

SAGF



CODE OF ETHICS AND DISCIPLINARY CODE

Amended 21 January 2021

Introduction and general principles

The South African Gymnastic Federation (hereinafter the SAGF) fully supports the principles of fair discipline and the consistent application of appropriate and corrective disciplinary measures where necessary. The SAGF confirms that the purpose of discipline and punishment should be constructive and not destructive; educative rather than punitive. The aim of discipline should be to educate and nurture values of tolerance, respect and self-discipline rather than to victimise, seek revenge or humiliate.

This document indicates the general standards of behaviour that are expected of all members of the SAGF and encourages a responsible and self-disciplined approach, rather than a punitive one based on fear. Should expected norms of conduct not be met by any member, corrective action will be initiated by the SAGF management. Corrective action may include the application of formal disciplinary measures; any formal steps only being applied to prevent further occurrences of unacceptable behaviour or to restore normal relations between the members and the SAGF.

The maintenance of discipline and ensuring a sporting ethic is an integral part of the responsibilities of every SAGF member. The onus therefore lies with the SAGF members to apply this procedure in an effective and equitable manner and in the interests of the well-being of the SAGF and all its stakeholders.

Nonetheless, the SAGF recognises that the best interests of the member is of paramount importance in every decision affecting a member and this principle will be the basis of all decisions relating to the consideration of, application of and judgments relating to this disciplinary procedure.

The code of ethics and disciplinary codes are documented and issued to ensure that corrective action and discipline is administered consistently, promptly and fairly. These codes are considered to be important elements of the SAGF ethos and are applicable to all members. It should also be noted that these documents may also have a bearing on the behaviour of the member outside of normal SAGF activities should the member's conduct bring the name of the sport or the SAGF into disrepute.

These documents are available to every member and parents of minor members of the SAGF. The documents are prescriptive and subject to change and amendment.

Note that these documents which encapsulate the disciplinary code and code of ethics, while creating certainty regarding issues of discipline and conduct are also general guidelines for the implementation of corrective action and discipline.

1. Code of Ethics

The South African Gymnastics Federation's (SAGF's) aims are to inspire participation in all aspects of gymnastics as per the SAGF constitution. The SAGF grants the honour of membership to individuals and organisations committed to these aims and may, therefore, withdraw such honour at any time where the SAGF determines that a member's conduct is inconsistent with the aims of the organisation or in the best interests of the sport and those who participate in it. In order

to assist all members to better serve the interests of those who participate in gymnastics, the SAGF has adopted the ethical code which follows. This code is not intended to establish a set of rules that will, by insertion or prohibition, prescribe suitable behaviour for the SAGFs' members in every aspect of their involvement in the sport. Rather, the code offers general principles to guide the conduct, and the sensible assessment of conduct, of all the SAGFs members in situations that have ethical implications. The SAGF Code of Conduct for all members is also listed in the latest version of the SAGF Rules and Regulations document.

Elements of the Code

1.1 Participant Relationships.

Members of the SAGF have the responsibility of contributing to an environment which makes participation in the sport a positive and rewarding experience. In order to achieve that result, each member is obliged to make decisions based on the best interests of the athlete. It is inconsistent with this obligation for any member to:

1. Fail to follow safety guidelines or otherwise knowingly subject a member to unreasonable physical or emotional risk.
2. Engage in conduct which is unfair including, in particular, attempting to injure, disable or intentionally interfere with the preparation of a member.
3. Engage in abusive conduct towards another member. The SAGF recognizes that the process for training and motivating athletes will vary with each coach and each athlete, but it is nevertheless incumbent on everyone involved in the sport to support the development and use of motivational and training methods that avoid conduct which is abusive.
4. Discriminate in the provision of resources or opportunities to any member or prospective member on the basis of race, sex, creed, sexual orientation, age, national origin or mental or physical disability.
5. Attempt to intimidate, embarrass or improperly influence any individual responsible for judging or administering a competition.
6. Engage in business practices directed toward another member which are determined by a court, or other similar adjudicatory body, to be unethical, illegal or a breach of contract

1.2 Responsibility

A member of SAGF has a responsibility to the sport of gymnastics and the rules and regulations which govern it. It is inconsistent with this obligation for any member to:

1. Knowingly misrepresent the policies or actions of the SAGF or its authorised representatives.
2. Breach the duty to maintain appropriately established confidences of the SAGF or its members.

