



RULES AND REGULATIONS

Bradley D Basson
President

VERSION:-2013

INDEX

<u>Description</u>	<u>Rule</u>	<u>Page No.</u>
A <u>ADMINISTRATION</u>		
Interpretation Clause	1	3
Affiliation of members and regions	2	4
Change of constitution	3	4
Annual returns, books of accounts	4	4
Register of members	5	5
Registration and transfer of players	6	5
Clearance, transfers and international clearance and transfers	7	7
Registration of home grounds and club colours	8	8
Selections of players	9	10
National trophies	10	9
Representative duty	11	10
Amalgamation of clubs	12	10
Break-aways from existing clubs	13	11
Sponsorships, admission fees and levies	14	11
Entrance fees for any matches	15	11
General	16	12
Subscription and affiliation fees	17	12
Annexure 1 (Players Registration form)		24

B COMPETITIONS AND LEAGUE RULES

League competition rules	18	13
Fixtures, postponements, late arrivals	19	17
Composition of leagues, player's registration, team lists, home teams, regrading of players, team withdrawals	20	18
Identification of players	21	20
Competitions entries, sanction of tours, competitions and matches	22	20

C MATCH OFFICIALS

Match officials	23	22
-----------------	----	----

D LEGAL

NRU Regulations on Disciplinary Matters	24	27
---	----	----

RULE 1

INTERPRETATION CLAUSE

1.1 In the Rules, unless the context indicates otherwise;

Affiliate	means a rugby club, referees organization or coaches organization which is affiliated to the Union
Complaints Review Committee	means a committee established for the purpose envisaged in rule 24.8, and which shall consists of one member of the Governance Committee and one member of the Rugby Committee
Day	means a period of twenty four consecutive hours
Financial year	means the period prescribed from 01 January till 31 December of each respective year
Foreign player	means a player who is not a Namibian citizen or who is not in possession of a Namibian permanent resident permit
Gender	the reference to any gender will include the reference to the other gender, and <i>visa versa</i>
IRB	means the International Rugby Board
League	means a number of clubs approved by the Board and playing Union rugby on an amateur or non-amateur basis
Member	means a region, rugby club, referees organization, schools or supporters club which is affiliated to or associated to the Union
Month	means a period of thirty consecutive days
National Sports Council	means the Namibia National Sports Council
Prescribed	means determined by or under these rules and regulations
Region	includes, the regions mentioned in Schedule II to this Constitution, a regional league, or district league
Board	means the Board elected at the AGM held
Rugby season	means the period of consecutive months as prescribed by the Board, during which union rugby is played
Union	means the Namibia Rugby Union
Union Rugby	means the game specifically controlled by IRB and as regulated by the Laws of the game

Week means a period of seven consecutive days

1.2 A word or phrases to which a meaning has been assigned in the Namibia Rugby Union Constitution shall bear the same meaning in these Rules and Regulations. Where any difference exists the meaning assigned in the Constitution shall prevail.

A. ADMINISTRATION

RULE 2

AFFILIATION OF MEMBERS AND REGIONS

2.1 A region, Club or organization, which wishes to be affiliated to the Union, shall:

- (a) apply to the Board in the prescribed manner, which application shall contain information as near as possible as set out in Form 1 of Schedule 1 to the NRU constitution;
- (b) lodge its Constitution together with colours with the application form;
- (c) pay the prescribed affiliation, guarantee fees or other prescribed fees by the date determined by the Board.

2.2 The Board shall consider all applications for affiliation in terms of clause 20.1.1 of the Constitution and present it to the next AGM.

RULE 3

CHANGE OF CONSTITUTION

3.1 No Member shall amend or alter its Constitution or Rules and Regulations without submitting such alteration or amendment to the Board for approval or rejection and the amendment or alteration shall only come into force after the Member concerned has received written notice that the amendment or alteration has been approved.

