



# DISCIPLINARY REGULATIONS

Edition 2021

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## 1. DEFINITIONS

In these Disciplinary Regulations (The Disciplinary Regulations), the following words shall have the following meanings:

**Age Grade** means any Rugby Europe activity categorized by age including U18 and U20 events.

**Underage Person** means any Person who is involved in U18 Rugby Europe activities.

**Age Grade Player** means a player of The Game at Age Grade level.

**The Board of Directors** means Rugby Europe Board of Directors for the time being.

**The Bylaws** means Rugby Europe Bylaws

**Citing Commissioner** has the meaning given to it in the relevant tournament manual.

**Citing Commissioner Warning** Citing Commissioner may issue a Warning to a Player who has in his/her 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 (WR Reg 17.9.3). This equals to a yellow card for the Player's disciplinary records.

**Disciplinary Case** means all the proceedings and actions undertaken by Rugby Europe Disciplinary Bodies to bring a Disciplinary Offence up to a final decision whether in first instance or second instance if any of the parties appealed the decision. For the avoidance of doubts, a Disciplinary Case starts with the issuance of a Disciplinary Notice and ends with the communication by Rugby Europe Disciplinary Bodies of the decision form (whether in first or second instance) to the parties.

**The Disciplinary Committee** is a Committee of Rugby Europe that has been established pursuant to *Rugby Europe Bylaws* (The Bylaws) and *Rugby Europe Internal Regulations* (The Internal Regulations). Its missions are to oversee, manage and deliver the execution of the disciplinary processes and procedures for Rugby Europe in accordance with the present Disciplinary Regulations and *Rugby Europe Disciplinary Committee Terms of Reference*.

**Disciplinary Hearing** means a meeting gathering all or some of the parties involved within a Disciplinary Case. It can either be organized within the framework of a first instance or appeal procedure. It can be at the initiative of the designated Disciplinary Panel or of the Disciplinary Committee.

**Disciplinary Meetings** means a meeting gathering the Members of a Disciplinary Panel. It shall either be organized upon request of The Disciplinary Committee or of The Disciplinary Panel's Chairperson (provided that it has been duly communicated to and approved by The Disciplinary Committee).

**Disciplinary Notice** means the formal notice issued by Rugby Europe Disciplinary Committee to a Person to inform him about disciplinary proceedings he is involved in.

**Disciplinary Officer** means a person entitled to seat on a Disciplinary Panel. See *Disciplinary Committee Terms of Reference* for further details.

**Disciplinary Panel** must be understood as the disciplinary body judging a Disciplinary Case. For first instance, it will be called The Disciplinary Panel but for an appeal procedure (second instance), the appointed Disciplinary Panel will be called **Appeal Panel**.

**Foul Play** means “anything a player does within the playing enclosure that is contrary to Law 9 governing obstruction, unfair play, repeated infringements, dangerous play and misconduct. Foul Play means a breach or breaches of Laws of the Game 9, 3.7 and/or 4.7” (WR Regulation 17.7.3).

**The Game** means the sport of Rugby.

**International Game** means a game organized by Rugby Europe and played between National Representative Teams selected by Unions.

**The Internal Regulations** means Rugby Europe Internal Regulations.

**Judicial Officer** means the person designated by Rugby Europe Disciplinary Committee to act as sole arbiter on disciplinary case involving foul play (Ordering Off, Citing and Temporary Suspension) on Rugby Europe Tournaments.

**Laws of The Game** means the Laws of The Game published and updated from time to time by World Rugby.

**Match Commissioner** has the meaning given to it in the relevant tournament manual.

**Member(s)** means the Unions elected to membership of Rugby Europe in accordance with its Bylaws from time to time in force. Unless otherwise stated Members means associate Members and full Members.

**Misconduct** means any conduct, behavior, statements and/or practices on or off the playing enclosure during or in connection with a Match or otherwise, that is in breach of the Code of Ethics and and/or is unsporting and/or cheating and/or insulting and/or unruly and/or ill-disciplined and/or that brings or has the potential to bring the Game and/or any of its constituent bodies, Rugby Europe and/or its appointed personnel or commercial partners and/or Match Officials and/or judicial personnel into disrepute. Misconduct shall only exclude Foul Play.

**Person** means a Player, trainer, referee, assistant referee or referee adviser, television match official, coach, selector, medical officer, physiotherapist; or any other individual or organization who is or has been at any time involved in the organization, administration or promotion of The Game; or any supporter or spectator of The Game.

**Person Charged** means a Person against whom disciplinary proceedings have been brought.

**Player** means a player of The Game.

**The Pool of Disciplinary Officers** means the pool of Disciplinary Officers nominated as per the specifications foreseen by *The Terms of Reference*.

**Playing Season** means the date on which the first fixture in the relevant competition is played each year until the date on which the last fixture in the relevant competition is played.

**Rugby Europe** means the Governing body of Rugby in Europe, recognized by the Council of World Rugby. Rugby Europe was incorporated in 1934 by ten (10) Founding Members. It is composed of its affiliated National Rugby Unions which have freely and voluntarily joined it.

**Rugby Europe Tournament** means a game organized by Rugby Europe and played between National or Club Representative Teams selected by Unions at a single location over a limited period of time.

**Union or Federation** refer to the possible ways of addressing recognised National Rugby Governing Bodies.

**World Rugby** means the World Governing and law-making body for The Game of Rugby Union. Its main functions include the governance of the Laws and Regulations of The Game and their enforcement.

**World Rugby Regulations** means the rules and [regulations](#) published and updated from time to time by World Rugby.

## 2. JURISDICTION

**2.1.** With effect from January 1<sup>st</sup>, 2021, the disciplinary rules and procedures of Rugby Europe shall be as set out in the present document titled *Rugby Europe Disciplinary Regulations*. After this date, previous disciplinary bodies and proceedings will cease to exist and Disciplinary Cases will be proceeded as per the following regulations.

**2.2.** These Disciplinary Regulations apply to disciplinary matters arising out of The Game relating to the following competitions:

- a) Rugby Europe international men's XV rugby Competitions between National Teams at Senior Level;
- b) Rugby Europe international women's XV rugby Competitions between National Teams at Senior Level;
- c) Rugby Europe international men's Sevens rugby Competitions between National Teams at Senior level;
- d) Rugby Europe international women's Sevens rugby Competitions between National Teams at Senior level;
- e) Rugby Europe international men's XV rugby Competitions between National Teams at Age Grade Level;
- f) Rugby Europe international women's XV rugby Senior Competitions between National Teams at Age Grade Level;
- g) Rugby Europe international men's Sevens rugby between National Teams at Age Grade level;
- h) Rugby Europe international Women's Sevens rugby between National Teams at Age Grade level;
- i) Any other International Game or Tournament at XV rugby or Sevens rugby or other form of the Game, at Age Grade or Senior level, that fall under Rugby Europe's jurisdiction.

**2.3.** These Disciplinary Regulations also apply to Disciplinary matters arising out of the following documents:

- a) *Rugby Europe Bylaws*;
- b) *Rugby Europe Internal Regulations*;
- c) *Rugby Europe Code of Ethics*;
- d) Documents issued from time to time by Rugby Europe for competitions (Participation Agreement, Tournament Manuals...).

**2.4.** These Disciplinary Regulations do not apply to:

- a) Anti-doping offences which are dealt with under the World Rugby Anti-Doping Regulation 21;
- b) Safeguarding matters which are dealt with by each Union.

