

Regulation 17 : DISCIPLINE - FOUL PLAY

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REGULATION 17. DISCIPLINE - FOUL PLAY

Preamble

A The underlying rationale for Regulation 17 is to maintain and promote fair play, protect the health and welfare of Players, ensure that acts of Foul Play are dealt with expeditiously and appropriately by independent means within the Game and that the image and reputation of the Game is not adversely affected.

B This Regulation sets out a harmonised approach to the administration of discipline and the implementation of sanctions for Foul Play at all levels of the Game. The objective of this Regulation is to achieve consistency in the way in which discipline is administered and uniformity in the manner in which the assessment of the seriousness of Foul Play is conducted and sanctions imposed. Underlying the Regulation is the overall objective that the disciplinary process shall comply with the fundamental principles of natural justice.

C This Regulation is drafted from the stand point of the international governing body of the Game. In recognition of the pyramid structure of international sport, the application and enforcement of this Regulation by Unions within their respective jurisdictions may necessitate suitable adjustments to cater for the imperatives of their competitions and domestic structures and as applicable to accord with national legislation.

D All participants in the Game shall by means of their participation recognise and agree to be bound by this Regulation including the core principle of universality which means that Players who are suspended at any level of the Game shall have their suspension recognised and applied at all levels of the Game and in the territories of all Unions and Associations. World Rugby has identified certain Core Principles which must be implemented by all Unions and Associations at all levels of the Game in the implementation of disciplinary rules for Foul Play.

17.1 Core Principles

17.1.1 The principles set out below shall be the “Core Principles” which shall be mandatorily applied in disciplinary regulations at all levels of the Game are as follows:

(a) The sanctions applicable to Foul Play shall be the same throughout the Game. Therefore all Unions and Associations shall adopt the World Rugby Sanctions for Offences within the Playing Enclosure (Appendix 1) and ensure that they are applied within their territory. Where a Union adopts the World Rugby Disciplinary Guidelines for the Underage Game (Appendix 3), then the sanctions applicable to Foul Play Adjusted for Underage Rugby shall apply.

(b) All Matches are equal. A Player suspended from playing the Game shall be suspended from participating in any Match at any level during the period of his suspension.

(c) The core sanctioning process set out in Regulation 17.19 shall be applied to all disciplinary cases involving Foul Play at all levels of the Game.

(d) The principles of natural justice shall be adhered to in all disciplinary proceedings. Such principles include, Players cited/Ordered Off shall have the right to know the evidence against them, shall have the right to be heard, to be represented, to produce evidence and defend themselves before independent adjudicators.

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

17.2 Application of the Regulations

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

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

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

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

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

17.3 Categories of Matches

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

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

- (a) all Matches involving The Combined Team of the Pacific Island Unions;
- (b) all Matches involving The British and Irish Lions; and
- (c) all Matches involving the senior or next senior National Representative Teams or senior National Representative Sevens Teams of a Union including where such Matches are against non-National Representative Teams played as part of an International Tour or International Tournament or Series of International Matches.

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

17.3.4 Non-International Matches

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

17.4 Responsibility and Compliance

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

(a) All teams participating in such International Matches shall enter into, and be bound by a Tours Agreement or Match Agreement (being the terms upon which the International Match which is not part of an International Tour is organised) as applicable.

(b) The Tours Agreement or Match Agreement (as applicable) shall provide for the Host Union (or Tournament Organiser agreed by all the participating Unions) to be responsible for putting in place disciplinary procedures as set out in Regulation 17 and making appointments for such International Matches, save as provided in Regulation 17.5. Where Regulation 17 provides flexibility (such as with regard to timeframes for citings and/or disciplinary hearings) such detail shall be set out in the Tours Agreement or Match Agreement.

(c) If Unions cannot agree on the disciplinary arrangements to be adopted for such Matches then they shall refer the matter to the Disciplinary Officer of World Rugby who shall determine the arrangements.

17.4.2 World Rugby Matches

(a) For World Rugby Matches the provisions of this Regulation 17 may be modified and/or additional procedures and rules to those set out in this Regulation may be adopted by the Tournament Organiser or other body designated by World Rugby.

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

17.4.3 International Tournaments and Cross-Border Matches

(a) In respect of International Tournaments, the appointment and administration of Disciplinary Tribunals and Citing Commissioners may be delegated by the relevant Unions to an international Tournament Organiser subject to such body adopting disciplinary rules in compliance with this Regulation.

(b) The Host Union or duly recognised Tournament Organiser shall be responsible for putting in place the disciplinary procedures and appointing the Disciplinary Tribunals and Citing Commissioners for the International Tournament or Cross-Border Match(es) in accordance with this Regulation.

(c) The Host Union or duly recognised Tournament Organiser shall also put in place an agreement with all participating teams to ensure the teams and their Unions or Rugby Bodies (as appropriate) acknowledge and agree to the disciplinary rules for the International Tournament or Cross-Border Match(es), which shall be compliant with Regulation 17.

17.4.4 Non-International Matches

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

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

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

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

17.5. Merit Based Appointment Scheme

17.5.1 The merit based appointment scheme was established by Council to permit the independent appointment by World Rugby of Citing Commissioners, Judicial Officers, Disciplinary Committees, Appeal Officers and Appeal Committees on a merit basis to designated Matches. The following Matches form part of the merit based appointment scheme:

- (a) World Rugby Matches;
- (b) Cross-hemisphere Summer and Autumn International Matches between the Unions forming part of the Six Nations^[1] and Rugby Championship^[2] International Tournaments; and
- (c) Upon application, any other Match where World Rugby gives its approval for the Match to form part of the merit based appointment scheme.

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

17.6 Scope of Regulation 17

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

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

17.7 Definitions - Ordering Off, Temporary Suspension and Foul Play

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

17.7.2 A Player is Temporarily Suspended when he is cautioned in a Match by the referee and temporarily sent off the playing enclosure by the referee for a period of ten minutes playing time (which is spent in the sin bin).

17.7.3 For the purposes of this Regulation 17, “Foul Play” means a breach or breaches of Law 9 of the Laws of the Game and/or a breach or breaches of Law 3.7 or Law 4.7.

17.8 Citing

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

17.8.2 Citing Commissioners satisfying the general requirements of Regulation 17.13.1(a) shall be appointed for all International Matches and all Matches forming part of International Tours, International Tournaments and World Rugby Matches.

