

AUS CODE OF BEHAVIOUR

Extract of AUS Disciplinary & Disputes Policy

2016

This is an extract of section 4 of the AUS Disciplinary & Disputes Policy. To review the full policy document please see the [AUS website](#).

1. What is the code of behaviour?

- 1.1. This code sets out the types of behavior that will not be acceptable during an AUS endorsed event and the consequences for such behaviour occurring.
- 1.2. This code is established to ensure that the highest possible standard of intervarsity competition occurs during the event.
- 1.3. This code supports AUS's desire to encourage and promote excellent sportsmanship and appropriate standards of behaviour, including fair play on and off the field.
- 1.4. This code is not intended to restrict or hinder person's having fun and participating in a competitive manner in the event.
- 1.5. It is important to note that this code may apply in addition to any code or other disciplinary requirements of the person's University, sport governing body and will be referred to the police where appropriate.

2. Who does the code apply to?

- 2.1. This code applies to:
 - a) all persons competing in the event
 - b) spectators at the event
 - c) all persons officially appointed to any team or individual competing in the event, such as coaches, managers and health professionals
 - d) all officials appointed by AUS or the Hosts who are involved in the event, including umpires, referees
 - e) all employees or agents of AUS, and the Hosts
- 2.2. Collectively referred to as persons in this code.

3. When does this code apply?

- 3.1. The code applies from the time of the commencement of the event on day one to the conclusion of organised activities on the last day including:
 - a) during games and competitions in the event
 - b) all official and unofficial social functions of, or associated with, the event that occur regardless of whether they occur before, during or after competition

4. What behaviour is in breach of this code?

- 4.1. Any person who does, or is involved in, any of the following types of behaviour shall be in breach of the code:
 - a) consuming alcohol unless in an approved area, in line with relevant liquor licensing regulations.
 - b) being unduly intoxicated at any event venue or official and unofficial social functions of, or associated with, the event.
 - c) breaching the AUS's doping by law
 - d) a breach of the illicit drugs in sport policy
 - e) failing to comply with a reasonable direction of an event official
 - f) harassment or bullying of another person
 - g) hazing
 - h) nudity
 - i) acting in an unlawful manner
 - j) abuse (verbal and/or physical) of an event official
 - k) damage to property

- l) acting in any other manner which brings the event, AUS and/or the hosts (including any employee, official or agent of such organisations) into disrepute

5. What happens if this code is breached?

- 5.1. If AUS receives information which is in breach of this code, AUS shall:
 - a) investigate the alleged breach, and if satisfied that a breach may have occurred, refer the matter to a hearing, under clause 6
 - b) The hearing will be conducted by the AUS judiciary committee which will convene within a reasonable time after the completion of the event and will resolve all matters arising from the previous event(s) just completed

6. How are hearings conducted?

- 6.1. Upon the steps in clause 5.1 being satisfied, AUS will:
 - a) give written notice to the person stating:
 - i. the nature and details of the alleged breach
 - ii. the date, time and place for a hearing
 - iii. the person's right to representation
 - iv. the composition of the disciplinary committee
 - v. providing a copy of this code
 - b) give written notice to the person's university stating the details in (a) above
 - c) appoint a disciplinary committee to determine the matter within 24 hours of giving the notice in (a)
 - d) As previously indicated, at the sole discretion of the AUS CEO or their nominee, if AUS considers the alleged breach serious, the athlete may be provisionally suspended immediately and until the determination of the matter by the judiciary committee. For the avoidance of doubt, where a provisional suspension is imposed, that person will have their Games accreditation removed and cannot continue to compete until the determination of the matter by the judiciary committee (which shall occur within a reasonable time after the conclusion of the event). Where imposed, any period of provisional suspension shall, to the extent practicable or relevant, be credited against any subsequent sanction imposed.
- 6.2. At the hearing, the disciplinary committee will determine whether the person has breached this code, as alleged in the notice (sent in clause 6.1(a)); and if so, what sanction, if any, shall apply.
- 6.3. Legal representatives or legal advocates are not permitted to appear before the judiciary committee unless in exceptional circumstances and where leave to appear has been granted by the chairperson.
- 6.4. The judiciary committee may determine the procedure for the hearing as it considers fit, and with as little formality and technicality and as quickly as proper consideration of the matter permits.
- 6.5. The onus is on AUS to prove that the alleged breach of this code occurred.
- 6.6. The disciplinary committee shall give its decision as soon as possible after the completion of the hearing. It is not required to give reasons or record its decision in writing.

7. What penalties can be imposed?

- 7.1. If the disciplinary committee is satisfied the person did breach the code it may impose any one or more of the following penalties:
 - a) suspend the person from the next game or fixture in the event in which s/he is due to compete
 - b) suspend the person from competing in the event for one or more days of the event
 - c) suspend the person from competing in the event for the balance of the entire event
 - d) suspend the person from future AUS events indefinitely or for a set period of time
 - e) withdraw any or all awards, placings and records obtained by that person or that person's team, during the event
 - f) ban the person from being involved in the event in any form whatsoever including being present at event venues, and official functions of the event
 - g) fine the person

- h) reprimand the person
- i) recommend to the person's university and / or sport governing body that a penalty or additional penalties be imposed by it
- j) any other penalty the disciplinary committee thinks appropriate in all the circumstances

7.2. In addition the person may be disciplined by the university, which they represent, and/or be prosecuted by the police.

8. How can a person appeal a decision?

8.1. The defendant, any other party to the proceedings, or the executive (appellant) may, appeal a decision of the judiciary committee. To appeal a decision, the appellant must, within two (2) days of the decision submit their appeal . in writing to the AUS board under the guide of section 25 of the AUS constitution.

9. What do words in the code mean?

9.1. The words used in the code mean the following:

- **AUS** means the Australian University Sports Limited
- **Chief executive officer** means AUS CEO
- **Code of Behaviour** or **Code** means the AU Code of Behaviour provided in section four of this policy
- **Doping by law** means the doping policy of AUS which prohibits the use of prohibited substances and prohibited methods.
- **Event** means any event sanctioned and endorsed by AUS and includes the sport and social programs relating to that event.
- **Event official** means a person appointed by AUS or the host to assist it in staging the event, and includes security officials
- **Hosts** mean the hosts of the event
- **Illicit Drugs in Sport Policy** means the AUS Illicit Drugs in Sport Policy as amended from time to time
- **Judiciary committee** means the committee appointed by AUS to hear and determine alleged breaches of this code.
- **Person** means a person to whom this code applies as specified in clause
- **President** means President of AUS
- **Registers** means the process of registration of participants for the event
- **Unduly intoxicated** means definition that is applied in relevant state liquor legislation in which games are being conducted.
- **Venue** means any venue on which games, events and competition is being or was played during the event