. In any case where a direction given by the Judicial Committee or Judicial Officer is not complied with, the Judicial Committee or Judicial Officer may refuse to

allow the evidence of the Union, Player or Person or witness to be given in any other form.

- 3.7 The Judicial Committee or Judicial Officer may direct that the Union or Tournament Organiser be represented. If so, the Union or Tournament Organiser shall appear by counsel and/or by a representative at the hearing, in such capacity as the Judicial Committee or Judicial Officer requires, to provide assistance to the Judicial Committee or Judicial Officer in the discharge of its duties.
- 3.8 Offences and breaches of Regulations may be established by any reliable means, including admissions. The following rules of proof shall be applied by the Judicial Committee or Judicial Officer:
- (a) they shall have the discretion to accept any facts established by a decision of a court of competent jurisdiction or professional disciplinary tribunal which is not the subject of a pending appeal as irrefutable evidence against the Player or Person to whom the decision relates of those facts, save only where the Player or Person establishes that the decision was contrary to the principles of natural justice; and
 - (b) where the Player or Person is charged with an offence and/or breach and fails or refuses without compelling justification to appear at a hearing (in person or by telephonic means) of which they have been given reasonable notice, the Judicial Committee or Judicial Officer may draw an inference adverse to the Player or Person.
- 3.9 Unless it otherwise directs, the procedure of the Judicial Committee or Judicial Officer at a hearing will be as follows:
- (a) the Chairman or Judicial Officer will explain the procedure to be followed;
 - (b) for cases involving Misconduct or breaches of the Code of Conduct and/or Anti-Corruption and Betting Regulations:
 - (i) the charges will be read; and
 - (ii) the Player or Person will be asked to confirm if he admits that he has committed the act or acts of Misconduct or breaches of the Regulation(s) for which he is charged;
 - (c) for cases involving Ordering Off:
 - (i) the referee's report and, where applicable, the assistant referee's report shall be read;
 - (ii) the Player shall be asked to confirm if he admits that he has committed an act or acts of Foul Play; and
 - (iii) the Player will be given the opportunity to say whether or not he will seek to show that the referee's decision was wrong (and if so why);

- (d) for cases involving a citing the procedures in (c)(ii) and (iii) above shall be applied, subject to such modification as the Judicial Committee or Judicial Officer deems appropriate;
 - (e) evidence from the Player or Person if he elects to give evidence, and from any witnesses to be called will be heard; and
 - (f) final submissions will be heard.
- 3.10 For cases involving citing complaints initiated by a Citing Commissioner, Misconduct or other breaches of the Regulations, the Judicial Committee Chairman or Judicial Officer may request that a person be available to present the case and set out the basis of the citing complaint, Misconduct or other charges.
- 3.11 The Player or Person subject to disciplinary proceedings may admit the offence at any time in which case the Judicial Committee or Judicial Officer should proceed immediately to hear submissions in relation to sanction.
- 3.12 Where disciplinary proceedings, however arising, are taken against more than one Player or Person as a result of incidents occurring in a Match or arising from the same incident or series of incidents, such proceedings may be heard by a Judicial Committee or Judicial Officer at the same time, provided there is no prejudice to any person against whom the disciplinary proceedings are taken.
- 3.13 Upon the finding of a breach of the Bye-Laws and/or Regulations Judicial Committees and Judicial Officers shall be entitled to impose such penalties and orders as they think fit which may include the penalties and orders set out in Regulation 18.6.1.
- 4. Appeal Committees and Appeal Officers – Power to regulate their own procedures**
- 4.1 The Appeal Committee or Appeal Officer are entitled to receive and shall be provided with the full record of the proceedings before the Judicial Committee or Judicial Officer.
- 4.2 An Appeal Committee or Appeal Officer shall have power to conduct and regulate the appeal proceedings as it sees fit having regard to the circumstances of the case but shall generally conform to the procedures stated in this Regulation 18, Appendix 1.
- 4.3 The Appeal Committee or Appeal Officer shall have the power to order that a de novo hearing in whole or in part be adopted on appeal. A de novo hearing in whole or in part would ordinarily only be appropriate where it is established that it is in the interests of justice that a re-hearing of the case in whole or in part is necessary. In the case of an appeal which proceeds in whole as a de novo hearing the procedure to be adopted, the burden of proof and all evidential and other matters shall proceed as if the hearing was a first instance hearing before a Judicial Committee or Judicial Officer.

