

Table Tennis Association of Wales Ltd  
Cymdeithas Tenis Bwrdd Cymru Cyf

Company Number: 4779322

Affiliated to The International Table Tennis Federation and  
The European Table Tennis Union



**DISCIPLINARY RULES AND PROCEDURES**

**APPENDIX C-2**

**The Table Tennis Association of Wales Limited (hereinafter called “TTAW”)**

**INTRODUCTION**

These Rules and Procedures relate to TTAW exercising its jurisdiction in relation to a disciplinary matter, which does not fall under other specific rules (see below).

Part A sets out TTAW’s jurisdiction in relation to misconduct matters and sets out general provisions relating to disciplinary matters dealt with under these Procedures.

Part B sets out TTAW's disciplinary procedures and how a Disciplinary Committee is appointed and how a hearing is conducted.

**Separate Rules and Procedures**

TTAW has separate rules and procedures which apply in relation to anti-doping rule violation alleged to have been committed (the Anti-Doping Rules);

TTAW is an employer and any grievance or disciplinary matters concerning members of TTAW's staff shall be dealt with under separate procedures.

## PART A

### JURISDICTION AND GENERAL PROVISIONS

#### **1. Interpretation**

1.1 In these Procedures the following words shall have the meaning set out opposite them:

"Appeal" means an appeal from a decision of the Disciplinary Committee under clause of these Procedures;

"Board" the board of TTAW from time to time as constituted under TTAW's Memorandum and Articles of Association;

"Chairman" the person appointed from time to time to be the chairman of the Disciplinary Committee (as the context requires) under these Procedures;

"Claimant" the person or body with the Dispute;

"Complaint" a complaint of misconduct (under Part A clause 2) referred to the Investigations Officer for consideration by the Disciplinary Committee and made by TTAW or a person who is subject to TTAW's jurisdiction as national governing body for the sport or by others at the discretion of TTAW;

"the Decision" the written decision of the Disciplinary Committee given in accordance with these Procedures;

"Disciplinary Committee" the disciplinary committee appointed pursuant to Part B clause 1.1 of these Procedures;

"Interested Party"	any person or member, who in the Investigations Officer's opinion, is likely to be affected by the outcome of any Complaint raised under these Procedures;
"Investigations Officer"	the investigations officer(s) of TTAW appointed by the Board from time to time either on a case by case basis or generally and includes any deputy appointed by him;
"Notice"	the notice of the Complaint or Dispute to be given to the Investigations Officer;
"the Objection"	any objection by the Claimant to the composition of the Disciplinary Committee notified to the Investigations Officer in accordance with Part B clause 1.2 of these Procedures;
"these Procedures"	the rules and procedures set out in all parts of this document;
"Respondent"	the person (who must be subject to TTAW's jurisdiction as national governing body for the sport) who is the subject of a Complaint

- 1.2 All references to periods of a number of days, relate to the period starting the day after the date of posting or the date of receipt (where documents are delivered by hand) or the date of the incident or meeting and ending the specified number of days later.
- 1.3 Words denoting the singular number shall include the plural number and vice versa and words denoting the masculine gender shall include the feminine gender.

## **2. Misconduct and Jurisdiction**

### *2.1 Complaints of Misconduct*

A Complaint may be made against a Respondent and a Respondent may later be charged with misconduct where he:

- (i) refuses or neglects to comply with TTAW's Articles of Association;
- (ii) breaches TTAW's Policies and Procedures or any terms of reference, regulations or other rules of TTAW;
- (iii) behaves in a manner which is or is likely to be prejudicial to an event organised or recognised by TTAW or the administration of a training facility;
- (iv) behaves (whether by action or omission) in a manner which is disgraceful or opposed to the general interests of TTAW or the sport of table tennis or which brings the sport or TTAW into disrepute; or
- (v) behaves in a manner that is otherwise considered by TTAW to be unacceptable and contrary to the conduct expected of a person participating in table tennis.

