



**THE
CAMOGIE
ASSOCIATION**

**Mandatory Procedures for
THDC & Disciplinary Code**

Approved by Ardchomhairle

Edition No. 2

Effective 1st May 2012

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1. Mandatory THDC Code and Procedures

1.1 Introduction

The following Mandatory Code and Procedures have been agreed by Ardchomhairle and are effective from **1st May 2012**.

In accordance with rules 6.4 (h), 7.4 (h) and 10.8 every unit of the Association will be subject to the Disciplinary Code of the Association. This Code outlines the procedures which Transfers, Hearings and Disciplinary Committees at all levels of the Association must use to deal with "breaches of the Rules of the Association or any bye-laws made thereunder..."

Transfers will be administered in accordance with procedures outlined in this code, Section 31 of the Official Guide and other relevant rules.

The THDC Committee, in accordance with the Official Guide, has the powers to "Hear and adjudicate on transfer requests, objections and to independently investigate irregularities and has autonomy to suspend, fine or disqualify clubs or individuals for breaches of the Rules of the Association or any bye-laws made thereunder in accordance with the Disciplinary Code".

Breach of this mandatory code is equivalent to breaching rules of the Official Guide and will be dealt with accordingly.

The procedures in this mandatory code do not apply to those incidents covered in the Code of Practice for all Officers of the Camogie Association or the Code of Ethics and Child Protection procedures included in the Official Guide.

1.2 Summary: Transfers, Appeals, Investigations and Disciplinary Hearings, Objections and Disciplinary Actions

Transfers: Approval of transfers is summarised as follows:

- Transfers within the county must be approved by club and county board
- Transfers within the province must be approved by club, county board and province
- Transfers between provinces must be approved by club, county board and province and notified to Ard Stiúrthóir
- When a transfer is not signed by a unit above the player has the right to appeal the decision to the next higher unit in accordance with the appeals process.

Appeals:

- Individual members, clubs, divisional and county boards, schools, colleges and provincial councils have the right of appeal against decisions that infringe a rule or mandatory code
- An appeal must in the first instance go to the committee directly senior to the body against whose ruling the appeal is made

Investigations and Disciplinary Hearings:

There are usually two main types of investigation; (i) an investigation into a breach of the Official Guide reported by a referee, which are usually games' related and (ii) an investigation into a breach of the Official Guide.

a) Referee's report

Disciplinary matters: Where an incident is recorded in a referee's report outlining a breach of Rule 41.9 of The Official Guide the matter should be dealt with as a disciplinary matter. The matter should automatically be referred to the THDC Committee.

Investigation: Where an incident is recorded in a referee's report that is not covered by Rule 41.9 of The Official Guide the matter should be dealt with as an investigation. A disciplinary hearing may follow an investigation.

b) Breaches of the Official Guide other than those covered in a referee's report:

A decision to investigate may be taken by a club, county board, provincial council, national education council, international board or Ardchomhairle should it or any sub-committee, or subsidiary committee become aware of a breach of the rules of the Association or its mandatory codes. A decision to investigate irregularities will be pursued even if no objection/appeal has been initiated by any party. A disciplinary hearing may follow an investigation.

Disciplinary actions

A disciplinary hearing may decide on disciplinary actions. The following disciplinary actions can be taken by units at any level of the Association:

- Suspensions
- Fines
- Disqualify clubs or individuals
- Debarment

The right to expel a member/unit is reserved to Ardchomhairle.

Objection:

An objection to the award of a game may be made on behalf of a team that participated in the game concerned by the relevant secretary.

1.3 The Transfers, Hearings and Disciplinary Committee (THDC)

1.3.1 Membership

The County Board/Provincial Council/Ardchomhairle will **appoint** the Transfers Hearings and Disciplinary Committee in accordance with Rules (6.4(h), 7.4(h) and 10.8).