3.2 The Board shall not unreasonably withhold approval of the amendment or alteration sought in terms of sub rule 3.1 except where the proposed amendment or alteration is in conflict with the NRU Constitution and/or its Rules, or with the Statutes, Rules and Regulations of IRB.

3.3 The provisions of Rules 2 and 3 shall with the necessary changes and adaptation apply to clubs, which wish to affiliate to any Member.

RULE 4

ANNUAL RETURNS, BOOKS OF ACCOUNTS

- 4.1 Each Member shall submit such annual returns as may be required by the Board on or before the closing date determined by the Board.
- 4.2 A Member, or an affiliate shall keep proper Books of Account which shall be produced by that Member or affiliate to the Union within one month when so requested by the Board.
- 4.3 The Board may require a Member to submit a true copy of its Balance Sheet and Revenue and Expenditure Account for the previous year if it deems such action necessary.

RULE 5

REGISTER OF MEMBERS

- 5.1 Each Member shall register with the Union an address to which all correspondence shall be sent and when there is a change of address the Union shall be informed of the change within 14 days.
- 5.2 A notice or other communication addressed or sent by the Union to a Member, or an affiliate at the registered address shall:
 - (a) in the cases where the notice or communication has been sent by registered mail be deemed to have been received within five working days from the date it was sent;
 - (b) in the case where the notice or communication has been sent by facsimile or email, be deemed to have been received within 8 hours from the time of sending.
 - (c) in the case where the notice or communication has been hand delivered, be deemed to have been received on delivery.

RULE 6

REGISTRATION AND TRANSFER OF PLAYERS

- 6.1 Any player who desires to play for a club or Region affiliated to the Union shall first be registered by the Union before that player may start playing.
- 6.2 The registration procedure shall be as follows:
 - (a) the player must complete the registration form prescribed or approved by the Board and shall personally sign the form;
 - (b) subject to Rule 7, the player shall, if necessary, submit a valid transfer certificate from his or her previous club or Union as the case may be;

- (c) the Club Secretary of the club or any official empowered by the club that wishes to register a player shall submit the registration form together with any other document as may be prescribed by these Rules or by the Board to the Office of the Union.

6.3 (a) The Club Secretary of the club that wishes to register a player or any other official empowered by that club, shall inspect all documents to be submitted, and shall take reasonable steps to ensure that the information contained in the documents is accurate.

(b) A club and/or player, which submits documents that it knows contains false information commits an act of misconduct.

(c) A player who wishes to take part in an age-group competition shall submit an original or certified copy of his Birth Certificate or other satisfactory proof of his date of birth.

6.4. The Office of the Union shall inspect the documents submitted in terms of this Rules and where it is satisfied with the contents of the documents shall on payment of the prescribed fees register the player in the books of the Union, but where the Union is of the opinion that a player or club submitted false information, the application for registration may be rejected by the Union and the Union may lay a charge of misconduct against the club or player or both.

6.5 No player shall be registered for more than one club at the same time.

6.6 Subject to Rule 7, registration for players will close at 17h00 on 25 March each year. All late registrations will be handled on an ad-hoc basis.

6.7 Once a player has been registered with a club in terms of these Rules that player remains a registered player of that club until when any of the following events occur;

- (a) the club informs the Office of the Union that the player is redundant and may be cleared from the club's books;
- (b) the player resigns from the club and is granted a clearance by the club in accordance with Rule 7;
- (c) the player's registration with a club is cancelled by the Union.

6.8 Every Club must submit to the Office of the Union a copy of a written agreement between each foreign player and the club, which agreement is an undertaking by the player to render his or her services to the club during the period specified in the agreement.

6.9 A club may register a maximum of six foreign players in any one rugby season, but may only use four foreign players in a given match.

6.10 Any player who plays in a league, tournament or other competition match under the jurisdiction of the Union and any club which allows a player to play in a league, tournament or other competition match under the jurisdiction of the Union without that player having been registered in terms of these Rules, commits an act of misconduct.

