



## Matches

# DISCIPLINARY RULES

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The following Disciplinary Rules (the "Disciplinary Rules") form part of the terms and

conditions of participation in the FIRA AER competitions. No Union may participate in a FIRA AER competition unless it has accepted these Disciplinary Rules and agreed (on its own behalf and on behalf of each of its Players and members of staff) to be bound and to abide by their provisions and all decisions made thereunder.

## **1. Introduction**

1.1 The purpose of these Disciplinary Rules is to provide uniform procedures for the resolution as set out below of disciplinary issues arising in connection with the Competition and to enable all such issues to be resolved in a fair, consistent and expeditious manner.

1.2 These Disciplinary Rules shall apply to and bind each Union and each of its Players, officials, directors, officers and employees throughout the competition. By participating in a competition, each Union shall be deemed to have accepted these Disciplinary Rules and agreed to be bound and to abide by their provisions both on its own behalf and on behalf of each of its Players, officials, directors, officers and employees. Each Union shall ensure that each of its Players, officials, directors, officers and employees is aware of these Disciplinary Rules and understands and agrees to be bound by them.

1.3 FIRA AER may from time to time supplement, amend or vary these Disciplinary Rules in accordance with clause 4.3 of the Participation Agreement.

## **2. Responsibility and Accountability**

2.1 Each Person is responsible and accountable for his own conduct, and for the conduct of his agents and representatives, in connection with a competition. He must conduct himself at all times in accordance with the highest standards of disciplined and sporting behaviour. He must not commit any act(s) of Misconduct.

2.2 Each Union is responsible and accountable for its own conduct and for the conduct of each of its Players, officials, directors, officers and employees in connection with a competition. In addition, each Union is also responsible and accountable for the conduct of supporters of the Union.

2.3 Each Union must ensure that:

2.3.1 The Union and each of its Players, officials, directors, officers, employees and supporters conducts it/him/herself at all times in accordance with the highest standards of disciplined and sporting behaviour; and

2.3.2 Neither the Union nor any of its Players, officials, directors, officers, employees or supporters commits any act or acts of Misconduct.

### **3. Misconduct**

3.1 Any act or acts of Misconduct shall constitute an offence under these Disciplinary Rules that may result in disciplinary proceedings being taken and (where appropriate) sanctions being imposed against the Person(s) involved and/or his Union.

3.2 For purposes of these Disciplinary Rules, "**Misconduct**" shall mean any illegal or foul play, conduct, behaviour, statements or practices by an Union and/or any of its Players, officials, directors, officers, employees or supporters, on or off the playing enclosure, during a Match or otherwise, that is unsporting and/or insulting and/or that brings or has the potential to bring the sport of rugby union, the competition, FIRA AER and/or any sponsor or other commercial partner of the competition or FIRA AER into disrepute.

3.3 While it is not possible to draw up a definitive and exhaustive list of types of conduct, behaviour, statements or practices that may amount to Misconduct under these Disciplinary Rules, each of the following types of behaviour by an Union and/or its Players, officials, directors, officers, employees or supporters is an example of Misconduct under these Disciplinary Rules:

3.3.1 breaching the rules of the competition relating to player eligibility, viz. clause 7 of the competition Rules;

3.3.2 breaching any other provision of the Participation Agreement;

3.3.3 seeking or accepting any bribe or other benefit to fix a Match or series of Matches or to achieve a contrived outcome to a Match or series of Matches or otherwise improperly influencing the outcome or any other dimension or aspect of any Match or series of Matches or conspiring to carry out or induce

any of the above;

3.3.4 entering into any wager, bet or other form of financial speculation, directly or indirectly, as to the result of or any other dimension or aspect of the competition or any Match or series of Matches in the competition;

3.3.5 Failure by a Union to exercise reasonable and proper control over Players, officials, directors, officers, employees and supporters of the Union, on or off the playing enclosure, including, but not limited to when the Union is travelling to and from a Match and at all times when the Players, officials, directors, officers, employees and supporters of the Union are present in the country of the home Union for a Match (either before or after such Match);

3.3.6 failure (a) by a Person or Union to cooperate fully with any investigations conducted by the Anti-Doping Manager pursuant to the Anti-Doping Programme; and (b) by or on behalf of a Union to ensure that a Player has been properly informed of the contents of the Anti-Doping Programme and properly advised and assisted in fulfilling the pre-conditions for claiming therapeutic use exemption for certain Prohibited Substances (where applicable) under that Programme;

3.3.7 acts or statements those are discriminatory by reason of sex, sexual orientation, race, nationality, ethnic origin, colour, religion or disability; and

3.3.8 those other matters specifically referred to elsewhere in these Disciplinary Rules and/or the Participation Agreement as constituting or being capable of constituting Misconduct.

3.4 For the avoidance of doubt, an Union and/or a Person may be sanctioned for Misconduct that relates to conduct during a Match even if a Match referee has already penalised one or more Players for that conduct.

3.5 Any matter that constitutes or is capable of constituting Misconduct shall be considered by the FIRA AER Chairman, acting at the behest of FIRA AER or on referral by a Union. However, while FIRA AER may direct the Chairman to investigate a matter and/or bring a Misconduct complaint, a Union may not.

In the latter case, the Chairman shall have sole discretion to determine whether to investigate a matter and/or bring a Misconduct complaint under these Disciplinary Rules; and his decision shall be final and shall not be subject to appeal by any Union.

3.6 In carrying out his functions under clause 3.5, above, the Chairman shall be entitled to undertake such investigations as he may deem necessary, and every Union and Person shall be obliged to cooperate with such investigations. A failure to cooperate with such investigations may itself constitute Misconduct under these Disciplinary Rules.

#### **4. Disciplinary Proceedings**

4.1 Disciplinary proceedings under these Disciplinary Rules may arise in the following circumstances:

4.1.1 when a Player is shown a red card during a Match. For the purposes of these Rules, references to a "red card" are to a Player being sent off the playing enclosure permanently by the referee so that he can take no further part in the Match. This is to be contrasted with the temporary suspension (yellow carding) of a Player, when he is cautioned by the referee and temporarily sent off the playing enclosure for a period of ten minutes, to be spent in the so-called sin bin;

4.1.2 when a Player is cited by a Union against whom he has competed in a Match for illegal or foul play committed during that Match;

4.1.3 when the Match Commissioner believes a Player may have committed an act or acts of illegal or foul play or other Misconduct on the playing enclosure during a Match for which the Player has not been shown a red card or cited;

4.1.4 when the Match Commissioner believes a Player may have committed an act or acts of Misconduct other than on the playing enclosure during a Match; and

4.1.5 when the Match Commissioner believes a Union and/or any of its officials, directors, officers, employees and/or supporters or purported supporters may

have committed an act or acts of Misconduct.