- 4.4 Except where an appeal proceeds in whole or in part, and then only with respect to that part, as a de novo hearing and subject to clause 3.3 above, appeals and any question of fact arising on appeal will be heard and determined based on the record of the decision and the evidence received and considered by the Judicial Committee or Judicial Officer.
- 4.5 Except where an appeal proceeds in whole as a de novo hearing it is for the Appellant to establish that the decision being challenged on appeal:
- (a) was in error (either as to central factual findings or in law);
 - (b) in the interests of justice should be overturned;
 - (c) the sanction imposed was manifestly excessive or wrong in principle; and/or
 - (d) the sanction imposed was unduly lenient.
- 4.6 Except where an appeal proceeds in whole or in part, and then only with respect to that part, as a de novo hearing, appeals shall be conducted on the basis that:
- (a) the evidential assessment or decision involving an exercise of discretion or judgment of or by a Judicial Committee or Judicial Officer shall not be overturned save in circumstances where the relevant findings made by the Judicial Committee or Judicial Officer are manifestly wrong;
 - (b) the evidential assessment or decision involving an exercise of discretion or judgment of or by a Judicial Committee or Judicial Officer shall not be overturned save in circumstances where the Judicial Committee or Judicial Officer applied wrong principles in the exercise of its/his discretion which has resulted in an erroneous decision being made; and/or
 - (c) new or additional evidence not offered before the Judicial Committee or Judicial Officer shall only be considered by the Appeal Committee or Appeal Officer where the party offering such evidence establishes that it was not, on reasonable enquiry, available at the time of the proceedings before the Judicial Committee or Judicial Officer.
- 4.7 Where the Appellant appeals against the sanction and/or cost order alone, the Appellant may request that the Appeal Committee or Appeal Officer review the sanction without the need for a personal hearing. The Appeal Committee or Appeal Officer may also determine that a personal hearing is not required in relation to any appeal but if it/he so wishes, the Appellant always has the right to appear and make representations in all cases in person or by way of technology or alternatively he may make representations in writing.

- 4.8 The Chairman of the Appeal Committee and the Appeal Officer shall be entitled to determine pre-hearing procedural and/or evidential matters. Such matters may include:
- (a) a pre-hearing conference convened for the purposes of giving directions for the hearing and clarification of the procedures; and/or
 - (b) the requirement for any person to attend the hearing as a witness.
- For the purposes of pre-hearing case management the Chairman of the Appeal Committee may exercise this function without reference to the other Appeal Committee members.
- 4.9 The Appeal Committee or Appeal Officer shall set a time, date and place for the hearing of the appeal which shall be notified by Rugby World, Host Union or Tournament Organiser to the Appellant(s) who has lodged the appeal.
- 4.10 Where a Player is suspended, provisionally suspended or had other sanctions imposed, such suspension and/or sanction shall remain in place pending the outcome of an Appeal.
- 4.11 If a Member of the Appeal Committee or Appeal Officer is unable or unwilling, for whatever reason, to hear the appeal, then World Rugby, Host Union or Tournament Organiser through an independent process may, at its absolute discretion:
- (a) appoint a replacement; or
 - (b) appoint a new Appeal Committee or new Appeal Officer; or
 - (c) allow the remaining members of the Appeal Committee to hear the appeal.
- 4.12 Appeal Committees and Appeal Officers shall:
- (a) have the power to direct that World Rugby, Union or Tournament Organiser be represented. If so, World Rugby, Union or Tournament Organiser shall be represented by a designated disciplinary officer (or his nominee) and may appear by counsel at the hearing of the appeal in such capacity as the Appeal Committee or Appeal Officer requires, to assist it/him in the discharge of its/his duties;
 - (b) may permit such other persons to be present at the hearing of the appeal as they see fit;
 - (c) in any case where a witness has been required to attend and refuses and/or fails to attend the hearing, the Appeal Committee or Appeal Officer may decide whether or not to allow the evidence of that witness to be given in any other form;
 - (d) be entitled to determine whether witnesses that give evidence are entitled to remain within the room in which the appeal is being heard after their evidence has been given; and