Those appointed to the committee at all levels should:

- Have a good working knowledge of the Official Guide
- Not be an officer of the unit concerned
- Not represent/speak on behalf of their own club at an investigation or disciplinary hearing
- Be fair, honest and equal in their dealings with all players, clubs, county boards and provincial councils
- Ideally have five members but never less than three. The committee should consist of experienced members.
- No two members should be members of the same unit

1.3.2 Terms of Reference

In accordance with rules 6.4 (h), 7.4 (h) and 10.8 The Transfers, Hearings and Disciplinary Sub-Committee (county board, national education council, international boards) will:

- Hear and adjudicate on transfers, appeals and objections
- Independently investigate breaches of the Official Guide and/or irregularities
- Have autonomy to take disciplinary action to suspend, fine or disqualify clubs or individuals for breaches of the Rules or any bye-laws made in accordance with the Disciplinary Code

Provincial THDC

- As above plus
- Hear appeals to decisions by county boards

National THDC:

- As above plus
- Hear appeals to decisions by provincial councils

1.3.3 Meetings

It is the responsibility of the Chairperson and the Secretary of the committee to arrange meetings as required to execute the terms of reference in accordance with the rules of the Official Guide (see timelines for all procedures, Rule 27.7).

Please note: A member/unit may formally request the relevant THDC to waive his/her right to due notice of a meeting. The relevant THDC will decide if this can be facilitated without prejudice to natural justice and due process. Where it can be facilitated by the relevant THDC the member/unit will waive her/his right to due notice.

Location of Meetings:

It is the responsibility of the Chairperson and the Secretary of each THDC to arrange meetings at suitable locations taking into consideration the travelling time of its members and those coming before the committee. Whichever location is chosen, the THDC must ensure that arrangements are made in advance and that meetings are held in GAA offices or clubs to minimise costs.

1.3.4 Responsibilities of THDC Chair and Secretary

- The Chairperson is responsible for ensuring that the Secretary sends notice of hearings etc to all parties in accordance with rule
- The Chairperson is responsible for ensuring that the Secretary of the relevant THDC sends notice of outcomes etc to all parties in accordance with rule and must copy all correspondence to the relevant county or provincial secretary or Ard Stiúrthóir
- The Chairperson is responsible for ensuring that the Secretary produces accurate minutes on time and that they are distributed electronically to all members
- The Chairperson must ensure that there is a quorum of at least three THDC members at each meeting. The meeting will only proceed when the quorum is met. Should a Committee have less than three members available, the Chairperson must request the co-option by the relevant Unit of temporary members.
- The Chairperson is responsible for ensuring that conflicts of interest are declared in advance. Should a conflict of interest declaration result, then that member of THDC must step aside when appeal from his/her county/club is being heard; in a Committee having less than three members available, the Chairperson must request the co-option by the relevant Unit of temporary members.
- The Chairperson is responsible for ensuring that all meetings are conducted in a businesslike manner with due regard for dignity for all and with confidentiality where appropriate, are completed within an agreed timeframe and that all members are given the opportunity to contribute to the work of the committee

1.3.5 Correspondence:

- Notifications of hearing/investigative/disciplinary meetings will be issued by the relevant THDC Secretary to the relevant unit secretary and/or where appropriate to the individual concerned.
- Decisions/outcomes of any hearing/investigation/disciplinary hearing will be issued by the THDC secretary to the relevant unit secretary and/or where appropriate to the individual concerned.
- The unit secretary will be copied with all correspondence by the THDC Secretary conducting the appeal/investigation/disciplinary hearing.

2. Transfers

- Transfers will be dealt with in accordance with Section 31 of the Official Guide
- All timelines as outlined in Section 31 must be adhered to in considering a transfer request
- Where a transfer is not granted it may be refused on one or several of the grounds outlined in Section 31.3.1 of the Official Guide. These are not mandatory grounds but considerations that a THDC has discretion on. It is also not an exhaustive list of reasons for refusing a transfer. Other valid reasons may be considered acceptable as adjudicated by the relevant THDC
- The “Home Club” Rule (4.1) will be the basis for consideration for all transfer requests
- For the purposes of Rule 31.3 a player will be considered “ordinarily resident” if the following conditions apply:
 - The home of one or both parents/guardians where the player has resided for at least one year is located nearer to the newly established camogie club than the players current camogie club
 - § or
 - The player’s home where the player has resided for at least one year is located nearer to the newly established camogie club than the players current camogie club
- All transfer decisions can be appealed to the next higher body. For details on how to submit an appeal please see “Appeals” section below
- A member/unit has only one right of appeal on any one decision.