### **3. GENERAL PROVISIONS RELATING TO ALL DISCIPLINARY CASES**

**3.1.** The standard of proof in all disciplinary cases is the balance of probabilities.

**3.2.** It should be borne in mind that the bodies subject to these provisions are not courts of law and are disciplinary, rather than arbitral, bodies.

**3.3.** Proceedings, findings or decisions of Disciplinary Panels, or Appeal Panels shall not be invalidated by reason of any minor defect, irregularity, omission or technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the relevant proceedings, findings or decisions.

**3.4.** Disciplinary Panels shall not be obliged to follow strict rules of evidence. They may admit such evidence as they think fit and accord weight of such evidence as they think appropriate in all the circumstances.

**3.5.** The bodies subject to these provisions shall have power to regulate their own specific procedures.

**3.6.** Disciplinary Panels may draw such inference from the failure of a witness (including the Person Charged) to give evidence or answer a question as it considers appropriate.

**3.7.** Where the subject matter of disciplinary proceedings is sufficiently linked (including, but not limited to, where an incident occurs at the same match or where there is common Rugby Europe or defense evidence or where a Disciplinary Panel believes it appropriate for the timely and efficient disposal of the proceedings) those disciplinary proceedings may be heard together.

**3.8.** Where proceedings are consolidated, evidence adduced by or on behalf of a Person Charged shall be capable of constituting evidence against another Person Charged. The Disciplinary Panel shall give appropriate weight to such evidence. Persons Charged or their representatives shall be entitled to cross-examine other Persons Charged and their witnesses. The Disciplinary Panel may hear evidence in any order and shall have complete discretion to take matters out of order for the timely, efficient and appropriate disposal of the proceedings.

**3.9.** A Person Charged may be represented at a Disciplinary hearing or an appeal hearing by one person of their choice (in addition to representatives from the Union) and shall be entitled to be present throughout the proceedings, except during the deliberations of the Disciplinary Panel. For the avoidance of doubt, these regulations do not limit the number of witnesses that a Person or Club whose conduct is the subject of a Misconduct complaint may call to give evidence.

**3.10.** The proceedings of Disciplinary Panels shall take place in private.

**3.11.** Except for cases described in the following articles, all oral or written representations, submissions, evidence and documents created in the course of any proceedings are confidential between Rugby Europe and the individuals or bodies concerned and subject to qualified privilege.

**3.12.** Until a decision is published by Rugby Europe, all parties and participants in the proceedings shall treat such proceedings as confidential.

**3.13.** Rugby Europe shall have the power to publish in the press, on a website or in any other manner considered appropriate:

- a) The decisions made under these Disciplinary Regulations, which may include details of offences committed under these Disciplinary Regulations and of any sanctions imposed;
- b) Any representations, submissions, evidence and documents created in the course of proceedings, or evidence, whether or not this reflects on the character or conduct of a Person Charged.

**3.14.** Rugby Europe shall have the right to use and rely upon any representations, submissions, evidence and documents that are provided to it during the course of any inquiry and/or is created or otherwise generated during the proceedings of a Disciplinary Panel for the purpose of carrying out its regulatory functions and monitoring and implementing compliance with its Rules and Regulations.

**3.15.** Communications from Rugby Europe to a Union and/or a Person shall be deemed to have been validly made and delivered if addressed to the Secretary of a Union or Chief Executive or General Secretary at the postal address and/or valid email address of the Union. It is the responsibility of the Union to notify Rugby Europe in writing of any temporary or permanent changes of contact details and to make adequate arrangements to deal with absences (for example, in the case of holiday or sickness).

**3.16.** The preferred method for Disciplinary Meetings and/or Hearings is videoconference.

#### **4. DISCIPLINARY CASES RELATED TO FOUL PLAY**

As per World Rugby Laws of the Game definitions, Foul Play is “anything a player does within the playing enclosure that is contrary to Law 9 governing obstruction, unfair play, repeated infringements, dangerous play and misconduct. Foul Play means a breach or breaches of Laws of the Game 9, 3.7 and/or 4.7” (WR Regulation 17.7.3).

The following articles describe the different procedures related to foul play offences.

##### **4.1. XV International Games: procedures in the event of foul play**

###### **4.1.1. Specific procedure in case of an ordering off**

Where a Player is Ordered Off (received a Red Card during a Match), the referee, and where applicable, assistant referee, shall complete a written report of the incident using the Template Form provided in the Appendixes of this document. Such reports shall be then provided through the Match Commissioner to the Rugby Europe Disciplinary Committee within **2 hours** of the conclusion of the Match at the following email address: [discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu)

Upon reception of such report(s), the Disciplinary Committee shall appoint a Disciplinary Panel who will handle the case and whose Chairperson shall decide of a date, time and place of the hearing.

As soon as reasonably practicable, the Cited Player, his/her Union and Team Manager should be notified in written by the Rugby Europe Disciplinary Administrator of the date, time and place of the hearing (which may be on remote or physical) and given a copy of the referee(s)' report(s).

Hearing for cases of an Ordering Off shall, to the extent possible, be arranged within **72 hours** after completion of the Match in which the Player was sanctioned, and no later than **3 days** before the next International Game of the Players' team.



The Player, and/or his/her Union may appeal any decision from an Ordering Off hearing, provided it is received by Rugby Europe Disciplinary Committee within **48 hours** of the Disciplinary Panel's written notification receipt.

#### 4.1.2. Specific procedure in case of a citing complaint

On Rugby Europe International Games where a designated Citing Commissioner has been appointed, any citing complaint shall be sent to the Rugby Europe Disciplinary Committee within **12 hours**, and no later than **48 hours**, of the conclusion of the Match at the following email address: [discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu) using the Template Form provided in the Appendixes of the document.

Upon reception of such citing complaint, the Disciplinary Committee shall appoint a Disciplinary Panel who will handle the case and whose Chairperson shall decide of a date, time and place of the hearing.

As soon as reasonably practicable, the Cited Player, his/her Union and Team Manager should be notified in writing by the Rugby Europe Disciplinary Administrator of the date, time and place of the hearing (which may be on remote or physical) and given a copy of the Citing Commissioner's Complaint Report.

Hearing for cases of an Ordering Off shall, to the extent possible, be arranged within **72 hours** after completion of the Match in which the Player was sanctioned.

The Player, and/or his/her Union may appeal any decision from an Ordering Off hearing, provided it is received by Rugby Europe Disciplinary Committee within **48 hours** of the Disciplinary Panel's written notification receipt.

#### 4.1.3. Specific procedure in case of a Citing Commissioner Warning

On Rugby Europe International Matches where a designated Citing Commissioner has been appointed, any Citing Commissioner Warning (CCW) shall be sent to the Rugby Europe Disciplinary Committee within **12 hours**, and no later than **48 hours**, of the conclusion of the Match at the following email address: [discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu) using the Template Form provided in the Appendixes of this document.

Upon reception of such Citing Commissioner Warning, the Rugby Europe Disciplinary Administrator shall notify in writing the Player, his/her Union and Team Manager, and provide them with a copy of the CCW's report. Match Officials of the relevant game shall also be in copy of such notification.

#### 4.1.4. Specific Procedure in case of a Citing by Unions

A Participating Union may report an incident in which they believe an act of Foul Play has occurred. To do so, they shall lodge a complaint in writing to the Rugby Europe Disciplinary Committee at [discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu) within ordinarily a minimum of **12 hours** and no later than a maximum of **48 hours** of the conclusion of the match.