3. Knowingly make false certifications on membership or event sanction applications or otherwise regarding the involvement of persons permanently ineligible for SAGF membership with regards to club, event, or advertised activities.

1.3 Communication.

Members of the SAGF have a duty to communicate honestly and openly with the organisation and its members. It is inconsistent with this obligation for any member to:

1. Misrepresent competitive achievements, professional qualifications, education, experience, eligibility, criminal record or affiliations.
2. Knowingly disseminate false or misleading information about another member.
3. Withhold from athlete members information or resources likely to enhance the athletes' enjoyment of the sport or reduce their risk of injury or illness.
4. Fail to consult with or inform fully the athlete or the athlete's parents about opportunities made available to the athlete involving competitions, commercial activities or recognition.
5. Misrepresent the nature or extent of an injury in order to decline an invitation to participate in or withdraw from a competition assignment, training camp or other similar activity.
6. Misrepresent the nature or extent of an injury in order to participate in, or cause an athlete to participate in, a competition, training camp or other similar activity when such participation is inconsistent with the appropriate medical response to the injury.

1.4 Alcohol and Drug Abuse.

Members of SAGF must ensure that the sport is conducted in an environment free of drug or alcohol abuse. It is inconsistent with this obligation for any member to:

1. Assist or condone any competing athlete's use of a drug banned by the International Federation of gymnastics or, the South African Institute for Drug Free Sport or WADA. This would be subject to investigation and disciplinary proceedings of SAIDS
2. Provide alcohol to, or condone the use of alcohol by, minors, abuse alcohol in the presence of members or at SAGF's activities or, in the case of minors, consume alcoholic beverages. This may constitute child abuse and be subject to investigation under the SAGF Safeguarding Policy

1.5 Criminal Conduct.

Members of the SAGF are expected to comply with all applicable criminal codes as provide by South African Law. This obligation is violated by any member who has been convicted of or has entered a plea of guilty to a criminal charge involving sexual misconduct, child abuse, or conduct that is a violation of a law specifically designed to protect minors and persons with a disability, and, depending on the nature of the crime, may be violated by any member who has been convicted

of or has entered a plea of guilty to any charge involving conduct other than that specifically described above.

1.6 Sexual Misconduct.

Members of the SAGF are expected to promote a safe environment for participants, coaches, officials, volunteers and staff in all gymnastics disciplines, which includes an environment free from sexual misconduct. It is inconsistent with this obligation for any member to:

1. Solicit or engage in sexual relations with any minor.
2. Engage in any behaviour that utilizes the influence of a member's position as coach, judge or administrator to encourage sexual relations with an athlete or participant.
3. Engage in sexual harassment by making unwelcome advances, requests for sexual favours or other verbal or physical conduct of a sexual nature where such conduct creates an intimidating, hostile or offensive environment.

1.7 Sexual Relationships.

Members of the SAGF must protect the integrity of the sport and the interests of the athletes they serve by avoiding sexual relationships with athletes except where the capacity and quality of the athlete's consent to enter that relationship is beyond question.

2. Professional and Athletic Development.

Members of SAGF should strive to keep their qualifications current.

2.1 Conflict of Interest.

Members of the SAGF are responsible for avoiding both actual and perceived conflicts of interest in the conduct of business on behalf of the organisation. It is inconsistent with this obligation for any member to:

1. Use, SAGF's properties, services, opportunities, authority or influence to gain private benefit.
2. Incur expenses in furtherance of SAGF's business which are unreasonable, unnecessary, or unsubstantiated.
3. Participate in the deliberation or decision-making process about any issue for which the member has a direct financial interest.

Enforcement of Code

Compliance with this code depends primarily upon understanding and voluntary compliance, secondly upon reinforcement by peers, and, when necessary, upon enforcement through disciplinary action.