6.11 No schoolboy/girl shall register as a playing member of a club or partake in any practice or game of that club, unless:

- (a) The obligations of **NSSR (Namibia Senior Schools Rugby)** is fulfilled;
- (b) He/she does have written clearance from the management of **NSSR** to play for a club;
- (c) He/she has written permission from his/her parents or guardian as well as his/her school principle to do so;
- (d) He/she is at least 18 years of age.

RULE 7

TRANSFERS AND INTERNATIONAL CLEARANCE

- 7.1. **Players can only transfer from one club to another club once a year during the mid-season transfer window.** A club may not refuse to issue a clearance certificate to a player, except where the player has outstanding registration fees for any year with the club he wishes to transfer from or where the player has not fulfilled his contractual agreement with that club. No other disputes will be allowed or considered.
- 7.2. **Transfers outside the transfer window will only be allowed when a player changes domicile from one town to another and where the player has complied with his obligation (s) referred to in clause 7.1.**
- 7.3. When a player has requested a clearance certificate in terms of Rule 7.1 and 7.2, and that clearance certificate is refused, the player may, seven days after the request for his clearance was refused, request the Rugby Sub-Committee to consider the request for clearance and make a ruling.
- 7.4. A dispute which relates to the clearance and transfer of a player, including a dispute which relates to:
 - (a) the registration fee;
 - (b) the fulfillment or non-fulfillment of contractual obligations; or
 - (c) a club's refusal to clear or transfer a player, shall be referred to the Rugby Sub-Committee.
- 7.5. A club or a player which or who is not satisfied with the decision of the Rugby Sub-Committee given in terms of Rule 7.4 may not later than seven days from the date the decision is communicated to him appeal to the Board whose decision on the appeal shall be final. The Board shall not hear an appeal which is not lodged as prescribed in this Rule.
- 7.6. Any player who is registered or contracted with a club or province which is affiliated to a Union which is outside the NRU's area of jurisdiction, shall comply with the Regulations governing the Status and Transfer of players passed by the IRB in compliance with the IRB Statutes, before the player may be registered with any club which is affiliated to the NRU.

7.7 If the player is a student, the foreign Union must give a once off clearance for the particular player for his/her holidays within the year concerned, to play in Namibia. The player shall not be legitimate to play unless the clearance is in possession of the Union.

7.8 For all professional players, clearance in terms of Rule 7.6 shall apply. The player shall not be legitimate to play unless the clearance is in possession of the Union. Clubs may approach the Union in writing to assist in obtaining clearance certificates/letters from foreign Unions.

7.9 Any player who is registered with a club which becomes defunct or which voluntarily disbands or which withdraws all its teams from a particular competition or league or age group, may request the Rugby Sub-Committee to cancel his registration with that club if that club was in good standing with the League to which the club was affiliated or the player has paid a pro rata share of the moneys outstanding as may be determined by the Rugby Sub-Committee.

7.10 Transfer of players shall take place in the prescribed transfer window period, which will be determined by the Board each year at the beginning of the rugby season. If no determination is made by the Board, for any given year, then the dates determined and/or applicable in the previous year will prevail. In this regard, it is recorded that the transfer period for 2013 shall be from 15 July 2013 till 29 July 2013.

RULE 8

REGISTRATION OF HOME GROUND, AND CLUB COLOURS

8.1 (a) Each club shall, before or on the 1st of April of each year, registered its home ground in writing and its first choice (home) or second choice (away) colours (i.e. Jerseys, shorts and socks) with the Union. Home ground for all clubs outside Windhoek, shall in terms of this Rules and Regulations, be the home Town of the particular club.

(b) After this given date, the Referees Society shall inspect all registered grounds and will complete a report of all the registered Grounds to the NRU. If a ground does not comply with the minimum requirements as a C graded Ground, that Ground shall not be qualified to hosts any rugby matches under the jurisdiction of the NRU until it reaches the minimum requirements as a C graded Ground. In such a case, the Union will rule that the match been played on any neutral field sanctioned as safe by the match referee or the Union. If still not safe, the match will be played on the field of the opposition team.

