



Vision: To Be The Leading Polocrosse Nation And Expand The Family Sport Of Polocrosse World Wide

Appendix A

2023 Notice of Motion Form

Personal Details

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Nominating Member State Representative – Polocrosse Association of NSW Inc.

Motion Details

Please provide details of your motion:

To amend the current Polocrosse Australia Code of Conduct to :

1. Application and Scope

- (a) Polocrosse Australia is committed to protecting and furthering the best interests and reputation of Polocrosse in Australia.
- (b) This Code of Conduct (Code) aims to protect, promote and strengthen the reputation of Polocrosse in Australia by establishing a standard of conduct expected from all participants and members and to provide the means by which those standards of conduct may be maintained, including by the investigation of conduct that may be in breach of the Code. It is a Policy made under the constitution of Polocrosse Australia.
- (c) Each person who is bound by this Code is required to be aware of and comply with the obligations imposed under the Code and to all times perform their duties, obligations and responsibilities with dignity and in an ethical manner and in a way that enhances and protects the reputation of Polocrosse Australia and the sport of polocrosse.
- (d) This Code as amended from time to time applies to:
- (i) all persons who are a member of Polocrosse Australia under its Constitution, including a body corporate;
 - (ii) any person who is registered as a player with a Member Club of Polocrosse Australia;
 - (iii) any person who participates as a player in Polocrosse Australia who is not registered but at the time of the time of the conduct was required to be registered to participate in the relevant activity in which the conduct occurred;

(iv) any person that is selected in a representative team or representative team squad of Polocrosse Australia or a Member State of Polocrosse Australia;

(v) any person who is a director, administrator or employee of Polocrosse Australia, a Member State of Polocrosse Australia or a Member Club of Polocrosse Australia;

(vi) any person who is appointed by Polocrosse Australia, a Member State of Polocrosse Australia or a Member Club of Polocrosse Australia as a coach or official, including referees, umpires and technical officials.

(e) This Code continues to apply to a person even after that person's association, registration, employment or engagement has ended, if the relevant conduct occurred while they were subject to it.

(f) This Code applies to a person at the time of that person's subsequent association, registration, employment or engagement by Polocrosse Australia, a Member State of Polocrosse Australia or a Member Club of Polocrosse Australia, in relation to conduct that occurs between two periods of association, registration, employment or engagement with Polocrosse Australia, a Member State of Polocrosse Australia or a Member Club of Polocrosse Australia

2. Obligations

(a) Each person that is bound by this Code is required to:

(i) act and operate within the rules and spirit of the sport of polocrosse;

(ii) act with honesty and integrity in all dealings with Polocrosse Australia, a Member State of Polocrosse Australia or a Member Club of Polocrosse Australia;

(iii) in their participation in the sport of polocrosse, whether on or off the field, act with honesty and respect towards persons who participate as players in the sport of polocrosse.

(iv) accept and respect the authority of officials and not use offensive language or behaviour, show unnecessary dissension, displeasure or disapproval towards an official, whether on or off the field of play;

(v) not engage in conduct that is unbecoming or likely to bring the person into disrepute, including behaviour that is:

(A) drunk and disorderly;

(B) public or domestic violence; or

(C) unlawful.

(vi) so far as practicable, do all things reasonably necessary to promote the best interests, image, safety or welfare of Polocrosse Australia, the member states of Polocrosse Australia and the member clubs of Polocrosse Australia and the game of polocrosse; and

(vii) not engage in any conduct that might impair public confidence in Polocrosse Australia, the member states of Polocrosse Australia and the member clubs of Polocrosse Australia or the game of polocrosse.

3. Breach of the Code

(a) A person commits a breach of this Code when they:

(i) engage in any conduct that is detrimental to;

(ii) bring into disrepute;

(iii) act in a manner inconsistent with;

(iv) act in a manner contrary to; or

(v) act in a manner prejudicial to the best interests, image, safety or welfare of Polocrosse Australia or the sport of polocrosse or which might have any of those effects.

(b) A person commits a breach of this Code when they fail to comply with an obligation imposed under clause 2 or clause 4, including by an act or omission.

(c) Where in this Code a person is prohibited from doing something, that person shall be deemed to have failed to comply with that prohibition if the person:

(i) attempts to do the thing that is prohibited; or

(ii) aids, abets, counsels, procures or induces another person to do, or to attempt to do, the thing that is prohibited, or covers it up.

(d) Where in this Code a person is required to do something, that person shall be deemed to have failed to comply with that obligation if that person aids, abets, counsels, procures or induces another person not to do the thing that is required.