Any individual who believes that a member of the SAGF has failed to meet his or her obligations under this code is encouraged to first address that concern directly with that member. If that action does not result in a satisfactory resolution, the individual may follow the federation's complaints procedure (club – region – province – discipline – SAGF board). In the case of a team travelling then the team manager will act as the agent of the federation and be the highest authority.

The complaint will be discussed with by the Club – Region – Province – Discipline – SAGF Exco to determine;

1. That the complaint does not merit further action,
2. Counsel the member who is the subject of the complaint and record both the complaint and the nature of the counselling in the member's record.
3. A written warning will remain valid and on the record of the member for a period of six (6) months from the date of imposition.
4. Process the complaint in accordance with the disciplinary code.

In the case of a Safeguarding complaint, due to the need for confidentiality and to expedite safeguarding complaints in order to protect children and adults from harassment, abuse or poor practice, the SAGF's normal communication lines from Club to District to Provincial Member to SAGF National Office are set aside. A SAGF Club or Event Safeguarding Officer should report safeguarding concerns directly to the SAGF's National Safeguarding Officer(s). This ensures that only those people that need to know to help protect a participant from harassment, abuse or poor practice are informed of the concern and that the concern can be dealt with expeditiously.

3. Disciplinary Code

The disciplinary code for members is intended as a penalty guideline for all members.

The code indicates the maximum disciplinary action generally considered appropriate for various types of infringements and misconduct by members. Mitigating circumstances of a particular case under consideration may justify less severe action than that indicated in the code.

The infringements listed in the code are not intended to be an exhaustive listing but rather an indication of the type of deviation from expected standards of conduct, and the levels of severity of infringements.

All written warnings and suspensions are to be recorded in the member's personal file.

A written warning will remain valid and on the record of the member for a period of six (6) months from the date of imposition.

3.1 Infringements:

Category A: the following conduct is prohibited and may result in disciplinary measures this is not an exhaustive list and can be added to from time to time or in specific circumstances by the SAGF Exco):

1. Smoking, drinking alcohol and any trafficking in or use of drugs or introduction of cigarettes, alcohol or drugs to any SAGF activity.
2. Fighting at any SAGF activity
3. Insults to the dignity or defamation of any other SAGF member, coaches and officials, management and volunteers of SAGF
4. Deceiving coaches, officials, members and management of SAGF.
5. Serious threats, disruptions or otherwise to any practice, competition or SAGF activity
6. Cheating in any form of competitions and trials.
7. Bribery in any form connected to competitions or trials
8. Any form of bullying. This may be considered as harassment or abuse and subject to the SAGF Safeguarding Policy
9. The use of abusive, foul, insolent and inflammatory language
10. Any form of gambling or games of chance.
11. Malicious damage to the property of SAGF, its staff, coaches, officials, volunteers, club members and visitors.
12. Failure to report any transgression of the disciplinary code by a fellow member, coach, officials, management of the SAGF.

Category B: The following conduct is also prohibited and regarded as very serious and may result in disciplinary measures including a disciplinary hearing

13. Repeated offences or patterns of offense of category A conduct
14. No dangerous objects or weapons may be brought to any SAGF activity or any competition, practice or any other related activity. Possession or use of any dangerous object or weapon is prohibited and is regarded as a very serious offence. Knives, firearms or any other dangerous weapons will be confiscated.

15. Public indecency.
16. Any form of harassment or abuse as defined in the SAGF Safeguarding Policy including any possession or manufacturing of pornographic material.
17. Commission of theft, fraud or forgery
18. The commission of any inter-personal violence against another person including sexual abuse or violence.
19. The commission of any other common law or statutory offence in South African law generally, including crimes of dishonesty, personal violence, narcotic crimes, sexual crimes or otherwise

3.2 Disciplinary measures and action:

Various forms of informal and formal disciplinary measures may be initiated by the SAGF. The severity of the action taken by the SAGF will depend on the circumstances, the seriousness of the infringement and any mitigating or aggravating factors that are of relevance.

The disciplinary measure or penalty applied in response to the minor's misconduct will therefore generally require the coach, official or SAGF management to exercise discretion in deciding on the appropriate and fair action to be taken.