- (e) subject to clauses 3.3 to 3.5 be entitled to receive evidence in such form as it thinks fit (including evidence in writing), including evidence which may not be admissible in a court or tribunal and should be entitled to attach such weight to that evidence as it/he sees fit.
- 4.13 Save where the Appeal Committee or Appeal Officer decides to hear the entire case de novo, the Appellant shall have the burden of proving that the decision being challenged should be overturned or varied.
- 4.14 The Appeal Committee or Appeal Officer shall have the powers ascribed to it in Regulation 18.8.1 including the power to deal with penalties and costs as set out in Regulation 18.8.1.
- 4.15 The decision of the Appeal Committee or Appeal Officer shall be advised to the parties as soon as practicable after the conclusion of the hearing and shall be final and binding on notification to the Union, Player and/or Person. Where it considers it appropriate, the Appeal Committee or Appeal Officer may deliver a short oral decision at the conclusion of the hearing (with its/his reasons to be put in writing and communicated to the parties at a later date) or it/he may reserve its decision.
- 4.16 Relevant parties heard by the Appeal Committee or Appeal Officer shall be entitled to a copy of the Appeal Committee's or Appeal Officer's written decision which shall be provided by the Appeal Committee or Appeal Officer as soon as practicable after it is available.

REGULATION 19. MEDIATION

- 19.1** In the event of a dispute between Unions and/or Associations, the Unions and/or Associations concerned may request the CEO to appoint a mediator to assist in settling the differences between the parties.
- 19.2** Only where the CEO and all the parties who are involved in a dispute consent in writing, may a matter be referred to a mediator for consideration in accordance with Clause 19.1 above.

REGULATION 20. MISCONDUCT AND CODE OF CONDUCT

Preamble

- A** Adherence to the Laws of the Game, Regulations Relating to the Game and the spirit of fair play remains fundamental to the proper administration and preservation of the Game in the modern era. Accordingly, a general obligation arises on all stakeholders to address Misconduct matters within their jurisdictions to ensure that discipline, control, honesty and mutual respect which are fundamental to the integrity of the Game are preserved.
- B** This Regulation 20 sets out a harmonised approach to the administration of discipline and the implementation of sanctions for Misconduct at all levels of the Game. The administration of this Regulation shall be carried out on behalf of World Rugby by the Disciplinary Officer in consultation with World Rugby.
- C** All participants in the Game by means of their participation recognise and agree to be bound by the principle of universality which means that Players who are suspended at any level of the Game shall have their suspension recognised and applied at all levels of the Game and in the territories of all member Unions and Associations.

Application of the Regulation

- 20.1** The provisions of this Regulation including the World Rugby Code of Conduct (Appendix 1) apply to all Unions and Associations within their respective jurisdictions at all levels and it is their responsibility to advise their Players, Persons and Rugby Bodies of this Regulation. Unions and Associations shall ensure that they have in place disciplinary regulations compatible and not in conflict with this Regulation 20 and such regulations are applied to and complied with by all Players, Persons and Rugby Bodies within their jurisdiction.
- 20.2** Any act of Misconduct shall constitute an offence under this Regulation and may result in disciplinary proceedings being brought against and sanctions being imposed upon the Player, Person, Union, Association and/or Rugby Body involved.
- 20.3** For the purposes of these Regulations Relating to the Game, “**Misconduct**” shall mean any conduct, behaviour, statements and/or practices on or off the playing enclosure during or in connection with a Match or otherwise, that is unsporting and/or cheating and/or insulting and/or unruly and/or ill-disciplined and/or that brings or has the potential to bring the Game and/or any of its constituent bodies, World Rugby and/or its appointed personnel or commercial partners and/or Match Officials and/or judicial personnel into disrepute. Misconduct shall only exclude Foul Play during a Match which has been the subject of consideration and a finding under the regime prescribed for Ordering Off and/or Citing in Regulation 17.