To be valid, it shall be lodged within the appropriate timing and shall be supported by the following elements:

- a) The appropriate citing complaint form available in the appendixes of this document;
- b) The date, venue and teams participating in the match;
- c) Details of the alleged act(s) of Foul Play, including as accurately as possible, the point of time in the match, score at the time and position on the field when and where the incident is alleged to have occurred;



- d) The identity of (or means of identifying) the Player(s) alleged to have committed the act(s);
- e) Sufficient independent evidence to corroborate the citing;
- f) A recording of the relevant incident. Failure to provide a recording (DVD/media file) at the same time as the written citing shall not invalidate the citing but the recording (DVD/media file) must be lodged with Rugby Europe Disciplinary Committee in time for the Player who has been cited to adequately consider and prepare for the Disciplinary Panel hearing.

On receipt of a citing, Rugby Europe Disciplinary Committee will write to the Union of the Cited Player to advise them of the citing and provide that Union with a copy of the recording (DVD/media file) of the relevant incident and/or evidence relied upon to support the Citing. The Player will also be requested to provide his/her response.

The Disciplinary Committee may, in its sole discretion, refer the citing complaint to a Disciplinary Panel for review, in order to establish whether the citing complaint received satisfies the evidential and/or the red card threshold, before any disciplinary proceedings are commenced.

Shall the citing be receivable, the cited Player, his/her Union and Team Manager, should be notified in writing by the Rugby Europe Disciplinary Administrator and provided with all relevant evidence of the allegation.

If the Cited Player accepts the citing then it could often be dealt without the need for a Hearing (i.e. based on the citing reports, the player's own comments and any other relevant papers or video).

If the Cited Player disputes the citing complaint, the Player, a representative of his/her Union, representatives of the Union that made the citing or the person citing the Player will be requested to attend a hearing of the Disciplinary Panel. If the representative of the Union that made the citing or the person citing the Player fails to attend the hearing, the citing will not be dismissed and the Disciplinary Panel applicable may proceed to a decision in the matter.

Match official(s) may be invited to attend the hearing when required but such attendance is not mandatory, and no inference may be drawn if the match official does not attend. The hearing may proceed without such attendance.

Pending the holding of the hearing, the Player cited by a Union shall not be suspended to play in any rugby competition.

#### 4.1.5. Specific procedure in case of combined Temporary Suspensions and Citing Commissioner's Warnings

Where a Player is issued with two yellow cards, or one yellow card and one Citing Commissioner Warning, in any one match resulting in the player to be ordered off and at least one of those two sanctions is issued for Foul Play, this will constitute a red card and the appropriate sanction will be an automatic one-week suspension.

Where a Player is issued with three yellow cards, or a combination of yellow cards and Citing Commissioner Warnings, in a series of matches during a single season, this will constitute a red card and the appropriate sanction will be an automatic one-week suspension.

Where a Player has been sent off as a result of receiving two yellow cards or is penalized with one yellow card and one Citing Commissioner Warning and one or both of those sanctions was awarded for Foul Play, the Player may challenge one or both of the Foul Play sanctions.

Yellow Card for a technical offence may not be challenged.

The Player and/or his/her Union has then 48 hours after he received the Match official report or Citing Commissioner report to challenge the Yellow Card or the Citing Commissioner Warning with an Appeal.

#### 4.2. Sevens Rugby Europe Tournament: procedures in the event of foul play

For any Rugby Europe 7's Tournament, including Senior and Age Grade Competitions, the Rugby Europe Disciplinary Committee shall appoint a Judicial Officer, to act as sole arbiter on disciplinary case involving an Ordering Off, Citing and Temporary Suspension, and whose name should be confirmed no later than **30 days** before first day of competition.

##### 4.2.1. Specific procedure in case of an Ordering Off

Where a Player is Ordered Off (received a Red Card during a Match), the Referee, and where applicable, Assistant Referee, shall complete the written report of the incident using the Template Form provided in this Appendix right after the completion of the match. Such report(s) shall then be provided to the Designated Judicial Officer, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

The Player ordered off – and/or his/her Team Manager - shall be provided with a copy of the report(s) and any other relevant information, and notified of the date, place, and time of the Judicial Officer hearing.

Due to the time pressure on Sevens Tournaments, such notification shall be communicated either orally or by email/text to the Player's Team Manager by the Rugby Europe Tournament Director, or if applicable, the Rugby Europe Disciplinary Administrator on-site.

Hearing for cases of an Ordering Off shall, to the extent possible, be arranged within **2 hours** after completion of the Match in which the Player was sanctioned, and no later than the next Match of the Player's team in the Tournament.

The Player, and/or his/her Union may appeal any decision from an Ordering Off hearing, provided it is received by Rugby Europe Disciplinary Committee within **24 hours** of the Judicial Officer's written notification receipt.

##### 4.2.2. Specific procedure in case of Citing Complaint

The designated Citing Commissioner on any Rugby Europe 7's Tournament may cite a Player for Foul Play, for which the concerned Player was not ordered off by the referee in a given match.

A Union or any representative of a Participating Team is not entitled to cite Players but may refer any act of Foul Play to the designated Citing Commissioner for consideration, and only if referred within **30 minutes** after a game. Shall the citing complaint be receivable, the designated Citing Commissioner is to proceed as for any Citing Report's procedures set below.

The designated Citing Commissioner complete the written report of the incident using the Template Form provided in this Appendix within **1 hour** after the completion of the match. Such report(s) shall then be provided to the Designated Judicial Officer, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

The Player cited – and/or his/her Team Manager - shall be provided with a copy of the report(s) and any other relevant information, and notified of the date, place, and time of the Judicial Officer hearing.

Due to the time pressure on Sevens Tournaments, such notification shall be communicated either orally or by email/text to the Player's Team Manager by the Rugby Europe Tournament Director, or if applicable, the Rugby Europe Disciplinary Administrator on-site.

Hearing for cases of a Citing Complaint shall, to the extent possible, be arranged within **2 hours** after completion of the Match in which the Player was sanctioned, and no later than the next Match of the Player's team in the Tournament.

The Player, and/or his/her Union may appeal any decision from an Ordering Off hearing, provided it is received by Rugby Europe Disciplinary Committee within **24 hours** of the Judicial Officer's written notification receipt.

#### 4.2.3. Specific procedure in case of Temporary Suspensions and Citing Commissioner's Warnings

Where a Player has been temporarily suspended during a game (suspension not exceeding 2 minutes), the referee, or where applicable the assistant referee, shall complete the written report of the incident using the Template Form provided in this Appendix within **2 hours** after the completion of the match. Such report(s) shall then be provided to Rugby Europe Tournament Director, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

Shall a Citing Commissioner decide to issue a Warning to a Player in a given game, he/she shall complete the written report of the incident using the Template Form provided in this Appendix within **2 hours** after the completion of the match. Such report(s) shall then be provided to Rugby Europe Tournament Director, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

A copy of such report(s) shall then be provided to the Player and his/her Team Manager within **3 hours** after completion of the match. Such notification shall mention that the Player has the right to challenge the Temporary Suspension or Citing Commissioner's Warning within **12 hours** of receipt, which must be duly recorded by Rugby Europe and taken into consideration shall the Player be called to a hearing for an accumulation of Temporary Suspensions and/or Citing Commissioner Warnings.

Where a Player has received over a Match two yellow cards; or a combination of one yellow card and one Citing Commissioner Warning; the designated Judicial Officer is required to apply a sanction for the offence of persistent offending, not for the substantive offences relating to each yellow card and/or Citing Commissioner Warning. Ordinarily, the appropriate entry point sanction in such circumstances is a suspension of one to two weeks.

Where a Player has received over a single Tournament three yellow cards or a combination of three yellow cards and/or Citing Commissioner Warnings, this will constitute a red card and the appropriate sanction will be an automatic one to three weeks suspension.