4.2 Matters arising under clause 4.1.1 of these Disciplinary Rules shall be dealt with by the Match Commissioner in accordance with the provisions of section 5 of these Rules, subject to the appellate authority of the Appeal Committee pursuant to section 7 of these Rules.

4.3 Matters arising under clauses 4.1.2 to 4.1.5 of these Disciplinary Rules shall be referred to Disciplinary Committees for consideration in accordance with section 6 of these Rules, subject to the appellate authority of the Appeal Committee pursuant to section 7 of these Rules.

## **5. Proceedings before a Match Commissioner**

### **5.1 Appointment of Match Commissioners**

5.1.1 Prior to each Match, the FIRA AER shall appoint a Match Commissioner, who must be legally qualified and/or experienced in rugby disciplinary matters, and who must be independent of the Clubs participating in the Match.

5.1.2 The home Union (or, in the case of a Match played at a neutral venue, the Match organiser) shall provide all reasonable facilities to the Match Commissioner before, during and after the Match, including a private meeting room, video facilities and secretarial assistance.

5.1.3 Where the Match Commissioner is not legally qualified, he/she shall be assisted by a legal advisor appointed and paid for by the home Union.

5.1.4 The function of the Match Commissioner shall be to review any red cards given during the Match, including the referee's reasons for showing a red card to the Player and the circumstances surrounding the red card, in order to determine what further action (if any) should be taken. The Player may seek to show that the reasons for the referee's decision to show the player a red card were wrong, provided that (a) for the avoidance of doubt, during the Match the referee is the sole judge of fact and law, and therefore the Match Commissioner may not interfere with the referee's decision to show the

Player a red card; and (b) after the Match, the Match Commissioner shall not make a finding contrary to the referee's decision unless the Match Commissioner is satisfied, on the balance of probabilities, that the reasons for the referee's decisions were wrong.

## **5.2 Commencement of proceedings before a Match Commissioner**

5.2.1 Where a Player is shown a red card, the following report(s) (the "Official Report(s)") shall be submitted to the Match Commissioner within 90 minutes of the Match in question (or within such extended period as is necessary in the circumstances):

- a. the referee shall submit a report in the form of the Form One annexed to these Disciplinary Rules as part of Appendix Two; and
- b. where the red card was as a result of intervention by one or both touch judges, the touch judge(s) shall also submit a written report in the form of the Form Two annexed to these Disciplinary Rules as part of Appendix Two.

5.2.2 The Official Report(s) should contain the following information:

- a. the name and number of the Player ordered off and his Union;
- b. the date of the Match, the venue and the Unions participating;
- c. the circumstances in which the Player was shown a red card;
- d. the reason(s) for the Player being shown a red card; and
- e. any other information that the Match official in question considers relevant.

5.2.3 As soon as reasonably practicable after receipt of the Official Report(s), the Match Commissioner shall convene a disciplinary hearing, at a time and place of his choosing. Save in exceptional circumstances, the hearing should begin within two hours of the conclusion of the Match. For the avoidance of doubt, an inability to provide a fair hearing in the time allowed shall constitute an

exceptional circumstance for purposes of this clause.

### **5.3 Conduct of hearings before Match Commissioners**

5.3.1 The following provisions of this clause 5.3 set out procedural guidelines for the conduct of proceedings before a Match Commissioner. Further applicable provisions are set out at section 8, below. The Match Commissioner shall be entitled to depart from these procedures as he sees fit in the circumstances of the case at hand. Such departure shall not invalidate any finding or decision of the Match Commissioner unless it is shown to undermine the reliability of such finding or decision.

5.3.2 The Match Commissioner (or his nominee) shall notify the Player ordered off and his Club, as well as the referee and, where applicable, the touch judge(s), of the time and place of the hearing. When providing such notification, the Match Commissioner shall advise the Player (a) that he is required to attend in person at the hearing in order to answer such questions and to give such explanations for his conduct as the Match Commissioner may require, (b) that he is entitled to be represented by a person of his choice and (c) that he is entitled to bring such witnesses as he deems relevant. The Match Commissioner shall also advise the Match official(s) that they are required to attend. Depending on the content of the Official Report(s), the Match Commissioner may also require other witnesses to attend.

5.3.3 For the avoidance of doubt, if the Player is absent from any hearing before the Match Commissioner, such absence shall not, in itself, prevent the Match Commissioner from proceeding to a decision in the matter. In such circumstances, the Match Commissioner shall have discretion whether to receive written submissions by or on behalf of the Player.

5.3.4 Where a Match official or other witness fails to attend before the Match Commissioner, the Match Commissioner may, in his discretion, allow the evidence of that witness to be given in any other form.

5.3.5 Hearings before Match Commissioners under these Disciplinary Rules shall be held in private.

5.3.6 Copies of the Official Report(s) shall be provided to the Player and his Union

as soon as reasonably practicable in advance of the hearing and in any event at least thirty minutes prior to the commencement of the hearing.

5.3.7 At the beginning of the hearing, once the Player, his representative (if any), and the relevant Match official(s) are present, the Match Commissioner should introduce himself, state the purpose of the hearing and outline the procedure to be followed.

5.3.8 The Match Commissioner should seek confirmation from the referee that the Player attending the hearing is the person that was given a red card by the referee.

5.3.9 The Match Commissioner should read out the Official Report(s). He shall then give the referee and/or touch judge(s) the opportunity to supplement such report(s).

5.3.10 The Match Commissioner shall be entitled, at any time, to seek from the referee or touch judge(s) clarification regarding any matter referred to in their respective reports or otherwise arising during the hearing.

5.3.11 The Player should be asked if he accepts the Official Report(s) as true versions of the incident that resulted in the red card and the facts surrounding the incident.

5.3.12 The Player, or his representative, is entitled to question the referee and/or the touch judge(s) on any aspect of their reports, as well as any other witnesses on any aspect of their evidence but only through the Match Commissioner.

5.3.13 The Player has the right to give evidence, to call witnesses and/or (personally or through his representative) to make submissions. The Player and any witnesses may be questioned by the Match Commissioner.

5.3.14 The Match Commissioner shall not be bound to apply formal rules of evidence, but instead has the discretion to receive such evidence, and to attach such weight to that evidence, as he thinks fit.

5.3.15 Witnesses other than the Player himself and the Match official(s) shall be admitted to the hearing room only in order to give their evidence, and shall not be entitled to attend any other part of the hearing.

5.3.16 Any video evidence should be viewed in the presence of the Player, usually following the completion of all oral evidence, and with the sound commentary (but not any comments of the Match Officials) turned down so that it cannot be heard.

5.3.17 At any time during the hearing, including but not limited to after the screening of video evidence, the Match Commissioner may recall witnesses and ask them such questions as he considers appropriate.

5.3.18 Thereafter, the Match official(s) shall be invited to supplement the Official Report(s) by commenting on any issues raised during the hearing.