Transfer Process

CB = County Board

PC = Provincial Council

1	Player submits transfer to club	→	Club says yes to transfer	→	County Board says yes to transfer	→	End (if transfer is within county)	→	1)PC says yes to transfer. End if transfer is within province.		
	↓		↓						2)PC says yes to transfer. If transfer is between provinces transfer sent to AS.	→	Transfer sent to Ard Stiúrthóir for notification
									3)Provincial Council says no refer to Step 7.		
2	Club says no to transfer		County Board says no to transfer. Refer to Step 5.								
3	Player submits transfer to county secretary (31.5)	→	CB says yes to transfer	→	End (if transfer is within county)	→	1)PC says yes to transfer. End if transfer is within province.				
	↓						2)PC says yes to transfer. If transfer is between provinces transfer sent to AS.	→	Transfer sent to Ard Stiúrthóir for notification		
							3)Provincial Council says no refer to Step 7.				
4	CB says no to transfer										
5	Player appeals transfer to provincial THDC within 7 days (31.5)	→	PC says yes to transfer	→	End (if transfer is within province)	→	1)PC says yes to transfer. End if transfer is within province.				
	↓						2)PC says yes to transfer. If transfer is between provinces transfer sent to AS.	→	Transfer sent to Ard Stiúrthóir for notification		
6	PC says no to transfer - End.										
If the Provincial Council says no to a Transfer as the first point of appeal:											
7	Player appeals transfer to national THDC within 10 days (31.5)	→	National THDC says yes to transfer	→	End						
8	National THDC says no to transfer										
9	End										

3. Appeals

- Individual members, clubs, divisional and county boards, schools, colleges and provincial councils have the right of appeal against decisions that infringe a rule or mandatory code
- An appeal must in the first instance go to the committee directly senior to the body against whose ruling the appeal is made
- A member/unit has only one right of appeal on any one decision

Appeals shall only be acceptable if:

- a) Lodged with the secretary of the unit directly senior to the body against whose ruling the appeal is made (county board, provincial council, national education council, Ardchomhairle):
 1. within seven days of receipt in writing of the decision under challenge
 2. Where the decision under appeal is not issued in writing (e.g. decision taken at a county board meeting) the appeal must be lodged within seven days of the date of the decision under challenge
 3. In the case of an appeal to the national THDC or national appeals committee the appeal must be lodged within ten days of receipt in writing of the decision under challenge or the date the decision is taken where the decision is not issued in writing
- b) Lodged together with the appropriate fee as set out in Rule 21.3
- c) The exact grounds of the appeal are set out including:
 1. The full text of the rule(s) alleged to have been infringed are quoted
 2. The original circumstances of the alleged breach of rule
 3. The penalties that were imposed
 4. A brief outline of any previous appeals and results

If the above conditions are met an appealing party shall have the right to be heard by the relevant THDC.

Notification of appeal hearing

The secretary of the relevant THDC must:

- Notify all interested parties of the appeal and send a copy of the appeal to the unit secretary and/or where appropriate to the individual concerned within three days of receipt of the appeal
- Furnish any party with copy extracts of relevant official records or documents upon written application which should be included with the appeal. In addition the secretary of the unit against which the appeal has been lodged must send a copy of minutes of any relevant hearing to the committee hearing the appeal.
- Notify all interested parties of the results of the hearing.

Appeal Hearing

- A unit will be represented by up to two of its full members
- A member called to a hearing must attend personally and may be accompanied by one full member of her/his club/unit (Ref Rule 27.5 of the Official Guide). In the case of member U18 she/he must be accompanied by her/his parent(s) or guardian(s) in addition to a club member (Ref Rule 27.6 of the Official Guide).
- A member of the committee hearing the appeal who is a member of any unit or has a role in relation to any team or unit involved in the proceedings shall stand down from the committee adjudicating the proceedings
- All parties will be given ten days prior notice of the date, time and venue of the meeting at which the appeal is to be heard by the relevant THDC
- Each party may, with permission from the chair of the committee hearing the appeal, introduce witnesses. Permission must be sought in writing from the committee at least five days prior to the date of the hearing to do this

Decision

- A decision will be made following the hearing. If possible the decision will be verbally notified at the meeting. The decision will be confirmed and officially notified by the secretary of the THDC to all interested parties within five working days of the decision being made
- Where an appeal is successful the fee paid will be refunded to the successful party

1) Club appeals decision of County Board

	Win	
Club appeals decision of County Board to Provincial Council THDC	→	1) End of process for the club 2) County Board can appeal decision to National THDC
↓ Lose		
End of process (club has no further right of appeal)		

2) County Board appeals decision of Provincial Council

	Win	
County Board appeals decision of Provincial Council to National THDC	→	1) End of process for the County Board 2) Provincial Council can appeal decision to National Appeals Committee
↓ Lose		
End of process (county board has no further right of appeal)		

