



Queensland Rifle Association Incorporated

**Codes of Conduct
and
Disciplinary Procedures By-Law**

**adopted by the Board of Queensland Rifle Association Incorporated
on 11 February 2009.**

Codes of Conduct and Disciplinary Procedures By-Law

In accordance with Rule 87 of the Rules of the Queensland Rifle Association Incorporated ("QRA"), this By-Law is adopted by the Board.

The Codes of Conduct and Disciplinary Procedures By-Law is divided into two parts:

1. Part A establishes general and specific standards of behaviour expected of Members of QRA. In addition to the General Code of Conduct, QRA Members and other persons are also required to comply with the specific Codes of Conduct, as are appropriate.
2. Part B sets out the procedure for dealing with disciplinary actions against Members, breaches of the Codes of Conduct and other matters under the Rules of QRA.

Part A

Queensland Rifle Association Incorporated Codes of Conduct

1. General Code of Conduct

Members, administrators, officials, competitors, spectators, service providers, employees, volunteers and anyone other person associated with any activity or event held by or sanctioned by QRA must:

- 1.1 Not discriminate against, abuse, harass, ridicule or embarrass anyone covered by this Code of Conduct or otherwise associated with a QRA activity or event;
- 1.2 Be fair, considerate and honest in all dealings with others;
- 1.3 Treat all persons with respect, dignity and have proper regard for their rights and obligations;
- 1.4 Respect the privacy of other persons;
- 1.5 Act at all times in a fair and sporting manner and in such a way as to ensure good relations within and between participants and other organisations;
- 1.6 Not engage in deliberate distraction or interruption of the competitors during competition;
- 1.7 Refrain from any form of intimidation or victimisation towards others;
- 1.8 Ensure that any junior competitors are accompanied and/or observed during sporting and associated activities;
- 1.9 Conduct themselves in a proper manner to the satisfaction of QRA and its delegates, so as not to bring themselves, QRA or the sport of shooting into public disrepute or censure;
- 1.10 Not use involvement with the QRA to promote individual beliefs or practices where these are inconsistent with the QRA or the sport of shooting;
- 1.11 Not disclose to any unauthorised person or organisation information that is of a confidential or privileged nature concerning a team or an individual connected with QRA;
- 1.12 Not promote, pass on, exchange or publish information where that information may be of a confidential, offensive, scandalous, unsubstantiated or derisive nature;
- 1.13 Understand the possible consequences of breaching the QRA Codes of Conduct; and
- 1.14 Immediately report any breaches of the QRA Codes of Conduct to the Board or Executive Officer.

2. Administrators' Code of Conduct

QRA administrators (both volunteers and professionals) must:

- 2.1 Aim to provide and promote an environment free from abuse, discrimination and harassment in relation to employment, functions, events, competitions, membership eligibility and provision of goods and services;
- 2.2 Distribute and implement this By-Law and promote the use of the disciplinary procedure;
- 2.3 Take all reasonable steps to prevent abuse, discrimination and harassment and ensure that this position is widely known through all levels of QRA activities;

- 2.4 Identify and implement appropriate procedures to handle abuse, discrimination, harassment and other complaints;
- 2.5 Respond to complaints in an impartial, sensitive, fair, timely and confidential manner;
- 2.6 Provide all people with an equal opportunity to participate;
- 2.7 Ensure that rules, equipment and length of competition are safe and are modified to suit age, ability and maturity level of competitors;
- 2.8 Ensure that it is made clear that abuse of any form is unacceptable and will result in disciplinary action; and
- 2.9 Set an example of appropriate, positive and supportive behaviour towards all QRA Members.

3. Competitors' Code of Conduct

QRA competitors must:

- 3.1 Act in a sporting manner, having regard to principles of fairness and common courtesy, at all times;
- 3.2 Control their temper. Verbal abuse of officials, sledging of other competitors or deliberately distracting or provoking other competitors are not acceptable or permitted behaviours;
- 3.3 Respect the rights, dignity and worth of all participants regardless of their ability, gender or cultural background;
- 3.4 Refrain from making bullying, derogatory or demeaning remarks about other people;
- 3.5 Treat all other competitors as they would like to be treated;
- 3.6 Not discriminate against, abuse or harass anyone else;
- 3.7 Never argue with an official;
- 3.8 Abide by the rules of competition as determined by QRA or its delegate; and
- 3.9 Respond to Members' concerns or allegations of breaches of this By-Law.

4. Officials' Code of Conduct

Officials (both volunteers and professionals) of QRA activities and competitions must:

- 4.1 Modify rules and regulations to match the skill levels and needs of participants, where appropriate;
- 4.2 Compliment and encourage all participants;
- 4.3 Be consistent, unbiased, objective and courteous when making decisions;
- 4.4 Condemn unsporting behaviour and promote respect for all competitors;
- 4.5 Keep up to date with the latest available resources and information in relation to the sport of shooting;
- 4.6 Treat all participants with respect at all times;
- 4.7 Avoid situations that may lead to a conflict of interest;

- 4.8 Be alert to any forms of abuse directed towards participants from other sources whilst they are competing; and
- 4.9 Place the safety and welfare of participants above all else.