17.8.3 For all other Matches a Citing Commissioner should be appointed where practicable. When such appointment is not reasonably practicable, then provided the prior agreement of the participating Unions or Rugby Bodies is obtained, no Citing Commissioner may be appointed. In those circumstances team citing in accordance with Regulation 17.11 shall apply.

17.8.4 Unions shall strive to introduce the Citing Commissioner role within their domestic Game.

17.8.5 The CEO of World Rugby (or his nominee) shall have the right to review the Union policies in place with regard to citing and consider whether it is reasonably practicable for a Citing Commissioner to be appointed to designated Matches under the Union’s control.

17.8.6 For International Matches, International Tours and/or International Tournaments or Series of International Matches where it is not reasonably practicable to appoint a citing commissioner due to resource issues and/or the non-availability of suitably qualified personnel, the Host Union may apply to the CEO of World Rugby no less than 21 days in advance of the International Match or scheduled start of the Series of International Matches for dispensation. Where World Rugby approval is granted the Union shall apply the procedures set out in Regulation 17.12.

17.9 Matches where a Citing Commissioner is appointed

17.9.1 Citing Commissioners shall be entitled to cite a Player for any act(s) of Foul Play which in the opinion of the Citing Commissioner warranted the Player concerned being Ordered Off.

17.9.2 Citing Commissioners may cite Players for an act(s) of Foul Play where such act(s) may have been detected by the referee or assistant referee and which may have been the subject of referee action. A Citing Commissioner may not cite a Player for an act(s) of Foul Play in respect of which the Player has been Ordered Off save where the Ordering Off is as a result of two yellow cards. A Player in that situation may also be cited for the act(s) of Foul Play which resulted in either or both yellow card(s).

17.9.3 Citing Commissioners shall be entitled to issue a Citing Commissioner Warning to a Player who has in his opinion committed an act(s) of Foul Play which falls just short of warranting that the Player concerned be Ordered Off in circumstances where the act of Foul Play was not subject to a Temporary Suspension or Ordering Off.

17.9.4 Citing Commissioners may cite a Player if he has been Temporarily Suspended. Such citing may be made in respect of the incident(s) for which the Player was Temporarily Suspended or otherwise.

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

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

17.10 Union referral to Citing Commissioner

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

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

17.11 Matches where Citing Commissioners are not Appointed

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

(a) Each team participating in a Match, or any of its authorised officials, or its Union, may cite:

- (i) a Player(s) for an act(s) of alleged Foul Play committed during that Match provided that such act(s) have not been detected by the Match Officials;
 - (ii) a Player for more than one incident of alleged Foul Play in the same Match; and
 - (iii) more than one Player in any Match.
- (b) Unions and Tournament Organisers shall put in place procedures for team citing which accord with the following:
- (i) citings by teams or their Unions shall be in writing and sent by an authorised member of the Union or management of the team to the nominated officer of the Host Union or Tournament Organiser responsible for the Match in which the incident that is the subject of the citing complaint occurred.
 - (ii) such citing, to be effective, must be made no later than **48 hours** of the conclusion of the Match in which the Foul Play is alleged to have occurred;
 - (iii) the responsibility for obtaining information and reports in relation to the citing shall rest with the Union or team management making the citing complaint. The Union or team management shall liaise with the Host Union or Tournament Organiser (or its/their nominated officer) to ensure that relevant information and reports are circulated to the appropriate parties in advance of the hearing;
 - (iv) the independent disciplinary body of the Union or Tournament Organiser having jurisdiction over the Match, shall consider the citing complaint and any other evidence it deems appropriate including via televisual means, oral (witness), film or photographic evidence. The Player cited shall have the right to be heard, to be represented and to produce evidence; and
 - (v) at any hearing of a citing complaint a representative of the citing team or Union must be in attendance, failing which the citing complaint will be dismissed. If an act of Foul Play is found to have been committed the disciplinary body of the Union or Tournament Organiser having jurisdiction over the Match shall take the appropriate action and shall apply the World Rugby's Sanctions for Foul Play set out in Appendix 1, by following the core sanctioning principles set out in Regulation 17.19.

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

17.12 Notification of Citing and Temporary Suspensions Arrangements

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

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

17.13 Disciplinary Bodies and Judicial Personnel - Constitution and Appointment

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

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

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

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

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

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

- (i) A Judicial Officer or a Disciplinary Committee comprising of three members shall be appointed.

(ii) The Disciplinary Committee or Judicial Officer shall have jurisdiction to determine disciplinary matters arising from Players Ordered Off the playing enclosure, citings and Temporary Suspensions.

(iii) The Members of the Disciplinary Committee or Judicial Officer shall be from a neutral Union to the participating teams unless the Participating Unions and/or teams agree otherwise in writing.

(iv) The Chairman of the Disciplinary Committee or Judicial Officer shall be a senior legal practitioner of at least seven years standing or a serving or retired judge who shall have previous experience in rugby disciplinary proceedings and an in-depth knowledge of the Game. Where a Disciplinary Committee is appointed, the remaining two members appointed by the Host Union or Tournament Organiser shall include an eminent former Player, experienced rugby administrator and/or legally qualified persons with previous experience in rugby disciplinary proceedings.

17.13.2 (a) The Host Union or Tournament Organiser through an independent process shall, when required, appoint and have available an Appeal Committee comprising of three independent members or a single independent Appeal Officer to adjudicate on appeals from decisions of Disciplinary Committees or Judicial Officers.

(b) The Chairman of the Appeal Committee or the Appeal Officer shall be a serving or retired Judge or senior legal practitioner of at least 10 years standing who has previous experience in rugby disciplinary matters and an in-depth knowledge of the Game. The members of the Appeal Committee or the Appeal Officer shall be from a neutral Union to the participating teams unless the participating Unions and/or teams agree otherwise in writing. Where applicable, the persons to be appointed as the two additional members of the Appeal Committee may include eminent former players, experienced rugby administrators, legally qualified persons who have previous experience in rugby disciplinary proceedings or other suitably qualified personnel.

17.13.3 No person who is a member or an employee of a Union, Association or Tournament Organiser or other affiliated organisation responsible for the management of either team participating in a Match shall be eligible for appointment as a Citing Commissioner, Judicial Officer or member of a Disciplinary Committee or Chairman or member of an Appeal Committee or as an Appeal Officer.

