



BC RUGBY DISCIPLINE POLICY

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Introduction

Rugby Union is a sport that involves physical contact. Any sport involving physical contact has inherent dangers. It is very important that players play the game in accordance with the Laws of the Game and be mindful of the safety of themselves and others. It is the responsibility of those who coach or teach the game to ensure that players are prepared in a manner which ensures compliance with the Laws of the Game and in accordance with safe practices.

It is the duty of the match officials to apply fairly all the Laws of the Game in every match except when an experimental law has been authorized by the World Rugby Council. It is the duty of BC Rugby and its sub-unions to ensure that the Game at every level is conducted in accordance with disciplined and sporting behaviour. This principle cannot be upheld solely by the match officials; its observance also rests on BC Rugby and its affiliated bodies and clubs.

Terms used in this Policy that are defined in World Rugby's Laws of the Game shall have the same meanings in this Policy, unless a contrary definition or intention is stated herein.

1. Mandate

- 1.1. The BC Rugby Board delegates the primary responsibility for discipline issues to the Discipline Committee (DC) in accordance with Article 14.1(b) of the BC Rugby Bylaws (the "Bylaws").

2. Powers of the DC

- 2.1. The powers of the DC are as outlined in the Bylaws, Article 14 (Discipline).
- 2.2. Allegations of violations of the BC Rugby Code of Conduct (the "**Code**") are within the jurisdiction of the DC and may be heard by the DC. *(Please refer to the BC Rugby Code of Conduct)*



3. Composition of the DC

- 3.1 The DC shall be chaired by the person appointed by the CEO to chair the DC (the "DC Chair").
- 3.2 The DC will comprise at least five and up to eight members which will include the Chair. The membership of the Discipline Committee should reflect the diversity and geographic expanse of Rugby in BC.
- 3.3 The committee will include the President of the Rugby Match Officials Society of BC (or the President's delegate).
- 3.4 All committee members are confirmed by the Board on the recommendation of the CEO and serve a two-year term from the date of appointment until after the second following annual general meeting of members. Each committee member may serve a maximum of three consecutive terms unless otherwise decided by the Board.
- 3.5 All members of the DC shall have experience in the sport of Rugby, as players, coaches or administrators, or other appropriate experience or qualifications.
- 3.6 It is an asset for the Committee members to have experience in legal affairs, mediation or compliant resolution.
- 3.7 The absence of any member of the DC shall not invalidate any hearing or decision made by the DC.
- 3.8 The quorum for a DC hearing is one if the only person available is the DC Chair and two if the DC Chair is not available.
- 3.9 For certain BC Rugby events (e.g. provincial regional championships), the Chair may delegate authority for the DC as the DC Chair determines is appropriate and, in conjunction with the CEO, the DC Chair may appoint *ad hoc* members of the DC for the purpose of holding DC hearings during such events.

4. Conflict of Interest



- 4.1** A member of the DC is considered to be in a conflict of interest if either:
- a) the individual appearing at a hearing is a member of the DC member's club or
 - b) the DC Chair determines in the DC Chair's sole discretion that the DC member is in a conflict of interest.
- 4.2** A DC member will not participate in resolving any matter in which the DC member has a conflict of interest as determined under article 4.1

5. Delegation of Authority

- 5.1** Except as set out in this Policy, the DC will deal with discipline in accordance with Article 14 of the Bylaws and, specifically, with discipline reports that arise from BC Rugby sanctioned matches or competitions.
- 5.2** Subject to Article 22 of this Policy, the DC may delegate discipline matters arising from a sevens tournament to a duly appointed discipline officer for such tournament. Where no such delegation for a sevens tournament has been made, the DC retains the right to hold a hearing and make a determination where there has been an act of foul play at the tournament that has resulted in a player being sent off or temporarily suspended.

6. Scope of Responsibility

- 6.1** This Policy sets out the procedures for dealing with the following:
- (a) when a player is sent off the playing enclosure;
 - (b) when a player is cited for an act or acts of illegal or foul play;
 - (c) when a player has been temporarily suspended three times in accordance with article 6.5; and
 - (d) when an act or acts of misconduct may have been committed by any individuals or groups associated with BC Rugby, including but not limited to players, coaches, team staff, match officials referees, club administrators and volunteers, BC Rugby employees, board and committee members, contractors and any person or organization representing BC Rugby in an official capacity.