5. Spectators' Code of Conduct

Spectators must:

- 5.1 Remember that people participate in sport for their own enjoyment and benefit, not yours;
- 5.2 Respect the decisions of officials and teach young people to do the same;
- 5.3 Never ridicule or scold a competitor for making a mistake during a competition;
- 5.4 Condemn the use of violence in any form, whether by spectators, officials or competitors;
- 5.5 Encourage participants to follow the rules and the official's decisions; and
- 5.6 Not use foul language, sledge or harass competitors, officials, coaches or other spectators.

Part B

Queensland Rifle Association Incorporated Disciplinary Procedures

1. Establishment of Disciplinary Committee

- 1.1 The Board shall establish a Disciplinary Committee as required to deal with all disciplinary actions against Members, breaches of the Codes of Conduct and other matters under the Constitution of QRA.

2. Composition of Disciplinary Committee

- 2.1 A Disciplinary Committee Panel of five (5) persons shall be appointed by the Board for the purpose of hearing disciplinary actions and other matters under this By-Law. Three (3) members of the Disciplinary Committee Panel should constitute a quorum for the Disciplinary Committee. The Disciplinary Committee shall also appoint or elect a member of the Disciplinary Committee to act as the Chairperson of the Disciplinary Committee Panel and for the Disciplinary Committee for each hearing.
- 2.2 No member of the Board shall be appointed to the Disciplinary Committee.
- 2.3 A person who has been directly involved in or affected by the matter in dispute, or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Disciplinary Committee which hears the matter in dispute

3. Notice of Alleged Breach

- 3.1 Where the Board is advised or considers that a Member of QRA has allegedly:
- 3.1.1 breached, failed, refused or neglected to comply with a provision of the Rules, By-Laws or any resolution or determination of the Board or any other duly authorised committee;
 - 3.1.2 breached the Codes of Conduct of QRA;
 - 3.1.3 acted in a manner unbecoming of a Member or prejudicial to the objects and interests of QRA and/or the sport of shooting; or
 - 3.1.4 brought QRA and/or the sport of shooting into disrepute;
- the Board shall appoint a Disciplinary Committee in accordance with Rule 2 of Part B of this By-Law.
- 3.2 The Secretary of QRA shall, as soon as practicable following the appointment of a Disciplinary Committee, serve on the Member a notice in writing:
- 3.2.1 setting out the specific details alleged breach by the Member;
 - 3.2.2 setting out the facts and grounds on which the alleged breach is based;
 - 3.2.3 stating that the Member may address the Disciplinary Committee at a hearing to be held not later than 28 days after service of the notice;
 - 3.2.4 stating the date, place and time of that hearing;
 - 3.2.5 informing the Member that he or she may do one or more of the following:
 - 3.2.5.1 attend the hearing;
 - 3.2.5.2 give the Disciplinary Committee, before the date of that hearing, a written statement regarding the alleged breach.

3.2.6 informing the member that if they do not attend the hearing and/or provide a written statement prior to the hearing, the hearing will proceed and the matter will be determined in their absence.

3.3 Despite Rule 3.2.3 of Part B of this By-Law, the hearing may be held at any other time that the Secretary, Chairperson of the Disciplinary Committee and the Member agree.

4. Disciplinary Hearing Procedures

4.1 At a hearing of the Disciplinary Committee, the Disciplinary Committee shall:

4.1.1 give the Member every opportunity to be heard;

4.1.2 give other aggrieved parties and any witnesses the right to be heard, present evidence or submit a written statement;

4.1.3 give due consideration to any written statement submitted by the Member; and

4.1.4 by majority resolution determine whether the alleged breach occurred.

4.2 Neither QRA nor the Member shall be entitled to any legal representation (legal or otherwise) but with the leave of the Disciplinary Committee may be represented by another at the hearing, but if the hearing relates to an alleged breach by a Junior Member then the Junior Member shall be entitled to be represented by his or her parent or guardian but the Junior Member must be present.

4.3 The Disciplinary Committee shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) and shall determine what evidence shall be admissible at the hearing, provided that it does so in accordance with the principles of natural justice.

4.4 The Disciplinary Committee will make its decision immediately following the conclusion of the hearing if possible, but otherwise it shall deliver its decision and reasons to the Member and the Board within fourteen (14) days of the hearing.

4.5 If the Disciplinary Committee considers that the alleged breach did not occur, the matter shall be dismissed.

4.6 If the Disciplinary Committee considers that the alleged breach occurred, it may impose any one or more of the penalties set out in Rule 5 of Part B of this By-Law.

4.7 Each party shall be responsible for their own costs associated with the Disciplinary Committee hearing. The Disciplinary Committee has the discretion to make an order to reimburse costs to a party.