17.14 Initial Procedures - Ordering Off

17.14.1 Where a Player in a Match is Ordered Off the referee shall, ordinarily within **2 hours** of the completion of the Match or such further time as is necessary in the circumstances, give to the nominated officer of the Host Union or Tournament Organiser a written report of the incident. Form 1 (Appendix 2 of this Regulation) may be used by the referee for this purpose.

17.14.2 If a Player is Ordered Off the playing enclosure as a result of the intervention of an assistant referee, the assistant referee shall also give to the nominated officer of the Host Union or Tournament Organiser a written report ordinarily within **2 hours** of the completion of the Match, or such further time as is necessary in the circumstances. Form 2 (Appendix 2 of this Regulation) may be used by an assistant referee for this purpose.

17.14.3 Reports prepared by referees and/or assistant referees when a Player has been Ordered Off should ordinarily contain the following information:

- (a) the date of the Match, the venue and the teams participating;
- (b) the name of the Player Ordered Off and his team;
- (c) the circumstances in which the Player was Ordered Off;
- (d) the reason for the Player being Ordered Off; and
- (e) any other information the referee (or assistant referee where applicable) considers relevant.

17.14.4 The Host Union's or Tournament Organiser's nominated officer shall arrange for the reports to be provided, as soon as possible, to members of the Disciplinary Committee or Judicial Officer who will adjudicate on the case. In default of appointment the nominated officer shall be deemed to be the Secretary of the Host Union or Tournament Organiser.

17.14.5 The Host Union's or Tournament Organiser's nominated officer shall supply the Player Ordered Off with a copy of the referee's report and, where applicable, the assistant referee's report and any other relevant evidence as soon as reasonably practicable and shall advise the Player:

- (a) of the date, place and time of the Disciplinary Committee or Judicial Officer hearing at which the disciplinary proceedings will be heard;
- (b) of the identity of the Disciplinary Committee members or Judicial Officer;
- (c) that he will be required to attend in person at the hearing (which may include attendance by telephone or audio-visual means at the discretion of the Disciplinary Committee or Judicial Officer);
- (d) that if he is unable to appear at the Disciplinary Committee or Judicial Officer hearing as notified, he should advise the nominated officer of the Host Union or Tournament Organiser as soon as practicable;
- (e) that he is entitled to adduce evidence and make submissions and be represented by his Union or team and/or a legal advisor; and
- (f) that he is not eligible to play in any Match anywhere in the world and shall be suspended from all on-field activities on Match days pending resolution of the case.

17.14.6 Where possible, notice to the Player Ordered Off under this Regulation shall be given in writing. It shall be sufficient compliance with this Regulation if a copy of the referee's report and, where applicable, the assistant referee's report and any other relevant evidence together with

oral notice of the information in Regulation 17.14.5 are provided to the Player or the Player's team manager or coach.

17.14.7 Cases involving an Ordering Off shall, where reasonably practicable, be heard within **48 hours** and no later than **72 hours** of the conclusion of the Match in which the Player was Ordered Off.

17.15 Initial Procedures – Citing Complaint and Citing Commissioner Warning

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

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

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

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

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

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

17.15.4 The citing complaint should ordinarily contain the following information:

- (a) the date and place of the alleged Foul Play;
- (b) the name of the Player in respect of whom the complaint is made and the team he was playing for at the time of the alleged Foul Play;

- (c) the name of the opposing team; and
- (d) details of the alleged Foul Play including brief details of the evidence relied upon.

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

17.15.5 All Persons requested to provide reports and/or information must do so within the timescale requested or seek more time if required from the Citing Commissioner. Failure to provide the information and/or reports sought by the Citing Commissioner or his nominee may, in the absence of a reasonable explanation, constitute Misconduct.

17.15.6 The Citing Commissioner or his nominee (who may be the Citing Commissioner Liaison Officer) must obtain such reports and information as he considers necessary in relation to the cited act(s) of Foul Play. The Citing Commissioner shall provide to the Host Union or Tournament Organiser who shall in turn forward the documents and televisual evidence (where available) to the Player and other parties who were provided with a copy of the citing complaint including the relevant Match Officials.

17.15.7 The Host Union's or Tournament Organiser's nominated officer shall arrange for the reports and related evidence in relation to the matter to be provided, as soon as possible, to the Player and members of the Disciplinary Committee or Judicial Officer that will hear the case. The Player subject to a citing complaint shall be advised that he is not eligible to play in any Match anywhere in the world and shall be suspended from all on-field activities on Match days pending resolution of the case.

17.15.8 Where a Player is the subject of a citing complaint, his case should, wherever practicable, be heard ordinarily within **48 hours** and no later than 72 hours of the conclusion of the Match in which the cited alleged Foul Play occurred.

17.15.9 Initial Procedures – Citing Commissioner Warning

(a) A Citing Commissioner Warning shall be notified to the nominated officer of the Host Union or the Tournament Organiser in which the incident occurred within ordinarily a minimum 12 hours and a maximum of 48 hours of the conclusion of the relevant Match. The Citing Commissioner Warning notification shall contain the information in Regulation 17.15.4 (a) to (d). Form 3(B) (Appendix 2 of this Regulation) may be used for the purposes of notification;

(b) On receipt of the Citing Commissioner Warning, the nominated officer of the Host Union or Tournament Organiser shall send a copy of the notification to the Player in respect of whom it is made, his team management and the appropriate Match Officials of the Match in which it is alleged the Foul Play occurred.

17.16 Initial Procedures - Citing by Unions

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

17.17 Standard of Proof for Ordering Off and Citing

17.17.1 The standard of proof for all matters under this Regulation shall be on the balance of probabilities.

17.17.2 The integrity of Law 6.5(a) of the Laws of the Game and the referee's position as sole judge of fact and law during the Match is unassailable. With the sole exception of Regulation 17.19.7 the referee's decisions on the field of play and their sporting consequences shall not be altered or overturned by a ruling of a Disciplinary Committee or Judicial Officer. The purpose of a subsequent review of an incident that occurred during a Match, by a Citing Commissioner and/or Disciplinary Committee or Judicial Officer, is to determine whether there should be any disciplinary sanctions applied for an act of Foul Play as provided for in Law 9.