4. Investigations

(a) Polocrosse Australia may investigate conduct that might be a breach of this Code or any other policy, procedure or rule of Polocrosse Australia. These investigations may be carried out by the Board, or any disciplinary committee established by the Board for that purpose, including the Polocrosse Australia Disciplinary Committee, or their delegate or appointee, such as a legal practitioner or qualified investigator.

(b) Each person subject to this Code must co-operate fully with any investigation conducted by or on behalf of Polocrosse Australia under this Code, including by:

(i) attending any interview with Polocrosse Australia, or any person appointed by Polocrosse Australia, which they are directed to attend and to fully and truthfully answer all questions asked of them in the interview;

(ii) producing documents and records related to any matter that is the subject of the Investigation, including all documents or records that Polocrosse Australia request to be produced;

(iii) ensuring as far as reasonably practicable the full co-operation of third parties with the investigation, including by providing such written authorities as may be required to enable a third party, such as a professional adviser or medical or veterinarian practitioner, to produce documents or records to Polocrosse Australia or its delegate or appointee.

(iv) not disclosing, other than to their authorised legal representative, any information provided by them to Polocrosse Australia or by Polocrosse Australia to them during the investigation, or the fact that Polocrosse Australia is conducting the investigation.

(c) The Board of Polocrosse Australia may on an interim no-fault basis suspend a person the subject of an investigation under this Code from participation in polocrosse pending the determination of the investigation, if it determines in its reasonable opinion that it would not be in the best interests, image, safety or welfare of Polocrosse Australia or the sport of polocrosse, for the person to continue to participate.

5. Disciplinary Procedure and Sanctions

(a) Polocrosse Australia, through its Board, or a disciplinary committee established by the Board for that purpose, including the Polocrosse Australia Disciplinary Committee may enforce the terms of this Code and impose sanctions as set out in this clause 5 if it has given the person alleged to have infringed this Code:

(i) reasonable details of the alleged breach or breaches of the Code;

(ii) notice of possible sanctions; and

(iii) the opportunity to be heard in writing in relation to the issues of breach and sanction.

(b) Polocrosse Australia may on an interim no-fault basis suspend a person the subject of a disciplinary proceeding under this Code from participation in polocrosse pending its determination at first instance, if it determines in its reasonable opinion that it would not be in the best interests, image, safety or welfare of Polocrosse Australia or the sport of polocrosse, for the person to continue to participate.

(c) In any disciplinary proceedings brought against a person for a breach of the Code, it will be sufficient proof of that breach if it is established that the evidence (either directly or inferentially) supports the conclusion that, on the balance of probabilities, the breach occurred.

(d) If Polocrosse Australia determines that a person has breached the Code, it may impose a sanction on the person.

(e) The sanctions that Polocrosse Australia may impose are:

(i) a reprimand, warning or caution;

(ii) return of an award or prize;

(iii) suspension from participation in a match, event or competition;

(iv) removal from membership of a representative team of Polocrosse Australia;

(v) ban on, or period of ineligibility for, selection in a representative team of Polocrosse Australia;

(vi) suspension, removal or disqualification of a team in which the person participated from a competition from an event or competition, including the stripping of titles or trophies;

(vii) suspension, removal or disqualification of a team from an event or competition, including the stripping of titles or trophies;

(viii) a suspension or cancellation of registration to participate;

(ix) a suspension or cancellation of membership of Polocrosse Australia;

(x) a ban from being present at a venue or venues at which a match of polocrosse is played;

(xi) such other disciplinary sanction or measure as Polocrosse Australia, in its absolute discretion, considers is appropriate

(f) The imposition of a sanction has immediate effect unless the terms of sanction imposed states otherwise.

(g) A person may appeal to the General Division of National Sports Tribunal a decision of Polocrosse Australia that the person has breached the Code and that a sanction be imposed. The appeal, which is in the form of arbitration, is limited to the following grounds:

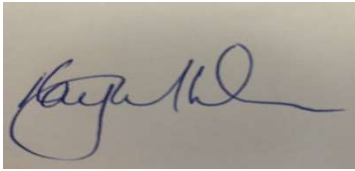
(i) that the decision was unreasonable or insupportable having regard to the evidence on which it was based; and/or

(ii) that the sanction that was imposed was manifestly excessive.

(h) A person wishing to appeal must file an application form commencing the arbitration with the National Sports Tribunal within 14 days of receiving notice in writing of the determination of

Polocrosse Australia. The person appealing the determination of Polocrosse Australia must pay all application fees, unless otherwise agreed in writing by Polocrosse Australia.

Signature



Date 23/03/2023