- 6.2 For the purposes of this Policy, illegal or foul play means a breach or breaches of Law 9 of the Laws of the Game.
- 6.3 A player is sent off when they are sent off the playing enclosure permanently by the referee and can take no further part in the match in which they were sent off.
- 6.4 A player is temporarily suspended when they are 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 so-called "sin bin".
- 6.5 A player who is temporarily suspended three times within a 12-month period commencing June 1st of a particular year and ending May 31st of the following year, will be deemed to have been sent off upon the conclusion of the match in which the third temporary suspension occurred.
- 6.6 For the purposes of this Policy, misconduct shall mean any conduct, behaviour or practices on or off the playing enclosure in connection with a match or tournament (excluding foul play during a match) including all social media platforms that may be considered unsporting, abusive, threatening, discriminatory, defamatory or has the potential to bring the game, BC Rugby or individuals/groups associated with the BC Rugby into disrepute.

7. Reports

- 7.1 Where a player in a match is sent off, the referee shall, within 72 hours of the completion of the match, provide a written report of the incident to the BC Rugby Office.
- 7.2 If a player is sent off the playing enclosure because of the intervention of an assistant referee, then the assistant referee shall also deliver a written report to the BC Rugby Office within 48 hours of the completion of the match.
- 7.3 When submitting a report in connection with the issuance of a yellow card, a red card or any other matter that falls within the jurisdiction of the DC, match officials must use the appropriate form of report provided by BC Rugby from time to time.



- 7.4** Reports prepared by match officials when a player has been sent off should contain the following information:
- a) the date of the match, the venue and the teams participating;
 - b) the name of the player sent off and their team;
 - c) the circumstances in which the player was sent off;
 - d) the reason for the player being sent off; and
 - e) any other information the match official considers relevant.
- 7.5** Reports for consideration by the DC should be faxed, e-mailed or hand delivered to the BC Rugby Office.
- 7.6** In all proceedings heard by the DC, match officials may only give evidence of fact, not opinion, unless an opinion is expressly sought by the DC.

8. Initial Procedures Sending Off

- 8.1** A person sent off (under Article 6) or deemed to be sent off (under Article 9.11) or as may be applicable, subject to a misconduct complaint (under Article 16) may not take part or be selected for any match until their case has been dealt with by a DC.
- (a) A person or player who elects to appeal the DC's ruling of suspension or supplemental discipline, may not take part or be selected for any further match until a decision with respect to the appeal has been issued.
- 8.2** Before the date of the DC hearing, the player sent off shall be supplied with:
- a) a copy of the match official's report(s)
 - b) video or other evidence of the alleged breach of World Rugby Law 9

Before the date of the DC hearing, the player sent off shall be notified:

- a) of the date, place and time of the DC hearing at which the discipline proceedings will be heard;
- b) that the player will be required to attend the hearing in person or by telephone or video link;



- c) that if the player is unable to appear at the DC as notified, they should advise the BC Rugby Office forthwith;
- d) that the player is entitled to adduce evidence and make submissions and be represented by their club representative or a legal advisor;
- e) the player is not eligible to play pending resolution of the case.
- f) the player may submit questions regarding the match official's report of the sending off. The DC will obtain answers to these questions before the date of the hearing.

Before the date of the hearing for the player sent off, the opposition team in the match may submit a medical report regarding their player who was the victim of the alleged foul play by the player sent off.

- 8.3** a) Where possible, notice to the sent off player under this Article 8 shall be given in writing. It shall be sufficient compliance with this Article 8 if a copy of the match official's report(s) and notice of the information required in article 8.2 are sent by email to the member's club.
- b) Where a player is deemed to have been sent off under article 6.5, it shall be sufficient compliance with this Article 8 if notice of the particulars of the three temporary suspensions are sent by email to the member's club.

9. Citing

Definitions:

"Citing" means a request by a Member Club to have the DC formally review an incident believed to be worthy of a sending off.

"Citing Incident" means an alleged act of foul play occurring during a match that contravenes the Laws of the Game established by World Rugby and is worthy of a sending off (red card)

"Citing Report" means a written report with respect to a Citing Incident that includes the following:

- a) declaration of intent to cite,
- b) the name and/or number of the player(s) being cited and their club's name



- c) a description of the incident,
- d) the law(s) alleged to have been contravened,
- e) the date and time of the match, league of play, the minute of play and half when the incident occurred,
- f) either of:
 - i. admissible video, or
 - ii. a minimum of two separate and independently written reports from individuals who witnessed the alleged foul play, and
- g) any other relevant information pertaining to the incident, such as a description of any injury suffered.