- 20.4** While it is not possible to provide a definitive and exhaustive list of the types of conduct, behaviour, statements or practices that may amount to Misconduct under these Regulations, by way of illustration, each of the following types of conduct, behaviour, statements or practices however or wheresoever undertaken are examples of and constitute Misconduct:
- (a) acts of violence or intimidation within the venue in which the Match is being played including (without limitation) the tunnel, changing rooms and/or warm-up areas;
 - (b) acting in an abusive, insulting, intimidating or offensive manner towards referees, assistant referees, Citing Commissioners, members of Disciplinary Tribunals or other officials or any person associated with the Host Union, the Rugby Body or the Unions participating in the Match or spectators;
 - (c) acts or statements that are, or conduct that is, discriminatory by reason of religion, race, sex, sexual orientation, disability, colour or national or ethnic origin;
 - (d) any breach of Regulation 6 (Wagering);
 - (e) providing inaccurate and/or misleading information about the previous disciplinary record of the Player or Person in any proceedings under this Regulation or Regulations 17 or 21 or other disciplinary proceedings and/or misleading information concerning the Player's future playing intentions;
 - (f) any breach of Regulation 20 Appendix 1 (Code of Conduct);
 - (g) comments and/or conduct in connection with current and/or anticipated disciplinary proceedings and/or Match officiating (or any aspect thereof), which may be prejudicial to or adversely impact such proceedings and/or which are prejudicial to the interests of the Game and/or any Person and/or any disciplinary personnel (including Disciplinary Tribunals and Citing Commissioners);
 - (h) failure to cooperate with the citing and/or judicial process in the absence of a reasonable explanation or making a citing referral frivolously or in bad faith;
 - (i) failure or refusal by a Player, Person or Union to cooperate fully with any investigations conducted pursuant to the wagering rules (Regulation 6), or the anti-doping rules (Regulation 21), or in connection with any complaint or dispute which is or could be brought before a Disciplinary or Appeal Committee or Judicial or Appeal Officer; and/or
 - (j) making any comments (including to the media) that attack, disparage or denigrate the Game and/or any of its constituent bodies, World Rugby and/or its appointed personnel or commercial partners and/or Match Officials and/or disciplinary personnel (including Disciplinary Tribunals and Citing Commissioners).

- 20.5** Unions are responsible and accountable for the conduct of their Players and all Persons within their jurisdiction. Unions, Players and Persons must conduct themselves in a disciplined and sporting manner and ensure that they do not commit any act(s) of Misconduct.
- 20.6 The Role of the Host Union, Association or duly recognised Tournament Organiser in Misconduct Matters**
- 20.6.1** The Host Union shall nominate a designated disciplinary officer who shall administer this Regulation and shall be entitled to undertake such investigations (personally or through a nominee(s)) as he may consider necessary into incidents that constitute or may be capable of constituting Misconduct on the part of Players and/or Persons and/or Rugby Bodies within their jurisdiction in accordance with Regulation 20.
- 20.6.2** In the context of a Match or tournament, the role of the designated disciplinary official may be delegated to the Citing Commissioner or the Citing Commissioner Liaison Officer, the Match commissioner or other suitable person.
- 20.6.3** For Matches forming part of the merit based appointment scheme that are not World Rugby Matches, in the event that a designated disciplinary officer is not appointed or the appointee is unable to fulfil the role or in the opinion of the Disciplinary Officer cannot independently exercise such role, then in such circumstances the Disciplinary Officer on behalf of World Rugby may appoint the designated disciplinary officer including himself.
- 20.6.4** Where a Misconduct investigation is into the activities of a Union, Association or Tournament Organiser and/or its appointed personnel, the designated disciplinary officer shall be independent of the Union, Association and/or Tournament Organiser. If in the reasonable opinion of the Disciplinary Officer, the Union, Association or Tournament Organiser is unable to independently exercise such role, then the Disciplinary Officer may on behalf of World Rugby appoint the designated disciplinary officer including himself.
- 20.6.5** Nothing in this Regulation shall limit or restrict the right of the Disciplinary Officer on behalf of World Rugby to appoint a designated disciplinary officer to undertake such investigations as he may consider necessary into incidents that constitute or may be capable of constituting Misconduct or acts which have the potential to bring the Game or World Rugby into disrepute on the part of Players, Persons, Unions, Associations and/or Rugby Bodies. This provision shall apply equally to situations where no action or insufficient action has been taken by the Union, Association or Tournament Organiser.
- 20.6.6** No person who is a member or a paid employee of a Union or other affiliated organisation responsible for the management of either team participating in a Match shall be eligible for appointment as a designated disciplinary official.

