

## **Victorian Bridge Association**

### **Disciplinary By-Laws Adopted May 2019**

These by-laws apply to any bridge event run under the direct control of the Victorian Bridge Association (VBA).

#### **1 REPORTING A BREACH OF THE CODE OF CONDUCT**

- 1.1 A complaint may be submitted by:
  - Any player participating in a session during which an alleged breach occurs
  - Any individual affected by a breach occurring outside of a session
  - The Director
- 1.2 A written complaint must reach the offices of the VBA within 7 days of the date on which the breach is alleged to have occurred.
- 1.3 The accused person(s) will be informed by the club within 7 days of receiving the complaint that a complaint has been submitted.
- 1.4 Complaints against directors, staff or officers of the VBA are not subject to these by-laws. Such complaints should be submitted directly in writing to the Secretary of the VBA.

#### **2 THE DISCIPLINARY PROCESS**

- 2.1 All complaints will be considered by the Chairman of the Disciplinary Committee, who will interview the complainant, the accused person(s) and any other relevant parties. If the complaint is sustained, the Mandatory Penalties as listed hereunder will be applied, and the accused person(s) and complainant informed in writing accordingly.
- 2.2 Having been informed of the outcome, the accused may appeal the decision and request a Disciplinary Hearing to be held before the full Disciplinary Committee (which will consist of the Chairman of the Committee plus between 2 and 4 other members as appointed by the VBA Council). In such an event, the reasons and grounds for requesting a Hearing are to be set out in detail. The request is to be submitted to the office of the VBA in writing within seven (7) days of being informed of the sentence imposed.
- 2.3 In the period between an applied suspension and the outcome of the Disciplinary Hearing, the accused may only continue playing at the VBA at the discretion of the President of the VBA.
- 2.4 The accused is entitled to be represented before the full Disciplinary Committee by another member of the VBA or by a lawyer, who need not be a member of the VBA. If the accused disputes facts found by the Chairman witnesses may give evidence on matters relevant to the findings of fact.
- 2.5 The full Disciplinary Committee has the option of acquitting the player, varying the applied penalty within the range specified below, or modifying the offence under which the player is charged and applying the appropriate mandatory penalty for the modified offence. An appeal considered by the Disciplinary Committee to be

frivolous or vexatious may attract an increased penalty within the range specified below.

### 3 MANDATORY PENALTIES

- 3.1 Should a person be found guilty of committing an offence, the Mandatory Penalties as listed below shall be applied.
- 3.2 If he or she is found guilty of more than one offence, committed on the same occasion, a cumulative sentence may be imposed.
- 3.3 All or part of the sentence may be suspended for a period, as is deemed fit.
- 3.4 No part of a sentence may be suspended for a second or subsequent offence committed within ten (10) years.
- 3.5 Any suspended sentence imposed for a first offence must be added to the sentence for a second offence, provided the period for which the suspended sentence was imposed has not expired.
- 3.6 If a person is found guilty of any subsequent offence even if other than the offence of which he was first guilty, it shall be deemed to be a second offence unless the person can show reason why it should not be so.
- 3.7 For the purpose of second and subsequent offences, an offence will remain on the person's record for seven (7) years.
- 3.8 In the table of Mandatory Penalties, "D" indicates that the penalty is discretionary, "L" indicates a lifetime suspension, "W" indicates a warning and numbers indicate the number of weeks of suspension.

Table 1 – MANDATORY PENALTIES

	<b>Offence</b>	<b>Penalty 1<sup>st</sup> offence</b>	<b>Penalty 2<sup>nd</sup> offence</b>	<b>Penalty 3<sup>rd</sup> or later offence</b>
1	Verbal abuse of an opponent or partner	W-12	4-24	8-52
2	Verbal or written abuse of an Official, or worker (whether paid or not) of the VBA in the context of their duties at the VBA	2-12	4-24	8-52
3	Making any racial, religious or cultural remark or comment to which offence might reasonably be taken.	W-12	4-24	8-52
4	Use of crude or abusive hand signals or gestures.	W-4	2-8	4-24
5	Threat of assault or physical interference	W-12	2-12	4-24
6	Physical interference without intent to cause grievous bodily harm	8-12	12-52	52-L
7	Physical interference with intent to cause grievous bodily harm	L		
8	Engaging in public acts of misconduct or unruly public behaviour whilst representing the VBA	W-12	2-24	4-52
9	Presenting at a session in an intoxicated state, or becoming intoxicated during the course of a session	W-12	2-24	4-52
10	Wilful damage or abuse of playing cards, scoresheets, bidding pads, bridgemates or other equipment or property	W-4	2-8	4-16
11	Persistent non-premeditated breaches of the Laws of Bridge with the effect of gaining and unfair advantage and/or unauthorized information	4-12	12-24	12-52
12	Use of pre-arranged illegal understanding or method with intent to gain an unfair advantage and/or unauthorised information	26-52	L	
13	Breach of the VBA's parking policies	W	W-2	2-4
14	Any other offence not specifically covered by any of the above	D	D	D

Legend: "D" indicates that the penalty is discretionary, "L" indicates a lifetime suspension, "W" indicates a warning and numbers indicate the number of weeks of suspension (from playing in congress events subject to these regulations).