### *2.2 Rapid Repatriation*

Managers of Wales teams and training squads in the United Kingdom and abroad, appointed by or on behalf of TTAW, may (in conjunction with the coaching staff for

that team or training squad and TTAW's Performance Director or members of his staff authorised by him) take immediate disciplinary action to repatriate or otherwise exclude any member of the team or training squad due to misconduct after the team or training squad has been formed (ie the members of that team or squad have come together either at the point of departure from the UK or at the competition or training venue, whichever is the earlier). For the avoidance of doubt, such persons shall not be entitled to use the power to take immediate disciplinary action for the sole purpose of altering the composition of the team or squad of which they are in charge. In the event of such immediate disciplinary action being taken, the team manager responsible for taking such action shall report the matter to TTAW as soon as practical but at least within 72 hours of the event. TTAW may at its discretion invoke disciplinary proceedings if it considers further action is necessary.

### 2.3 *Jurisdiction over Misconduct*

2.3.1 TTAW shall have exclusive jurisdiction to investigate and discipline alleged misconduct any other matter raised by or about any person who falls under the jurisdiction of TTAW which concerns the Board of TTAW;

## 3. **Disciplinary action**

3.1 These Procedures apply where:

- (i) TTAW considers that a matter concerning a person under the jurisdiction of TTAW falls within the range of Complaints set out in Clause 2 and requires disciplinary action;
- (ii) where a person subject to TTAW's jurisdiction or others at the discretion of TTAW wish to make a Complaint about another person over whom TTAW has jurisdiction;

#### **4. Referral to the Investigations Officer**

- 4.1 Notice of all Complaints shall be given to the Investigations Officer. The Notice shall be given in writing as soon as practicable and within 21 days of the incident (or knowledge of the incident by the person making the complaint) or the decision complained of (as the case may be) and shall set out details of the Complaint or the Dispute (as the case may be). In exceptional circumstances, the Investigations Officer may in his complete discretion process Complaints or Disputes the Notice for which has been received by him after the 21 day period.
- 4.2 If the Notice is given by a person under TTAW's jurisdiction, it shall be signed by that person.
- 4.3 If the Notice is given by a club affiliated to TTAW it shall be signed by at least three members of the club concerned.
- 4.4 If the Notice is given by TTAW it shall be signed by at least three members of the Board.
- 4.5 If the Notice is given by any other person (whether or not under the jurisdiction of TTAW) it shall be signed by the person concerned and counter-signed by at least one other individual who shall state their address and position.

#### **5. Consideration by Investigations Officer**

- 5.1 On receipt of the Notice, the Investigations Officer shall consider whether or not the Notice shows that there is on the face of it sufficient evidence of a case to be determined. The Investigations Officer shall make such decision (having carried out such investigations and taken such advice as he deems appropriate) in his complete discretion and as soon as practicable and in any event within 21 days of the Notice being lodged.

5.2 If the Investigations Officer decides that there is sufficient evidence of a case, he shall forthwith:

- (i) in the case of a Complaint, charge the Respondent with misconduct under Clause 2 and either:
  - (a) where the matter (in the view of the Investigations Officer) justifies such action, refer the matter to the police for investigation and may postpone consideration of the matter by TTAW under these Procedures until the police investigation has been concluded; or
  - (b) convene a Disciplinary Committee to consider the matter in accordance with the Disciplinary Procedure;

The Investigations Officer shall inform the parties and any Interested Parties of the action taken.

5.3 If the Investigations Officer in his complete discretion does not consider that the Notice shows sufficient evidence of a case, the person making the Complaint or having the Dispute and the Respondent shall be so informed in writing (with brief reasons) and no further action taken.

5.4 If the Investigations Officer considers that a Complaint is to be referred to a Disciplinary Committee he shall decide whether or not the seriousness of the matter requires the Respondent to be suspended from Competition or official participation in table tennis pending determination of the matter. A Respondent so suspended may apply to the Disciplinary Committee considering the matter for the suspension to be lifted. Any Respondent so suspended shall be entitled to a full expedited hearing. For the avoidance of doubt, the Investigations Officer may communicate the fact of the suspension to relevant third parties.

**6. Costs**

6.1 Each party shall bear its own costs (including but not limited to legal costs, scientific or other experts' fees, witness costs) in connection with Complaints made or Disputes or Appeals brought under these Procedures.