"Citing Representative" means a person appointed by the DC to review a cited act of foul play and to determine whether a sending off would have been warranted in the circumstances of the cited act of foul play. A Citing Representative will be appointed for a one-year term, commencing September 1 and ending August 31 of the following calendar year.

"Member Clubs" any registered society or other registered non-profit organization whose primary purpose is the delivery of rugby-related programs, or a post-secondary institution that delivers rugby- related programs.

"Sending Off" means a sanction where a player can take no further part in a match.

- 9.1 Although the DC does not want to receive vexatious or nuisance citings, it will not condone acts contrary to the World Rugby Laws of the Game that occur within the playing enclosure but may not have been detected by the match officials.
- 9.2 Citing does not replace decisions by Match Officials but may be applied if the Match Official applied a lesser sanction to an act of foul play and should have applied a sending off.
- 9.3 The availability of citing shall be applied to all Rugby matches or tournaments sanctioned by BC Rugby.
- 9.4 The DC will accept a citing if a Citing Report is submitted in writing to the BC Rugby Office within 5 days from the conclusion of the match or tournament during which the



Citing Incident occurred. The citing report may be faxed, e-mailed or hand delivered to the BC Rugby Office

- 9.5** In circumstances where a player has not been cited within the time period specified in Article 9.4, the Chair of the Discipline Committee may decide to accept the citing as soon as reasonably practicable and in any event within a period of fourteen days from the conclusion of the applicable citing period.
- a) The circumstances for accepting a “late” citing can include (but not limited to): mistaken identity, or the need for further investigation to identify the player(s) alleged to have committed the foul play or the seriousness of the alleged foul play.
- 9.6** Admissible video evidence shall mean, subject to the discretion of the DC, video evidence of the incident giving rise to the citing which provides unedited coverage for one minute both before and one minute after the incident giving rise to the citing.
- a) The DC may, in its discretion, accept video evidence of shorter duration if it is satisfied that the evidence has significant probative value and is not unreasonably prejudicial to any parties having regard to the circumstances surrounding the incident.
- 9.7** Upon acceptance of a citing, the Chair of the DC will make a preliminary examination regarding the merits of the citing. This examination will include:
- a) Review of the citing documents, and
 - b) consultation with the Citing Representative, as to their opinion, if the incident cited would have warranted a Sending Off, and
 - c) obtaining such information and reports and video in relation to the act or acts of illegal or foul play subject to the citing complaint that it considers appropriate.
 - d) All persons requested to provide reports or information shall co-operate with such requests and provide the reports or information.
- 9.8** Following the preliminary examination, the Chair shall rule, either:
- a) Review of the citing documents, and
 - b) the citing is vexatious, without merit or not likely to succeed. The individuals filing the report shall be informed that the DC will take no further action in the matter, or
 - c) the citing is neither vexatious nor a nuisance complaint or is likely to succeed. The individuals filing the reports and the person cited shall be informed that the DC shall hold a hearing to consider the matter.



- 9.9** Any hearing regarding a citing shall be held in accordance with the requirements of the BCRU Discipline Policy.
- 9.10** A player who is the subject of a Citing Report will not be suspended pending the completion of a hearing for a Citing Incident unless the DC determines that the player has unduly delayed the completion of the hearing.
- 9.11** It will be open to the DC, in extraordinary circumstances, to deem a player who is cited to be considered sent off, and thus immediately suspended, if the DC is satisfied that having regard to the incident of complaint and the DC's preliminary view of possible sanction, such action is warranted.
- a) Wherever practicable, a citation complaint should be adjudicated within 30 days of the end of the match in which the alleged foul play that is the subject of the complaint occurred.

10. General Principles

- 10.1** In respect of any matter before the DC, it shall take a decision according to general principles of natural justice and fairness.
- 10.2** In the case of a sending off, the function of the DC is to consider the circumstances of the case and determine what further sanction, if any, should be imposed on the player.
- 10.3** The DC will show deference to a match official's report unless the DC determines, on the balance of probabilities, having given due consideration to the evidence provided to the DC, that the facts of the relevant incident differ from those set out in the match official's report.
- 10.4** The Discipline Policy has been prepared with the Laws of the Game in mind. It is essential to preserve the integrity of this Law and the referee's position as sole judge of fact and Law during the match.
- 10.5** Any decision by a referee during a match cannot be affected by a ruling of the DC. A distinction is drawn between the referee's decision on the field of play and reasons for



the decision. This means that when the DC considers the discipline consequences of an incident, about which the referee has already made a decision during the match, the DC may, nevertheless, enquire into the referee's reasons for that decision and the circumstances surrounding it.