Disciplinary action that may be applied by the SAGF, in order of severity, includes:

Informal action

- Confiscation of any contraband, for example cigarettes, alcohol or narcotics.
- counselling by the coach or official;
- verbal warning;
- Telephonic communication with parents.
- Expulsion from the competition or trial at the time of the infringement and request to parents to fetch child.

Formal action

A member may, at the discretion of the SAGF Exco, be called before a disciplinary hearing, which could result in:

- A written warning will remain valid and on the record of the member for a period of six (6) months from the date of imposition.
- Suspension from SAGF membership for a fixed period.

- Expulsion from the SAGF.

Discipline must, wherever feasible and effective, be applied progressively. Repeated commission of a similar or related offence will result in progressively more severe action being taken, particularly where a clear pattern or trend is indicated by the member's continued misconduct. A serious first incident may however justify a severe penalty and militate against the imposition of a lesser form of action.

The consideration of disciplinary measures must take the age, and level of development of the member into account. The approach of the SAGF in applying disciplinary action is to find the most appropriate intervention for the individual member, based on proportionality and balancing the interests of all parties.

In addition, in imposing any disciplinary action, the circumstances of the member, the seriousness of the misconduct and interests of the SAGF must be considered, bearing in mind that serving the best interests of the member is the overarching principle.

3.3 Disciplinary procedure:

This procedure summarises the disciplinary process that will be followed by the SAGF when more formal disciplinary action is considered appropriate.

Infringements that are not considered serious, or do not require formal disciplinary action in the opinion of the member's coach or official, can be dealt with directly by the coach or official based on the informal action listed above. These are not generally recorded on the member's record but may still require communication with the member's parents, in the case of the member being a minor.

When an infringement occurs at an SAGF event and requires formal disciplinary action, the coach or official concerned, or any third party affected by the alleged infringement, will initiate the disciplinary process.

The SAGF must investigate the complaint and alleged infringement to gather information and to decide on the necessity for corrective measures. This assessment generally takes the form of an informal investigation, which may, if appropriate, include an opportunity for the member to respond to the complaint. However, a minor is entitled to have a responsible adult present with them during any investigative, disciplinary or appeals procedure and that adult may respond for them.

If, after investigation, the infringement is confirmed but is considered to be of a nature which does not indicate that severe action may be appropriate, the responsible regional/ provincial affiliate body may counsel the member and issue an appropriate warning to the member(s) concerned.

It should be pointed out that the investigation to be conducted is an informal one, and that formal disciplinary proceedings are not considered as appropriate action at this point.

All Safeguarding complaints are dealt strictly in accordance with the SAGF Safeguarding Policy

When a serious infringement occurs or a member has contravened one of the rules in the disciplinary code or in the case of repeated lesser infringements and formal disciplinary action not having had its expected effect, the matter is referred to the SAGF Exco and a notification of a disciplinary hearing is given to the member and to the parents of the child member, if the member is a minor. This notification must provide sufficient information to ensure that the child member and parents are properly informed of the alleged complaint, the seriousness of the allegations, and the SAGF's intention to convene a formal hearing to investigate the infringement.

In convening a disciplinary hearing

- 3.3.1 The member and minor's parents should, wherever possible, be notified of the hearing at least three working days before the scheduled hearing. The minor's parents must participate in the proceeding and assist their child.
- 3.3.2 The member may, at the discretion of the SAGF Exco, be suspended pending the hearing, if this is considered appropriate bearing in mind the interests of the member and those of the SAGF. The suspension of a minor should be indicated in the notification to the parents. The period of suspension should be kept to a reasonable and minimum amount of time, however will be dependent on the situation, circumstances and practicalities of the alleged transgression. The period of suspension may be extended to allow for the conclusion of the disciplinary process and any appeal that may follow.
- 3.3.3 The member and his or her parents, if the member is a minor must be advised that they are expected to attend the hearing as their non-attendance may prejudice the members' case, resulting in the hearing being held in their absence, and a decision being made without their involvement.
- 3.3.4 The member and parents, if the member is a minor must also be advised of the serious nature of the allegations, and the possibility of formal and severe disciplinary action being taken should the member be found guilty of allegations made against him/her.
- 3.3.5 Save in exceptional circumstances legal representation at disciplinary hearings is not permitted. Application for such representation is made to the Chairman of the Disciplinary Committee and leave for such representation is at the Chairman's discretion, however he must take the seriousness of the complaint as well as the best interests of the member into account in exercising his discretion.
- 3.3.6 All Safeguarding Disciplinary hearings will automatically allow for legal representation for both parties and no application for representation is required to be made to the Chairman of the Disciplinary Committee.
- 3.3.7 Assistance at the hearing to a member, be that member an adult or a minor by any other party is permitted and should be promoted where the member indicates he or she wants such assistance. The possibility of the use of such assistance must also be included in the notice of the disciplinary hearing to the member or minor member's parents.

