

CANTERBURY GOLF CODE OF CONDUCT POLICY

Adopted: 16 June 2015

The Constitution of Canterbury Golf empowers the Executive Committee to formulate policy for Canterbury Golf and to carry that policy into effect.

The Executive Committee of Canterbury Golf accordingly adopts the following rules as its Code of Conduct policy.

It should be clearly understood that disciplinary action may be taken in respect of conduct reflecting unfavourably on the game, whether it occurs on or off the course.

1. PURPOSES OF THE CODE OF CONDUCT

- 1.1 To ensure that golf is promoted in the Canterbury area in a healthy and sportsmanlike manner for participants of all ages.
- 1.2 To maintain standards of conduct for the game of golf for the benefit of all participants.
- 1.3 To make provision for dealing with conduct reflecting unfavourably on the game or on Canterbury Golf, whether it occurs on or off the course.

2. CODE OF CONDUCT COMMISSIONERS

- 2.1 The Executive Committee shall appoint a panel of three independent Commissioners, any one of who may be appointed to enquire into the conduct of any Member, Club, team or player playing in an event under the Association's control or representing the Association.
- 2.2 Any Commissioner who has a conflict of interest in relation to any alleged breach of this Code of Conduct must declare that interest as soon as possible and the Executive Committee may appoint a replacement for such Commissioner if considered necessary.
- 2.3 Canterbury Golf will keep records of matters referred to the independent commissioners and any decisions made, to ensure that there is overall consistency and fairness.

3. DEFINITIONS

- 3.1 In this Code of Conduct policy:

“Executive Committee” means the Executive Committee of Canterbury Golf.

“Commissioner” means the Commissioners appointed pursuant to clause 2.1 of this Code.

“Club” has the same meaning as in the Constitution of Canterbury Golf.

“Competitor” means a person who participates as a player in any golfing programme, event or activity conducted by, Canterbury Golf or by any Member of Canterbury Golf which has been sanctioned by Canterbury Golf.

“Financial Penalties” means and includes the withholding of grants, expenses, (including reimbursement of expenses) and other benefits such as equipment.

“Member” has the same meaning as in the Constitution of Canterbury Golf.

“Official” means a member of the Executive Committee, relevant match committee, administrator, referee or any other person contributing to or associated with golf in any formal capacity other than only as a Competitor or only in the course of business.

“Participant” means any Competitor or Team Official.

“Team Official” means a team manager, coach or other administrator appointed by the Executive Committee to manage, coach or assist a team representing Canterbury Golf.

4. JURISDICTION

A Commissioner appointed by the Executive Committee shall have the power and authority:

- 4.1 To hear and determine complaints against Participants arising out of or relating to any golf programmes, events or activities conducted by Canterbury Golf or attended by teams or individuals representing Canterbury Golf.
- 4.2 To hear and determine complaints against Participants arising out of or relating to any golf programmes, events or activities conducted by any Member and sanctioned by Canterbury Golf.
- 4.3 Without deviating from the broad general scope of the jurisdiction conferred, matters of discipline likely to reflect unfavourably on the game are set out in Appendix 1 of these rules.
- 4.4 For the avoidance of doubt all matters relating to banned substances and doping offences will not be dealt with by the Commissioners under this Code but rather will be dealt with in accordance with the anti-doping policy of New Zealand Golf as amended from time to time.

5. PROCEDURE

5.1 Complaints

- 5.1.1 Complaints are to be made in the first instance to the General Manager of Canterbury Golf within three (3) working days of the date upon which the matter complained of occurred;
- 5.1.2 Complaints must be made in writing and may be made by any person, including an Official, officers of Member clubs and members of the public;
- 5.1.3 On receipt of any complaint the General Manager will refer the matter to a Commissioner for review and the Commissioner shall, if satisfied upon reasonable enquiry, that there is sufficient evidence of conduct that may give rise to the need for disciplinary action:
 - 5.1.3.1 If the matter is of a minor nature, may deal with it by way of warning or reprimand whereupon the matter will be closed;
 - 5.1.3.2 Otherwise shall gather such written evidence as is reasonably available and within twenty one (21) days of the receipt of the complaint give notice of a hearing as provided in clause 6.2.

5.2 Hearings

- 5.2.1 Notice of any hearing by the Commissioner shall be given, in the case of a complaint, to the person or persons the subject of the complaint and the complainant; and in the case of an appeal to the persons affected by the appeal and the appellant.
- 5.2.2 The notice of hearing shall specify the date, time and place fixed for the hearing and shall be accompanied by such material as will give the person to whom it is sent adequate notice of the subject matter of the hearing.
- 5.2.3 The hearing date shall be fixed no earlier than seven (7) days from the date the notice is dispatched – the period of notice may be waived by any person affected.
- 5.2.4 The notice shall advise parties to whom it is sent whether the hearing is to be conducted on written submissions or whether the parties are to be entitled to appear in person or by representatives to give oral evidence. The hearings will be in private.
- 5.2.5 The procedure for the hearing will be determined by the Commissioner but it is expected that all parties will attend. The person against whom the complaint is made may attend with appropriate support or representation.

