



PORTARLINGTON DEMONS

FOOTBALL NETBALL CLUB INC

Club Disciplinary Rules

The PDFNC Disciplinary Rules are governed by those in the Constitution and Rules under Part 3 – Division 2 clauses 19 through to 25 as follows:

Division 2—Disciplinary action

19 Grounds for taking disciplinary action

The Club may take disciplinary action against a member in accordance with this Division if it is determined that the member—

- (a) Has failed to comply with these Rules; or
- (b) Refuses to support the purposes and values of the Club; or
- (c) Has engaged in conduct prejudicial to the Club.
- (d) Has acted in a manner that has brought the Club into disrepute.

20 Disciplinary subcommittee

(1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.

(2) The members of the disciplinary subcommittee—

- (a) May be Committee members, members of the Club or anyone else; but
- (b) Must not be biased against, or in favour of, the member concerned.

21 Notice to member

(1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—

- (a) Stating that the Club proposes to take disciplinary action against the member; and
- (b) Stating the grounds for the proposed disciplinary action; and
- (c) Specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the *disciplinary meeting*); and
- (d) Advising the member that he or she may do one or both of the following—
 - (i) Attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - (ii) Give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
- (e) Setting out the member's appeal rights under rule 23.

(2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

22 Decision of subcommittee

- (1) At the disciplinary meeting, the disciplinary subcommittee must—
 - (a) Give the member an opportunity to be heard; and
 - (b) Consider any written statement submitted by the member.
- (2) After complying with subrule (1), the disciplinary subcommittee may—
 - (a) Take no further action against the member; or
 - (b) Subject to subrule (3)—
 - (i) Reprimand the member; or
 - (ii) Suspend the membership rights of the member for a specified period; or
 - (iii) Expel the member from the Club.
- (3) The disciplinary subcommittee may not fine the member.
- (4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

23 Appeal rights

- (1) A person whose membership rights have been suspended or who has been expelled from the Club under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given—
 - (a) To the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - (b) To the Secretary not later than 48 hours after the vote.
- (3) If a person has given notice under subrule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- (4) Notice of the disciplinary appeal meeting must be given to each member of the Club who is entitled to vote as soon as practicable and must—
 - (a) Specify the date, time and place of the meeting; and
 - (b) State—
 - (i) The name of the person against whom the disciplinary action has been taken; and
 - (ii) The grounds for taking that action; and
 - (iii) That at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

24 Conduct of disciplinary appeal meeting

- (1) At a disciplinary appeal meeting—
 - (a) No business other than the question of the appeal may be conducted; and
 - (b) The Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (c) The person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with subrule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) A member may not vote by proxy at the meeting.
- (4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

25 Summary Discipline

(1) Notwithstanding the provisions of Rules 19 to 24 above, in the event that any member of the Committee of the Club shall witness any member behave in the Club premises in a violent, disorderly, abusive or offensive manner or has reasonable grounds to believe on the information of a member that any member has immediately or shortly prior to such information so behaved he may without prejudice to any other provisions of this rule order the offending member to leave the Club premises forthwith.

Such member shall thereupon leave the Club premises and not be re-admitted thereto for the duration of the day concerned. If such member shall refuse to leave after being ordered the said member of the Committee after advising such member of the existence and effect of this rule may remove him/her or cause him/her to be removed with such reasonable force as may be necessary.