**7. Communications**

7.1 Each party must send all communications to the Investigations Officer who shall distribute copies as appropriate to the Disciplinary Committee and any Interested Parties.

7.2 Any notification, correspondence or any other document submitted under these Procedures shall be sent in writing by first class post or recorded delivery (or airmail if outside the UK) to:

(i) the parties (and Interested Parties) at the addresses set out for each in the Notice or at the address held by TTAW for the Respondent (as the case may be) or at such other address as any party may have previously notified the Investigations Officer and the other parties (as the case may be); and

(ii) the Disciplinary Committee and

such documents shall be deemed to have been received by the intended recipient 48 hours (or if by airmail four working days) after posting.

7.3 All correspondence addressed to the Investigations Officer shall be sent to:

And shall be marked **For the attention of the Investigations Officer**

**8. Publication of Decisions**

8.1 TTAW may publish details of any disciplinary action taken including publication of any decision made by the Disciplinary Committee where a Complaint is upheld .

8.2 TTAW may at any time during the disciplinary or dispute resolution process notify any other relevant body of any details relating to the Complaint as such body may need to know for the proper exercise of its functions.

**9. Amendment**

The Board reserves the right to amend these Procedures at its sole discretion and to deal with any matter not catered for.

## **PART B**

### **DISCIPLINARY PROCEDURE**

#### **1. Appointment of the Disciplinary Committee**

- 1.1 Where the Investigations Officer determines that a disciplinary matter is to be dealt with in accordance with these Procedures, he shall appoint a Disciplinary Committee comprised of three persons who shall not be members of the board of directors of TTAW nor be TTAW employees and shall have no connection with the parties or matter under consideration. The Investigating Officer shall appoint one of their number as chairperson. The Investigating Officer shall inform the Respondent of the composition of the Disciplinary Committee.
- 1.2 The Respondent may object to the composition of the Disciplinary Committee by notifying the Investigations Officer of the Objection and setting out the reasons for such an Objection no later than seven days from the date of being informed of the composition of the Disciplinary Committee.
- 1.3 The Investigations Officer shall, within seven days (or such shorter time limit imposed by the Investigations Officer) from the date of receipt of an Objection, notify in writing the parties that either:
  - (i) the composition of the Disciplinary Committee has changed (in which case the Investigations Officer shall provide details of the new Disciplinary Committee); or
  - (ii) the composition of the Disciplinary Committee has not changed (in which case the Investigations Officer shall give reasons why it has not accepted the party's Objection).

The decision by the Investigations Officer on the composition of the Disciplinary Committee under this Clause shall be final.

- 1.4 Where it is not practicable to convene a Disciplinary Committee as set out in Clause 1.1 above, or if the Investigations Officer decides it is more appropriate, the Investigations Officer may refer the Complaint to the Sports Dispute Resolution Panel Limited or other independent dispute resolution service for determination. The procedural rules of such independent body shall apply to any case so referred. Any independent dispute resolution service so appointed shall decide the matter in accordance with the applicable rules and regulations of TTAW.

## **2. Pre-hearing procedure**

- 2.1 Where the Disciplinary Committee is to be convened the Investigations Officer shall forthwith:

- (i) send a copy of the Complaint together with the charge and evidence gathered against the Respondent by recorded delivery post to the Respondent;
- (ii) notify all parties of the composition of the Disciplinary Committee and of the date, place and time of the hearing when the Disciplinary Committee is to consider the matter;
- (iii) inform all parties that they must provide in writing to the Investigations Officer within 21 days or such alternative time limit as the Investigations Officer shall decide any information and copies of all documents relating to the Complaint that either party wishes the Disciplinary Committee to consider in relation to the matter;
- (iv) ask each party whether he wishes to make representations at the hearing (in which case he may be asked questions when the Complaint is being considered) whether he will be represented or accompanied by a supporter, whether he wishes to call witnesses to give evidence, and who he intends to be

present at the hearing. Each party shall provide his response within such time limit as the Investigations Officer shall decide;

- (v) inform the Respondent that if no reply is received within the period of 21 days (or such alternative time limit imposed by the Investigations Officer under Clause 2.1(iii) above) the Committee will consider the Complaint in his absence on the basis of the facts and statements in its possession;

2.2 The Chairman shall be entitled to make directions as to any further exchange of evidence.

2.3 Upon receipt of any information provided under Clause 2.1(iv) of these Disciplinary Procedures, the Investigations Officer shall forthwith supply copies of such information to the Disciplinary Committee and the other parties.