Where a Player has received over a Serie of Tournaments five yellow cards or a combination of five yellow cards and/or Citing Commissioner Warnings, this will constitute a red card and the appropriate sanction will be an automatic one to three weeks suspension.

Where a Player has been sent off as a result of receiving a combination of yellow cards and/or Citing Commissioner Warnings and some of these sanctions were awarded for Foul Play, the Player may challenge some of the Foul Play sanctions.

Yellow Card for a technical offence may not be challenged.

#### 4.3. XV Rugby Europe Tournaments: procedures in the event of foul play

For any Rugby Europe XV Tournament, including Senior and Age Grade Competitions, and meaning any event at a single location over a limited period of time, the Rugby Europe Disciplinary Committee shall appoint a Judicial Officer, to act as sole arbiter on disciplinary case involving an Ordering Off, Citing and Temporary Suspension, and whose name should be confirmed no later than 30 days before first day of competition.

##### 4.3.1. Specific Procedure in case of an Ordering Off

Where a Player is Ordered Off (received a Red Card during a Match), the Referee, and where applicable, Assistant Referee, shall complete the written report of the incident using the Template Form provided in this Appendixes of this document within **2 hours** after the completion of the match. Such report(s) shall then be provided to the Designated Judicial Officer, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

The Player ordered off – and/or his/her Team Manager - shall be provided with a copy of the report(s) and any other relevant information, and notified of the date, place, and time of the Judicial Officer hearing.

Hearing for cases of an Ordering Off shall, to the extent possible, be arranged within **48 hours** after completion of the Match in which the Player was sanctioned, and no later than the next Match of the Player's team in the Tournament.

The Player, and/or his/her Union may appeal any decision from an Ordering Off hearing, provided it is received by Rugby Europe Disciplinary Committee within **48 hours** of the Judicial Officer's written notification receipt.

##### 4.3.2. Specific procedure in case of Citing Complaint

The designated Citing Commissioner on any Rugby Europe XV Tournament may cite a Player for Foul Play, for which the concerned Player was not ordered off by the referee in a given match.

A Union or any representative of a Participating Team is not entitled to cite Players but may refer any act of Foul Play to the designated Citing Commissioner for consideration, and only if referred within **12 hours** after a game. Shall the citing complaint be receivable, the designated Citing Commissioner is to proceed as for any Citing Report's procedures set below.

The designated Citing Commissioner complete the written report of the incident using the Template Form provided in the appendixes of this document within **12 hours** after the completion of the match. Such report(s) shall then be provided to the Designated Judicial Officer, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

The Player cited – and/or his/her Team Manager - shall be provided with a copy of the report(s) and any other relevant information, and notified of the date, place, and time of the Judicial Officer hearing.

Hearing for cases of a Citing Complaint shall, to the extent possible, be arranged within **48 hours** after completion of the Match in which the Player was sanctioned, and no later than the next Match of the Player's team in the Tournament.

The Player, and/or his/her Union may appeal any decision from an Ordering Off hearing, provided it is received by Rugby Europe Disciplinary Committee within **48 hours** of the Judicial Officer's written notification receipt.

#### 4.3.3. Specific Procedure in case of Temporary Suspensions and Citing Commissioner's warning

Where a Player has been temporarily suspended during a game (suspension not exceeding 10 minutes), the referee, or where applicable the assistant referee, shall complete the written report of the incident using the Template Form provided in this Appendix within **2 hours** after the completion of the match. Such report(s) shall then be provided to Rugby Europe Tournament Director, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

Should a Citing Commissioner decide to issue a Warning to a Player in a given game, he/she shall complete the written report of the incident using the Template Form provided in this Appendix within **2 hours** after the completion of the match. Such report(s) shall then be provided to Rugby Europe Tournament Director, and if applicable, to the Rugby Europe Disciplinary Administrator on-site.

A copy of such report(s) shall then be provided to the Player and his/her Team Manager within **48 hours** after completion of the match. Such notification shall mention that the Player has the right to challenge the Temporary Suspension or Citing Commissioner's Warning within 48 hours of receipt, which must be duly recorded by Rugby Europe and taken into consideration shall the Player be called to a hearing for an accumulation of Temporary Suspensions and/or Citing Commissioner Warnings.

Where a Player has received over a Match two yellow cards; this will constitute a red card and the appropriate sanction will be an automatic one to two weeks suspension.

Where a Player has received over a single Tournament three yellow cards or a combination of three yellow cards and/or Citing Commissioner Warnings, this will constitute a red card and the appropriate sanction will be an automatic one to two weeks suspension.

Where a Player has been sent off as a result of receiving a combination of yellow cards and/or Citing Commissioner Warnings and some of these sanctions were awarded for Foul Play, the Player may challenge some of the Foul Play sanctions.

Yellow Card for a technical offence may not be challenged.

#### 4.4. Hearing Notification

The following procedure for the disciplinary hearings in case of Foul Play shall be applied by the Chairperson of the designated Disciplinary Panel, or where applicable the Judicial Officer, who is entitled to give any directions necessary for the proper conduct of proceedings generally including, but not limited to:

- a) Establish the date, time, set-up and place of the hearing;
- b) Notify the Player and his/her Union of the date, time and place of the hearing;
- c) Advise the Player of the Panel Members' identity, and any other person(s) in attendance where relevant;
- d) Provide the cited Player with all relevant reports and evidence against him/her;
- e) Inform the Player that he/she is entitled to make written submissions in advance of the hearing;
- f) Inform the Player that he/she can be represented by his/her Union and/or a legal advisor;
- g) Remind the Player that he/she cannot play any Match pending resolution of the case.

Shall the cited Player be not available and unable to attend the meeting, he/she must inform the Disciplinary Panel at the earliest opportunity. Where a Player cited fails to attend a hearing, the Disciplinary Panel has the discretion to adjourn the hearing or, where it is satisfied that there are no reasonable grounds for the failure to attend, to proceed to hear the case against the Player cited; or to suspend the Person Charged until such time as he/she appears.

#### 4.5. Decision and sanctions in foul play

For demonstrated offences or after proving the alleged offence, The Disciplinary Panel shall decide whether or not to apply a sanction. When determining a sanction, first instance Disciplinary Panels shall respect the guidelines described in the present article.

The Disciplinary Panel may, under exceptional circumstances, amend the Law/Regulations concerning the offence for which the Player is being cited, should the demonstrated evidence be justifying it. When considering the circumstances of the case, the Panel shall have regard to whether any amendment could be made without causing injustice to the defense.

##### 4.5.1. Potential Sanctions

Whilst each case will be dealt with on its merits, the Disciplinary Panel, or Judicial Officer where applicable, will abide by the World Rugby list of recommended sanctions for offences within the playing enclosure (in accordance with World Rugby Regulation 17 – See Appendixes 1 and 2). In respect of offences not covered by the list of recommended sanctions set out in Appendixes 1 and 2, appropriate sanctions may be imposed at the sole discretion of the Disciplinary Panel, or Judicial Officer where applicable, which may include but not be limited to:

- a) A reprimand;
- b) A financial penalty (for fully professional players only);
- c) And/or suspension from playing or administrating The Game or both.

##### 4.5.2. Assessment of the seriousness of the Player's offence

For offences within the playing enclosure, The Disciplinary Panel, or Judicial Officer where applicable, shall undertake an assessment of the seriousness of the Player's conduct, which constitutes the offending and categorize the offence as being at the lower end (LE), mid-range (MR) or top end (TE) of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) where such incident(s) is expressly covered in World Rugby list of recommended sanctions for offences within the playing enclosure.

