



Johannesburg Bowls Association

The District where it's at

The Wanderers Club
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**TO: CLUB PRESIDENTS
CLUB SECRETARIES**

CIRCULAR 21/2020
BOWLS SA DISCIPLINARY PROCEDURE

Should the need arise within a club environment that a member would need to be disciplined, the correct procedures must be followed. To this end, Bowls SA has put out guidelines to assist club committees.

We have attached the guidelines for disciplinary procedure for your convenience.

Yours in Bowls



Ann Davies - District Secretary
Johannesburg Bowls Association

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JBA Executive Committee

President: Debra Ferguson

Members: Hon. Treasurer Keith van der Linde, Cindy Hoffman, Dave Naughton,
Colin Schneiderman



DISCIPLINE AND GRIEVANCES

The committee of the club shall appoint a Disciplinary Convenor, who in turn, shall co-op two or more senior members to serve on the Disciplinary Committee, to deal with such cases as may be referred to it by the Committee or Executive Committee of the club. All disciplinary matters shall be dealt with as timeously as possible, according to the "Procedure and Notes" as detailed on the Notification of a Disciplinary Enquiry.

Any ruling given by the disciplinary committee shall be binding and shall be referred to the committee of the club.

Any appeal against a disciplinary decision must be lodged, in writing, with the Executive of the club, within three days of the decision.

Should any member commit any wilful breach of the rules, by-laws or regulations of the club, or be deemed guilty of conduct unbecoming or prejudiced to the interest and reputation of the club, whether within the club's premises or outside them, the Executive committee shall have the power:

- a) To inform the member in writing (notification of a disciplinary enquiry) of the alleged infringement and to call upon such member to appear before the disciplinary committee and to explain his/her conduct.
- b) Where deemed necessary to suspend, without prejudice, any or all the benefits and advantages of membership until such time as the provisions under paragraph (a) have been concluded.
- c) To deprive such member of any or all the rights, benefits and advantages of membership during such time or period as the committee in its absolute discretion may deem fit and advisable or to expel such member who shall be ineligible for re-election.
- d) To call upon such member in writing, through the Honorary Secretary, to resign within 7 (seven) days of the date of such request.

All proceedings and decisions taken are to be documented and retained on file.

Should any member have any grievance or complaint of whatever nature which may impede good fellowship amongst members of the club or be counterproductive for the effective management of the club, such complaints or grievances must be lodged with the disciplinary committee? This committee shall have the power to investigate such grievance or complaint in order to obtain a satisfactory solution or to recommend corrective action top the Executive Committee.

The procedure and notes guiding the process are detailed on the "Notification of a Disciplinary Enquiry" form for ease of reference.

GUIDELINES THAT SHOULD BE ADOPTED BY CLUBS - DISCIPLINARY PROCEDURES

1. Clubs may (and are advised to do so) adopt a code in which acts of serious misconduct may be set out. These acts may be categorised into offenses which carry different sanctions. The sanctions should differentiate between membership being revoked, permanent suspension, time based suspension, final warnings and other disciplinary measures.
2. A member may be suspended from the premises pending an investigation into the alleged misconduct; especially in instances when the member's presence may jeopardise any investigation.

NOTE: the member should be entitled to still play bowls, enter competitions, exercise voting rights etc until such time as the disciplinary hearing is completed (they are entitled to "full benefits")

3. Notice period depends on the charges (7-10 days would be reasonable notice period)
4. Should a person refuse to sign the Notice, it does not render the Notice invalid. A witness will then be requested to sign the warning, stating that the member refused acceptance of the Notice.
5. Should the accused elect not to appear at the hearing the chairperson is entitled to proceed with the process in the absence of the accused as long as the **Notification of a Disciplinary Enquiry** has been issued.
6. Whether or not a sanction/punishment is for a fair reason is determined by the facts of each case and the appropriateness of the specific sanction/punishment.

ACTS DEEMED AS SERIOUS MISCONDUCT

1. Any act that is considered to bring the name of the club/district into disrepute.
2. Gross insubordination/insolence towards the Executive or employees of the club/district.
3. The possessing, consuming and/or distribution of any substances prohibited by law.
4. Theft, Fraud, including the forging of any person's signature.
5. Any act deemed as dishonest in terms of the laws of the country.
6. Assault, fighting and any act of aggression.
7. Immoral behaviour or any form of harassment including sexual provocation.
8. Acts of racism.
9. Foul language
10. Possession or use of any weapons/ dangerous items on the premises governed by the club/district.
11. Vandalism or damage and destruction of members or club/district property.

NOTIFICATION OF A DISCIPLINARY ENQUIRY

MEMBERS NAME: _____

BSA NO: _____

Please be advised that you are requested to attend a Disciplinary Enquiry at the date and time stated below and kindly note the following:

TIME: _____

DATE: _____

VENUE: Offices of _____

ALLEGED OFFENCE:

1. _____

2. _____

MEMBER / PERSON LAYING THE CHARGE:

Name: _____

Designation: _____

CHAIRPERSON FOR THE ENQUIRY:

Name: _____

Designation: _____

Please note further that:

- You have the right to be represented by a fellow member of the club.
- You have the right to question witnesses.
- You have the right to call witnesses.
- You have the right to an interpreter who will be provided or arranged by agreement.
- You have the right to appeal against outcome of hearing within 3 working days.
- You do NOT have the right to legal representation.
- You have the right to lodge written objection against the chairperson hearing the matter and that such objection must be lodged WITHIN 3 DAYS of receipt of this Notice.

The procedure that will be followed is as follows:

1. The member / person laying the charge will lead evidence and call witnesses.
2. You will be entitled to respond and also question these witnesses.
3. You will then be entitled to present your response to the charges and call witnesses.
4. The member / person laying the charges will be entitled to respond and also question these witnesses.
5. The chairperson may ask any witnesses questions for clarification.
6. The chairperson will then decide whether or not you are guilty or not guilty.
7. Should you be found guilty, you will be requested to make submissions on the appropriate sanction.
8. The chairperson will then decide on what sanction to impose and inform you in writing.

INITIAL HERE

I ACKNOWLEDGE RECEIPT OF THE NOTIFICATION OF THE ENQUIRY TO BE HELD AND UNDERSTAND MY RIGHTS

MEMBER CHARGED

CLUB REPRESENTATIVE

DATE: _____

TIME: _____

I HAVE WITNESSED THE ABOVEMENTIONED MEMBER BEING INFORMED OF THE ENQUIRY TO BE HELD AS WELL AS BEING INFORMED OF HIS/HER RIGHTS

SIGNED

DESIGNATION

DATE: _____

TIME: _____