5.3.19 The Player or his representative shall be given a final opportunity to address the Match Commissioner.

5.3.20 The Match Commissioner shall be entitled, where the circumstances warrant, to adjourn or postpone proceedings as he thinks fit.

5.3.21 After all submissions have been made, all persons will withdraw to allow the Match Commissioner to deliberate in private.

5.3.22 The standard of proof applicable in proceedings before the Match Commissioner shall be the balance of probabilities.

5.3.23 If the Match Commissioner finds that the Player committed an act or acts of foul play, the Match Commissioner may decide to take such action and impose such period of suspension on the Player as he sees fit.

5.3.24 In exercising his sanctioning authority, the Match Commissioner:

a. shall have regard to the sanctions for foul play recommended in the IRB Regulations (reproduced for convenience at Appendix Three to these Disciplinary Rules);

b. shall consider all relevant precedents cited to him by the parties and shall seek to deal with the matter equitably compared with previous decisions;

c. may consider evidence of a party's character and/or disciplinary record in all competitions within the previous five years;

d. shall consider any evidence that the Player was provoked to commit the

act of illegal or foul play or committed such act in retaliation; and

e. in particular, where he forms the view that a Player is by reason of his previous disciplinary record a persistent offender against the Laws of the Game relating to foul play, may take that into account as an exacerbating factors.

5.3.25 For purposes of the foregoing clause of these Disciplinary Rules, details of the Player's previous disciplinary record shall be provided by the Player and/or his Union, provided that any misrepresentation with respect thereto (a) would allow the sanction imposed to be reviewed and (where appropriate) increased; (b) may constitute Misconduct and give rise to a Misconduct complaint against the Union and/or Player concerned.

5.3.26 The Player and his representative, if any, will be recalled to the hearing room and the Match Commissioner will announce his decision and any suspension to be imposed. The Match Commissioner shall notify the Player of his entitlement to appeal under section 7 of these Disciplinary Rules and the time within which an appeal must be made. The decision of the Match Commissioner shall be binding upon such notification. Where the Player for any reason does not come back to the hearing room, he shall be deemed to have been so notified.

5.3.27 The costs of proceedings before a Match Commissioner under these Disciplinary Rules shall lie where they fall. The Match Commissioner shall have no jurisdiction to order any party to pay any of those costs.

5.3.28 The Match Commissioner will forward written confirmation of his decision, together with the reasons for that decision, to the Player, the Player's Union and the FIRA AER Secretariat as soon as reasonably practicable following the conclusion of the hearing. Form 3 (annexed to these Disciplinary Rules as part of Appendix Two) should be used for this purpose.

## **6. Proceedings before a Disciplinary Committee**

### **6.1 Appointment of Disciplinary Committees**

6.1.1 Prior to the first Match of a competition, Executive Committee of the FIRA AER shall appoint three individuals with the necessary skills and experience to a Disciplinary Committee, and shall designate one of those individuals to act as Chairman of the Disciplinary

Committee. No director, officer or employee of FIRA AER may sit on the Disciplinary Committee. In some competitions (U18, Women Tournament...) clause 4.1.1 will be apply by the Disciplinary Committee of each Tournament.

6.1.2 When a matter is referred for consideration by a Disciplinary Committee under clause 4.3 of these Disciplinary Rules, the Executive Committee of the FIRA AER shall appoint three members of the Board to sit as a Disciplinary Committee to hear the matter. He shall designate one of those members to act as Chairman of that Disciplinary Committee.

6.1.3 No person with a close interest in the matter referred to the Disciplinary Panel may sit on the Disciplinary Committee hearing that matter. Without prejudice to the generality of the foregoing, the Disciplinary Committee hearing a matter shall not include any Player, member, official, director, officer or employee of a Union that (a) is the subject of the proceedings; (b) has a member, officer, player or employee who is the subject of the proceedings, or (c) (where applicable) was the opponent Union in the Match during which the events occurred that are the subject of the proceedings.

6.1.4 Any objection to the composition of a Disciplinary Committee arising pursuant to clause 6.1.3, above, should be made at the time that the members of the Disciplinary Committee are notified to the parties, failing which any such objection shall be deemed to have been waived.

6.1.5 If a member of a Disciplinary Committee is unable or unwilling, for whatever reason, to hear the matter referred to the Disciplinary Committee, then the Executive Committee of the FIRA AER may, at his absolute discretion:

6.1.5.1 appoint another member of the Disciplinary Panel as a replacement; or

6.1.5.2 appoint a new Disciplinary Committee; or

6.1.5.3 allow the remaining members of the Disciplinary Committee to hear the matter on their own.

6.1.6 Disciplinary Committees shall be entitled to call on experts to provide

specialist advice, including legal advice, without such experts sitting as members of the Disciplinary Committee. The costs of such experts shall be costs of the proceedings, for purposes of clause 6.4.23, below.

6.1.7 The following provisions of this section 6 set out procedural guidelines for the conduct of proceedings before a Disciplinary Committee. Clause 6.2 sets out procedural guidelines to be followed in citing cases. Clause 6.3 sets out procedural guidelines to be followed in Misconduct cases. Clause 6.4 sets out procedural guidelines to be followed in citing cases and Misconduct cases. Section 8 sets out further provisions of general application. The Disciplinary Committee shall be entitled to depart from these guidelines as it sees fit in the circumstances of the case at hand, provided that each party is given the opportunity to state its case in full and to challenge or respond to all evidence offered against it. Any such departure shall not invalidate any finding or decision of the Disciplinary Committee unless it is shown to render such finding or decision unreliable.

## **6.2 Procedures to be followed in citing cases**

6.2.1 Further to clause 4.1.2, above, a Union participating in a Match may cite a Player for illegal or foul play committed during the Match that was not detected by any Match official.

6.2.2 To be valid, a citing complaint must be in the form of Form Four set out in Appendix Two to these Disciplinary Rules and must:

- a. be signed by a duly authorised representative of the citing Union;
- b. contain at least the following information:
  - the date and place of the Match in question;
  - the names of the Unions participating in the Match;
  - the names of the Match officials officiating at the Match;
  - the name and number of the Player cited and his Union;
  - full details of the alleged foul play during the Match that was not detected by any Match official; and

c. be transmitted by facsimile or e-mail or post to the FIRA AER Secretary  
(fax no.: **0033 1 42 81 00 04** ; e-mail <**HGRILLOT@ffr.fr** >) so as to be received within 180 minutes of the start of the Match in question accompanied by a deposit no more than 100 €

6.2.3 The Chairman of the FIRA AER shall expeditiously obtain the comments thereon of the Match officials and any other person(s) that the Disciplinary Officer deems appropriate. He shall then send the complaint, and any comments obtained with respect thereto, to the Chairman of the Disciplinary Committee.