Such assessment of the seriousness of the Player's conduct shall be determined by reference to the following features of offending:

- 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-defense (that is whether he used a reasonable degree of force in defending himself/herself);



- 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 the victim's body involved/affected, position of the victim Player, ability to defend himself/herself;
- 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;
- m) Any other feature of the Player's conduct in relation to or connected with the offending.

#### 4.5.3. Mitigating factors

For offences within the playing enclosure only, the Disciplinary Panel, or Judicial Officer where applicable, shall identify all relevant mitigating factors and determine if there are grounds for reducing the period of suspension, if any. Mitigating factors include:

- a) The presence and timing of an acknowledgment 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/her conduct to the victim Player including the timing of such remorse; and
- f) Any other off-field mitigating factor(s) that the Disciplinary Panel considers relevant and appropriate.

The Disciplinary Panel, or Judicial Officer where applicable, may never apply a reduction for a sanction which is greater than 50% of the relevant sanction entry point. In assessing the percentage reduction applicable for mitigating factors, the Disciplinary Panel, or Judicial Officer where applicable, shall start at no reduction and apply the amount, if any, to be allowed by way of mitigation up to the maximum reduction (50%).

However, in cases involving offending that has been classified as lower end offending and where there are off-field mitigating factors; and/or where the Disciplinary Panel or Judicial Officer where applicable, considers that the sanction would be wholly disproportionate to the level and type of offending involved, The Disciplinary Panel or Judicial Officer where applicable, may apply sanctions less than 50% of the lower end entry sanctions specified in Appendix 1 including in appropriate cases no sanction.

Notwithstanding the above, in cases where the Player's actions constitute mid-range or top end of offending for any type of offence which had the potential to result and/or did result in serious/gross consequences to the health of the victim, the Disciplinary Panel or Judicial Officer where applicable, may impose any period of suspension (including a suspension for life) as it deems appropriate.

#### 4.5.4. Aggravating factors

For offences within the playing enclosure only, having identified the applicable entry point for consideration of a particular incident, the Disciplinary Panel, or Judicial Officer where applicable, shall identify all relevant 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 features include:

- a) The Player's status generally as an offender of the Laws of The Game;



- b) The need for a deterrent to combat a pattern of offending in The Game (to include the application of any relevant World Rugby guidance); and
- c) Any other off-field aggravating factor(s) that the Disciplinary Panel considers relevant and appropriate.

#### 4.5.5. Decision

Vote and deliberations should always happen behind closed doors with the Members of The Disciplinary Panel. On Rugby Europe Tournaments, vote should be at the discretion of the Judicial Officer only.

The Disciplinary Panel shall deliver its decision to the parties involved in the disciplinary proceedings orally at the end of the process hearing, and have it notified in writing as soon as practicable after the conclusion of the hearing using the Template Form in Appendix.

Where relevant, such decision may be published on external canals such as Rugby Europe website.

#### 4.5.6. Sanctions General Principles for offences within the playing enclosure

In accordance with World Rugby Regulation 17, within a XV a side Rugby context, suspensions will be calculated in numbers of weeks and will be imposed until a stated date.

In accordance with World Rugby Regulation 17 article 34, within a Sevens Rugby context, the World Rugby's Sanctions for Foul Play have been established on the basis that a one-week period of suspension would normally result in a Player missing one Match of Fifteens. However, 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 bear in mind 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.

Any period of suspension imposed:

- a) Will commence immediately following the written notification or, where the Player attends a personal hearing, oral notification of the decision of the Disciplinary Panel or Judicial Officer where applicable;
- b) May be divided 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 The Game (in any form) during such closed season;
- c) Shall apply universally such that a Player may not play The Game (in any form) anywhere during the period of suspension.

If a Player's suspension has not finished by the end of the current Playing Season, it shall continue until a stated date in the next Playing Season, unless he/she has been selected for a close season tour, or he/she intends to play during the close season in another Union. In this event the period of the tour in the Playing Season in the visited Union and the fact that he/she intends to play in another Union shall be taken into account in determining when the suspension shall come to an end.

Sanctions other than suspensions shall take effect in accordance with the written decision of the Disciplinary Panel, or Judicial Officer where applicable.

#### 4.6. Expedited procedure in the framework of Rugby Europe XV International Matches

4.6.1. In particular circumstances, and within the framework of Rugby Europe XV International Matches only, Disciplinary Panels may wish to utilise the expedited disciplinary procedure, to alleviate the practical difficulties caused by the organization of a hearing. The core principles set out in these Disciplinary Regulations and World Rugby Regulation 17 shall be complied with at all times.

4.6.2. Expedited procedure can be applied to the following cases:

- a) A Disciplinary Case triggered by an accumulation of yellow cards;
- b) A Disciplinary Case triggered by any admitted and remorseful act of foul play where the Panel thinks that a low-end or mid-range entry point is applicable.

4.6.3. Expedited procedure cannot be applied to the following cases:

- a) A Disciplinary Case triggered by any act of foul play where the Panel thinks that a top-end entry point is applicable;
- b) A Disciplinary Case triggered by any act involving Match Officials.

4.6.4. The application or not of the expedited procedure is at the entire discretion of the appointed Panel. If the Panel thinks that the case is too complicated, it shall go through the normal procedure and organize a hearing.

4.6.5. In the eventuality of an offence matching with the prerequisites described above and upon a decision of the Panel, the expedited procedure shall follow these steps:

- a) After examination of the Disciplinary Material, members of the Panel collegially decide on an appropriate proposition of sanction (this could be a suspension, a reprimand or even a dismissal).
- b) The Chairperson fills in the “proposal for sanction” form and share it with the Disciplinary Administrator.
- c) The Disciplinary Administrator sends to the Player the “proposal for sanction” form.
- d) The Player has **48 hours** to accept or refuse the proposed sanction.
- e) If the Player refuses the sanction, a hearing shall be organised, and all parties shall resume with the normal procedure.
- f) If the Player accepts the sanction, the Player shall sign and return the “proposal for sanction” form and submit in writing the relevant elements for the Panel to assess the mitigating and aggravating factors. The Panel shall be free to ask any precision to the Defender.
- g) Based on the elements submitted by the Player, the Panel shall decide on a final sanction and fill in the decision form. It will be the task of the Disciplinary Administrator to share and publish the decision form.

4.6.6. Within the framework of an expedited procedure and in the eventuality of a Player refusing the proposed sanction, the panel shall not consider this refusal as an aggravating factor. The Panel shall resume with the normal procedure without any prejudice to the cause of the Player.

4.6.7. All parties involved in an expedited procedure shall make every effort to go through the different steps of the process within the best delays.

#### 4.7. Appeal procedure in foul play cases

4.7.1. A Player, Person or other party who is found to have committed an act or acts of Foul Play shall have the right to appeal against the finding of an offence of Foul Play and/or the sanction imposed.

4.7.2. To be valid, any appeal against the decision of the first instance Disciplinary Committee must be sent in written to The Disciplinary Committee ([discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu)) It shall include:

- a) The appropriate Appeal Form available in the Appendixes of this document;
- b) The date and the decision appealed against;
- c) The specific grounds of the appeal;
- d) A payment of 100 € (made payable to Rugby Europe) which may or may not be returned.

The notice of Appeal must be served on the Rugby Europe Disciplinary Committee **within 2 calendar days of the notification** of the decision by the Disciplinary Panel, **or within 24 hours** on any Rugby Europe Sevens Tournament. For the avoidance of doubt, this time limit shall include weekends and Bank Holidays.