(c) If any club be ruled by the Union or Disciplinary Committee not to play on his home ground for any mentioned period, that particular club shall play all his matches on the field of the opposition team.

8.2 Grounds shall be graded into three categories namely A, B, C.

8.2.1 An A graded ground must comply with the following:

(a) Minimum requirements in terms of The Laws of the Game, Law 1

(b) Permanent structures to erect barriers around the field.

- (c) Technical zone as prescribed by the IRB.
- (d) At least two changing rooms with showers.
- (e) Public ablution facilities.

8.2.2 A B graded ground must comply with the following:

- (a) Minimum requirements in terms of The Laws of the Game, Law 1
- (b) Permanent structures to erect barriers around the field.
- (c) Technical zone as prescribed by the IRB.

8.2.3 A C graded ground must comply with the following:

- (a) Minimum requirements in terms of The Laws of the Game, Law 1
- (b) Permanent structures to erect barriers around the field.

8.3 The Union shall distribute the registered home ground and first and second choice colours of the clubs affiliated to it amongst the clubs and to the Referees Society.

8.4 Each club shall wear and use its first and second choice colours as registered by it during that rugby season.

8.5 When the colours of two competing clubs are alike or similar, the club which is playing away from its registered home ground shall change to its second choice (away) colours provided that these do not substantially include any of the first choice (home) colours of the club which is playing at its registered home-ground.

8.6 When the colours of two teams meeting in the quarter finals or semi finals or finals are alike or similar, the club who ended highest on the log after completion of the round robin matches will have first choice on playing in their first choice (home) colours.

8.7 Every club must provide its players with a complete set of uniforms that must include jerseys, shorts and socks. Non-compliance of this rule will lead to a counseling process between the Union and the clubs under review for a period of two weeks, and after that, if the club being found guilty of the same offence, the Union shall have the power to discipline the club.

RULE 9

SELECTION OF PLAYERS

9.1 The Board or a league, which organizes a cup competition or tournament, may make Rules governing a specific competition, but when no Rules have been made Rule 9 shall apply.

9.2 The Board or a committee appointed for such purposes may nominate or invite clubs to nominate players registered in their club to attend trials, practice matches or training sessions for selection to a Representative team. The nomination or notice of invitation shall reach the player or club, not later than 2 (two) weeks before the

trials, practice match or training session commences, except in exceptional circumstances where a shorter, but still reasonable notice, shall suffice.

9.3 When a player who has been nominated to attend trials or practice match or training session fails to attend or that player's club refuses to release the player without good and sufficient reason that player or club commits an act of misconduct and that player shall not play for his club on the date on which he was not available for the trials or practice match or training session.

9.4 The Board shall have first call on players:

- (a) to represent the Union or the country in any match or competition sanctioned by the IRB, or other Regional body. The call period shall include reasonable period required for travelling;
- (b) to represent the Union or the country in preparatory matches or trials arranged by the Board.

9.5 Notwithstanding the provisions of Rule 9.4 the Board may elect not to exercise its right of first call on a player where it believes that such action may be in the best interest of rugby in general and the player concerned in particular.

RULE 10

NATIONAL TROPHIES

10.1 All National trophies are the property of the Union, or where a competition was organized by a Member the trophies are the property of the Member.

10.2 When the team which wins any competition has been ascertained, the Board or the league which has organized the tournament or competition shall award the prize money, souvenirs and trophy if there is any.

10.3 (a) A club which has been awarded a trophy in terms of Rule 10.2 shall return the trophy to the Board or the league on or before the date prescribed by the Board or league, but in any event not later than 30 days before the final of the competition is played.

(b) The trophy must be kept in a good condition. If the trophy gets lost, destroyed or damaged while it is under the custody of a club, that club shall refund the Union or the league the amount used to replace or repair a lost or damaged trophy.