6.2.4 The Disciplinary Committee will hear the complaint.

6.2.5 The Chairman of the FIRA AER shall send a written notice to the citing Union, the Player and the Player's Union, with a copy to the Chairman of the Disciplinary Committee and the members of the Disciplinary Committee, enclosing the citing complaint and any written comments obtained by the Chairman of the FIRA AER pursuant to clause 6.2.3, above:

- a. confirming the identity of the members of the Disciplinary Committee appointed to hear the citing complaint;
- b. advising the parties of a deadline by which any objection to the membership of the Disciplinary Committee must be received;
- c. confirming the date, time and place at which the Disciplinary Committee will hear the citing complaint;
- d. advising the citing Union that it is required to have a representative attend the hearing on its behalf, failing which the complaint will be dismissed with costs awarded against the Union;
- e. advising the Player that he is required to attend in person at the hearing, and that he is entitled to be represented at such hearing by a legal advisor or other representative, to assist him in challenging the case made against him and (where necessary and appropriate) to make submissions and/or adduce evidence in rebuttal of the charge(s);

f. (where the Chairman sees fit) requiring the citing Union, the Player cited and the Player's Union to provide, in advance of the hearing, full particulars of the case that he/it will present at the hearing, including details of any witnesses to the incident who are to attend the hearing on their behalf and/or of any other evidence (including written witness statements) on which they intend to rely.

6.2.6 The Chairman of the Disciplinary Committee shall be entitled to determine any pre-hearing procedural or evidential issues or disputes without recourse to the other members of the Disciplinary Committee.

6.2.7 The Disciplinary Committee's hearing of a citing complaint shall, wherever practicable, commence within five days of receipt of the written citing notice by the Chairman of the FIRA AER.

6.2.8 At the hearing, the citing Union shall bear the burden of proving, on the balance of probabilities, that the Player cited committed an act of illegal or foul play that was not detected by the Match officials.

### **6.3 Procedure to be followed in Misconduct cases**

6.3.1 Misconduct complaints may only be brought by the Chairman of the FIRA AER, who shall have the burden of proving, on the balance of probabilities, that the Person and/or Union charged is guilty of Misconduct. The Chairman shall have the right to be assisted by a legal advisor at the hearing, and the costs thereof shall be costs of the proceedings falling within the scope of clause 6.4.23, below.

6.3.2 The Chairman of the FIRA AER must make the Misconduct complaint as soon as possible after completing his review of the matter under clause 3.5 of these Disciplinary Rules. Where the party charged with Misconduct shows that he/it has been prejudiced by a delay in bringing the charge, the Disciplinary Committee has discretion to dismiss the charge on that ground alone.

6.3.3 The Misconduct complaint should be made in writing to the Chairman of the

charged with FIRA AER, with copies sent to the Person and/or Union  
Misconduct. The complaint must contain the following  
information:

a. the name of the Person and/or Union being charged  
with Misconduct;

b. full details of the alleged Misconduct, including  
the date and place  
thereof; and

c. where the alleged Misconduct is said to have taken  
place in connection  
with a Match, the names of the Match officials.

6.3.4 Where applicable, reports shall be obtained by the  
Chairman of the FIRA AER from  
the referee and touch judges and such other persons  
who may be able to  
provide evidence in relation to the alleged Misconduct.  
Copies of any such  
reports shall be forwarded to the Disciplinary  
Committee members and the  
party or parties who are the subject of the Misconduct  
complaint as soon as is  
reasonably practicable after receipt of the reports by  
the Chairman of the FIRA AER.

6.3.5 On receipt of a Misconduct complaint, the Chairman of FIRA  
AER  
shall appoint a Disciplinary Committee to hear the  
complaint, and shall send a  
copy of the complaint to each member of the Disciplinary  
Committee.

6.3.6 The Chairman of the FIRA AER shall send a written notice to  
the  
Person and/or Union charged with Misconduct, with a copy  
to the Disciplinary  
Committee:

a. advising the parties of the identities of the persons  
appointed to act as  
the Disciplinary Committee with respect to the  
Misconduct complaint;

b. advising the parties of a deadline by which any  
objection to the  
membership of the Disciplinary Committee must be  
received;

d. advising any Player charged with Misconduct that he is  
required to  
attend in person at the hearing, and that he is  
entitled to be represented  
at such hearing by a legal advisor and/or other  
representative to assist

him in challenging the case brought against him and (where necessary and appropriate) to make submissions and adduce evidence in rebuttal of the charges;

e. advising a Union being charged with Misconduct that a representative of the Union is required to attend in person at the hearing, and that it is entitled to legal representation at the hearing to challenge the case brought against it and (where necessary and appropriate) to make submissions and adduce evidence in rebuttal of the charges; and

f. (where the Chairman sees fit) requiring the Chairman of the FIRA AER and the Person and/or Union charged to provide, in advance of the hearing, full particulars of the case that he/it will present at the hearing, including details of any witnesses who are to attend the hearing on their behalf and/or of any other evidence (including written witness statements) on which they intend to rely.

6.3.7 Copies of all relevant evidence shall be provided to the Disciplinary Committee and exchanged as between the parties by any deadline set by the Chairman of the Disciplinary Committee or otherwise at least 24 hours in advance of the hearing. Evidence not submitted before this deadline may not be submitted for the consideration of the Disciplinary Committee unless it is satisfied that there was reasonable excuse for the failure to meet that deadline.

6.3.8 The Chairman of the Disciplinary Committee shall be entitled to determine any pre-hearing procedural or evidential issues or disputes without recourse to the other members of the Disciplinary Committee.

6.3.9 The Disciplinary Committee hearing of a Misconduct complaint shall commence as soon as reasonably practicable after receipt of the Misconduct complaint by the Chairman of the FIRA AER.

#### **6.4 Procedures to be followed in both citing cases and Misconduct cases**

6.4.1 All hearings before Disciplinary Committees under these Disciplinary Rules shall be held in private, unless otherwise ordered by the Disciplinary

Committee. The proceedings may be recorded by audio-tape and/or a stenographer, and the costs thereof shall be costs of the proceedings falling within the scope of clause 6.4.23, below.

6.4.2 At the beginning of the hearing, in the presence of each of the parties and their representatives, the Chairman of the Disciplinary Committee should introduce himself and the other members of the Disciplinary Committee and should state the purpose of the hearing and outline the procedure to be followed. The particulars of case provided by each party should be summarised. The parties and their representatives should be invited to make any submissions on preliminary issues (including but not limited to the proposed procedure) as they see fit.

6.4.3 The Chairman of the Disciplinary Committee shall then establish that the Person present is the person named in the citing complaint or Misconduct complaint or (in the case of a Misconduct charge against a Union) is a duly authorised representative of the Union. Such Person and his representative(s), if any, should be present for the whole of hearing, excluding only any private deliberations of the Disciplinary Committee.