4.7.3. The Disciplinary Committee shall have the power to appoint a Disciplinary Panel to proceed to the Appeal of the Case.

4.7.4. The Disciplinary Panel appointed to review the appeal shall have the power to order that a de novo hearing in whole or in part be adopted on appeal. A de novo hearing in whole or in part would ordinarily only be appropriate where it is established that it is in the interests of justice that a re-hearing of the case in whole or in part is necessary. In the case of an appeal which proceeds in whole as a de novo hearing the procedure to be adopted, the burden of proof and all evidential and other matters shall proceed as if the hearing was a first instance hearing before a Judicial Committee or Judicial Officer.

4.7.5. Except where an appeal proceeds in whole or in part, and then only with respect to that part, as a de novo hearing and subject to clause 3.3 above, appeals and any question of fact arising on appeal will be heard and determined based on the record of the decision and the evidence received and considered by the Judicial Committee or Judicial Officer.

Except where an appeal proceeds in whole as a de novo hearing it is for the Appellant to establish that the decision being challenged on appeal:

- a) Was in error (either as to central factual findings or in law);
- b) In the interests of justice should be overturned;
- c) The sanction imposed was manifestly excessive or wrong in principle; and/or
- d) The sanction imposed was unduly lenient.

4.7.6. The procedure for the appeal disciplinary proceedings shall be determined by the Chairperson of the designated Appeal Panel who is entitled to give any directions necessary for the proper conduct of proceedings including, but not limited to:

- a) Establish the date, time, set-up and place of any hearing;
- b) Decide on the hearings' list of participants;
- c) Require that parties make written submissions in advance of the hearing;
- d) Require disclosure of documents in possession of the parties;
- e) Organize Disciplinary Meetings;
- f) Authorize the submission of additional evidence;

Where applicable, every endeavor shall be made to proceed an appeal case within **7 days** of receipt. For the avoidance of doubts the appeal disciplinary proceedings shall follow World Rugby Regulation 18 appendix 1.

4.7.7. Where a Person Charged fails to attend a hearing, the Disciplinary Panel has the discretion to adjourn the hearing or, where it is satisfied that there are no reasonable grounds for the failure to attend, to proceed to hear the case against the Person Charged; or to suspend the Person Charged until such time as he/she appears.

4.7.8. The Appeal Panel has the power to:

- a) Dismiss the appeal;
- b) Quash a finding and any sanction imposed by the first instance Disciplinary Panel;
- c) Remit the matter for a re-hearing;
- d) Substitute an alternative finding;
- e) Reduce or increase the original sanction;
- f) Make such further order as it considers appropriate.

Decisions shall be considered in private behind closed doors and shall reach a decision on a majority vote with the Chairperson having the casting vote in the event of equality as set out in The Disciplinary Committee Terms of Reference.

4.7.9. When imposing a sanction an Appeal Panel shall describe the precise nature of any suspension and its scope and the extent of any activities restricted and/or prohibited.

4.7.10. The decision of the Disciplinary Panel shall be communicated in written to the relevant Union, Player, Person or other party concerned and/or their representatives as soon as reasonably practicable and shall be binding upon notification to the Union, Player and/or Person concerned or their representatives. The suitable Decision form available in the appendixes of this document shall be used.

4.7.11. The decision of an Appeal Panel shall be final and binding upon the parties, and there shall be no further right of appeal from it.

## 5. DISCIPLINARY CASES RELATED TO MISCONDUCT

Misconduct means any conduct, behavior, statements and/or practices on or off the playing enclosure during or in connection with a Match or otherwise, that is in breach of the Code of Ethics, World Rugby Regulation 20 and and/or is unsporting and/or cheating and/or insulting and/or unruly and/or ill-disciplined and/or that brings or has the potential to bring the Game and/or any of its constituent bodies, Rugby Europe and/or its appointed personnel or commercial partners and/or Match Officials and/or judicial personnel into disrepute. Misconduct shall only exclude Foul Play.

### 5.1. Disciplinary Notice

5.1.1. A Misconduct Disciplinary Case can be initiated by

- a) Rugby Europe Board of Directors;
- b) Rugby Europe Disciplinary Committee;
- c) Any Match Official designated by Rugby Europe;
- d) The Person or Union who is the alleged victim.

5.1.2. To be valid a misconduct complaint shall be submitted in written to Rugby Europe Disciplinary Committee ([discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu)) within a maximum of **7 calendar days** after the alleged breach is committed. It shall contain the following elements:

- a) The appropriate Misconduct complaint form available in the appendixes of this document;
- b) Details of the alleged act(s) of Misconduct (date, place, persons involved);
- c) Sufficient independent evidence to corroborate the complaint;

- d) If suitable a video recording of the relevant incident;
- e) Any other document that may be useful to Rugby Europe Disciplinary Bodies.

5.1.3. After receiving the Misconduct Form, The Disciplinary Committee will be the sole arbiter to decide if:

- a) The alleged breach and the documentation submitted are solid enough to proceed with a proper Misconduct Disciplinary Case.
- b) The alleged breach is solid enough to proceed with a proper Misconduct Disciplinary Case but that further documentation is to be provided before formally instructing the case.
- c) The alleged breach is not solid enough to proceed with a Misconduct Disciplinary Case.

Such decision shall be taken within **15 calendar days** after reception of the Misconduct Form.

5.1.4. If the Disciplinary Committee decides to formally proceed the Misconduct Disciplinary Case, it shall:

- a) Inform the Parties involved by the mean of a formal Disciplinary Notice;
- b) Nominate a Disciplinary Panel to judge the Misconduct Disciplinary Case.

## 5.2. Procedures for Misconduct Disciplinary Cases

5.2.1. A party that receives a Disciplinary Notice must, within **7 calendar days** of its receipt, confirm in writing whether they admit the offence specified in the Disciplinary Notice and wish to plead guilty; or whether they dispute the allegations set out in the Disciplinary Notice. Failure to respond to the Disciplinary Notice within the seven-calendar day timeline will result in The Disciplinary Panel dealing with the matter in The Person's absence.

5.2.2. The procedure for the disciplinary proceedings shall be determined by the Chairperson of the Disciplinary Panel who is entitled to give any directions necessary for the proper conduct of proceedings including, but not limited to:

- a) Establish the date, time, set-up and place of any hearing;
- b) Require that parties make written submissions in advance of the hearing;
- c) Require disclosure of documents in possession of the parties;
- d) Decide on the hearings set-up and list of participants;
- e) Organize Disciplinary Meetings.

5.2.3. The preferred method for Disciplinary Meetings and/or Hearings will be videoconference.

### 5.2.4. Attendance at a Disciplinary Hearing

The Person Charged and, where relevant, a Union representative must attend The Disciplinary Hearing, unless the Chairperson of the Disciplinary Panel directs that the hearing may proceed without such attendance.

Where a Person Charged fails to attend a hearing, the Disciplinary Panel has the discretion to adjourn the hearing or, where it is satisfied that there are no reasonable grounds for the failure to attend, to proceed to hear the case against the Person Charged; or to suspend the Person Charged until such time as he/she appears.