17.17.3 In the case of an Ordering Off, the function of the Disciplinary Committee or Judicial Officer is to consider the circumstances of the case and determine its/his factual findings and what further sanction, if any, should be imposed on the Player. The Player Ordered Off may seek to show that the referee's decision was wrong and the Disciplinary Committee or Judicial Officer may, subject to 17.17.2 review the referee's decision and the circumstances surrounding it. In any such case, the Disciplinary Committee or Judicial Officer shall not make a finding contrary to the referee's decision unless it/he is satisfied, on the balance of probabilities that the referee's decision was wrong.

17.17.4 (a) In the case where there has been a citing complaint, the function of the Disciplinary Committee or Judicial Officer is to determine whether an act of Foul Play was committed by the Player. Where a Player accepts that there has been Foul Play or Foul Play is established to the satisfaction of the Disciplinary Committee or Judicial Officer in accordance with 17.17.4(a), the cited Player may seek to show that the Citing Commissioner's decision to cite was wrong and the Disciplinary Committee or Judicial Officer may review the Citing Commissioner's decision and the circumstances surrounding it. In any such case, the Disciplinary Committee or Judicial Officer shall not make a finding contrary to the Citing Commissioner's decision to cite unless it/he is satisfied, on the balance of probabilities that the Citing Commissioner's decision was wrong. If the citing is upheld, the Disciplinary Committee or Judicial Officer shall determine the sanction to be imposed on the Player in accordance with Regulation 17.19. In determining the appropriate sanction, the Disciplinary Committee or Judicial Officer may take account of any action taken during the Match in respect of the Foul Play by the referee.

(b) In citing cases involving Matches in which no Citing Commissioner was appointed, the Disciplinary Committee or Judicial Officer shall, prior to considering whether the citing complaint by a team is to be upheld, establish that the incident was undetected by the referee and/or assistant referees and whether the alleged Foul Play was sufficiently serious to warrant an Ordering Off. If the Disciplinary Committee or Judicial Officer does not consider the alleged Foul Play of sufficient seriousness to have warranted an Ordering Off they/he shall dismiss the citing complaint.

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

17.18.1 The General Procedures relating to hearings before Disciplinary Committees and Judicial Officers contained in Regulation 18, Appendix 1 shall apply to any matter arising under this Regulation.

17.18.2 The referee of the Match in which the Player is Ordered Off (and, if a Player is Ordered Off as a result of an assistant referee's intervention, the assistant referee) shall, unless exceptionally permitted by the Disciplinary Committee or Judicial Officer, attend the hearing (whether in person or via telephonic and/or audiovisual means). Nothing in this Regulation shall prevent the Disciplinary Committee or Judicial Officer hearing and determining disciplinary proceedings in the absence of the referee and/or assistant referee.

17.18.3 The Citing Commissioner of the Match in which the Player is cited shall, if so required by the Disciplinary Committee or Judicial Officer, attend the hearing (whether in person or via telephone and/or audiovisual means) for the purposes of providing evidence and/or a further explanation of the factual material relied upon in the making of the citing.

17.18.4 In respect of cases involving the Ordering Off or citing of a Player, the Disciplinary Committee or Judicial Officer shall ensure that, prior to the hearing, the Player Ordered Off or cited has been supplied with, and has had a sufficient opportunity to consider, the referee's report and the report of the assistant referee (where applicable), and/or the citing report together with any other information, reports or evidence.

17.18.5 Any electronic recording of an incident permitted in evidence by a Disciplinary Committee or Judicial Officer shall preferably be viewed without the sound or commentary associated with it being heard, save where the sound or commentary includes the comments made by the referee through his microphone in relation to the specific incident in question or if the parties agree that the sound or commentary should be played.

17.18.6 At any hearing the Disciplinary Committee or Judicial Officer may direct that the Host Union or Tournament Organiser be represented. If so, the Union or Tournament Organiser shall appear by counsel or by a representative at the hearing, in such capacity as the Disciplinary Committee or Judicial Officer requires, to provide assistance to the Disciplinary Committee or Judicial Officer in the discharge of its duties.

17.18.7 The Disciplinary Officer (or his nominee), or the disciplinary officer of the Host Union or Tournament Organiser (as the case may be) shall be permitted representation at any hearing arising out of any alleged acts of Foul Play arising from Matches within their jurisdiction and/or control.

17.18.8 Where evidence is given before a Disciplinary Committee or Judicial Officer there shall be no cross-examination of any witness other than by Disciplinary Committee members or the Judicial Officer except to the extent allowed by the Disciplinary Committee or Judicial Officer.

17.18.9 For citing complaints initiated by Unions, in circumstances where a Citing Commissioner was not appointed, the Union citing the Player must have a representative in

attendance at the hearing to present the basis of the citing complaint and evidence in support. Failure to attend by the Union representative shall result in the case being dismissed.

17.18.10 The Player subject to the proceedings (a) shall appear before the Disciplinary Committee, in person or via technological means; (b) may admit the act or alleged act of Foul Play at any time, in which case the Disciplinary Committee or Judicial Officer should proceed immediately to hear evidence and/or submissions as to the sanction, if any, to be imposed.

17.18.11 Subject always to Regulation 17.17.4, the Disciplinary Committee or Judicial Officer shall, in the first instance, in the case of a citing determine whether the act of Foul Play has been committed. In the case of an Ordering Off the Disciplinary Committee or Judicial Officer shall, in the first instance, determine its/his factual findings in relation to matters that can be properly raised in accordance with Regulation 17.17.3. Thereafter, as appropriate, it will reconvene and hear and consider evidence and submissions in relation to sanctions.