20.7 Initial Procedures – Misconduct

- 20.7.1 The designated disciplinary official (or his nominee) shall be entitled to undertake such investigations as he may consider necessary into incidents that constitute or may be capable of constituting Misconduct involving any Player, Person and/or Rugby Body within his jurisdiction. Every Union, Association, Rugby Body, Player and Person shall be obliged to cooperate with any such investigations, referrals and/or hearings and a failure to cooperate with such investigation may itself constitute Misconduct under this Regulation.
- 20.7.2 Subject to the provisions of this Regulation 20, the designated disciplinary official shall determine whether to investigate an incident or incidents and/or to bring a Misconduct complaint against any Player, Person and/or a Rugby Body within his jurisdiction and his decision in respect of both initiating an investigation and/or bringing a Misconduct complaint shall be final.
- 20.7.3 Notwithstanding Regulation 20.7.1 where the designated disciplinary officer has reason to believe that an act or acts of Misconduct may have been committed by a Union or Association, he must immediately inform the Disciplinary Officer of World Rugby, in writing. The Disciplinary Officer or his nominee shall then deal with the matter as he considers appropriate.
- 20.7.4 In cases involving conduct and/or behaviour that in the opinion of the designated disciplinary officer of a Host Union are more appropriately dealt with by a visiting Union, or World Rugby, the designated disciplinary officer may, on behalf of the Host Union, refer the matter to the visiting Union or World Rugby to deal with.
- 20.7.5 In cases involving conduct and/or behaviour that in the opinion of the designated disciplinary officer of the Tournament Organiser are more appropriately dealt with by the Union of the Player or Person concerned or World Rugby, the designated disciplinary officer may, on behalf of the Tournament Organiser refer the matter to the Union of the Player or Person concerned or World Rugby to deal with.
- 20.7.6 Where any referral is made to World Rugby, World Rugby shall determine if it is appropriate in all the circumstances to take over the matter. Where World Rugby agrees to take up the matter, the relevant Union or Tournament Organiser shall assist World Rugby with the case (and/or investigation) and shall be responsible for payment of any unrecovered costs arising from the referral.
- 20.7.7 If a matter is referred to a visiting Union, pursuant to Regulation 20.7.4 above, or is referred to the Union of the Player or Person concerned, pursuant to Regulation 20.7.5 then the visiting Union or Union of the Player or Person concerned shall be obliged to progress the matter in accordance with disciplinary procedures which shall be based on those set out in this Regulation and shall advise the Disciplinary Officer of World

Rugby who shall have the right to require that the referring Union or Tournament Organiser or World Rugby retain conduct of the matter.

- 20.7.8 If the Disciplinary Officer (or his nominee) allows the visiting Union or the Union of the Player or Person to whom the matter has been referred pursuant to Regulation 20.7.4 or 20.7.5 to handle the case then they shall report the outcome to the Disciplinary Officer of World Rugby as soon as it is concluded.
- 20.7.9 The Disciplinary Officer (or his nominee) may take such action against the Union, Association, Player, Person and/or Rugby Body concerned as he considers appropriate in the event that the visiting Union or Union of the Player or Person concerned do not conclude the investigation and/or adjudicate on the matter expeditiously and in good faith.
- 20.7.10 If the designated disciplinary officer elects to bring a Misconduct complaint, then the matter shall be referred to an independent Judicial Committee or Judicial Officer for consideration.

20.8 Misconduct Complaint

- 20.8.1 Subject to Regulations 20.6.1 and 20.7.2 any Misconduct complaint by the designated disciplinary officer shall be sent in writing to the Union of the Player, Person or body against whom the Misconduct complaint is made (or other applicable body). The Misconduct complaint should contain the following information:
- (a) date and place of the alleged Misconduct;
 - (b) the name of the Player, Person or other party in respect of whom the complaint is made and (where applicable) his/their Rugby Body or Union; and
 - (c) details of the alleged Misconduct (including brief details of the evidence to be relied upon).
- 20.8.2 On receipt of a Misconduct complaint, the Union shall send a copy of the Misconduct complaint and applicable information and/or reports to the Player or Person (and their Rugby Body) or other party in respect of whom it is made together with notification of the appointed Judicial Committee or Judicial Officer and relevant details regarding the Misconduct hearing.
- 20.8.3 A Union, Tournament Organiser, Player or Person may refer an allegation of Misconduct to the designated disciplinary officer appointed by the Host Union or Tournament Organiser having jurisdiction. The designated disciplinary officer shall consider the matter and determine whether to bring a Misconduct complaint or not as a result of a referral subject always to the provisions of this Regulation.