(d) The Board or the league shall ensure that the name of the club that has won a competition is engraved on the trophy or the replaced trophy.

RULE 11

REPRESENTATIVE DUTY

11.1 The Board may:

- (a) enter a team to represent the Union or country in any International, Continental, Regional or National Competition;
- (b) arrange trials to select players for a Representative team;
- (c) arrange practice matches or training sessions for the selected players of Representative teams;
- (d) arrange or accept invitations to attend functions of any nature for players selected for Representative teams.

11.2 (a) The Board, or a committee appointed for such purposes may nominate or invite clubs to nominate players to attend trials, practice matches or training sessions to a Representative team.

(b) The nomination or notice of invitation shall reach a player or club at least four days before the trial, practice match or training session commences.

RULE 12

AMALGAMATION OF CLUBS

12.1 Where two or more clubs are desirous of forming one club by combining such clubs, only one of the clubs shall be deemed to continue to exist and the other club or clubs shall be deemed to have disbanded.

12.2 If such amalgamation results in changes to the Constitution of the club that continues to exist, which may include the name of such club, such changes shall be submitted to the Board or League to which the club is affiliated for approval or rejection in terms of Rule 2.

12.3 The rights as to positions in the league and voting powers of the club that continues to exist shall be retained by the new club, but the rights of any or all the club or clubs that disbanded shall be extinguished.

12.4 The Board or league may allow the registrations of player that were previously members of the disbanded club or clubs to be transferred to the club that continues to exist without clearance being granted, at its discretion.

RULE 13

BREAK- A-WAYS FROM EXISTING CLUBS

- 13.1 Where a group of members or a section of an existing club or clubs is desirous of breaking away from such club, any club formed by such members or group shall be considered to be a completely new club, and shall have to be affiliated as such in terms of Rule 2 and Rule 3.
- 13.2 The newly affiliated club shall not retain any of the rights of the previous club with respect to positions in leagues or voting powers, and shall be allocated such rights as a new club in terms of these Rules.
- 13.3 Players wishing to register for such new club shall have to obtain clearance from their previous club in the prescribed manner.

RULE 14

SPONSORSHIP, ADMISSION FEES AND LEVIES

- 14.1 It shall be the responsibility of the Board to look for and solicit sponsorship(s) for the National Leagues, the Regional Leagues and the National Cup Competitions.
- 14.2 Notwithstanding Rule 14.1, a League or club may solicit or accept an offer of a sponsorship, only after the Rugby Committee has given its consent for such sponsorship.
- 14.3 Notwithstanding anything to the contrary in these Rules, the Rugby Committee shall not give its consent for a sponsorship if:
 - (a) the Committee is of the opinion that the nature or the terms and conditions of such sponsorship are such that it will jeopardize an existing sponsorship of the Union or of the IRB; or
 - (b) the product or services advertised or the nature of such advertisement can be regarded as distasteful or unethical or morally undesirable, or in the case of youth players, it is considered detrimental to the players' age.
- 14.4 The Rugby Committee:
 - (a) may request the terms and conditions of any sponsorship from any league or club;
 - (b) may prescribe the size of advertising worn on players' clothing.

RULE 15

ENTRANCE FEES FOR ANY MATCHES

- 15.1 An admission fee may be charged for any person who attends a league or cup match under the jurisdiction of the Union, excluding players and team officials mentioned on the team lists for the day, as well as the referees who have been appointed to officiate in the match.
- 15.2 The responsibility to collect the entrance fees shall:
 - (a) for league matches, rest on the home club; and
 - (b) for cup competitions rest on the body, association or league organizing such competitions.
- 15.3 The Board shall from time to time prescribe the minimum fees for spectators at league matches, cup competitions and international competition.
- 15.4 The Board shall from time to time prescribe the percentage of the levy or share to be charged to the home club and paid over to the Union.