- 10.6 In any case where the DC considers any incident(s) of illegal or foul play or alleged illegal or foul play, it may decide to impose a sanction in accordance with the provisions of this policy, or in the case of a sending off where the DC is satisfied on the balance of probabilities that the referee's reasons for his decision were wrong, determine that time served during the match is sufficient and take no further action.
- 10.7 The fact that a player may have been provoked into retaliation or committing foul play is no defence but may be considered when determining the sanction to be imposed.
- 10.8 The past record of a person appearing before the DC may not be considered in relation to guilt but may be considered when determining the sanction to be imposed.
- 10.9 The player sent off may seek to show that the referee's reasons for his decision were wrong and the DC may review the referee's reasons for the sending off decision and the circumstances surrounding it.
- 10.10 In the case of a citing, the function of the DC shall be to review the case and determine whether on the balance of probabilities the player concerned committed the act or acts of illegal or foul play that are the subject of the citing complaint, provided that :
 - a) in any case where the DC is required to consider a citing complaint in respect of an incident where the referee has made a decision on the field of play in relation to that incident, the DC may review the referee's reasons for the decision and the circumstances surrounding it and
 - b) in any case where the DC is required to consider an incident of illegal or foul play or alleged illegal or foul play which has not been the subject of a determination on the field of play by the referee, it shall not uphold the citing complaint unless it is satisfied on the balance of probabilities that the player concerned committed the act or acts of illegal or foul play that are the subject of the citing complaint.



11. Standard of Proof

- 11.1** The standard of proof for decisions of the DC is the balance of probabilities, not beyond a reasonable doubt.
- 11.2** Decisions of the DC are based on the examination of the facts. Extraneous opinions about those who come before the DC are not germane to the process.
- 11.3** The DC 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 sees fit.
- 11.4** Generally, the DC shall look to the best evidence available to the DC. This means that first-hand accounts from persons present at the hearing as to their observations of the incident in question should be preferred.

12. Discipline Committee – Power to Regulate its Own Procedures

- 12.1** The procedure of the DC shall be as the DC shall determine in each case and the DC shall be entitled to depart from the procedures set out in Article 13. However, subject to the power to regulate its own procedures and depart from the procedures set out in Article 13, it shall:
 - a) seek to conform generally with the procedures set out in Article 13 and,
 - b) ensure that the person subject to discipline proceedings has a reasonable opportunity to be heard and to present their case and,
 - c) comply with the Standard of Proof provisions set out in Article 11.
- 12.2** In any case, the DC Chair, or delegate, may convene a pre-hearing conference for the purposes of giving directions for the hearing and clarification of the procedures. Such conference may include any player sent off or cited or any club or their representative, match officials, and any other person or body whose participation is considered desirable.



- 12.3** The DC shall endeavour to ensure that discipline proceedings are heard in the presence of the club, player or person who is the subject of the proceedings, but nothing in this Policy, or otherwise, shall prevent a DC hearing and determining discipline proceedings in the absence of the club or player concerned where the club or player does not attend the hearing.
- a) In such circumstances, the DC may take written representations made by or on behalf of the club, player or person into account in making its decision.
- 12.4** Procedures or proceedings under Article 13 or any decision of a DC 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 DC and results in a miscarriage of justice.
- 12.5** The DC, prior to a hearing or at any stage during a hearing, may amend the offence for which the player or person has been sent off or cited unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice.

13. Discipline Committee - General Procedures

- 13.1** A person attending a DC meeting may do so in person or by electronic means so long as the person and the other participants can communicate with each other during the meeting. The person attending by electronic means is deemed to be present in person for the purposes of the meeting.
- 13.2** A player who is required to attend a hearing by a DC shall be entitled to be represented at the hearing by an official of his club or other affiliated organization, or by legal counsel.
- 13.3** a) The referee of the match in which the player is sent off may be required by the DC to attend the hearing of the DC whether in person or via telephone conference or video link.
- b) Nothing in this Article 13 shall prevent the DC hearing and determining discipline proceedings in the absence of a match official.