17.19 Sanctions and Core Sanctioning Process

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

Assessment of seriousness of the Foul Play

17.19.2 Disciplinary Committees or Judicial Officers shall undertake an assessment of the seriousness of the Player's conduct that constitutes the offending and categorise that conduct as being at the lower end, mid range or top end of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) of Foul Play where such incident(s) is expressly covered in Appendix 1. The assessment of the seriousness of the Player's conduct shall be determined by reference to the following features:

- (a) whether the offending was intentional or deliberate;
- (b) whether the offending was reckless, that is the Player knew (or should have known) there was a risk of committing an act of Foul Play;
- (c) the gravity of the Player's actions in relation to the offending;
- (d) the nature of the actions, the manner in which the offence was committed including part of body used (for example, fist, elbow, knee or boot);
- (e) the existence of provocation;
- (f) whether the Player acted in retaliation and the timing of such;

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

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

17.19.3 For offences categorised at the top end of the scale of seriousness of offending, the Disciplinary Committee or Judicial Officer shall identify an entry point between the period shown as the top end for the particular offence and the maximum sanction in Appendix 1.[3]

Aggravating Factors

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

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

Mitigating Factors

17.19.5 Thereafter, the Disciplinary Committee or Judicial Officer shall identify any relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension and subject to Regulations 17.19.6 and 17.19.7 the extent, if at all, by which the period of suspension should be reduced. Mitigating factors include the following:

- (a) the presence and timing of an acknowledgement of culpability/wrong-doing by the offending Player;
- (b) the Player's disciplinary record and/or good character;
- (c) the youth and inexperience of the Player;
- (d) the Player's conduct prior to and at the hearing;
- (e) the Player having demonstrated remorse for his conduct to the victim Player including the timing of such remorse; and
- (f) any other off-field mitigating factor(s) that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.

17.19.6 Subject to Regulations 17.19.7 and 17.19.8, for acts of Foul Play the Disciplinary Committee or Judicial Officer cannot apply a greater reduction than 50% of the relevant entry point suspension. In assessing the percentage reduction applicable for mitigating factors, the Disciplinary Committee or Judicial Officer shall start at 0% reduction and apply the amount, if any, to be allowed as mitigation up to the maximum 50% reduction.

17.19.7 In cases involving offending that has been classified pursuant to Regulation 17.19.2 as lower end offending, where:

- (a) there are off-field mitigating factors; and
- (b) where the Disciplinary Committee or Judicial Officer considers that the sanction would be wholly disproportionate to the level and type of offending involved;

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

17.19.8 In cases of multiple offending, Disciplinary Committees and Judicial Officers may impose sanctions to run either on a concurrent or a consecutive basis provided that the total sanction is in all the circumstances proportionate to the level of the overall offending.

17.19.9 Disciplinary Committees and Judicial Officers shall ordinarily in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the features set out in Regulation

17.19.2, how they identified and applied any aggravating and mitigating factors and conclude with the resultant sanction, if any, imposed.

17.19.10 Decisions on sanctions and suspensions imposed on Players under World Rugby Regulation 17 shall:

- (a) be applied universally by Unions, Associations, Rugby Bodies and their constituent bodies such that the Player may not play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere during the period of suspension;
- (b) not allow Players to avoid the full consequences of their actions by, for example, playing in Matches prior to the commencement of their suspension, or playing in Matches during a break in the suspension and/or serving their suspension during a period of inconsequential pre-season and/or so-called friendly Matches;
- (c) apply and be served when the Player is scheduled to play;
- (d) be imposed until a stated date which should be fixed after taking into consideration all playing consequences of such suspension; and
- (e) be effective immediately (subject to 17.19.11(b)).

17.19.11 When imposing suspensions on Players under Regulation 17 Disciplinary Committees or Judicial Officers shall comply with the requirements set out in Regulation 17.19.10 above. In doing so Disciplinary Committees or Judicial Officers:

- (a) must not suspend the effect of any sanction imposed;
- (b) may defer the commencement of a suspension provided that the Player is not scheduled to play (and will not be permitted to play) prior to the commencement of the suspension;
- (c) shall, in respect of meaningful off-season application of sanctions, set out the reasons why it or he considers those Matches to be meaningful;
- (d) may, at its/his discretion in assessing the playing consequences of a sanction apply the suspension to scheduled pre-season and/or so-called friendly Matches, provided such scheduled pre-season and/or so-called friendly Matches have, in the opinion of the Disciplinary Committee or Judicial Officer concerned, a meaningful playing consequence for the Player. In making their assessment Disciplinary Committees and Judicial Officers may, in their discretion, take account of such factors as they consider relevant including, for example, the proximity of the Match to the commencement of the season, the identity and stature of the opponents, likely quality of teams to be selected, and the general Match profile;
- (e) must, if a Player's suspension has not terminated by the end of the current playing season, continue the suspension until a stated date in the next playing season, unless the Player has been

selected for a closed season tour, or he has made plans to play during the close of season in another Union. In this event (and subject to the Disciplinary Committee or Judicial Officer receiving satisfactory verification of such tour or playing arrangements), the period of the tour or the fact that he intends to play in another Union shall be taken into account in determining when the suspension shall come to an end; and

(f) may divide the suspension into two separate periods in order to exclude the whole or part of the closed season provided that the Player is not permitted to play during such closed season.

17.19.12 In respect of offences not referred to in the World Rugby Sanctions in Appendix 1, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Disciplinary Committee, Appeal Officer and/or Appeal Committee.

17.19.13 Notwithstanding the World Rugby Sanctions in Appendix 1 and/or the provisions of this Regulation 17.19 in cases where the Player's actions constitute mid range or top end offending for any type of offence which had the potential to result and, in fact, did result in serious/gross consequences to the health of the victim, the Judicial Officer and/or Disciplinary Committee may impose any period of suspension including a suspension for life.

17.20 Costs

17.20.1 As a general principle and subject to Regulation 17.20.2 and 17.20.3 below, the Host Union or Tournament Organiser shall ordinarily bear the cost of holding the hearing, including the travel, accommodation and/or costs of the Disciplinary Committee members or Judicial Officer and/or Match Officials, Citing Commissioner and other witnesses called by the Disciplinary Committee or Judicial Officer as well as the costs of interpretation, recording and/or transcription and legal advice for the Disciplinary Committee or Judicial Officer.

17.20.2 The Player that is the subject of the proceedings or his Union shall pay his/their own costs, including travel/accommodation costs of the Player, his representatives and his witnesses, as well as his legal costs.

17.20.3 Notwithstanding the provisions of this Regulation 17.20, Disciplinary Committees and Judicial Officers shall have complete discretion to impose such cost orders as to the payment of costs relation to any proceedings, including the nature of costs set out in Appendix 1 to Regulation 18.

17.21 Post-Hearing Procedures

17.21.1 The decision of the Disciplinary Committee or Judicial Officer shall be advised to applicable parties, as soon as practicable after the hearing and shall be binding on notification to the Player or his representative or Union. The Disciplinary Committee or Judicial Officer may deliver a short oral decision at the conclusion of the hearing (with its/his reasons to be put in writing and communicated to the parties at a later date) or it/he may reserve the decision. If an oral decision is made it shall be binding from the time of communication to the parties.