- 3.3.8 Where a disciplinary matter involves a Child or a Person with a Mental Disability, the Independent Disciplinary or Appeals Panels must be mindful of the needs of the person in question and take these into account when deciding upon the format of proceedings or indeed whether any action is taken against such a person.
- 3.3.9 Where a disciplinary matter involves a Child or a Person with a Mental Disability, the Chairman of the Independent Disciplinary or the Appeal Panel shall decide if the Panel should include at least one member who is suitably trained at dealing with Children or Persons with a Mental Disability.
- 3.3.10 Any interviews of a Child or a Person with a Mental Disability shall only be conducted by suitably trained and experienced persons nominated by the SAGF.
- 3.3.11 Written permission should be obtained from any parent / carer of a Child or a Person with a Mental Disability where such person is asked to provide evidence and / or attend a hearing. Where a Child or a Person with a Mental Disability is asked to attend a hearing, they shall be afforded the opportunity to do so accompanied by any parent / carer and the Independent Disciplinary or Appeals Panel shall make sure that the Child or a Person with a Mental Disability fully understands the process taking place. In exceptional circumstances, where written permission is not obtained from a parent / carer, assessment should be made of the ability of the Child or a Person with a Mental Disability to understand and make their own decisions.
- 3.3.12 In all proceedings involving a Child or a Person with a Mental Disability, the Investigator(s) or Chair of the Independent Disciplinary or Appeals Panel may vary the standard directions set out in this policy and in order to take into account the needs of a Child or Person with a Mental Disability. This may include without limitation conducting any hearing on paper or providing for evidence to be given by video link.
- 3.3.13 For the avoidance of doubt, the refusal of the Parent, Carer, Child or Person with a Mental Disability to co-operate shall not preclude the SAGF from taking disciplinary action against the Child or Person with a Mental Disability in accordance with the SAGF Safeguarding Policy & Procedures.
- 3.3.14 Composition of the disciplinary panel
- 3.3.14.1 The SAGF shall constitute standing or ad hoc panels for the purposes of enquiring into and taking disciplinary steps against members;
 - 3.3.14.2 A member of a disciplinary panel shall be independent and is appointed for that purpose;
 - 3.3.14.3 A disciplinary panel shall comprise not fewer than 3 nor more than 5 members.
 - 3.3.14.4 The disciplinary panel should comprise of members who reflect the diversity of the complainant and respondent (e.g. race and gender)
 - 3.3.14.5 The chairperson of the disciplinary panel will be selected by the SAGF Exco

or their representatives, from the members on the panel and will be responsible for managing the hearing process and it is recommended they have some legal background.

3.3.14.6 In the case of a disciplinary panel for a Safeguarding complaint, the disciplinary panel should include an independent chair ideally trained to deal with matters involving harassment and abuse.

3.3.14.7 The proceedings of a disciplinary panel shall be decided by a majority of the votes of the members comprising the panel;

3.3.14.8 A person may not participate as a member of a disciplinary panel if he has a conflict of interest or if he:

3.3.14.8.1 is a member of the accused member's club or Province;

3.3.14.8.2 is a member of the complainant's club or Province;

3.3.14.8.3 he himself is subject to unresolved disciplinary steps.