20.9 Judicial Committee or Judicial Officer – Power to regulate its/his Own Procedures

- 20.9.1 The general procedures relating to hearings before Judicial Committees and Judicial Officers contained in Regulation 18, Appendix 1 shall apply to any matter arising under this Regulation. In this regard disciplinary proceedings shall include for the avoidance of doubt Misconduct proceedings.
- 20.9.2 The Judicial Committee or Judicial Officer shall deal with cases involving alleged Misconduct as soon as practicable and at a convenient location for the Union, Player or Person subject to the Misconduct proceedings. This location does not have to be in the country in which the alleged Misconduct took place and shall be determined by the Judicial Committee or Judicial Officer in consultation with the Host Union or Tournament Organiser or World Rugby (as appropriate).
- 20.9.3 The Judicial Committee or Judicial Officer may at its or his discretion impose a provisional suspension on a Player or Person subject to a Misconduct complaint pending the resolution of the case.
- 20.9.4 At any hearing of a Misconduct complaint, the designated disciplinary officer (or his nominee) shall be in attendance to explain the basis of the Misconduct complaint and present the Misconduct complaint and he may be assisted by a legal advisor.
- 20.9.5 The designated disciplinary officer shall have the burden of proving, on the balance of probabilities, that an act or acts of Misconduct have been committed. The Player, Person or other party subject to the Misconduct complaint shall be asked if he accepts that he has committed an act of Misconduct. The Judicial Committee or Judicial Officer shall determine its/his factual findings and whether it/he is satisfied on the balance of probabilities that an act or acts of Misconduct has been committed by the Player, Person or other party concerned.

20.10 Sanctions for Misconduct

- 20.10.1 If a Judicial Committee or Judicial Officer determines that an act or acts of Misconduct have been committed then it/he shall receive and consider representations on sanctions. The Judicial Committees and Judicial Officers shall be entitled to impose such sanction as they think fit on the Union, Person and/or Player and/or other party concerned including, but not limited to, the following:
- (a) a caution, warning as to future conduct, reprimand;
 - (b) a fine and/or compensation orders;
 - (c) a suspension for a specified number of Matches (including all on-field activities) or period of time;
 - (d) expulsion from the remainder of a Tournament and/or Series of Matches;

- (e) exclusion orders from Unions or grounds within Unions;
- (f) suspension from involvement in officiating, coaching and/or administration of the Game;
- (g) the withdrawal of other benefits of membership of World Rugby including but not limited to the right to apply to host World Rugby Matches or International Tournaments and/or funding;
- (h) the deduction or cancellation of points or any such similar sports or tournament based sanction; and/or
- (i) any combination of the above or such other sanction as may be appropriate.

And in the case of Sevens Matches and/or Sevens Tournaments the following additional sanctions may be imposed:

- (j) the cancellation of a Match result;
- (k) the replaying of a Match;
- (l) the forfeiture of a Match;
- (m) the deduction or cancellation of points or any such similar sports or tournament based sanction; and/or
- (n) any combination of the above or such other sanction as may be appropriate.

When imposing a sanction for Misconduct the Judicial Committee or Judicial Officer shall describe the precise nature of any suspension and its scope and the extent of any activities restricted and/or prohibited.

- 20.10.2 The decision of the Judicial Committee or Judicial Officer shall be communicated to the relevant Union, Player, Person or other party concerned and/or their representatives as soon as reasonably practicable and shall be binding upon notification to the Union, Player and/or Person concerned or their representatives. In cases handled by a Union, Association or Tournament Organiser involving an International Match or Match forming part of an International Tour, World Rugby shall also be notified immediately. All decisions in Misconduct cases shall be made available to World Rugby upon request.
- 20.10.3 Any penalties imposed shall remain effective pending the final determination of the appeal.
- 20.10.4 Any decision of World Rugby and/or a decision of a Union, Association or Tournament Organiser where such decision is recognised and accepted by World Rugby shall be recognised and applied (including any sanctions thereunder) by all Unions, Associations and Rugby Bodies who shall take all necessary actions to render such decision effective within their jurisdiction(s).