6.4.4 The party bringing the complaint (in the case of a citing complaint, the citing Union; in the case of a Misconduct complaint, the Disciplinary Officer) shall then be invited to present evidence in support of the complaint. The Disciplinary Committee may ask questions of any witness offered. In addition, the Person and/or Union that is the subject of the complaint may cross-examine witnesses, but only through the Chairman of the Disciplinary Committee. In the event that documentary evidence is offered (including statements from witnesses not present at the hearing), the Person and/or Union that is the subject of the complaint may object to the admissibility of the evidence and/or may make such comments as to the weight to be attached to such evidence as he/it sees fit.

6.4.5 For the avoidance of doubt, subject to clause 6.2.5(d), above, the absence of

a party at any hearing before the Disciplinary Committee shall not, in itself, prevent the Disciplinary Committee from proceeding to a decision in the matter, provided that the Committee is satisfied that the party received notice of the hearing. The Disciplinary Committee shall have discretion in such circumstances, where good cause is shown, (a) to consider written submissions by or on behalf of such absentee(s); and/or (b) to adjourn the proceedings to a date when the absentee(s) is/are able to attend.

6.4.6 In any case where a witness required by the Disciplinary Committee refuses or fails to attend before the Disciplinary Committee, the Disciplinary Committee may, in its discretion, refuse to allow the evidence of that witness to be given in any other form.

6.4.7 Once the party bringing the complaint has completed its evidentiary submissions, provided that a *prima facie* case has been established, the Person and/or Union that is the subject of the complaint shall then be invited to present evidence in his/its defence. The Disciplinary Committee may ask questions of any witness offered. In addition, the party bringing the complaint may cross-examine witnesses, but only through (and at the discretion of) the Chairman of the Disciplinary Committee. In the event that documentary evidence is offered (including statements from witnesses not present at the hearing), the party bringing the complaint may object to the admissibility of the evidence and/or may make such comments as to the weight to be attached to such evidence as he/it sees fit.

6.4.8 The Disciplinary Committee shall not be bound to apply formal rules of evidence, but instead has the discretion to receive such evidence as it thinks fit (including without limitation, evidence in writing or videotape or photographs), and to attach such weight to that evidence as it sees fit; provided always that:

a. the Disciplinary Committee shall seek, where possible, to obtain firsthand

evidence of matters in issue, rather than hearsay evidence; and

b. while the Disciplinary Committee has discretion, where appropriate, to admit expert evidence, witnesses to an incident and parties to the proceedings may only give evidence of fact, not opinion.

6.4.9 Third party witnesses shall not be admitted to the hearing room prior to giving their evidence, and after giving their evidence all such witnesses shall withdraw from the hearing room.

6.4.10 Any video evidence should be viewed in the presence of the Person and/or Union that is the subject of the Complaint, with any sound commentary (but not any comments of the Match Officials) turned down so that it cannot be heard.

6.4.11 At any time during the hearing, including but not limited to after the screening of video evidence, the Disciplinary Committee may recall witnesses and may ask them such questions as it considers appropriate. The parties may also ask questions of such witnesses, but only through the Chairman of the Disciplinary Committee.

6.4.12 The Disciplinary Committee shall be entitled, where the circumstances warrant, to adjourn or postpone proceedings as it thinks fit.

6.4.13 The party charged may admit the charge at any time, in which case the Disciplinary Committee should proceed immediately to hear submissions as to the sanction (if any) to be imposed.

6.4.14 Once the Disciplinary Committee is satisfied that it has heard all the relevant evidence on the issue of liability, the party bringing the complaint shall be given the opportunity to make concluding submissions. The Player and/or Club that is the subject of the complaint shall then be given the opportunity to respond. Thereafter, the Disciplinary Committee shall retire to deliberate in private on the question of liability.

6.4.15 A decision of a Disciplinary Committee shall be made by at least a simple majority of the members of the Committee.

6.4.16 Where a Disciplinary Committee has an even number of members, and the members of such Committee are unable to come to a unanimous or majority decision, then the Chairman of the Disciplinary Committee shall have a casting vote.

6.4.17 No member of a Disciplinary Committee may abstain from any decision.

6.4.18 Once the Disciplinary Committee has reached its decision on liability, it shall recall the parties and announce such decision to them. Where the complaint has been sustained, the Disciplinary Committee may invite the parties to make submissions regarding what sanctions, if any, should be imposed (including pleas in mitigation) and what costs award, if any, should be made. Following such submissions, the Disciplinary Committee shall again deliberate in private to determine what sanctions should be imposed and what costs award should be made.

6.4.19 In the event that a citing complaint or a Misconduct complaint is upheld, the Disciplinary Committee shall be entitled to impose any one or more of the following sanctions as it shall deem appropriate having regard to all of the circumstances of the case (which may, where appropriate, be suspended):

- a. caution, reprimand and/or warning as to future conduct;
- b. fine;
- c. deduction of points earned in the Tournament;
- d. awarding of a Match or Matches by default;
- e. voiding of the result of a Match and ordering of a replay at a venue of the Disciplinary Committee's choice;
- f. compensation payments to any party affected by the Misconduct;
- g. expulsion from the Tournament and/or a ban from future competitions organised by FIRA AER; and/or
- h. (in the case of Players), suspension for a fixed period.

6.4.20 In exercising its sanctioning authority in a citing case or a Misconduct case,  
the Disciplinary Committee:

a. shall (where appropriate) start with the sanctions for illegal and foul play recommended in the IRB Regulations (reproduced for convenience at Appendix Three to these Disciplinary Rules) as an entry point for consideration of a particular incident where such incident is expressly covered in Appendix Three;

b. shall consider as a potential mitigating or aggravating factor evidence of a party's character and/or disciplinary record in all competitions and (as appropriate) other sports within the previous five years;

c. shall consider as a potential mitigating factor any evidence that the Player was provoked to commit the act of illegal or foul play or Misconduct or committed such act in retaliation; and

d. where it forms the view that a Player is by reason of his previous disciplinary record a persistent offender against the Laws of the Game relating to foul play, may take that into account as an aggravating factor;

e. shall be entitled to take into account all other aggravating and mitigating factors;  
provided however that the Disciplinary Committee shall not hear or consider any evidence or submissions in relation to the matters set out in this subparagraph unless and until it has decided that there was illegal or foul play or Misconduct for which a sanction should be considered.

6.4.21 Where the Disciplinary Committee decides to suspend a Player for a fixed period, the suspension shall be effective immediately, subject to the Disciplinary Committee's discretion to defer the commencement of such suspension.

6.4.22 In determining the length/commencement date of any fixed period of suspension, the Disciplinary Committee shall exclude any close season periods of inactivity for the Player, so as to ensure that the suspension is effective.

6.4.23 Disciplinary Committees shall have the discretion to order any party or parties to pay some or all of the costs of proceedings brought before them under these Disciplinary Rules, including the cost of holding the hearings, the costs of any interpreter(s) and/or the legal and/or travel/accommodation costs of the members of the Disciplinary Committee and/or of the parties.