RULE 16

GENERAL

- 16.1 Any person who contravenes the provision of these Rules commits an act of misconduct.
- 16.2 These Rules form part of the NRU Constitution and may be amended by the Board in accordance with the provisions of Article 20.1.8 of the NRU Constitution.

RULE 17

SUBSCRIPTION AND AFFILIATION FEES

- 17.1 The Board shall determine the registration, subscription, or affiliation fees in respect of registration of each club or player.
- 17.2 The Board may in its discretion levy a participation fee in respect of any club's entry into a particular cup competition.
- 17.3 The fees prescribed under this Rule shall be paid on the date prescribed by the Board, which date shall be before the start of the competition or league as applicable.
- 17.4 (a) Where a member or a club does not pay the prescribed fees within the time prescribed by the Board, the Union shall in writing, inform the Member or club of that fact, and if the Member or club fails to pay or to make arrangements for the payment of the fees, within fourteen (14) days from the date the Member or club receives the notice, that Member or club's rights and privileges may be suspended by the Board.
(b) The Board shall inform the concerned Member or club of the suspension of its privileges and rights in writing.

B. COMPETITIONS, LEAGUES AND RULES

RULE 18

LEAGUE COMPETITION RULES

- 18.1 All league matches shall be played in compliance with the NRU Rules and Regulations and in compliance with the Laws of the Game.
- 18.2 A club may only use a player registered for that club, in terms of these Rules in any league competition under the Jurisdiction of the Union.
- 18.3 A club, which uses an unregistered player or allows an unregistered player to play for it or uses a player who is under suspension or allows such player to play for it commits an act of misconduct.
- 18.4
 - (a) A club may have a maximum of seven substitutes on its team list.
 - (b) A club may only have seven substitutes, and five other officials in the Technical Zone where applicable, and the substitute players shall wear tracksuits or other colours which are different to the colours on the field of play.
- 18.5 The League format of the Union shall consist of:

A. PREMIER LEAGUE

1) NATIONAL PREMIER LEAGUE

The teams and format of the league will be determined by the Board at the start of each year and communicated to all members before start of the particular season.

B. FIRST DIVISION:

- 1.1 The teams and format of the league will be determined by the Board at the start of each year and communicated to all members before start of the particular season.

C. REGIONAL SENIOR COMPETITION

1. The Union will be divided into six (6) Regions exactly as per Board representation. The six regions are as follows:

- Khomas
 - ❖ Western Suburbs
 - ❖ United
 - ❖ Wanderers
 - ❖ Unam

- Hardap
 - ❖ Mariental
 - ❖ Rehoboth
 - ❖ Reho Falcon
- Erongo
 - ❖ Kudus
 - ❖ Erongo Rugby Academy
 - ❖ Walvis Bay
 - ❖ Dolphin
 - ❖ Kudus Bokkies
- North
 - ❖ Oshakati
 - ❖ Grootfontein
 - ❖ Etosha Lions
 - ❖ Otjiwarongo
- Karas
 - ❖ Keetmanshoop
 - ❖ Rosh Pinah Eagles
 - ❖ Ocean Swallows
 - ❖ Oranjemund
 - ❖ Amazone
- Aaus
 - ❖ CATS
 - ❖ Jaguars
 - ❖ Polytech
 - ❖ Windhoek Rugby Club
 - ❖ Reho Pandas
 - ❖ Phoenix

2. It is the responsibility of every region to:
 - 3.1 Select a Management Committee
 - 3.2 Determine the design and colours of the kit
 - 3.3 Determine a representative name (Can be Regional based plus additional name applicable to the region.)
 - 3.4 Determine a logo.
3. The format of the competition will be determined by the Board at the start of each year and communicated to all members before start of the particular season.
4. If a Regional team plays one home and two away games in one season, then the situation will change that they play two home and one away game the next year.
5. If two or more teams are equal on log points, then the semi-finalists will be determined based on the following sequential criteria:
 - 5.1 The team who scored the most tries, and if equal
 - 5.2 The team who scored the most points in away matches, and if equal
 - 5.3 The team with the least number of red cards during the competition, and if equal
 - 5.4 The winner shall be decided by the toss of a coin by Namibia Rugby

D. REGIONAL U/21 COMPETITION

- 1) Rule 18.5 C will apply to the U/21 Regional Competition as well.
- 2) To ensure less travel the **U/21** team will play on the same field (away or home) as the senior regional team.
- 3) The same rules as for the Regional Senior Competition are applicable for the **U/21** competition.