2.4 The Investigations Officer shall ensure that, prior to the hearing, each party and the Disciplinary Committee are given not less than seven days' notice of the hearing; have been invited to attend the hearing and offered the opportunity of being accompanied by an adviser; and notified of those the Investigations Officer is aware are attending the hearing.

### **3. Directions for the conduct of hearing**

The Chairman of the Disciplinary Committee shall have power to make such further directions relating to the provision of information or the conduct of the hearing as, in his sole discretion, are deemed necessary. For the avoidance of doubt, any question as to whether observers shall be permitted to attend the hearing shall be determined by the Chairman.

#### **4. The conduct of hearings**

4.1 At the hearing the Disciplinary Committee shall consider all the evidence made available to it TTAW and the Respondent including the written and/or oral testimony of any witnesses supporting that evidence. It may question TTAW, the Respondent and any witnesses present in relation to the matter. It may call upon either of TTAW or the Respondent to supply additional evidence and may adjourn the hearing for that or any other purpose.

4.2 After the hearing, the Disciplinary Committee shall provide its full Decision in writing to the Board within 14 days. The Disciplinary Committee may decide any issue by majority. The Decision shall include:

- (a) a summary of the Complaint;
- (b) the Disciplinary Committee's decision in relation to the Complaint and its reasons;
- (c) the appropriate sanction (if any) to be imposed on the Respondent in accordance with the Clause 5 of these Procedures.

#### **5. Powers of the Disciplinary Committee**

The Disciplinary Committee may reject the Complaint or where the Complaint is upheld, impose such sanctions upon the Respondent as it thinks fit including without limitation:

- (i) a public warning in respect of the misconduct committed;
- (ii) a direction to the club of which he is a member to terminate his membership or remove him from any official position within the club ;
- (iii) a requirement to attend education or training course;

- (iv) in the case of a Respondent who is a player:
  - (a) suspension from competition or from taking part in any event sanctioned by TTAW for a specified period;
  - (b) exclusion from competition (or official participation within table tennis) or from taking part in any event sanctioned by TTAW on a permanent basis;
  - (c) a recommendation to TTAW to withhold funding (whomsoever from)
- (v) suspension or exclusion or removal from any office held within TTAW or from being in any way involved in table tennis involving other TTAW affiliates whether as player coach administrator or otherwise for a specified period or indefinitely;
- (vi) any combination of the above.

## **6. Appeal of the Disciplinary Committee's Decision**

- 6.1 Either TTAW or the Respondent (but not the individual(s) who originally made the Complaint) is entitled to appeal the Decision by serving notice of an appeal on the Investigations Officer. The Notice must set out in detail why TTAW or the Respondent disagrees with the Decision. The Notice (where given by the Respondent) must be accompanied by a cheque for £100 made payable to TTAW ("the Deposit"). This Deposit shall be held by TTAW and re-paid to the Respondent in the event that Appeals Committee so decides.
- 6.2 The Investigations Officer shall consider the matter and decide if the Notice shows that there is on the face of it sufficient additional or new evidence or other realistic cause for the appeal to proceed. If he does so decide he shall refer the Appeal to be resolved by an Appeals Committee. The Appeals Committee shall be appointed by the

Investigating Officer in similar manner to that set out in clause 1 Part B of these Procedures except no person who served on the Disciplinary Committee shall be a member of the Appeals Committee. The Appeals Committee shall follow similar procedures to the Disciplinary Committee as far as applicable with such modifications as its chairperson may decide.. The Appeals Committee has full power to alter or modify or confirm the decision of the Disciplinary Committee as it sees fit and its decision shall be final and binding on all parties