6.4.24 The Disciplinary Committee shall advise the parties of its decision verbally as soon as reasonably practicable. The decision shall take effect at that point. The Disciplinary Committee shall then confirm its issue in a written judgment, issued as soon as reasonably practicable after the hearing, that sets out the reasons for the decision and reminds the parties of the right of appeal under clause 7 of these Disciplinary Rules. The judgment shall be served on each of the parties and copies shall be provided to each Union.

6.4.25 If no appeal is filed in accordance with clause 7.1, below, then the decision shall be final.

## **7. Proceedings before an Appeal Committee**

### **7.1 Right of Appeal**

7.1.1 The decision of a Match Commissioner may be appealed by the Player.

7.1.2 The decision of a Disciplinary Committee on a citing complaint may be appealed by the citing Club, by the Player cited and/or by the Disciplinary Officer.

7.1.3 The decision of a Disciplinary Committee on a Misconduct complaint may be appealed by the Player and/or Club charged with Misconduct and/or by the Chairman of the FIRA AER.

7.1.4 An appeal under this clause 7.1 may be against the whole of the decision or against a particular aspect or aspects of the decision.

### **7.2 Notice of Appeal**

7.2.1 For an appeal to be valid, the party making the appeal (the " Appellant" ) must comply strictly with the following conditions:

a. the Appellant must file a notice of appeal (the " Notice of Appeal" )  
complying in all respects with clause 7.2.1(b), below,  
with the Chairman  
of the FIRA AER not more than 72 hours after receipt of  
the  
written notice of the decision being appealed against.  
The Notice shall  
be deemed to have been filed when it is transmitted by  
facsimile to the  
Chairman of the FIRA AER (fax n° 0033 1 42 81 00 04), accompanied  
by  
a deposit no more than 100 €.

b. the Notice of Appeal must be signed by or on behalf of the  
Appellant  
and must specify:

- the date of the decision appealed against (a copy of the  
decision must  
be attached);
- the date that the Appellant received written notice of  
the decision;
- the specific aspect(s) of the decision being challenged  
on appeal; and
- the specific grounds of such challenge. At the hearing,  
the Appellant  
may not advance any ground for challenge that has not  
been specified  
in the Notice of Appeal absent the express consent of the  
Appeal  
Committee.

7.2.2 Where these conditions are not satisfied, the appeal is prima  
facie invalid and  
shall be summarily dismissed by the Chairman of the FIRA AER,  
unless the Appellant demonstrates sufficient excuse to persuade the  
Chairman to exercise his discretion to allow the appeal to proceed. If  
the  
appeal is dismissed pursuant to this clause, the decision being  
challenged  
shall be deemed to be final and binding.

7.2.3 The Appellant must also serve a copy of the Notice of Appeal on  
the  
Chairman of the FIRA AER (fax n° 0033 1 42 81 00 04) and on any other parties  
to  
the original proceedings, who shall also be parties to the appeal.

7.2.4 Upon the filing of a Notice of Appeal, the Chairman of the FIRA  
AER shall make the  
record of the proceedings before the Disciplinary Committee available  
upon  
request to the Appellant and to the Appeal Committee.

### **7.3 Appointment of the Appeal Committee**

7.3.1 When a Notice of Appeal is filed under clause 7.2.1 of these Disciplinary Rules, the Executive Committee of the FIRA AER shall appoint three members of the Board to sit as an Appeal Committee to hear the appeal. He shall designate one of those members, who shall have legal experience, to act as Chairman of that Appeal Committee. He shall send copies of the Notice of Appeal to the members of the Appeal Committee and to all of the parties involved in the proceedings below.

7.3.2 None of the members of the Board who sat on the Disciplinary Committee that issued the decision being challenged on appeal may sit on the Appeal Committee that hears the appeal.

7.3.3 No person with a close interest in the appeal shall sit on the Appeal Committee hearing the appeal.

7.3.4 Any objection to the composition of an Appeal Committee under clauses 7.3.2 or 7.3.3, above, should be made at the time that the members of the Appeal Committee are notified to the parties. Failure to do so shall amount to a waiver of that objection.

7.3.5 If a member of an Appeal Committee is unable or unwilling, for whatever reason, to hear the appeal, then the Chairman of the FIRA AER may, at his absolute discretion:

- a. appoint another member of the Disciplinary Panel as a replacement; or
- b. appoint a new Appeal Committee; or
- c. allow the remaining members of the Appeal Committee to hear the appeal.

7.3.6 Appeal Committees shall be entitled to call on experts to provide specialist advice, including legal advice, without such experts sitting as members of the Appeal Committee. The costs of such experts shall be costs of the proceedings, for purposes of clause 7.4.17, below.

### **7.4 Procedures to be followed in Appeal Committee proceedings**

7.4.1 The following provisions of this clause 7.4 set out procedural guidelines for the conduct of appeals before Appeal Committees. Further applicable provisions are set out at section 8, below. An Appeal Committee shall be

entitled to depart from these procedures as it sees fit in the circumstances of the case at hand, provided that each party is given the opportunity to state its case in full and to challenge or respond to all evidence offered against it. Any such departure shall not invalidate any finding or decision of the Appeal Committee unless it is shown to render such finding or decision unreliable.

7.4.2 Upon receipt of the Notice of Appeal, the Chairman of the Appeal Committee shall send a notice to the parties involved in the proceedings below:

- a. advising them of the identities of the persons appointed to act as the Appeal Committee with respect to the appeal;
- b. advising them of a deadline by which any objection to the membership of the Appeal Committee must be received; and
- c. confirming the date, time and place at which the Appeal Committee will hear the appeal.

7.4.3 Prior to the hearing, the Chairman of the Appeal Committee may require any party to the proceeding to identify its contentions in the appeal and/or to respond to the other parties' contentions. In addition, where practicable, written submissions and evidence shall be provided to the Appeal Committee and exchanged by the parties prior to the hearing.

7.4.4 The Chairman of the Appeal Committee shall be entitled to determine any pre-hearing procedural or evidential issues or disputes without recourse to the other members of the Appeal Committee.

7.4.5 All hearings before Appeal Committees under these Disciplinary Rules shall be held in private, unless otherwise ordered by the Appeal Committee.

7.4.6 Where the Appellant appeals against the sanction alone, the Appellant may request that the Appeal Committee review the sanction without the need for a personal hearing. If the Chairman of the Appeal Committee agrees that a personal hearing is not necessary, then the Appellant and any other party to proceedings below shall be entitled to make representations in writing to the Appeal Committee.

