

Issue	Background	Amendment	Clause
Underage Players	We have recognised the need to allow and encourage Unions to adjust the disciplinary process for Underage Players to take into account the age, truncated seasons and the importance of education and development at this stage of their participation in Rugby.	<p>The Rules now allow Unions the flexibility to adjust the size, composition and hearing approach for Underage Players.</p> <p>We have also: (i) included the World Rugby Sanctions for Foul Play (Regulation 17) Adjusted for Underage Rugby; and (ii) allowed Judicial Committees to augment playing sanctions with non-playing sanctions where appropriate.</p>	For example, clauses 5 and 14 (non-exhaustive)  Appendix 2
Reg 17 and Sanctions Table	The current version of the Disciplinary Rules has WR Reg 17 as an appendix and cross refers to various sections of WR Reg 17 throughout. This makes the Rules cumbersome. The rules are comprehensive and cover all the core principles of WR Reg 17 and so should be a standalone document (with only the WR Reg 17 sanction table being extracted as an appendix).	We have included the current sanction table from WR Reg 17 (including Under Age sanctions table) in the Rules as an appendix and deleted references to this regulation throughout the document (other than the preamble where it is made clear that the Rules reflect the spirit and intent of WR Reg 17).	Appendix 1
Timing Provisions/Form of Documents	<p>The Rules currently contain prescriptive timings for various events e.g. time to refer a citing, time to submit a referee report etc. Feedback indicated that all competitions work to different timings and require some flexibility.</p> <p>Similarly, feedback has been received that certain Unions/Competitions may wish to use their own templates for referees reports, citing complaints etc.</p>	<p>The Rules have been amended to allow Unions flexibility to create their own timings, whilst ensuring that default timings are in place if the Union does not choose to provide its own schedule to those teams and participants in their competition.</p> <p>An example timing schedule has been included as an appendix to the Rules (see appendix 9).</p> <p>It has also been clarified that the template documents contained as appendices (e.g. referee reports, citing commissioner reports etc.) are simply there to assist. Unions are not bound to use those templates if they have a suitable alternative.</p>	For example, clauses 29 and 41 (non-exhaustive)
Role of the Citing Commissioner	There was considerable confusion about the role of a citing commissioner - in particular, whether he or she could be engaged post-match to review incidents and not just appointed (and attending) to a specific match. We acknowledge that, at community level, citing commissioners	The role of the Citing Commissioner, the fact that he/she can be appointed either directly to a Match or post-Match to review a Citing Complaint made by a Union or Rugby Body and the process for doing so has been clarified.	Clause 32 to 38

	are largely being used post-match and so the rules should clarify that this is catered for.		
Early Admission of Breach Sanction	Feedback indicates that the Early Admission of Breach Sanction process has been working well. The feedback we have received is that some Unions have, in addition to the requirement that the offence must have a low-end entry point of 2 weeks or less, included additional parameters/restrictions e.g. only where the Player has a clean disciplinary record.	The Rules now recognise that the Duty Judicial Officer may, in consultation with the Judicial Committee and Union, set additional parameters/restrictions for when a Player may be offered an Early Admission of Breach Sanction.	Clause 24
Citing Complaints for matters already detected by a Match Official	The current version of the Rules state that Citing Complaints (e.g. by Rugby Bodies or Unions) cannot be made for matters detected by Match Officials. However, a Citing can be made by a Citing Commissioner appointed directly to a Match regardless of whether the matter had been detected and dealt with by a Match Official. This results in inconsistency and creates difficulty for Unions. Feedback from Unions is that removing this restriction would not drastically increase the number of complaints.	This restriction on Citing Complaints is removed so that the citing process is the same irrespective of whether the citing commissioner attended the match or is engaged post-match.  Flexibility has been included for Unions to charge a fee for a citing complaint to discourage frivolous claims.	Clause 33
Use of Technology by Citing Commissioners appointed to a Match	It has been recognised that, whilst it is preferable for Citing Commissioners appointed directly to a Match or Tournament to be in attendance, this may not always be practicable. Technology (live streaming etc.) is already being used in various Matches/Tournaments and is working well.	The Rules would now allow, where available, for technology to be used by the Citing Commissioner to view the game rather than attend in person.	Clause 40
Participation of player(s) subject to a Citing or Citing Complaint	Whilst Players subject to an Ordering Off are automatically suspended from further participation until a Judicial Committee hearing is held on the matter in question, the situation is more complex for citings that may be made in the days that follow the game in question. This	It is proposed that a Player the subject of a Citing from a Citing Commissioner attend a hearing at the earliest possible opportunity. If the Union has not scheduled a hearing prior to the Player's next game, he or she would not be prevented from participating in that game.	Clause 59