3) County Board/Provincial Council appeals decision of National THDC

	Win	
County Board/ Provincial Council appeals decision of National THDC to National Appeals Cttee	→	End of process for the County Board/Provincial Council
↓		
Lose		
↓		
End of process for the County Board/Provincial Council		

4. Investigations and Disciplinary Hearings

4.1 Investigations and Disciplinary Hearings

Investigations and/or disciplinary matters can arise in one of two ways:

- a) Referee's report (see 4.2)
- b) Breaches of the Official Guide other than those covered in a referee's report (see 4.3)

4.2 Referee's report

4.2 (a) Disciplinary matters: Where an incident is recorded in a referee's report outlining a breach of Rule 41.9 of The Official Guide the matter should be dealt with as a disciplinary matter. The matter should automatically be referred to the THDC Committee. A number of mandatory sanctions for specific rule breaches are outlined in Section 44 of the Official Guide. For other rule breaches the THDC has delegated powers to decide on sanctions.

4.2 (b) Investigation: Where an incident is recorded in a referee's report that is not covered by Rule 41.9 of The Official Guide the matter should be referred by the unit secretary to the THDC within 3 days of receiving the report and dealt with as an investigation.

Initiating an investigation:

1. The decision to investigate shall be taken by a majority vote of the relevant committee
2. The investigation will be carried out by the THDC
3. The purpose of the investigation is to establish whether a member/unit has a charge to answer.

Investigative/ Disciplinary Hearing

- A unit will be represented by up to two of its full members
- A member must attend personally and may be accompanied by one full member of her/his club/unit. In the case of member U18 she must be accompanied by her parent(s) or guardian(s) (Ref Rule 27.6) in addition to a club member or in the case of an inter-county or provincial player by a member of the relevant county board or province
- A member of the committee hearing the investigative/disciplinary matter who is a member of any unit or has a role in relation to any team or unit involved in the proceedings shall stand down from the committee adjudicating the proceedings
- Any party requested to attend an investigative/disciplinary hearing will be given seven days prior notice of the date, time and venue of the hearing to be heard by the relevant unit (county board, provincial council, national education council, Ardchomhairle). In the event of the date of the hearing not being mutually suitable on the first occasion, one further attempt will be made to find a mutually suitable date, within a maximum period of ten days from the date of the first hearing notice being issued
- Failure to appear before the hearing will warrant an automatic suspension until such time as the relevant party(ies) agree to appear before the THDC

- For an investigation the points of investigation will be set out in the correspondence to the member/unit called to the investigative hearing
- For a disciplinary hearing the charges will be set out in the correspondence to the member/unit called to the disciplinary hearing
- Each party may, with permission from the chair of the THDC, introduce witnesses. Permission must be sought in writing from the committee at least five days prior to the date of the hearing

Decision on Disciplinary Action

A decision on a disciplinary action will be made following the hearing. If possible the decision will be verbally notified at the meeting. The decision will be confirmed and officially notified by the secretary of the relevant unit to all parties within five working days of the decision being made.

4.3 Breaches of the Official Guide other than those covered in a referee's report

A decision to investigate may be taken by a club, county board, provincial council, national education council, international board or Ardchomhairle should it or any sub-committee, or subsidiary committee become aware of breach of the rules of the Association or its mandatory codes. A decision to investigate irregularities will be pursued even if no objection/appeal has been initiated by any party.

Investigations

Where a decision is taken to investigate a matter the following steps will be followed:

Initiating an investigation:

1. Where the investigation involves a game, team composition or any aspect of a fixture a request to investigate must be submitted within 5 days of the fixture in question by the unit concerned to the secretary of the committee in charge of the competition
2. The decision to investigate shall be taken by a majority vote of the executive committee in charge
3. The investigation will be carried out by the Executive
4. The purpose of the investigation is to establish whether a member/unit has a charge to answer. In the event that this is established, the member/unit must be notified in writing to attend a subsequent disciplinary hearing conducted by the relevant THDC.