- 13.4** a) In respect of cases involving the sending off of a player, the DC shall ensure that, prior to the hearing, the player sent off has been supplied with, and has had a sufficient opportunity to consider, the match official's report, together with other evidence including any admissible video evidence.
- b) In respect of cases involving a citing complaint, the DC shall ensure that prior to the hearing, the player cited has been provided with and has had a sufficient opportunity to consider the Citing Report together with other evidence including any admissible video evidence.
- 13.5** The DC shall be entitled to determine whether witnesses that give evidence are able to remain in the room in which the hearing is being heard after their evidence has been given.
- 13.6** The DC may direct the attendance, at a hearing, any player sent off or cited, and any witness, in person or by telephone conference or by video link.
- a) Where such a direction is given by the DC, it shall be the responsibility of the club, the player or person or witness concerned to ensure that it is complied with, notwithstanding any arrangements that may need to be made or altered.
- b) In any situation where a direction given by the DC is not complied with, the DC may refuse to allow the evidence of the club, player or person or witness to be given in any other form.
- 13.7** Where evidence is given before the DC there shall be no direct questioning of any witness, save by DC members, except as otherwise agreed by the DC. Questions may, however, be put to a witness through the DC Chair at the DC Chair's discretion.
- 13.8** The DC shall be entitled to call on experts to provide specialist advice, including legal advice.
- 13.9** Unless it otherwise directs, the procedure of the DC at a hearing for a sending off or a citing, will be as follows:
- a) the DC Chair will explain the procedure to be followed;
- b) The Chair of the hearing will advise the witnesses that their portion of the hearing is being recorded,



- c) for cases involving sending off, the referee's report and, where applicable, the Assistant referee's report or citing report will be read;
- d) the player will be asked to confirm if they admit that they have committed an act or acts of illegal or foul play;
- e) evidence from the sent off player, if they elect to give evidence, and from any witnesses to be called will be heard;
- f) final submissions will be heard.

13.10 For citing complaints, at the discretion of the DC, the club which cited the player may be required to have a representative in attendance at the hearing to present the basis of the citing complaint and any evidence in support.

13.11 The player subject to the proceedings may admit the offence at any time in which case the DC should proceed immediately to hear submissions as to the sanction (if any) to be imposed.

13.12 The DC deliberations on its decision shall take place in private.

- a) A decision of a DC shall be valid if taken by at least a simple majority of the Members of the DC of those eligible to participate.
- b) No Member of a DC may abstain from any decision subject to application of the conflict rules.
- c) Where a DC has an even number of Members and the Members of such DC are unable to come to a unanimous or majority decision, then the DC Chair shall have a casting vote.

13.13 The DC shall, in the first instance, determine, its factual findings. Thereafter, as appropriate, it will reconvene and hear and consider evidence and submissions in relation to sanctions.

13.14 The DC Chair shall, as he or she considers appropriate, be entitled to deal with any investigatory matters or procedural matters relating to a hearing.

13.15 The DC shall have power to postpone or adjourn a hearing at which discipline proceedings are to be heard.



- 13.16** Where discipline proceedings, however arising, are taken against more than one player as a result of incidents occurring in a match, such proceedings may be heard by a DC at the same time, provided there is no prejudice to any person against whom the discipline proceedings are taken.
- 13.17** Following a hearing before the DC, the Chair shall prepare a written “Reasons for Ruling” report containing the player’s information, a description of the reasons for sending off, the DC’s ruling and reasons for such ruling (including facts of the incident, entry point, aggravating factors and mitigating factors). This report shall be shared with all parties to the hearing.
- 13.18** Following a hearing the Chair of the DC shall cause a report to be published on the BC Rugby website for all hearings, involving senior players, which shall list the player’s name, club, date of the match, the league, the name of the referee (or team citing), the Law breached and the final sanction applied (entry level, aggravating factors and mitigating factors).
- 13.19** No member of the DC shall comment to the media on a decision of the DC but the DC Chair may release to the media the summary report from the hearing with the approval from the Board President or CEO.

14. Sanctions

- 14.1** When imposing sanctions, the DC shall refer to World Rugby’s recommended penalties for illegal or foul play in Regulation 17, Appendix 1, with the exception that, in most cases, the World Rugby period of time (usually weeks) shall be converted to matches.
- a) This conversion reflects the variety of matches played over a fixed time period in the various competitions of the BC Rugby and the nature of our year-round season of league and tournament play.
 - b) For age-grade players, the DC will follow World Rugby’s sanction variations for underage players (Regulation 17, Appendix 3).
- 14.2** A suspension from any union or sub-union makes an individual player ineligible to play rugby in any other jurisdiction until such time as the player has completed the sanction



imposed by the first jurisdiction. (Note: The Reciprocity Policy found in Rugby Canada's Safe Sport Policy manual)