7.4.7 The Appeal Committee shall be entitled to conduct and regulate the appeal proceedings as it sees fit in the circumstances of the case. The Appeal Committee shall determine the basis on which an appeal will proceed and may, at its discretion, rehear the whole or any part of the evidence given in the proceedings below. Save where the Appeal Committee decides to hear the entire case *de novo* (in which case the same burdens as applied before the Disciplinary Committee shall apply), the Appellant shall have the burden of proving that the decision being challenged was in error and should be overturned or varied.

7.4.8 The Appeal Committee shall have discretion to receive evidence not offered below, provided that the party offering the evidence shows that it was not, on reasonable enquiry, available at the time of the proceedings below.

7.4.9 The Appeal Committee shall be entitled, where the circumstances warrant, (a) to adjourn or postpone proceedings as it thinks fit; and (b) to issue directions prior to the hearing as to who should attend the hearing on behalf of the various parties.

7.4.10 Save where otherwise directed by the Appeal Committee, all parties from the proceedings below should attend the hearing before the Appeal Committee, with all of their respective witnesses and other evidence, in case the Appeal Committee decides to rehear either the whole case or any part of the evidence. For the avoidance of doubt, however, the absence of a party at any hearing before the Appeal Committee shall not, in itself, prevent the Appeal Committee from proceeding to a decision in the matter. The Appeal Committee shall have discretion whether to receive written submissions by or on behalf of such absentee(s).

7.4.11 The parties shall have the right to make submissions to the Appeal Committee as to the procedures that it should follow in hearing the appeal. Subject thereto, and to the Appeal Committee's inherent jurisdiction to determine its own procedures, the following guidelines shall apply:

a. The Chairman of the Appeal Committee shall introduce the members of the Committee to the parties. He shall then read out the Notice of Appeal, or a summary of it, before explaining the procedure to be followed.

b. The Appellant shall be invited to make submissions and (where appropriate) call witnesses, subject to cross-examination through the Chairman.

c. The other party or parties to the appeal shall be invited to make submissions and (where appropriate) call witnesses, subject to cross examination through the Chairman.

d. The parties shall each make brief concluding submissions.

e. The Appeal Committee shall retire to deliberate in private.

7.4.12 In any case where a witness required by the Appeal Committee refuses or fails to attend before the Appeal Committee, the Appeal Committee may, in its discretion, refuse to allow the evidence of that witness to be given in any other form.

7.4.13 A decision of an Appeal Committee shall be made by at least a simple majority of the members of the Committee.

7.4.14 Where an Appeal Committee has an even number of members, and the members of such Committee are unable to come to a unanimous or majority decision, then the Chairman of the Appeal Committee shall have a casting vote.

7.4.15 No member of an Appeal Committee may abstain from any decision.

7.4.16 Where the relevant showing has been made to the requisite standard, the Appeal Committee has jurisdiction to:

- a. affirm the decision appealed against;
- b. set aside the decision appealed against and quash any sanction imposed;
- c. set aside only part of the decision appealed against;
- d. substitute for the findings of the decision-maker below its own decision on liability (e.g., finding a party culpable of a lesser or greater offence) and/or substituting for the sanction imposed below its own (lesser or greater) sanction;
- e. vacate or modify any costs award made below; and/or

f. take any other step that it considers necessary to deal justly with the appeal.

7.4.17 Appeal Committees shall have the discretion to order any party or parties to pay some or all of the costs of proceedings brought before them under these Disciplinary Rules, including the cost of holding the hearings, the costs of any interpreter(s) and/or the legal and/or travel/accommodation costs of the members of the Appeal Committee and of the parties.

7.4.18 The Appeal Committee shall advise the parties of its decision verbally as soon as reasonably practicable. The decision shall take effect at that point. The Appeal Committee shall then confirm its decision in a written judgment, issued as soon as reasonably practicable after the hearing, that sets out the reasons for the decision. The judgment shall be served on each of the parties to the appeal and copies shall be provided to each Union.

7.4.19 The decision of the Appeal Committee shall be final and binding.

## **8. General Provisions**

### **8.1 Public announcements**

8.1.1 FIRA AER will publish the decisions of Match Commissioners, Disciplinary Committees and Appeal Committees made under these Disciplinary Rules, as applicable, as soon as is reasonably practicable after the decision has been communicated to the parties. The public announcement of the decision may include details of offences committed under these Disciplinary Rules and of the sanctions imposed, if any.

8.1.2 Until such time as a decision is published, all parties and participants in the proceedings shall treat such proceedings as confidential.

### **8.2 Multiple incidents**

Two or more players may be dealt with at the same hearing where the proceedings arise out of the same incident or set of facts, or where there is a clear link between separate incidents. In this situation, the Match Commissioner, Disciplinary

Committee or Appeal Committee, as applicable, shall modify the procedures adopted at the hearing as may be appropriate.

### **8.3 Language**

All hearings shall be conducted in French and/or in English. In any case where a person is involved who does not speak French or English as his/her native language, an interpreter must be present, unless this requirement is waived by such person in advance of the hearing. Wherever practicable, such interpreter shall be independent.

### **8.4 Suspension of players**

8.4.1 A player who has been shown a red card during a Match may not take part in any further Match or play rugby union until his case has been dealt with by the Match Commissioner.

8.4.2 Subject to clause 8.4.3, below, players who are suspended under these Disciplinary Rules may not play rugby union anywhere during the period of suspension.

8.4.3 Where a Player who has been suspended under these Disciplinary Rules has filed an appeal against that decision pursuant to clause 7 of these Disciplinary Rules, that Player may not play rugby union pending such appeal, in the Tournament or otherwise, unless the tribunal that imposed the original suspension authorises him to do so, which it shall not do unless he produces new evidence, not available at the time of the original hearing, that casts a material doubt on the reliability of the decision made to suspend the Player, eg evidence that the Player has been the victim of a miscarriage of justice as a result of mistaken identity or similar truly exceptional circumstances. However, if the suspension is served prior to the time that the appeal is heard, the Player may resume playing immediately.

8.4.4 A Player who has been shown a red card in any non- FIRA AER competition and who has not yet had his case heard by his Union or other relevant disciplinary body shall not be eligible to participate in a FIRA AER competition.

### **8.5 Sanctions imposed on Unions**

Where a Disciplinary Committee renders a decision that includes the imposition of sanctions on a Union:

8.5.1 An appeal by the Union against that decision shall not delay the enforcement of the sanctions, save that the obligation to pay any fine imposed and/or costs awarded shall be suspended pending the decision on appeal.

8.5.2 A Union that fails to pay a fine and/or discharge a costs order within thirty days of the final decision may be suspended from the Tournament and/or excluded from participation in other events organised by FIRA AER in the future, without the need for any further hearing.

## **8.6 Amendments**

Disciplinary Committees and Appeal Committees, prior to or at any stage during a hearing, may amend the offence for which the Player has been shown a red card or cited or made the subject of a Misconduct complaint unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice.