20.11 Appeals In Relation To Misconduct Matters

- 20.11.1 A Player, Person or other party who is found to have committed an act or acts of Misconduct shall have the right to appeal against the finding of an offence of Misconduct and/or the sanction imposed. In cases handled by a Union or Tournament Organiser, the Union, Tournament Organiser and World Rugby shall have the right to appeal.
- 20.11.2 The following parties (Appellants) shall be entitled to appeal to an Appeal Committee or Appeal Officer from the decision of a Judicial Committee or Judicial Officer:
- (a) the Player, Person or other party the subject of the Misconduct decision;
 - (b) the Host Union; or
 - (c) the Tournament Organiser; and
 - (d) World Rugby in respect of all World Rugby Matches and Matches falling under the merit based appointment scheme.
- 20.11.3 To be valid, any appeal against the decision of a Judicial Committee or Judicial Officer in relation to Misconduct must be lodged with the designated disciplinary officer (or his nominee) in writing within **7 days** of the notification of the decision to the Player, Person or other party concerned, or his/their representative(s), if any. For the purposes of Regulation 20 “decision” shall mean the final written decision of the Judicial Committee or Judicial Officer.
- 20.11.4 If the Host Union or Tournament Organiser shall so require, each notice of appeal shall be accompanied by a deposit of an amount not exceeding the equivalent of £1,000 (pounds sterling), such amount to be determined by the Host Union or Tournament Organiser. In the event of a required deposit not being paid, the appeal shall be deemed to be abandoned, save that the Appeal Committee or Appeal Officer, in any case, shall have power to extend the time for payment of the deposit. In the event of an appeal by World Rugby, the Host Union or Tournament Organiser no appeal deposit shall be payable.
- 20.11.5 World Rugby has a supervisory jurisdiction in respect of disciplinary matters (Misconduct). In the event the Disciplinary Officer determines it is appropriate that a particular decision should be appealed the Disciplinary Officer on behalf of World Rugby shall have the right to appeal the matter, and such right of appeal shall be exercised within **7 days** following receipt of the decision.
- 20.11.6 The appeal shall be heard as soon as reasonably practicable. The appeal shall be dealt with in the most convenient location having regard to the Player(s), Person(s) or other party(ies) involved. It need not take place in the country in which the Misconduct occurred. This will be determined by the appointed Appeal Committee Chairman or Appeal Officer in

consultation with the Host Union or Tournament Organiser or World Rugby (as appropriate).

- 20.11.7 The Appeal Committee or Appeal Officer shall determine the basis on which the appeal shall proceed, including the standard of review. The general procedures relating to hearings before Appeal Committees and Appeal Officers contained in Regulation 18, Appendix 1 shall apply to any matter arising under this Regulation.
- 20.11.8 In the event of an appeal against the decision of a Judicial Committee or Judicial Officer with respect to Misconduct, the sanction, if any, imposed by the Judicial Committee or Judicial Officer shall apply until the case has been dealt with by an Appeal Committee or Appeal Officer.
- 20.11.9 The majority decision of the Appeal Committee or the decision of the Appeal Officer (as the case may be) shall be effective immediately on notification to the Appellant and/or his representatives and shall be final and binding.
- 20.11.10 For cases handled by a Union or Tournament Organiser the Union or Tournament Organiser shall submit to the Disciplinary Officer of World Rugby the decision and where requested a full report of proceedings and conclusions in Misconduct matters arising out of or within its jurisdiction within **14 days** of the final decision having been made. The Disciplinary Officer, or his nominee, may, on behalf of World Rugby, accept the result or refer the matter to the appropriate body for consideration.

20.12 Additional Provisions

- 20.12.1 Judicial Committees, Judicial Officers, Appeal Committees and Appeal Officers, prior to a hearing or at any stage during a hearing may amend the offence for which the Player, Person or other party has been charged unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice. Where an amendment is made, in appropriate cases an adjournment may be granted.
- 20.12.2 Where Misconduct proceedings, however arising, are taken against more than one Player, Person or other party as a result of incidents occurring in or in connection with a Match or tournament, such proceedings may be heard by a Judicial Committee or Judicial Officer at the same time, provided there is no prejudice to any Player, Person or other party against whom the Misconduct proceedings are taken.

20.13 Exceptional Circumstances in relation to Players' Conduct

- 20.13.1 In exceptional circumstances where the conduct of a Player(s) or Person(s) is of such a serious/gross nature that his or their continued involvement in the Game in any capacity pending the final determination of the matter by the relevant authority is deemed by World Rugby to be inappropriate and/or potentially prejudicial to the image and reputation of the sport, then World Rugby is entitled to require as it deems fit that the relevant Union(s) provisionally suspend such Player(s) or Person(s) from any involvement in the sport.

- 20.13.2 It is the responsibility of each Union in membership of World Rugby to ensure that in such circumstances it is able by reference to its regulations or otherwise to effect and/or recognise such provisional suspension on the Player or Person concerned.

20.14 Unforeseen Circumstances

- 20.14.1 In respect of any matter not provided for in this Regulation the appropriate body or Person shall take a decision according to general principles of natural justice and fairness.