## 5.3. Decision and Sanction for Misconduct Cases

5.3.1. If a Disciplinary Panel determines that an act or acts of Misconduct have been committed, then it/he shall receive and consider representations on sanctions. The Disciplinary Panel shall be entitled to impose such sanction as they think fit on the Union, Person and/or Player and/or other party concerned including, but not limited to, the following:

- a) A caution, warning as to future conduct, reprimand;
- b) A fine and/or compensation orders;
- c) A suspension for a specified number of Matches (including all on-field activities) or period of time;
- d) Expulsion from the remainder of a Tournament and/or Series of Matches;
- e) Suspension from involvement in officiating, coaching and/or administration of the Game;
- f) The withdrawal of other benefits of membership of Rugby Europe including but not limited to the right to apply to host Rugby Europe Matches or International Tournaments and/or funding;
- g) The deduction or cancellation of points or any such similar sports or tournament based sanction;
- h) Any combination of the above or such other sanction as may be appropriate.

5.3.2. The decision of the Disciplinary Panel shall be communicated in written to the relevant Union, Player, Person or other party concerned and/or their representatives as soon as reasonably practicable and shall be binding upon notification to the Union, Player and/or Person concerned or their representatives. It shall use Rugby Europe decision form available in the appendixes of this document.

5.3.3. When imposing a sanction for Misconduct the Disciplinary Panel shall describe the precise nature of any suspension and its scope and the extent of any activities restricted and/or prohibited.

5.3.4. Any sanction imposed shall remain effective pending the final determination of the appeal.

#### **5.4. Appeal Procedure for Misconduct Cases**

5.4.1. A Player, Person or other party who is found to have committed an act or acts of Misconduct shall have the right to appeal against the finding of an offence of Misconduct and/or the sanction imposed.

5.4.2. To be valid, any appeal against the decision of the first instance Disciplinary Committee must be sent in written to The Disciplinary Committee ([discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu)) within **7 days** of the formal notification of the decision to the parties involved. It shall include:

- a) The appropriate Appeal Form available in the Appendixes of this document;
- b) The date and the decision appealed against;
- c) The specific grounds of the appeal;
- d) A payment of 100 € (made payable to Rugby Europe) which may or may not be returned.

5.4.3. The Disciplinary Committee shall have the power to appoint a Disciplinary Panel to proceed to the Appeal of the Case.

5.4.4. The Disciplinary Panel appointed to review the appeal shall have the power to order that a de novo hearing in whole or in part be adopted on appeal. A de novo hearing in whole or in part would ordinarily only be appropriate where it is established that it is in the interests of justice that a re-hearing of the case in whole or in part is necessary. In the case of an appeal which proceeds in whole as a de novo hearing the procedure to be adopted, the burden of proof and all evidential and other matters shall proceed as if the hearing was a first instance hearing before a Judicial Committee or Judicial Officer.

5.4.5. Except where an appeal proceeds in whole or in part, and then only with respect to that part, as a de novo hearing and subject to clause 3.3 above, appeals and any question of fact arising on appeal will be heard and determined based on the record of the decision and the evidence received and considered by the Judicial Committee or Judicial Officer.

Except where an appeal proceeds in whole as a de novo hearing it is for the Appellant to establish that the decision being challenged on appeal:

- a) was in error (either as to central factual findings or in law);
- b) in the interests of justice should be overturned;
- c) the sanction imposed was manifestly excessive or wrong in principle; and/or
- d) the sanction imposed was unduly lenient.

5.4.6. The procedure for the appeal disciplinary proceedings shall be determined by the Chairperson of the designated appeal Disciplinary Panel who is entitled to give any directions necessary for the proper conduct of proceedings including, but not limited to:

- a) Establish the date, time, set-up and place of any hearing;
- b) Decide on the hearings' list of participants;
- c) Require that parties make written submissions in advance of the hearing;
- d) Require disclosure of documents in possession of the parties;
- e) Organize Disciplinary Meetings;
- f) Authorize the submission of additional evidence;

For the avoidance of doubts the appeal disciplinary proceedings shall follow World Rugby Regulation 18 appendix 1.

5.4.7. Where a Person Charged fails to attend a hearing, the Disciplinary Panel has the discretion to adjourn the hearing or, where it is satisfied that there are no reasonable grounds for the failure to attend, to proceed to hear the case against the Person Charged; or to suspend the Person Charged until such time as he/she appears.

5.4.8. The appeal Disciplinary Panel has the power to:

- g) Dismiss the appeal;
- h) Quash a finding and any sanction imposed by The first instance Disciplinary Panel;
- i) Remit the matter for a re-hearing;
- j) Substitute an alternative finding;
- k) Reduce or increase the original sanction;
- l) Make such further order as it considers appropriate.

Decisions shall be considered in private behind closed doors and shall reach a decision on a majority vote with the Chairperson having the casting vote in the event of equality as set out in The Disciplinary Committee Terms of Reference.

5.4.9. When imposing a sanction an Appeal Disciplinary Panel shall describe the precise nature of any suspension and its scope and the extent of any activities restricted and/or prohibited.

5.4.10. The decision of the Disciplinary Panel shall be communicated in written to the relevant Union, Player, Person or other party concerned and/or their representatives as soon as reasonably practicable and shall be binding upon notification to the Union, Player and/or Person concerned or their representatives. The suitable Decision form available in the appendixes of this document shall be used.



5.4.11. The decision of an Appeal Panel shall be final and binding upon the parties, and there shall be no further right of appeal from it.

## 6. COSTS

The costs of administering the Disciplinary Panels shall be borne by Rugby Europe.

Unless otherwise determined by Rugby Europe Disciplinary Committee, each of the parties involved shall cover its own costs incurred in bringing or defending disciplinary proceedings.

## 7. GENERAL

7.1. These Disciplinary Regulations may only be amended if approved by The Board of Directors.

7.2. If there is any difference of opinion as to the meaning of these Disciplinary Regulations, the difference shall be referred to the Rugby Europe Board of Directors for resolution.

7.3. For some tournaments, the discipline section of the tournament manual may add specific disciplinary regulations to be respected by the teams.



# APPENDIX 1: Table of recommended sanctions for offences within the playing enclosure

Extract of World Rugby [Regulation 17 Appendix 1](#)

Note: Any act of foul play which results in contact with the head and/or neck shall result in at least a mid-range sanction

9.11 Players must not do anything that is reckless or dangerous to others.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.12 A player must not physically abuse anyone. Physical abuse includes, but is not limited to:

Biting	Low-end: 12 weeks	Mid-range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Intentional Contact with Eye(s) (5)	Low-end: 12 weeks	Mid-range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Reckless Contact with Eye(s) (6)	Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 208 weeks
Contact with Eye Area (7)	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Punching or striking with hand or arm (including stiff-arm tackle)	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with the elbow	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with shoulder	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with head	Low-end: 6 weeks	Mid-range: 10 weeks	Top-end: 16+ weeks	Max: 104 weeks
Striking with knee	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Stamping or Trampling	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 12+ weeks	Max: 52 weeks
Tripping	Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
Kicking	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Reckless Contact with Eye(s) (6)	Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 208 weeks
Contact with Eye Area (7)	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Punching or striking with hand or arm (including stiff-arm tackle)	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with the elbow	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with shoulder	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks

Striking with head	Low-end: 6 weeks	Mid-range: 10 weeks	Top-end: 16+ weeks	Max: 104 weeks
Striking with knee	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Stamping or Trampling	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 12+ weeks	Max: 52 weeks
Tripping	Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
Kicking	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks

9.12 A player must not verbally abuse anyone. Verbal abuse includes, but is not limited to, abuse based on: religion, color, national or ethnic origin, sexual orientation.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.13 A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes, but is not limited to, tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.14 A player must not tackle an opponent who is not in possession of the ball.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.15 Except in a scrum, ruck or maul, a player who is not in possession of the ball must not hold, push, charge or obstruct an opponent not in possession of the ball.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
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9.16 A player must not charge or knock down an opponent carrying the ball without attempting to grasp that player.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.17 A player must not tackle, charge, pull, push or grasp an opponent whose feet are off the ground.

Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
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9.18 A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.

Low-end: 6 weeks	Mid-range: 10 weeks	Top-end: 14+ weeks	Max: 52 weeks
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9.19 Dangerous play in a scrum.

- The front row of a scrum must not form at a distance from its opponents and rush against them.
- A front-row player must not pull an opponent.
- A front-row player must not intentionally lift an opponent off their feet or force the opponent upwards out of the scrum.
- A front-row player must not intentionally collapse a scrum.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
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9.20 Dangerous play in a ruck or maul.

a. A player must not charge into a ruck or maul. Charging includes any contact made without binding onto another player in the ruck or maul.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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b. A player must not make contact with an opponent above the line of the shoulders.

c. A player must not intentionally collapse a ruck or a maul.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
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9.25 A player must not intentionally charge or obstruct an opponent who has just kicked the ball.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.27 A player must not do anything that is against the spirit of good sportsmanship including but not limited to:

Hair pulling or grabbing	Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
Spitting at anyone	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Grabbing, twisting or squeezing the genitals (and/or breasts in the case of female players)	Low-end: 12 weeks	Mid-range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Other	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks

9.28 A player must not disrespect the authority of a Match Official.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
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9.28 A player must not verbally abuse a Match Official. Verbal abuse includes, but is not limited to, abuse based on: religion, colour, national or ethnic origin, sexual orientation.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.28 A player must not make physical contact with Match Officials.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.28 A player must not use threatening actions or words towards Match Officials.

Low-end: 12 weeks	Mid-range: 24 weeks	Top-end: 48+ weeks	Max: 260 weeks
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9.28 A player must not physically abuse Match Officials.

Low-end: 24 weeks	Mid-range: 48 weeks	Top-end: 96+ weeks	Max: life
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In respect of offences not referred to in Appendix 1 above, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Disciplinary Committee, Appeal Officer and/or Appeal Committee (as the case may be).

Notwithstanding the Sanctions in Appendix 1 and/or the provisions of 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 Officers and/or Disciplinary Committees may impose any period of suspension including a suspension for life.

[5] [6] & [7] The "eye" involves all tissues including the eye lids within and covering the orbital cavity and the "eye area" is anywhere in close proximity to the eye.



APPENDIX 2: Table of recommended sanctions for offences within the playing enclosure – adjusted for underage rugby

Extract of [World Rugby Regulation 17 Appendix 3](#)

Note: Any act of foul play which results in contact with the head and/or the neck shall result in at least a mid-range sanction (2)

9.11 Players must not do anything that is reckless or dangerous to others.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

9.12 A player must not physically abuse anyone. Physical abuse includes, but is not limited to:

Biting	Up to U15s Sanction	Low-end: 4 matches	Mid-range: 8 matches	Top-end: 12 + matches
	U16 to U18 Sanction	Low-end: 8 matches	Mid-range: 10 matches	Top-end: 14+ matches
Intentional contact with Eye(s) (3)	Up to U15s Sanction	Low-end: 4 matches	Mid-range: 8 matches	Top-end: 12+ matches
	U16 to U18 Sanction	Low-end: 8 matches	Mid-range: 10 matches	Top-end: 14+ matches
Reckless contact with Eye(s) (3)	Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 8+ matches
	U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 12+ matches
Contact with Eye Area (4)	Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches
Punching or striking with hand or arm (including stiff-arm tackle)	Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
Striking with the elbow	Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches
Striking with shoulder	Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches
Striking with head	Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches:	Top-end: 6+ matches
	U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

Striking with knee	Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 8+ matches
Stamping or Trampling	Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 10+ matches
Tripping	Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
Kicking	Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

9.12 A player must not verbally abuse anyone. Verbal abuse includes, but is not limited to, abuse based on: religion, colour, national or ethnic origin, sexual orientation.

Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 8 matches	Top-end: 12+ matches

9.13 A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes, but is not limited to, tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches

9.14 A player must not tackle an opponent who is not in possession of the ball.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches

9.15 Except in a scrum, ruck or maul, a player who is not in possession of the ball must not hold, push, charge or obstruct an opponent not in possession of the ball.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

9.16 A player must not charge or knock down an opponent carrying the ball without attempting to grasp that player.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches



9.17 A player must not tackle, charge, pull, push or grasp an opponent whose feet are off the ground.

Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

9.18 A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.

Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

9.19 Dangerous play in a scrum.

- The front row of a scrum must not form at a distance from its opponents and rush against them.
- A front-row player must not pull an opponent.
- A front-row player must not intentionally lift an opponent off their feet or force the opponent upwards out of the scrum.
- A front-row player must not intentionally collapse a scrum..

Up to U15s Sanction	Low-end: warning (5)	Mid-range: 1 match	Top-end: 2+ matches
U16 to U18 Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches

9.20 Dangerous play in a ruck or maul.

- A player must not charge into a ruck or maul. Charging includes any contact made without binding onto another player in the ruck or maul.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

- A player must not make contact with an opponent above the line of the shoulders.
- A player must not intentionally collapse a ruck or a maul.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches

9.25 A player must not intentionally charge or obstruct an opponent who has just kicked the ball.

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 6 matches	Top-end: 8+ matches

9.27 A player must not do anything that is against the spirit of good sportsmanship including but not limited to:

Hair pulling or grabbing	Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
	U16 to U18 Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
Spitting at anyone	Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

Grabbing, twisting or squeezing the genitals (and/or breasts in the case of female players)	Up to U15s Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 12+ matches
	U16 to U18 Sanction	Low-end: 6 matches	Mid-range: 12 matches	Top-end: 18+ matches
Other	Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
	U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

9.28 A player must not disrespect the authority of a Match Official

Up to U15s Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches
U16 to U18 Sanction	Low-end: 1 match	Mid-range: 2 matches	Top-end: 4+ matches

9.28 A player must not verbally abuse a Match Official. Verbal abuse includes, but is not limited to, abuse based on: religion, colour, national or ethnic origin, sexual orientation.

Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

9.28 A player must not make physical contact with Match Officials.

Up to U15s Sanction	Low-end: 2 matches	Mid-range: 4 matches	Top-end: 6+ matches
U16 to U18 Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 10+ matches

9.28 A player must not use threatening actions or words towards Match Officials.

Up to U15s Sanction	Low-end: 4 matches	Mid-range: 6 matches	Top-end: 12+ matches
U16 to U18 Sanction	Low-end: 6 matches	Mid-range: 12 matches	Top-end: 24+ matches

9.28 A player must not physically abuse Match Officials.

Up to U15s Sanction	Low-end: 6 matches	Mid-range: 12 matches	Top-end: 24+ matches
U16 to U18 Sanction	Low-end: 12 matches	Mid-range: 24 matches	Top-end: 48+ matches

[1] If other definitions in the Guidelines are as per Regulation 1 of the World Rugby Regulations Relating to the Game.

[2] The note does not apply to the following Laws whose low-end entry points already take into account head contact being a potential feature or consequence of such breach reaching the red-card threshold: 9.12 (biting, contact with eye(s)/eye area, striking with head and tripping), 9.18 and 9.27 (hair pulling).

[3] [3] & [4] The “eye” involves all tissues including the eye lids within and covering the orbital cavity and the “eye area” is anywhere in close proximity to the eye.

[5] A Warning shall form part of the Players disciplinary record while at Underage level but not extend into their senior disciplinary record.

APPENDIX 3: Forms



*This version of the document was approved by the Board of Directors on December 2<sup>nd</sup>*