	is particularly the case when hearings from the weekend's game have already been heard.		
Misconduct Complaints	<p>The Rules currently include "Misconduct" and "Misconduct Complaints". Review of the Australian Rugby policy landscape has made clear that this type of behaviour should instead be covered by the Australian Rugby Code of Conduct or Member Protection Policies.</p> <p>The Australian Rugby Code of Conduct has recently had a substantial re-write and would cover all items constituting Misconduct in these Rules (including a person's conduct at a hearing).</p>	In order to avoid duplication amongst policies, these Rules now deal solely with on-field foul play and all behavioural/ misconduct matters are dealt with in the Australian Rugby Code of Conduct or Member Protection Policies.	N/A
Challenge of Yellow Cards/ Citing Commissioner Warnings	<p>Feedback from various Unions indicated that challenges to yellow cards/CCWs are problematic – both in principle and practice.</p> <p>Principle - It is very difficult for a JO to review a yellow card challenge as there are various many reasons it may have been issued (multiple warnings throughout the match, team yellows etc.). Referees should be supported in their decisions.</p> <p>Practical – obtaining yellow card reports from referees and having referees provide explanation/give evidence for yellow cards is a logistical burden on Unions.</p>	<p>It is proposed that the ability to challenge be limited to cases of mistaken identity.</p> <p>Unions would have three options to choose from regarding the timing to hear the mistaken identity challenge of the yellow card/CCW. Procedural fairness must however be provided to the player.</p>	Clause 29
Further accumulation of yellow cards or Citing Commissioner Warnings	Currently, a player that has received a combination of three yellow cards or Citing Commissioner Warnings in a season/tournament has a clean slate after serving an automatic one match suspension.	<p>These provisions have been amended such that:</p> <p>(i) A Player that receives three yellow cards or Citing Commissioner Warnings in a season/tournament is automatically suspended for one game; and then</p>	Clause 30

	Feedback received indicated that players may 'game' the process by intentionally committing a third yellow card offence in the lead up to important matches in an attempt to gain a clean slate and ensure availability for such matches. It was also felt that players should be provided with greater discouragement from further accumulation after their initial suspension.	(ii) The Union may elect (so long as they notify prior to the commencement of the Tournament, Competition or Series of Matches), that either: <ul style="list-style-type: none"> <li>for each additional yellow card/ Citing Commissioner Warning, the Player is suspended for one Match and must attend a hearing to determine any further sanction; <u>or</u></li> <li>after two additional yellow cards/ Citing Commissioner Warnings, and then each additional, the Player is suspended for one Match and must attend a hearing to determine any further sanction.</li> </ul>	
Composition of Judicial or Appeals Committees	The Rules require a Judicial Committee to include at least one lawyer or former lawyer still eligible to practice. Whilst this should always be possible for multi-week tournaments, feedback suggested that this may not always be practicable for regional or ad hoc matches and tournaments.	A Judicial Committee should only operate without a practicing lawyer (or former lawyer) in <i>exceptional circumstances</i> and with <i>approval of the Union</i> .  Rugby Bodies will need to exhaust all options available to it to constitute exceptional circumstances. The Union approval process will also ensure that <i>exceptional circumstances</i> are exactly that.	For example, clauses 8 and 13 (non-exhaustive)
Statutory declarations	The Rules currently require certain submissions by Rugby Bodies or Unions to be accompanied by one or more statutory declarations i.e. a Citing Complaint by a Union or Rugby Body. Feedback indicated that this requirement may be overly burdensome.	Statutory declarations are only required when requested by a Union or Judicial Committee.  However, the requirement to provide a statutory declaration confirming that there is no footage available from a game has remained.	For example, clauses 21 and 48 (non-exhaustive)  Clause 21
Clemency for Long-Term Suspensions	We received certain queries regarding the potential return to play for participants with long term/life suspensions. Neither the rules, nor WR Reg 17, cater for this scenario. There was discussion as to appropriate period that	A clemency application process has been inserted allowing a player that has served eight years of a long-term suspension to apply to return. This would require approval of the ARU CEO who would consult the Unions, National Judicial Committee and WR before making a decision.	Clause 123

	could be served before clemency could be considered.		
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