17.21.2 Relevant parties heard by the Disciplinary Committee or Judicial Officer shall be entitled to a copy of the final written decision which shall, where practicable, be sent to them by

the Host Union or Tournament Organiser within 48 hours of its being made available. The timelines for notifying World Rugby in Regulation 17.4.7 shall also be met.

17.21.3 Where a relevant party (including a Player, applicable Union(s) or Rugby Body) is adversely affected by a disciplinary decision such party shall be notified by the Disciplinary Committee or Judicial Officer of the circumstances in which an appeal to an Appeal Committee or Appeal Officer may be made. Such notification shall, ordinarily, be included in the Disciplinary Committee's or Judicial Officer's final written decision and notified at the conclusion of the hearing if an oral decision is given.

17.21.4 The hearing by the Disciplinary Committee or Judicial Officer may be audio or audio-visually recorded or recorded by a stenographer. The record of the proceedings, and all papers associated with the proceedings, shall be held for a suitable period by the Host Union or Tournament Organiser. Copies of the record shall be made available to the relevant parties at reasonable cost only on appeal of the decision of the Disciplinary Committee or Judicial Officer. Notwithstanding the foregoing, copies of the record shall be made available to World Rugby upon its request.

17.22 Appeals

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

17.22.2 (a) A Player and/or the Player's Home Union/Rugby Body (as appropriate) may appeal to an Appeal Committee or Appeal Officer from a decision of a Disciplinary Committee or Judicial Officer. Any appeal of such decision must be lodged with the nominated officer of the Host Union or Tournament Organiser (as applicable) within **48 hours** of the date on which the decision of the Disciplinary Committee or Judicial Officer has been notified or in default, with the Secretary of the Host Union or the disciplinary officer of the Tournament Organiser (as applicable).

(b) The following additional parties shall be entitled to appeal to an Appeal Committee or Appeal Officer from the decision of a Disciplinary Committee or Judicial Officer:

(i) Host Union; and/or

(ii) Tournament Organiser; and/or

(iii) World Rugby in respect of all World Rugby Matches and Matches falling under the merit based appointment scheme;

such parties shall lodge an appeal as soon as reasonably practicable but in any event no later than **72 hours** following receipt by the appealing party of the decision.

(c) World Rugby has a supervisory jurisdiction in respect of disciplinary matters under this Regulation. In the event the Disciplinary Officer determines it is appropriate that a particular decision should be appealed in respect of International Matches, where there is no appropriate hosting body for a Match and/or where the disciplinary regulations for a Match are clearly contrary to Regulation 17, the Disciplinary Officer or other nominee of World Rugby may take

such steps as are reasonably necessary to review the matter and make such recommendations to World Rugby as he deems appropriate. The Disciplinary Officer (or other nominee of World Rugby) may appeal the matter and such right of appeal shall be exercised within **72 hours** following receipt of the decision.

17.22.3 An appeal shall be deemed to have been lodged by the relevant party (Appellant) when the notice of appeal is received by the nominated officer of the Host Union or Tournament Organiser (or in default the Secretary or Disciplinary Officer of such body) within the timeframes set out in 17.22.2 together with any required deposit referred to in Regulation 17.22.5.

17.22.4 The notice of appeal shall be in writing and signed by the particular Appellant lodging the appeal and shall specify the:

- (a) name of the Appellant lodging the appeal;
- (b) decision appealed against;
- (c) date of the decision appealed against;
- (d) date of receipt of the decision appealed against by the party appealing; and
- (e) grounds of the appeal.

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

17.22.5 If the Host Union or Tournament Organiser shall so require, each notice of appeal shall be accompanied by a deposit of an amount not exceeding the equivalent of £1,000 (pounds Sterling), such amount to be determined by the Host Union or Tournament Organiser. In the event of a required deposit not being paid, the appeal shall be deemed to be abandoned, save that the Appeal Committee or Appeal Officer, in any case, shall have power to extend the time for payment of the deposit. In the event of an appeal by World Rugby, the Host Union or Tournament Organiser no appeal deposit shall be payable.

17.22.6 On the lodgement of the appeal the Host Union or Tournament Organiser shall:

- (a) notify the applicable parties in Regulation 17.22.2 of the appeal; and
- (b) make available to the Appeal Committee or Appeal Officer (and the Appellant(s)) the full record of the proceedings before the Disciplinary Committee or Judicial Officer.

Appeal Committee or Appeal Officer

17.22.7 The Appeal Committee or Appeal Officer shall determine the basis on which the appeal shall proceed. The General Procedures relating to hearings before Appeal Committees and Appeal Officers contained in Regulation 18, Appendix 1 shall apply to any matter arising under this Regulation.

17.22.8 The Appellant(s) will be notified of the names of the Appeal Committee members or Appeal Officer and the fact that the Player is not eligible to play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere in the world pending the appeal save always where no sanction has been imposed by the Disciplinary Committee or the Judicial Officer and/or that where a Player's suspension expires while his appeal is pending the Player shall be eligible to play immediately.

17.22.9 An appeal should, where reasonably practicable, be heard within **7 days** after its lodgement.

17.22.10 In any appeal before the Appeal Committee or Appeal Officer:

(a) an Appellant that is a Player may be represented by a Union representative and/or legal counsel. Any other appellant may be represented by legal counsel and/or another representative of the Appellant;

(b) where the Host Union or Tournament Organiser appeals they shall be represented by a designated disciplinary officer of that body (and/or his nominee);

(c) where World Rugby appeals they shall be represented by the Disciplinary Officer (and/or his nominee).

17.22.11 If an Appeal Committee or Appeal Officer allows further evidence to be adduced at a hearing, there shall be no cross-examination of witnesses except to the extent allowed by the Appeal Committee or Appeal Officer.

17.23 Additional Provisions Relating to Hearings

17.23.1 In all proceedings heard by a Disciplinary Committee or Judicial Officer and/or Appeal Committee or Appeal Officer, referees and/or assistant referees may only give evidence of fact, not opinion.

17.23.2 Disciplinary Committees, Judicial Officers, Appeal Committees and Appeal Officers, prior to a hearing or at any stage during a hearing may amend the offence for which the Player has been Ordered Off or cited unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice. Where an amendment is made, in appropriate cases an adjournment may be granted.

