

## **Discipline Rights and Responsibilities taken from the OSA Discipline Policy**

1. Discipline action shall only be taken in accordance with one of the following two types of discipline systems.

- a) **Discipline by Review (DBR) System**

Where a specific suspension is quoted, the set suspension is mandatory and can be administered by the DBR system.

The accused does not require to attend a hearing unless he or she requests a hearing in accordance with item 5 below and bylaw 7 item 7.4.

An individual who is subject to the DBR system need not be notified when their case will be reviewed. The card on the field will act as their notice.

For misconduct types 1.3, 1.5 and 1.6 the DBR system is mandatory.

- b) **Discipline by Hearing (DBH) System**

Where suspensions are quoted as a range, application of a suspension within the ranges is required and the misconduct must be dealt with by the DBH system, All fines equal to or greater than \$200.00 must be dealt with by the DBH system.

2. A player/team official is entitled to know for which offence he or she has been dismissed from in a game. The player/team official may contact the Discipline Chairperson and request a copy of the dismissal report. Time must be allowed for the BSL to accept the report and time for the accused to request a hearing via the normal procedures. It shall be the responsibility of the BSL to make the copy of the report(s) of misconduct available to the accused at least 30 minutes prior to commencing the hearing.
3. Individuals who are disciplined by review can submit written reports, statements, including those of witnesses.
4. Except where a decision has been made that is in contravention of or not in accordance with a published rule, discipline decisions made under the **DBR system** may not be appealed.
5. Except in cases of OSA misconduct types 1.3, 1.5 and 1.6, an individual who is subject to the DBR system shall have the right to request to be disciplined by the DBH system.
6. The accused shall submit a written request to the BSL to hear their case within three (3) days of receiving the dismissal. This request must arrive before the date of the next scheduled Discipline Committee meeting as published on the BSL website.
7. The written request shall be in the form of a 'Request for a Hearing' together with the appropriate 'Request for Hearing Fee' of \$25.00.
8. A 'Discipline Hearing Administrative Fee' is only payable if the accused is found guilty of the charge.

9. The 'Request for Hearing Fee' shall be paid prior to the start of the hearing and this fee is non-refundable.
10. In the event that the Discipline Committee considers that (additional) charges should be laid against any registrant or registered organization as a result of new evidence at the hearing the (new) charges must be dealt with by the appropriate organization at a new hearing held on a subsequent date.
11. For all organizations that have published the dates on which they hold regularly scheduled hearings, those required to attend a hearing shall attend in accordance with the organizations published schedule. Regarding the nature of the charges, in a case being heard at a regularly scheduled hearing, it shall be the responsibility of the BSL to make a copy of the report(s) of misconduct available to the accused party at least 30 minutes prior to commencing the hearing. The accused persons rights to request a postponement, to bring an adviser, observers and/or witnesses must be published with the schedule of hearing.
12. The accused individual or organization or his/her/its representative must attend a hearing. Anyone representing an accused must provide a signed proxy from the accused before being allowed to participate at a hearing.

An accused party may plead guilty and forego a hearing. Written notification of the guilty plea must be received no later than four (4) days prior to the hearing date. By pleading guilty the accused party accepts the maximum penalty applicable to the OSA misconduct type charged. Once you enter a guilty plea you cannot appeal the decision rendered.
13. Any party required to attend a hearing may request one (1) postponement of a hearing. The party must submit a written request which must be received by the BSL no later than four (4) days prior to the date of the hearing, stating the reason for requesting the postponement. All such requests must be accompanied by the correct fee of \$50.00 in the form of a recorded payment. Should the request be denied, the fee shall be refunded. The BSL shall have full discretion to refund the 'Request for Postponement Fee' if sufficient reason warrants such action.
14. If the accused does not appear, the hearing will not proceed, the accused will be fined in accordance with the 'Schedule of fees, fines, bonds and penalties' as published by the BSL in appendix B and the accused will be suspended from all soccer related activities until he/she requests and attends a hearing.
15. Those who request another hearing after failing to attend a hearing when required to do so, shall submit a written request together with the recorded payment for the fee as specified by the BSL in appendix B. This fee is not refundable.

A 'Discipline Hearing Administrative Fee' as published in appendix B is only payable if the accused is found guilty of the charge.
16. Accused parties have the right to appear at a hearing, at their own expense.

17. The game official must attend a Discipline Hearing if required by the Discipline Committee. Any reasonable expenses incurred by the game official shall be reimbursed by the BSL.
18. An adviser is a person 18 years of age or older who provides advice to:
  - a) Any party required to attend a Discipline Hearing
  - b) The Discipline Committee.
19. An adviser may not question the competence of the game official but may question a witness for clarification purposes only.
20. An adviser may not act as a witness nor provide testimony at the Discipline Hearing but may speak at the discretion of the Discipline Committee.
21. Each party required to attend a Discipline Hearing is entitled to have a maximum of two observers in attendance at the Discipline Hearing.
22. An observer may not act as a witness nor provide testimony at the Discipline Hearing but may speak at the discretion of the Discipline Committee.
23. Each party required to attend a Discipline Hearing is entitled to bring witnesses. Witnesses must appear in person. Written reports by witnesses are not acceptable.
24. There is no limit to the number of witnesses allowed, but they must add new testimony and the Discipline Committee can limit testimony when it becomes repetitious.
25. Any party affected by a decision of the Discipline Committee shall have the right to request and receive a copy of the 'Findings and Decision' report. However, the minutes of the Discipline Hearing Panel and/or Discipline Committee shall not be given to any party except to the Governing Organization upon such request.
26. Except for discipline decisions rendered under the DBR system, any party directly affected by a decision has the right to appeal that decision, in accordance with item 27 below.
27. All parties directly affected by a discipline decision have the right to receive a written copy of the decision and also the specific 'Rights of Appeal Information,' including
  - a) The name and address of the organization to which the appeal must be sent.
  - b) The amount of the appeal fee.
  - c) The criteria for the specific grounds of appeal.
  - d) Which organizations must receive a copy of the appeal.
  - e) The method of delivery of both the appeal and the fee.