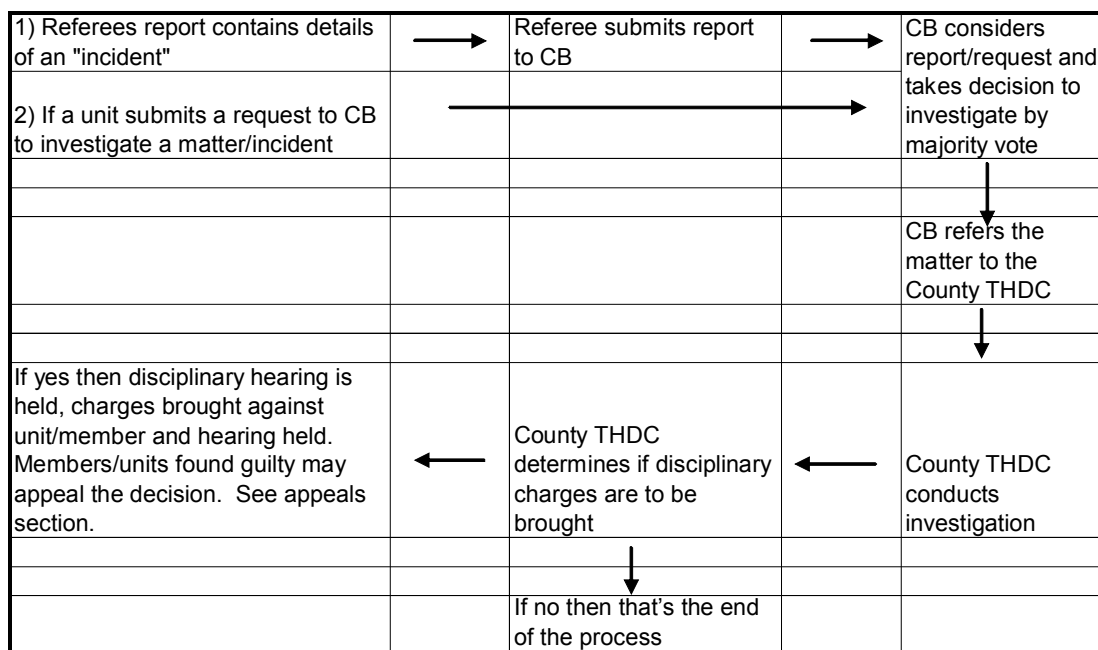
Investigative/ Disciplinary Hearing

- A unit will be represented by up to two of its full members
- A member must attend personally and may be accompanied by one full member of her/his club/unit. In the case of member U18 she must be accompanied by her parent(s) or guardian(s) (Ref Rule 27.6) in addition to a club member or in the case of an inter-county or provincial player by a member of the relevant county board or province

- A member of the committee hearing the investigative/disciplinary matter who is a member of any unit or has a role in relation to any team or unit involved in the proceedings shall stand down from the committee adjudicating the proceedings
- Any party requested to attend an investigative/disciplinary hearing will be given seven days prior notice of the date, time and venue of the hearing to be heard by the relevant unit (county board, provincial council, national education council, Ardchomhairle). In the event of the date of the hearing not being mutually suitable on the first occasion, one further attempt will be made to find a mutually suitable date, within a maximum period of ten days from the date of the first hearing notice being issued
- Failure to appear before the hearing will warrant an automatic suspension until such time as the relevant party(ies) agree to appear before the THDC
- For an investigation the points of investigation will be set out in the correspondence to the member/unit called to the investigative hearing
- For a disciplinary hearing the charges will be set out in the correspondence to the member/unit called to the disciplinary hearing
- Each party may, with permission from the chair of the THDC, introduce witnesses. Permission must be sought in writing from the committee at least five days prior to the date of the hearing

Decision on Disciplinary Action

A decision on a disciplinary action will be made following the hearing. If possible the decision will be verbally notified at the meeting. The decision will be confirmed and officially notified by the secretary of the relevant unit to all parties within five working days of the decision being made



5. Disciplinary Actions arising from a disciplinary hearing

- Suspension of members, Committees or units under the Rules of the Association or any bye-law thereunder means suspension from all privileges and competitions under the auspices of the Association. Persons under suspension shall be ineligible to participate as members in the affairs of the Association during such suspension. Penalties imposed shall be operative throughout the Association
- Except for offences specified in the Rules, no member/unit shall be automatically expelled or suspended unless she/he/it has been given due notice of the charges against her/him/it and until she/he/it has been given the opportunity of being heard in her/his/its own defence
- The power to suspend rests with properly constituted Clubs, County Boards and Councils. A motion to suspend must be proposed and seconded, and will be carried with the consent of a simple majority of those present, entitled to vote and voting at the meeting dealing with the case
- Any member/unit who, having received due notice of the charges set out against her/him/it and of the meeting to deal with same, fails to appear at the meeting, shall stand suspended until she/he/representatives of the unit appears/appear before the Committee in question
- Where a definite period of suspension is imposed by a Committee, reinstatement shall take place automatically at the termination of the period. The term "month" in relation to suspension shall refer to a lunar month (four weeks), e.g. when a suspension begins on a Sunday it shall end at midnight on a Saturday