## **8.7 Deviations from these Disciplinary Rules**

Any deviation from any provision of these Disciplinary Rules and/or any irregularity, omission, technicality or other defect in the procedures followed shall not invalidate any finding, procedure or decision unless it is shown to render the proceedings unreliable or to have caused a miscarriage of justice.

## **8.8 Unforeseen circumstances**

In the event that a particular incident takes place for which there is no provision in these Disciplinary Rules, then the Chairman of the FIRA AER may either refer the matter to a Disciplinary Committee or else take such other action that he considers appropriate in the circumstances. If the Chairman of the FIRA AER refers the matter to a Disciplinary Committee, that Committee shall deal with the matter in accordance with general principles of natural justice and fairness.

## Appendix One

### Definitions

1. "**Anti-Doping Programme**" means the Anti-Doping Programme of the FIRA AER
2. "**Board**" means the board of directors of FIRA AER
3. "**IRB**" means the International Rugby Board.
4. "**IRB Regulations**" means the IRB Regulations Relating to the Game.
5. "**Laws of the Game**" means the IRB's Laws of the Game.
6. "**Match**" means a match forming part of the Tournament.
7. "**Person**" means a Player, or a member, director, officer, employee, contractor, agent or representative of a Union and any other person involved in a competition in any way on behalf of the Union.
8. "**Player**" means a person who is selected to play in a Match either as one of the fifteen starters or as a replacement.

# Appendix Two

## Forms



FIRA AER

TOUCH JUDGE'S REPORT ON RED CARD

Union:..... Full Name of Player Dismissed:.....

Ground:..... Date of Match:.....

Playing Position of Player:..... Number :.....

Match & Result:..... ( pts)..... ( pts)

Nature of offence: Infringement of: LAW 3-11(c)

- LAW 4-7(c)
- LAW 6-6
- LAW 10-3 (a)(c)
- LAW 10-2
- LAW 10-

4(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)(m)  
(Put a line through all but the appropriate reference)

PERIOD of game when incident occurred: 1st Half 2nd Half Extra Time

Elapsed Time in Period:.....

Proximity of Touch Judge to incident \_\_\_\_\_ metres.

Conditions at time of incident:.....

Score at that time..... pts..... pts

Had any cautions been issued to a) Individual  
b) General

Please give detailed report below. PLEASE WRITE CLEARLY.

TOUCH JUDGE'S NAME:..... UNION:.....

REFEREE'S NAME:..... UNION:.....

REPORT: - please continue overleaf if necessary

.....

.....

.....

.....

.....

....  
THIS REPORT MUST BE COMPLETED AND GIVEN TO THE MATCH COMMISSIONER IMMEDIATELY AFTER THE COMPLETION OF THE MATCH

FORM 3

FIRA AER

MATCH COMMISSIONER'S REPORT

Date of Match: .....

Name of Unions participating in the Match: .....-v-.....

Final Score of Match: .....  
Match Venue: .....  
In the case of a red card:.....  
Date and time of hearing: .....  
Player's Name and Number: .....  
Player's Union: .....  
Referee's Name: .....  
Offence as stated in the Referee's Report:.....  
.....

Match Commissioner Decision:.....  
Reasons for Decisions:.....  
.....

Signature of Match Commissioner: .....  
Date: .....

NOTE: THE PLAYER HAS THE RIGHT TO APPEAL AGAINST THE DECISION OF THE MATCH COMMISSIONER AS SET OUT IN SECTION 7 OF THE FIRA AER DISCIPLINARY RULES.

**FORM 4**

**FIRA AER**

**CITING COMPLAINT**

Match & Result: \_\_\_\_\_ ( pts) \_\_\_\_\_ ( pts)

Ground:..... Date of Match:.....

Full Name of Player: \_\_\_\_\_ Union: \_\_\_\_\_

Playing Position of Player:..... Number:.....

REFEREE'S NAME: \_\_\_\_\_ UNION: \_\_\_\_\_

TOUCH JUDGES' NAMES: \_\_\_\_\_ UNION: \_\_\_\_\_

\_\_\_\_\_ UNION:

Nature of offence: Infringement of: LAW 3-11(c)

LAW 4-7(c)  
LAW 6-6  
LAW 10-3(a)(c)  
LAW 10-2  
LAW 10-

4(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)(m)

PERIOD of game when incident occurred: 1st Half 2nd Half Extra Time

Elapsed Time in Period:

Proximity of Referee to incident in metres: \_\_\_\_\_

Score at that time:..... pts..... Pts

Please give full details of incident complained of below. PLEASE WRITE CLEARLY.

CONTINUE ON A SEPARATE PAGE IF NECESSARY.....

.....  
.....  
.....

For and on behalf of: \_\_\_\_\_  
(insert name of citing Union)

By the following duly authorised representative:

Sign: \_\_\_\_\_

Print name: \_\_\_\_\_

Office: \_\_\_\_\_

Date: \_\_\_\_\_

Appendix Three

IRB recommended sanctions for offences within the playing enclosure

In the table below, the tariff should be considered as the usual sanction which can, dependent on the circumstances, be reduced if there are mitigating factors and increased if there are aggravating factors.

OFFENCE	TARIFF	RANGE
To strike an opponent with the hand, fist or arm including the elbow	3 weeks	1 - 12 weeks
To stamp or trample an opponent	Head - 18 weeks Body - 4 weeks	3 - 26 weeks
To kick an opponent	Head - 18 weeks Body - 4 weeks	3 - 26 weeks
To trip an opponent with the foot	2 weeks	1 - 6 weeks

To strike an opponent with the head	18 weeks	6 – 36 weeks
To strike an opponent with the knee(s)	Head – 18 weeks Body – 4 weeks	3 – 26 weeks
To bite an opponent	18 months	3 – 36 months
To attack an opponents eyes with any part of the hand	24 months	12 – 36 months
To tackle early, late or dangerously, including the action known as a “stiff arm tackle”	3 weeks	1 – 8 weeks
To charge or obstruct or grasp an opponent who has just kicked the ball	3 weeks	1 – 8 weeks
To hold, push, charge, obstruct or grasp an opponent not holding the ball except in a scrummage, ruck or maul	3 weeks	1 – 8 weeks
In the front row of a scrummage to form down some distance from the opponents and rush against them	3 weeks	1 – 8 weeks
In the front row of a scrummage to lift an opponent off his feet or force him upwards out of the scrum	3 weeks	1 – 8 weeks
To cause a scrummage, ruck or maul to collapse	3 weeks	1 – 8 weeks
While the ball is out of play to molest, obstruct or in any way interfere with an opponent or be guilty of any form of misconduct	3 weeks	1 –8 weeks
To verbally abuse match officials	8 weeks	4 – 12 weeks
To use threatening actions or words at match officials	18 months	12 –24 months
To physically abuse match officials	5 years	2years - Life
three yellow cards	one match	

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