17.24 Suspension

17.24.1 A Player Ordered Off or cited by a Citing Commissioner may not take part or be selected for any further Match until his case has been dealt with by a Disciplinary Committee or Judicial Officer.

17.24.2 Without in any way limiting the effect of Clause 17.19.11, a Player that is subject to an Ordering Off or citing in a domestic or any other Match is not entitled to play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere in the world until his case has been finally resolved.

17.24.3 A suspended Player who elects to appeal may not take part or be selected for any further Match until his case has been dealt with by an Appeal Committee or Appeal Officer or the expiry of his suspension whichever occurs earlier.

17.25 Temporary Suspensions and Citing Commissioner Warnings

17.25.1 All Unions, for competitions within their jurisdictions and Tournament Organisers International Tournaments or Series of International Matches have an obligation to put in place provisions to regulate the administration and disciplinary consequences arising out of Temporary Suspensions and Citing Commissioner Warnings (including with respect to the accumulation of a combination of three Temporary Suspensions and/or Citing Commissioner Warnings).

17.25.2 The following principles shall be applied for Temporary Suspensions subject to such modifications as may be necessary in the context of the relevant Union competitions, International Tournament or Series of International Matches:

- (a) the referee must report each Temporary Suspension at the conclusion of the Match in which the Temporary Suspension was imposed. Forms 4 and 5 (Appendix 2 of this Regulation) may be used by the referee and the assistant referee for this purpose;
- (b) the report which may be in a standard form shall be forwarded to the nominated officer of the Host Union or Tournament Organiser, where reasonably practicable, within **2 hours** following the completion of the Match in which the Temporary Suspension was imposed. For the purposes of this Regulation 17.25.2 the nominated officer shall be the Secretary of the Host Union or the disciplinary officer of the Tournament Organiser;
- (c) the Host Union or Tournament Organiser shall forward a copy of the report to the relevant parties within **48 hours** of receipt. Such report shall clearly state that the Player has the right to challenge the Temporary Suspension but if he wishes to do so he must give notice of his challenge, ordinarily specifying reasons, within **48 hours** of receipt. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Temporary Suspensions;
- (d) a Player who has been Temporarily Suspended on three or more occasions and/or received a combination of three or more Temporary Suspensions in any particular tournament or competition or Series of Matches under the jurisdiction of the Host Union or Tournament Organiser (for International Matches) during a single season shall be required to appear before a Disciplinary Committee or Judicial Officer independently appointed by the Host Union or Tournament Organiser at an appointed time and place. At that time the Player will be notified as follows:
 - (i) that the purpose of the hearing is to consider whether any further penalty should be imposed on him for his persistent offending;
 - (ii) that he may be represented by his Union and/or by a legal representative;
 - (iii) that save where the Player has given notice of his intention to challenge a Temporary Suspension within the time period specified in 17.25.2(c) above and in the absence of

exceptional circumstances relating to the failure to give the prescribed notice, no evidence will be heard other than on the question of sanction;

(iv) the identity of the Disciplinary Committee members or Judicial Officer, as the case may be; and

(v) that the Player shall not be permitted to play in any Match and shall be suspended from all on-field activities on Match days anywhere in the world pending the outcome of his case;

(e) the general procedures for hearings and appeals under Regulation 17, subject to such modifications as may be necessary, shall also apply to the hearings and appeals in relation to the accumulation of Temporary Suspensions; and

(f) Given the numerous permutations of potential sanctions that could arise in cases involving accumulated Temporary Suspensions the sanctioning of the Player shall be solely within the discretion of the Disciplinary Committee or Judicial Officer.

17.25.3 The Citing Commissioner Warning shall become part of the Player's disciplinary record. In this regard:

(a) The Citing Commissioner is not limited in the number of Citing Commissioner Warnings he may issue to a Player for Foul Play during a Match;

(b) If a Player has received two Citing Commissioner Warnings or a combination of a Citing Commissioner Warning and a Temporary Suspension during a Match he shall be treated for disciplinary purposes as if he had been Ordered Off;

(c) If the Player concerned wishes to challenge the Citing Commissioner Warning, he shall give notice of his intention to challenge it within 48 hours of its notification. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Temporary Suspensions and/or Citing Commissioner Warnings;

(d) If a Player has received three Citing Commissioner Warnings or a combination of three Citing Commissioner Warnings and/or Temporary Suspensions in a tournament, competition or a Series of Matches under the jurisdiction of a Host Union or Tournament Organiser during a single season, he shall be required to appear before a Disciplinary Committee or Judicial Officer independently appointed by the Host Union or Tournament Organiser. At that time, the Player shall be notified as follows:

(i) that the purpose of the hearing is to consider whether any further penalty should be imposed on him for his persistent offending;

(ii) that he may be represented by his Union and/or by a legal representative;

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

17.26 Exceptional Circumstances in relation to Players' Conduct

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

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

17.27 Unforeseen Circumstances

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

17.28 Miscellaneous

17.28.1 In circumstances where an act of Foul Play and an act of Misconduct (as defined in Regulation 20) arise in respect of the same Match for the same Player and provided it does not give rise to an injustice to the Player, for convenience both matters may be dealt with by the same Judicial Officer or Disciplinary Committee, notwithstanding that the acts may be governed by different Regulations.

17.28.2 Procedures or proceedings under this Regulation and/or Regulation 18 or any decision of a Disciplinary Committee, Judicial Officer, Appeal Committee or Appeal Officer shall not be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of a Disciplinary Committee, Judicial Officer, Appeal Committee or Appeal Officer or results in a miscarriage of justice.

MODIFIED PROCEDURES FOR FOUL PLAY IN SEVENS

17.29 Introduction

17.29.1 In recognition of the unique structure of Sevens Tournaments and Series of Matches and the timelines within which the Sevens Game operates, the following provisions shall apply to the Sevens Game for Foul Play.

17.29.2 For the avoidance of doubt, references in Regulations 17.3, 17.4 and 17.5 to International Tournaments, International Tours and Series of International Matches includes Sevens International Matches. All other references to Matches shall include Sevens.