20.15 The Role of World Rugby in Misconduct Matters

- 20.15.1 Where World Rugby reasonably determines that circumstances exist or could arise where it is in the overall interests of the Game to intercede, World Rugby shall be entitled to appoint a designated disciplinary officer to undertake an investigation into incidents that constitute or may be capable of constituting Misconduct on the part of a Player, Person or other party.

- 20.15.2 World Rugby shall appoint a designated disciplinary officer for all World Rugby Matches.

- 20.15.3 Where World Rugby appoints a designated disciplinary officer, the role shall be undertaken by the Disciplinary Officer of World Rugby (or his nominee).

20.16 Special Provisions relating to Sevens Matches and Tournaments

- 20.16.1 The structure of Sevens events, with multiple Matches taking place on the same day, means that expedition in dealing with any Misconduct matters which may arise is important. The supplemental provisions in this Regulation 20.16 are intended to provide assistance in dealing expeditiously with Misconduct complaints at Sevens events.

- 20.16.2 Ordinarily a Judicial Officer shall be appointed to deal with Misconduct matters at Sevens events.

- 20.16.3 The Judicial Officer shall deal with cases involving alleged Misconduct as soon as practicable and, wherever possible, during the course of the tournament. If a case is not dealt with during the course of a tournament it will, ordinarily, be dealt with as soon as reasonably practicable following the conclusion of the tournament, at a convenient location for the Player(s), Person(s) or other party(ies) concerned. This location does not have to be in the country in which the tournament was played and shall be determined by the Judicial Officer in consultation with the Host Union or Tournament Organiser or World Rugby.

- 20.16.4 To be valid, any appeal against the decision of a Judicial Officer in relation to Misconduct must be lodged with the designated disciplinary officer (or his nominee) in writing within **7 days** of the notification of the written decision of the Judicial Officer to the Union, or Player or Person concerned, or his/their representative(s), if any.

- 20.16.5 If a Player, Person or other party named in Regulation 20.11 lodges an appeal pursuant to Regulation 17.22.4 then, subject to the discretion of the Appeal Committee Chairman or Appeal Officer (as appropriate) and, where reasonably practicable, the appeal shall be dealt with during the course of the tournament. If the appeal is not dealt with during the course of the tournament, it will be dealt with as soon as reasonably practicable thereafter and, ordinarily, within **7 days** of the lodgement of the appeal.

APPENDIX 1. CODE OF CONDUCT

1. All Unions, Associations, Rugby Bodies, Clubs and Persons:
 - 1.1 must ensure that the Game is played and conducted in accordance with disciplined and sporting behaviour and acknowledge that it is not sufficient to rely solely upon the Match Officials to maintain those principles;
 - 1.2 shall co-operate in ensuring that the spirit of the Laws of the Game are upheld and refrain from selecting players guilty of foul play;
 - 1.3 shall not repeatedly breach the Laws of the Game;
 - 1.4 shall accept and observe the authority and decisions of referees, touch judges, Match Officials and all other rugby disciplinary bodies, subject to Regulation 17;
 - 1.5 shall not publish or cause to be published criticism of the manner in which a referee or touch judge handled a Match;
 - 1.6 shall not publish or cause to be published criticism of the manner in which Council or any other rugby disciplinary body handled or resolved any dispute or disciplinary matter resulting from a breach of the Bye-Laws, Regulations, or Laws of the Game;
 - 1.7 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, tour, tournament or Series of Matches (including, but not limited to, the supply of information in relation to the Game, directly or indirectly, to bookmakers or to persons who may use such information to their advantage) or in the integrity and good character of any Person;
 - 1.8 shall not commit a breach of Regulation 6 (Wagering);
 - 1.9 shall promote the reputation of the Game and take all possible steps to prevent it from being brought into disrepute;
 - 1.10 shall not commit an anti-doping rule violation as defined in Regulation 21;
 - 1.11 shall not abuse, threaten or intimidate a referee, touch judge or other Match Official, whether on or off the field of play;
 - 1.12 shall not use crude or abusive language or gestures towards referees, touch judges or other Match Officials or spectators;
 - 1.13 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, sex, sexual orientation, colour or national or ethnic origin;
 - 1.14 shall not do anything which adversely affects the Game of Rugby Football, World Rugby, any member Union or Association or any commercial partner of the Game.

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2. Each Union and Association is under an obligation to comply with and to ensure that each of its members comply with this Code of Conduct and adopt procedures to monitor compliance with and impose sanctions for breaches of the Code of Conduct by Persons under its jurisdiction.