Penalties for breach of rules on the field play are specifically outlined in Rule 44 of the Official Guide. For all breaches of rule not specifically identified in Rule 44 the following penalties may be considered:

Fines

- Where detailed fines shall be as set out in Rules and Bye-laws. Where no amount has been specified it shall be at the discretion of the committee in charge

Disqualification

§ From entry to a competition or continuation in a competition

Debarment

- Where appropriate the committee in charge, by way of penalty, can debar a member from specific privileges of the Association identified by the committee, e.g. playing games, attending games, holding office, handling funds, etc.
- Debarment can also be imposed pending the completion of a disciplinary action if the committee in charge considers the interest of the Association or its members may be compromised following notification of disciplinary action under this disciplinary code

Expulsion

- No unit other than Ardcumhairle can exercise the jurisdiction to expel a member or club
- Where a committee has conducted a disciplinary action and is of the opinion that expulsion is the appropriate penalty but does not have jurisdiction to expel it can submit its recommendation to the parent unit having jurisdiction for same
- Where a club is expelled from the Association all of its members are expelled by consequence. An individual member of the expelled club may apply to Ardcumhairle to seek permission to become a member of the Association through another club

6. Objections

An objection to the award of a game may be made on behalf of a team that participated in the game concerned by the relevant secretary. An objection/counter-objection may not be made by a member or any third party.

Objections/counter-objection shall only be acceptable if:

- a) Lodged with the secretary of the unit in charge of the competition (county board, provincial council, national education council, Ardchomhairle) within seven days of the date and official starting time of the match
- b) Lodged together with the appropriate fee as set out in Rule 21.3
- c) The exact grounds of the objection are set out
- d) The text of the rule(s) alleged to have been infringed are quoted

If the above conditions are met an objecting party shall have the right to be heard by the relevant THDC.

The secretary of the committee with which the objection has been properly lodged shall:

- Send a copy of the objection or counter-objection to the defending party or objector (in the case of a counter-objection) within three days of receipt of the objection or counter-objection
- Notify all interested parties of the objection/counter-objection and of the result of the hearing of same
- Furnish any party involved with copy extracts of relevant official records or documents upon written application. The application must be made when the objection/counter-objection is submitted

Hearing

- A unit will be represented by up to two of its full members
- A member of the committee hearing the objection who is a member of any unit or has a role in relation to any team or unit involved in the proceedings shall stand down from the committee adjudicating the proceedings
- The objecting and counter-objecting parties will be given seven days prior notice of the date, time and venue of the meeting by the relevant THDC at which the objection/counter objection is to be heard. The objection must be heard within 14 days of receipt of the fee for the objection from the objecting unit
- Each party may, with permission from the chair of the committee hearing the appeal, may introduce witnesses. Permission must be sought in writing from the committee at least five days prior to the date of the hearing

Decision

- A decision will be made following the hearing. If possible the decision will be verbally notified at the meeting. The decision will be confirmed and officially notified by the secretary of the relevant unit to all parties within five working days of the decision being made
- Where an objection or counter-objection is successful the fee paid will be refunded to the successful party

1) Club objects re decision of County Board THDC		
	Win →	
Club objects re decision of County Board to Provincial Council THDC	→	1) End of process for the club 2) County Board can appeal to National THDC
↓		
Lose		
	Win →	
Club appeals to National THDC within 10 days of receipt in writing of decision/date of decision - refer to appeals process	→	1) End of process for the club 2) Provincial Council can appeal to National Appeals Cttee
↓		
Lose		
End of process for the club		
2) County Board objects re decision of Provincial Council THDC		
	Win →	
CB objects re decision of PC to National THDC	→	1) End of process for the CB 2) PC can appeal to National Appeals Cttee
↓		
Lose		
	Win →	
CB appeals to National Appeals Cttee within 10 days of receipt in writing of decision/date of decision - refer to appeals process	→	1) End of process for the CB
↓		
Lose		
End of process for the CB		

CB = County Board

PC = Provincial Council