14.3 The DC shall undertake an assessment of the seriousness of the player's conduct, which constitutes the offending and categorize the offence 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), having specific regard to the recommendations of World Rugby. Such assessment of the seriousness of the player's conduct shall be determined by reference to the following features of offending:

*(Note: In Regulation 17, Appendix 1, World Rugby requires the entry point for "any act foul play which **results** in contact with the head and/or the neck shall result in at least a mid-range sanction"*

- a) the offending was intentional, that is, committed intentionally or deliberately;
- b) the offending was reckless, that is the player knew (or should have known) there was a risk of committing an act of illegal or foul play;
- c) the gravity of the player's actions in relation to the offence:
 - (i) nature of actions, manner in which offence committed including part of body used i.e. fist, elbow, knee or boot; and
 - (ii) the existence of provocation and whether the player acted in retaliation or self-defence;
- d) the effect of the offending player's actions on the victim (i.e. extent of injury, removal of player from match);
- e) the effect of offending player's actions on the match;
- f) the vulnerability of victim player including part of victim's body involved or affected, position of player, ability to defend themselves;
- g) the level of participation in the offending and level of premeditation;
- h) whether the conduct of the offending player was completed or amounted to an attempt; and
- i) any other feature of the player's conduct which constitutes the offending.

14.4 Having identified the applicable entry point for consideration of a particular incident, the DC shall identify all 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. Off-field aggravating factors include the following:

- a) an absence or lack of remorse or contrition on the part of the offending player;
- b) the player's status as an offender of the World Rugby Laws of the Game;



- c) the need for a deterrent to combat a pattern of offending; and
- d) any other off-field aggravating factor that the DC considers relevant and appropriate.

14.5 Thereafter, the DC shall identify all relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension, if any. Off-field mitigating factors include the following:

- a) the presence and timing of an acknowledgement of culpability by the offending player;
- b) a good record or good character of the player;
- c) the age and experience of the player;
- d) the player's conduct prior to and at the hearing;
- e) remorse for the player's actions and the victim player; and
- f) any other off-field mitigating factor that the DC considers relevant and appropriate.

14.6 In cases involving offending that has been classified pursuant to article 14.3 as lower-end offending, where there are compelling off-field mitigating features and a complete absence of off-field aggravating features, the DC may apply sanctions less than the World Rugby lower-end entry sanctions and, in this respect only, the World Rugby lower-end sanctions are not minimum sanctions.

14.7 In cases of multiple offences, the DC 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.

14.8 In addition to any sanction imposed by the DC by reference to the World Rugby recommended sanctions, the DC may impose a term of probation of between six and 36 months during which the player may be subject to harsher sanctions in relation to any new incidents requiring review by the DC.

- a) By default, unless the DC expressly determines otherwise, any offence while a player is subject to a probation sanction shall result in an automatic doubling of the penalty for the second offence.
- b) In any case, where a player has, in addition to the player's current offence, been previously suspended by the DC at any time when the player is under a probation



sanction, the DC shall take into account the player's previous offence and suspension in imposing any penalty on that player.

- 14.9** The DC may also, in appropriate circumstances, require, as part of a sanction imposed upon a player or a Coach, that the player or Coach attend and satisfactorily complete one or more referee or coaching development courses or one or more referee or coaching assignments.
- 14.10** The DC shall, upon request of a player who has appeared at a discipline hearing, provide written reasons for its decisions which specify the reasoning for their findings, including the finding on culpability, how the DC has categorized the seriousness of the offence by reference to the standard described in article 14.3, how the DC applied aggravating and mitigating factors and concluding with the sanction, if any, imposed.
- 14.11** The DC may, when considering a sanction, if any is to be imposed on a player who has been deemed to have been sent off under article 6.5, reset the yellow card count for that player at 0, 1 or 2 depending on the circumstances which gave rise to the yellow cards previously received by the player and whether the player was under a probation sanction when any of such yellow cards were received.

15. Traveling and Off-Field Infractions

- 15.1** Upon the receipt of a written complaint from a public carrier, hotel, or restaurant or any other similar business, institution or organization with respect to misconduct by BC Rugby members, the DC may require the cited member's club to post a bond of up to \$1,000 subject to a full hearing into the matter.
- 15.2** The DC will determine, based on the evidence presented, the appropriate course of action to follow as a result of an investigation into this matter.

16. Misconduct



16.1 Clubs are responsible and accountable for the conduct of their players, officials and all persons under their jurisdiction (which shall include Club supporters, whether or not such supporters are Club members).