3.3.14.8.4 Has any relations with the accused or the complainant or witnesses

3.3.14.8.5 Has any conflict of interest.

3.3.15 The hearing chairperson will be responsible for managing the hearing process and the panel will decide on:

- The guilt or innocence of the member in respect of the allegations made or
- In the case of a Safeguarding complaint, whether the standard of comfortable satisfaction has been proved or not.
- The recommended appropriate penalty/action to be taken, after due consideration of mitigating and aggravating factors.

3.3.16 To ensure the proper conduct of proceedings for a disciplinary hearing, the disciplinary panel may:

3.3.16.1 Order a preliminary hearing

3.3.16.2 Require that parties make written submissions or submit skeleton arguments in advance of the hearing and

3.3.16.3 Deal with other preliminary matters

3.3.17 To ensure that the disciplinary hearing is properly conducted, the chairperson of the disciplinary hearing shall ensure that the member, the member's representative and minor's parents:

- are informed of and properly understand the allegations being made before

commencing with the hearing

- are presented with all the relevant facts and information relating to the allegations;
- are given the opportunity to question information provided and evidence led;
- are entitled to present their own case;
- are treated with dignity and respect throughout the hearing;
- are assured of the greatest confidentiality possible;
- are timeously advised of the outcome of the hearing: are informed of the right to appeal against any decision made by the committee.

3.3.18 All disciplinary hearings can be conducted on a virtual medium (e.g. skype, team viewer or zoom) should the Chair of the Disciplinary panel and/or SAGF Exco so decide.

3.3.19 In disciplinary hearings relating to Safeguarding matters the disciplinary panel is not obliged to follow strict rules of evidence, and they may be entitled to, save in relation to documents where privilege applies, admit such evidence as they think fit and accord such evidence such weight as they think appropriate in all the circumstances. They may also conduct proceedings from different venues and conduct questions and answers through an intermediary.

3.3.20 A failure to observe the time limits specified by the disciplinary panel by either a complainant or respondent, should not nullify any proceedings, but such failure may be cause for a hearing to be adjourned.

3.3.21 The chairperson will make written notes of the proceedings. In some cases, at the discretion of the chairperson and with the agreement of all parties concerned, the proceedings may be recorded. Copies of all disciplinary documentation must be retained by the SAGF National Office for record and safekeeping purposes for a minimum of 3 years and a maximum of the duration of any outcome (i.e. always remain on file if someone is expelled).

3.3.22 After the completion of the disciplinary hearing, any recommended penalty or disciplinary action from the disciplinary panel should be formally communicated to the SAGF Exco or its representatives who will in turn communicate these to the member and minor's parents. The communication will be supported in writing by the chairperson of the disciplinary hearing.

3.4 Appeal procedure:

The member and/or complainant and/or respondent and/or SAGF has the right to appeal against any decision made at the disciplinary hearing, by notifying the SAGF Exco and Disciplinary Panel chairperson of the intent to appeal in writing within 5 working days of the hearing's outcome. The appellant must submit in writing a formal appeal with motivation to the SAGF National Office within another 5 working

days of their intent to appeal. An appeal should be heard within 10 working days of receipt of the formal appeal submission and motivation. The SAGF Exco or representatives have the right to refuse an appeal should the motivation to appeal not prove one of the grounds for appeal.

An independent appeals panel consisting of a chairperson and two other members must be appointed by the SAGF Exco. The appeal panel will conduct the appeal hearing, the findings of which constitutes the final decision either confirming or not the outcome of the disciplinary hearing.

The member and /or the minor's parents and/or complainant and/or respondent and/or SAGF only have the right to appeal against a decision of disciplinary hearing for the following reasons:

3.4.1 Ordinary grounds for appeal include:

- the disciplinary procedure was not followed
- the decision of guilt is considered incorrect based on mistake of law or fact
- the decision regarding disciplinary action is inappropriate
- mitigating procedures were not properly considered
- the hearing chairperson was biased; did not apply his or her mind properly to the case; made a subjective decision
- the member was not given a fair opportunity to present his or her case
- New and relevant evidence can be presented which may affect decisions made and there exists a reasonable explanation as to why it was not presented at the original hearing.