5.2.6 The Commissioner will hear and decide upon the complaint in a manner which accords with the principals of natural justice and which best ensures the fair and prompt determination of the alleged breach or breaches of this Code.

5.2.7 There shall be no right of appeal from the findings or decision of the Commissioner other than on the grounds of a breach of natural justice.

6. **PENALTIES**

6.1 If a complaint is upheld, the Commissioner shall give their decision in writing within five (5) working days, with reasons, and the Commissioner shall have the power to impose upon the person against whom the complaint is made one or more of the following penalties:

6.1.1 Competitors

6.1.1.1 a letter of warning or letter of censure;

6.1.1.2 removal from a team;

6.1.1.3 removal of benefits from a development team;

6.1.1.4 disqualification of eligibility for a team;

6.1.1.5 suspension from participation in national and/or district and/or club events for a finite period;

6.1.1.6 a total ban from the game for a finite period;

6.1.1.7 financial penalty;

6.1.1.8 any other penalty deemed appropriate and reasonable by the Commissioner.

6.1.2 Team Officials

6.1.2.1 a letter of warning or a letter of censure;

6.1.2.2 suspension from office for a finite period;

6.1.2.3 removal from office;

6.1.2.4 termination of contract of appointment eg manager, coach etc;

6.1.2.5 removal from a Committee;

6.1.2.6 financial penalty;

6.1.2.7 any other penalty deemed reasonable or appropriate by the Commissioner.

6.2 Prior to imposing any penalty, the Commissioner may invite the person against whom the complaint is made to make comment on any penalty proposed.

6.3 The Executive Committee will determine to whom the decision shall be distributed.

Note – the range of offences that may come under these disciplinary provisions is considerable. Guideline penalties are not generally appropriate. It would be expected that the Commissioner will deal severely with proven cases of:

Abuse of tournament Officials;

Physical violence or threatening behaviour;

Conduct which may constitute a criminal offence.

Misconduct falling into these particular categories is likely to result in lengthy suspension and/or financial penalty.

6.4 Implementation of penalties

6.4.1 Where a Commissioner has made a finding suspending or expelling any Participant for any reason whatsoever, that finding shall be reported to the Board of New Zealand Golf for the purposes of being made general throughout its jurisdiction by District Associations and Clubs and it shall be observed from the date of receipt of advice of the Commissioner's finding.

7. **RIGHT OF APPEAL FROM DECISIONS OF THE COMMISSIONER**

7.1 There shall be a right of appeal against the decision of a Commissioner to the Disciplinary Committee of New Zealand Golf.

7.2 An application to appeal must be lodged with the Chief Executive of New Zealand Golf within twenty one (21) days of the publication of the Commissioner's decision. Appeals to New Zealand Golf may only be made on one or more of the following grounds:

7.2.1 That natural justice was denied;

7.2.2 That the Commissioner acted outside of its powers and/or jurisdiction;

7.2.3 That substantially new evidence has become available after the decision which is being appealed was made;

7.2.4 In respect of a penalty imposed, that the penalty was either excessive or inappropriate.

- 7.3 An appeal to the Disciplinary Committee of New Zealand Golf shall be heard and determined in accordance with the rules of the Disciplinary Policy made by New Zealand Golf from time to time.

APPENDIX 1

General examples of conduct by Competitor or Team Official likely to bring the game or Canterbury Golf into disrepute (not an exhaustive list):

- Dishonesty, including cheating in the course of any event;
- Unsportsmanlike conduct and unnecessary gamesmanship;
- Abuse of other Competitors or of Team Officials (including but not limited to verbal abuse, bad language, sexual or verbal harassment);
- Abuse of the golf course, any golf course infrastructure or any golf equipment including but not limited to throwing clubs, breaking clubs, using any golf equipment other than for its intended purpose (eg: to display ill temper);
- Breach of any player agreement;
- Physical violence and threatening behaviour;
- Any criminal conduct;
- Breach of tournament conditions or failure to comply with the directions of tournament Officials;
- Failure to comply with any penalty imposed under these rules;
- Failure to follow instructions of Team officials;
- Drinking under age;
- Discourtesy as a billeted guest;
- Failure to wear appropriate uniform or the abuse of team uniform, or inappropriate dress;
- Entering and then failing to appear at a tournament;
- Failing to complete a round or failing to return a stroke play card.
- Failure to account for team funds;
- Failure to give of one's best in the course of any event;
- Any other behaviour bringing any Canterbury representative team or Canterbury Golf into disrepute;