- a) Clubs, players and persons must conduct themselves in a disciplined and sporting manner and ensure that they do not commit an act or acts or misconduct.

16.2 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. By way of illustration, each of the following types of conduct is an example of misconduct:

- a) acts of violence or intimidation within the venue in which the match is being played including (without limitation) the tunnel, changing rooms or warm-up areas;
- b) acting in an abusive, insulting, intimidating or offensive manner towards match officials or any person associated with the clubs participating in the match or spectators;
- c) acts or statements that are or conduct that is discriminatory by reason of religion, race, sex, colour or national or ethnic origin;
- d) seeking or accepting any bribe or other benefit to fix a match or to achieve a contrived outcome to a match or to otherwise influence improperly the outcome of any dimension or aspect of any match;
- e) entering into any wager, bet or form of financial speculation, directly or indirectly as to the result of any other dimension or aspect of any match in which the person is directly or indirectly involved or connected with;
- f) providing inaccurate or misleading information about previous discipline record in any proceedings under this Article or other discipline proceedings or misleading information concerning the player's future playing intentions;
- g) comments or conduct in connection with current or anticipated discipline proceedings or match officiating (or any aspect thereof), which may be prejudicial to or impact on current or anticipated discipline proceedings or which are prejudicial to the interests of the match or any person.
- h) any other breach of the Code of Conduct.
- i) any breach of the BC Rugby Social Media and Online Conduct Policy.

16.3 Notwithstanding Article 16.2, with respect to travel on the vessels of the BC Ferries, the members of a club's traveling party (as in Article 16.1) shall be considered to have committed misconduct if they:



- a) do not follow BC Ferries Rules and Regulations (www.bcferrries.com/travel-policies) or
- b) bring liquor onto the vessel or
- c) do not have a representative supply the vessel's Chief Purser with their name and cell phone number or then fail to respond when paged or
- d) fail to follow the instructions of the Vessel's crew or
- e) create any disturbance to any other passengers.

16.4 Where the DC is made aware of an act of misconduct as described in Law 9 of the World Rugby Laws of the Game, but which did not result in a sending off or citing, the DC shall follow the policies and procedures contained in this policy.

- a) Where the DC is made aware of an act of misconduct, such as those in Article 16.2, the DC shall follow the policies and procedures contained in the BCRU Code of Conduct.

16.5 The DC shall consider sanctions for misconduct in accordance with World Rugby Regulation 18.10.

17. Records of Discipline Hearing Findings

17.1 The BC Rugby Office will circulate DC minutes to DC members.

17.2 The BC Rugby Office is to maintain a database with respect to all discipline cases reported to the DC.

17.3 The record of all discipline cases shall remain in the database for at least 23 months period.

18. Appeals

18.1 An appeal of an order of the DC shall be heard by a BC Rugby Appeals & Complaints Committee in accordance with the BC Rugby Appeal Policy.



19. Post Hearing Procedures

19.1 In any case where a player is adversely affected by a decision of the DC, they shall be advised by the DC of the circumstances in which they may appeal to the BC Rugby Appeals & Complaints Committee. Such advice shall, ordinarily, be included in the DC's written decision, if any, and advised at the conclusion of the hearing if an oral decision is given.

19.2 The hearing by the DC (save for private deliberations) shall, ordinarily, be fully audio or video recorded.

- a) The record of the proceedings, and all papers associated with the proceedings, shall be held by the DC which shall make the same available if required.
- b) Copies of the record shall be made available at reasonable cost only on appeal of the decision of the DC.

20. Playing While Under Suspension

20.1 BC Rugby will not tolerate members playing while under suspension.

20.2 If a player is found to be playing while under suspension, the issue will be dealt with at the next regular meeting of the DC.

20.3 The DC will determine, based on the evidence presented, the best course of action to follow with respect to imposing additional penalties upon the player and the player's team or club.

20.4 The DC may make a recommendation to the Competition Committee to sanction a particular team or club who has played a match with a suspended player.

21. Definition of a Match for Purposes of Discipline



- 21.1 Subject to sections 21.2 to 21.5, a match for the purposes of discipline is defined as a BCRU sanctioned match in which the player could have played, but for the sole reason, of any suspension they received.
- 21.2 A match for the purposes of discipline is defined as a league match, exhibition match, a representative fixture, a tournament or provincial or regional competition at the same divisional level, or above, in which the offence occurred.
- 21.3 A suspended player may use a defaulted match as a part of the match count for the player's suspension, if the player was not a member of the defaulting team.
- 21.4 An exhibition match, a representative match, a tournament, national, provincial or regional competition, may only be counted towards a suspension if, before the requested match is played, the player or the player's club requests in writing to the DC Chair to count the match as part of the suspension and the DC Chair provides written confirmation of the DC's approval of the request application. (Note: e-mails are sufficient)
- 21.5 Generally, a whole sevens tournament will be treated as being equivalent to one match.
- 21.6 The DC Chair has the final discretion to determine what constitutes a match for the purpose of a sanction.