17.30 Application of the Regulations

17.30.1 In respect of all Sevens Matches the procedures and standards in respect of the fifteen-a-side game as provided in Regulation 17 shall apply equally to Sevens save as provided in Regulation 17.31 to 17.32 below. In particular the following provisions shall apply:

- (a) Initial Procedures - Ordering Off; as per Regulation 17.14 save as amended by Regulation 17.31;
- (b) Initial Procedures – Citing and Citing Commissioner Warning; as per Regulation 17.15 and 17.16 save as amended by Regulation 17.32;
- (c) Judicial Officer - Powers and Procedures; as per Regulations 17.18 and Regulation 18, Appendix 1 save as amended by Regulation 17.33;
- (d) Sanctions; as per Regulation 17.19 save as amended in Regulation 17.34;
- (e) Appeals; per Regulation 17.22 save as amended in Regulation 17.36; and
- (f) Suspensions; as per Regulation 17.24 and Temporary Suspensions and Citing Commissioner Warnings as per Regulation 17.25 save as amended in Regulation 17.35.

17.31 Initial Procedures - Ordering Off

17.31.1 If a Player is Ordered Off the playing enclosure in a Sevens Match, his case shall, whenever practicable, be adjudicated on within **2 hours** of the conclusion of that Match, or prior to him playing another Match in the Tournament (whichever is earlier).

17.31.2 Form 1 (Appendix 2 of this Regulation) may be used by the referee for the purposes of a report under Regulation 17.14.1.

17.31.3 Form 2 (Appendix 2 of this Regulation) may be used by the assistant referee for the purposes of a report under Regulation 17.14.2.

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

17.32 Initial Procedures – Citing and Citing Commissioner Warning

17.32.1 The Union or other affiliated organisation responsible for the management of either participating team in a Sevens Match shall not have the power to cite a Player for Foul Play but

may refer any incident of Foul Play to the Citing Commissioner for consideration provided such incident is referred to the Citing Commissioner within **30 minutes** of the completion of the Match in which the incident is alleged to have occurred. A Citing Commissioner's decision as to whether a Player should be cited (or not, as the case may be), whether as the result of an incident referred to him or otherwise shall be final.

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

17.32.3 A citing complaint by a Citing Commissioner should ordinarily contain the information provided in Regulation 17.15.4 and be received by the appointed disciplinary officer or in default the Secretary of the Host Union or Tournament Organiser within **60 minutes** of the end of the Match in which the act or acts of Foul Play is alleged to have taken place.

17.32.4 The exceptional circumstances for citing out of time in Regulation 17.15.3 shall also apply to Sevens and in addition, upon application by the Citing Commissioner to the Judicial Officer, the time period for citing may be extended where there are extenuating circumstances provided always that the extension of time does not extend beyond the duration of the Tournament.

17.32.5 Where a Player is the subject of a citing complaint his case wherever practicable should be adjudicated on within **2 hours** of the citing complaint being received by the Player or prior to his next scheduled Match.

17.32.6 A Citing Commissioner Warning shall be notified to the nominated officer of the Host Union or the Tournament Organiser in which the incident occurred ordinarily within 60 minutes of the end of the Match in which the act or acts of Foul Play is alleged to have taken place. The Citing Commissioner Warning notification shall contain the information in Regulation 17.15.4 (a) to (d). Form 3(B) (Appendix 2 of this Regulation) may be used for the purposes of notification.

17.33 Judicial Officer – Power to Regulate Own Procedures

17.33.1 In Sevens, any case involving an Ordering Off, Citing, Temporary Suspensions will be adjudicated on by a Judicial Officer who shall act as sole arbiter.

17.33.2 Any matters not provided for in these Modified Procedures for Sevens or Regulation 17 shall in the first instance be referred to a Judicial Officer who shall deal with such matter as he sees fit.

17.34 Sanctions in a Sevens context

17.34.1 The World Rugby's Sanctions for Foul Play set out in Appendix 1 have been established on the basis that a one week period of suspension would normally result in a Player missing one Match of Fifteens. During a Sevens Tournament, Players may participate or participating Unions may be scheduled to participate in several Matches per day. When determining the appropriate periods of suspension, a Judicial Officer should take cognisance of the fact that during a Sevens Tournament or Series of Matches a Player may miss more than one Match as a result of being made subject to a week's suspension and may impose a suspension based on a number of Tournament Matches. In this respect the Judicial Officer shall have regard

to the overall impact of the suspension. This provision does not preclude the imposition of periods of suspension running beyond a Player's participation in the Tournament.

17.34.2 The Judicial Officer shall convey his decision using the standard form (a copy of which appears as Form 6 at Appendix 2 of this Regulation 17) or otherwise in writing as soon as reasonably practicable to the Player, to the teams involved in the Match, the appointed disciplinary officer and to World Rugby. The decision shall be binding on the Player as soon as he, his representative, or his team is notified of the decision. "Decision" shall have the meaning set out in Regulation 17.22.1.

17.35 Temporary Suspension and Citing Commissioner Warning

17.35.1 The provisions of Regulation 17.25 shall apply to Temporary Suspensions and Citing Commissioner Warnings in Sevens save as set out below:

- (a) The maximum period of suspension shall not exceed **2 minutes** and does not include half-time for time-keeping purposes. If the period of suspension continues beyond the half-time interval, the suspended Player is not permitted contact with his team.
- (b) The report which may be in the standard form shall be forwarded to the nominated officer of the Host Union or Tournament Organiser as soon as reasonably practicable and ordinarily within **2 hours** of the completion of the Match in which the Temporary Suspension was imposed. Forms 4 and 5 (Appendix 2 of this Regulation) may be used by the referee and the assistant referee for this purpose.
- (c) The Host Union or Tournament Organiser shall forward a copy of the report to the relevant parties within **4 hours** of receipt. Such report shall clearly state that the Player has the right to challenge the Temporary Suspension but if he wishes to do so he must give notice of his challenge within **12 hours** of receipt. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Temporary Suspensions.
- (d) If the Player wishes to challenge the Citing Commissioner Warning he shall give notice of his intention to challenge within **12 hours** of notification. Such notice shall be duly recorded by the Host Union or Tournament Organiser and shall be considered in the event of the Player subsequently being involved in any judicial hearing in relation to the accumulation of Citing Commissioner Warnings.

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

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

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

17.36 Appeals

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

17.36.2 Appeals shall ordinarily be heard by an Appeal Officer.

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

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

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

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