5. Penalties

5.1 If the Disciplinary Committee considers that the alleged breach occurred, the Disciplinary Committee may impose any one or more of the following penalties:

5.1.1 impose a warning;

5.1.2 reprimand the Member;

5.1.3 direct the Member to make a verbal or written apology;

5.1.4 direct the Member to reimburse costs to the QRA of the hearing;

5.1.5 where there has been damage to property, direct that the Member pay compensation to the relevant person or organisation that controls or has possession of the damaged property;

- 5.1.6 withdrawal of any awards, placings, records or achievements bestowed upon the Member in any tournaments, activities or events held or sanctioned by QRA;
- 5.1.7 direct that any funding granted or given to the Member by QRA cease from a specified date;
- 5.1.8 direct that any rights, privileges and benefits provided to that Member by QRA be suspended for a specified period and/or terminated;
- 5.1.9 direct that QRA cease to sanction events held by or under the auspices of that Member;
- 5.1.10 suspend the Member from membership of QRA for a specified period;
- 5.1.11 expel the Member from QRA; and
- 5.1.12 any other penalty that the Disciplinary Committee considers appropriate.

6. Right of Appeal from Decision of Disciplinary Committee

- 6.1 QRA or a Member may only appeal against a decision of a Disciplinary Committee on one or more of the following grounds of appeal:
 - 6.1.1 Significant new or additional evidence has become available;
 - 6.1.2 The penalty imposed by the Disciplinary Committee is not in accordance with the provisions of this By-Law;
 - 6.1.3 The penalty imposed by the Disciplinary Committee is manifestly excessive; or
 - 6.1.4 The Disciplinary Committee failed to substantially follow the procedures or requirements of this By-Law and this failure caused a significant detriment to the party seeking the appeal.

7. Notice Of Appeal

- 7.1 A person seeking to appeal a decision of the Disciplinary Committee ("the Appellant") must lodge a notice stating full details of the grounds of appeal ("the Notice of Appeal") with the Secretary of QRA within seven (7) days receiving notice of the decision of the Disciplinary Committee.

8. Appeals Tribunal

- 8.1 Upon receipt of a valid Notice of Appeal, the Board shall convene an Appeals Tribunal to hear and determine the appeal in accordance with this By-Law.
- 8.2 The Appellant shall be notified within seven (7) days of receipt of the Notice of Appeal of the time, date and place of the appeal hearing.
- 8.3 The Appeals Tribunal shall consist of three (3) people appointed by the Board to hear the appeal. The Board shall also appoint a member of the appeals tribunal as the Chairperson. Three (3) members of the Appeals Tribunal shall constitute a quorum
- 8.4 No member of the Board shall be appointed to the Appeals Tribunal, but if there is a vacancy on the Appeals Tribunal at the time of the hearing then this position may be filled by a member of the Board.
- 8.5 A person that has been directly involved in or affected by the matter in dispute or who was a member of the Disciplinary Committee that originally decided the matter or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Appeals Tribunal.

9. Appeals Tribunal Procedures

- 9.1 The Appeals Tribunal and persons appearing before it are bound by the same procedures under Rule 4 of Part B of this By-Law as if the Appeals Tribunal was a Disciplinary Committee hearing a matter at first instance.
- 9.2 The Secretary shall forward records of the Disciplinary Committee hearing in which the matter the subject of the appeal was heard at first instance to the Chairperson of the Appeals Tribunal.
- 9.3 The appeal hearing shall be a full re-hearing of the facts and circumstances of the matter.
- 9.4 The Appeals Tribunal may request further information prior to determining the appeal and it has discretion as to whether or not new evidence may be allowed.
- 9.5 An Appeals Tribunal shall have the power, in such manner as it thinks fit, to:
 - 9.5.1 dismiss the appeal;
 - 9.5.2 uphold the appeal;
 - 9.5.3 impose any of the penalties set out in Rule 5 of Part B of this By-Law; and/or
 - 9.5.4 reduce, increase or otherwise vary any penalty imposed by the Disciplinary Committee.
- 9.6 Within 7 days of the conclusion of the appeal hearing, the Chairperson of the Appeals Tribunal shall ensure that the Appellant and the President are notified of the decision of the Appeals Tribunal.
- 9.7 The Appeals Tribunal shall not be required to provide reasons for its decision.
- 9.8 Each party to an appeal shall be responsible for their own costs. The Appeal Tribunal has the discretion to make an order to reimburse costs to a party.

10. Single Right of Appeal

- 10.1 There is only one right of appeal following the decision of the Disciplinary Committee hearing, which is the right provided under Rule 7 of Part B of this By-Law.
- 10.2 Any appeal must be solely and exclusively resolved by the Appeals Tribunal and the decision of the Appeals Tribunal is final and binding on the parties.

11. Exhaust Internal Appeal

- 11.1 A Member must exercise the right of appeal under this By-Law and have any appeal heard and determined by the Appeals Tribunal before commencing any proceedings or becoming a party to any proceedings in a court of law.