22. Tournaments

- 22.1 Subject to the exceptions noted below, the provisions of this Policy shall apply, with appropriate alterations, to matches played, and any incidents arising from, a tournament sanctioned by BC Rugby.
- 22.2 The organizers of each tournament shall arrange for one or more discipline officers (a **"Tournament Discipline Officer"**) to be appointed to deal with any discipline issues arising during the tournament.



- 22.3** No person shall be entitled to act as a Tournament Discipline Officer unless his or her appointment as such has been approved by the DC.
- 22.4** A duly appointed Tournament Discipline Officer shall deal with discipline issues arising during the pertinent tournament and, when doing so, shall apply the provisions of this Policy.
- a) A Tournament Discipline Officer will not, and does have the authority to, impose a sanction on a player that extends beyond the end of the Tournament Discipline Officer's tournament.
 - b) If a Tournament Discipline Officer deems that the misconduct committed is of a very serious nature, they may refer the incident to the BC Rugby Discipline Committee.
 - c) A player who receives a red card while participating in a tournament shall not be eligible to play in any subsequent match until the player has appeared before the pertinent Tournament Discipline Officer or the DC.
- 22.5** A Tournament Discipline Officer will file within 48 hours of the tournament's completion a discipline report summary (in accordance with the form established from time to time by BC Rugby), which shall include the following:
- a) a discipline hearing summary for each red card issued during the tournament, shall include:
 - i. name of player receiving red card;
 - ii. nature of the incident giving rise to the issuance of the red card;
 - iii. resolution of the Tournament Discipline Officer regarding the sanction to be imposed; and
 - iv. any additional observations of the Tournament Discipline Officer regarding the incident or hearing that should be considered by the DC; and
 - b) a summary of any issue arising during the tournament, whether within the playing enclosure or external thereto, which the Tournament Discipline Officer believes merits consideration by the DC.
- 22.6** The DC shall maintain a record of all red cards issued during a tournament.



22.7 The DC shall review each tournament discipline summary and determine what, if any, additional action is required.

22.8 The DC shall have the power to compel players who receive multiple red cards in tournaments during a season to attend a hearing before the DC. The provisions of this Policy shall apply to such hearing.

23. Multiple Yellow Cards

23.1 A player who is temporarily suspended three times within a 12 month period commencing June 1st of a particular year and ending May 31st of the following year, will be deemed to have been sent off upon the conclusion of the match in which the third temporary suspension occurred.

23.2 A player who is considered to have been sent off under Article 23.1, will automatically receive a sanction of a one game suspension without attending a hearing before the DC.

23.3 A player who wishes to appeal a yellow card considered in section 23, must send a written notice to the DC setting out the basis on which the yellow card is being appealed. All evidence supporting the player's position must be submitted concurrently with the notice. The DC shall consider the appeal.

23.4 In considering the appeal of the yellow card, the DC shall consider the reasons given by the referees for issuing the yellow cards. ie. If the yellow card was issued for foul play or a technical offence.

24. Two Yellow Cards in a Match

24.1 A player who receives two yellow cards in a match and is ordered off after the second yellow card will have a hearing with the DC.

24.2 A player may appeal one or both yellow cards under the provisions of article 23.4 above.



24.3 If the DC upholds an appeal against one or both yellow cards for foul play, then the red card will be expunged from the player's record.

24.4 The DC is required to apply a sanction for the offence of repeated infringement and not for the substantive offences relating to each yellow card.

24.5 The entry points for the offence of repeated infringement are:

- i. for 2 technical yellow cards in 1 match or 1 technical and 1 foul play yellow card in 1 match: sending off is sufficient; and
- ii. for 2 foul play yellow cards in 1 match: 1 game suspension.

24.6 To arrive at the final supplemental discipline, the DC will apply the aggravation and mitigation considerations as found in Article 14 of this Policy.

25 Revision and Approval

This policy shall be reviewed by the Safe Sport Committee, the Discipline Committee and the Chief Executive Officer on a regular basis, who may each recommend revisions to the BC Rugby Board of Directors for their approval.