3.4.2 The member and/or minor's parents and/or complainant and/or SAGF wishing to appeal must motivate their appeal in writing, detailing in full their grounds for appeal. The intention to appeal must be submitted to the SAGF Exco or their representatives within 5 working days of the chairman of the disciplinary hearing's final decision having been communicated to the member and/or minor's parents and/or complainant and/or SAGF so as not to delay proceedings. The full motivation submission for appeal must be received within a further 5 working days following the submission of the intention to appeal.

3.4.3 The SAGF Exco or their representatives will decide if an appeal is warranted based on the submitted motivation in accordance to the listed grounds for appeal in this document.

3.4.4 If any member has been suspended pending the completion of the hearing process, the submission of an appeal will not affect the suspension which will remain in effect until the appeal process has been concluded.

- 3.4.5 The member's basic right to an appeal against disciplinary action does not ordinarily mean that all the matters raised at the disciplinary hearing will be revisited. The appeal procedure is generally limited to only reviewing the decision made and is based on the grounds and motivations lodged in the appeal motivation. A full appeal re-hearing is only necessary when the disciplinary hearing process is considered to have been materially defective by the persons responsible for initiating the appeal. The appeal panel usually considers the records of the initial hearing but may decide, at its discretion, to hear evidence. The members are entitled to representation on the basis as set out above for the disciplinary hearing procedure.
- 3.4.6 The appeal should, wherever possible, be conducted within 10 working days of receipt of the appeal motivation.
- 3.4.7 The appealing party is responsible for carrying the costs of the appeal, which SAGF Exco may decide to carry at their discretion.
- 3.4.8 The appeals panel may apply costs as part of their judgement.
- 3.4.9 The chairperson will make written notes of the proceedings. In some cases, at the discretion of the chairperson and with the agreement of all parties concerned, the proceedings may be tape recorded. Copies of all disciplinary documentation must be retained by the SAGF Exco for record and safekeeping purposes for a minimum of 3 years and a maximum of the duration of any outcome (i.e. always remain on file if someone is expelled).
- 3.4.10 A copy of the decision of the appeal panel must be provided to SAGF Exco who will communicate this to the member and /or the minor's parents within a further 10 working days, and a copy placed on the member's record file for safekeeping. The finding should indicate the appeal panel's response to each of the specific matters raised in the appeal motivation.
- 3.4.11 The conclusion of the appeal procedure is the final step in the SAGF disciplinary process for members and marks the exhaustion of internal disciplinary measures.

3.5 Collective Disciplinary Action

The above-described disciplinary procedure is principally designed to deal with instances of misconduct by individual members. Alleged misconduct by a group of members, usually acting in concert with one another, or where the infringements are of a similar nature or objective, is considered as being collective misconduct.

Generally, collective misconduct is more effectively dealt with on a collective basis. An investigation into the alleged misconduct is conducted with all of the members concerned and their parents, if the members minors. A single disciplinary hearing can then be conducted with the members concerned, with their parents present if they should be minors.

The same procedures as provided for in section 3.3 above are followed in a collective situation. In a collective disciplinary hearing however, individual members must, during or immediately after the hearing process, be provided with the opportunity of demonstrating that their own circumstances may be different from those of other members or of the group involved, and of showing why they should be treated differently.

In certain cases, however, it might be considered appropriate by the SAGF Exco or their representatives to conduct separate investigations or hearings with members. The SAGF reserves its right to exercise its option to conduct individual or collective procedures. Any differences in verdict, or penalties imposed, between different members involved in the same incident / infringement, will obviously also have to be justified in the findings of the disciplinary committee.

3.6Matters dealt with outside of these procedures

Investigations and disciplinary proceedings relating to infringements of Anti-Doping Rules are conducted for the SAGF by the South African Institute for Drug-Free Sport (SAIDS) under the SAIDS Anti-Doping Rules which apply to all members.

Investigations relating to matters of harassment and abuse are conducted under the SAGF Safeguarding Policy.

By registering as a SAGF member I hereby acknowledge having read the above SAGF Code of Ethics and Disciplinary code, as well as the SAGF Rules and Regulations, Safeguarding Policy and Constitution. I confirm that I understand the contents thereof and agree that I will be bound by this Code, the Rules and Regulations, the Safeguarding Policy and the Constitution of the SAGF.