E. NRU SEVENS

All participating clubs will be informed about the NRU Sevens programme, club fixtures, and international fixtures by the NRU office.

F. WOMENS LEAGUE

5. The two teams that finished first and second on the log, qualify to play in the final.

18.6 Match Points System

The following number of match points will be awarded for each match:

Win	4 points
Draw	2 points
4 – 6 tries	1 point
7 or more tries	1 point
Loss by 7 points or less	1 point

18.7 Tied Matches

For quarter finals, semi-finals and finals, if the teams are tied at fulltime, then the winner shall be determined through the following sequential criteria:

- (a) **Extra Time** – following an interval of 5 minutes, extra time of 10 minutes each way, with an interval of 5 minutes, shall be played.
- (b) **Sudden Death** – if the scores are tied at the conclusion of extra time and following an interval of 5 minutes, then a further extra time of 10 minutes maximum shall be played. During this period the first team to score ANY points shall be declared the winner.
- (c) **Kicking Competition** – if after the sudden death period no winner can be declared, a place kicking competition will be organized between the two teams. Five players shall be nominated from each team for the place kicking competition. The referee shall give the mark of kicking where the 22 meter line and the 15m line from touch are crossing. All five kickers of each team shall complete the place kicking competition to determine which side scores the most successful kicks. The team with the most successful place kicks shall be declared the winner. If still tied, than the kicking will proceed on a sudden death format until one team scored the most successful kicks. Each player shall only kick once until all 22 players finished their kicks. In such a case, the kicking sequence starts again.

- 18.8 When a dispute arises as to the correctness of a result of a league match so recorded, the score of the referee shall apply and shall be final.

18.9 Any two clubs shall not play or agree to play a friendly match in lieu of a league match where the two clubs are scheduled to play a league match on that date and if a match is played between the clubs on the date in question that match shall be considered to be a league match.

18.10 (a) When a club withdraws or is expelled from a league before the club has played all the other clubs in the league at least once, the results of all league matches involving that club will be expunged from the league tables as if that club had never played during the rugby season during which it withdrew or was expelled from the league.

(b) When a club withdraws or is expelled from a league after the team has played all the other clubs in the league at least once, the results of all second round league matches involving the club, shall be expunged from the league tables as if that club had never played during the second round of the rugby season in question.

(c) No club shall withdraw a team in a league if it has another team in a lower division of the same league which has not been withdrawn.

18.11 (a) Subject to the Laws of the Game, the duration of league matches shall be:

- i) for all senior league matches two equal halves of 40 minutes each with a half-time interval of at least 5 minutes; and
- ii) for league matches for age groups under the age of 19, two equal halves of 30 minutes each with a half-time interval of at least 5 minutes; but shall not exceed in total 70min including both halves.
- iii) for league matches for age groups under the age of 14, two equal halves of 25 minutes each with a half-time interval of at least 5 minutes; but shall not exceed in total 70min including both halves.
- iv) for league matches for age groups under the age of 12, two equal halves of 25 minutes each, with a half-time interval of at least 5 minutes;

(b) Subject to the Laws of the Game, a Referee shall allow for time wasted or lost through injury, accident or other causes, and the Referee is the sole judge of fact on the field of play and the decisions of the Referee is not subject to appeal or protest.

(c) Where league matches are not played in accordance with the time duration contemplated in Rule 18.10 the Rugby Committee shall on receipt of a complaint or report in terms of these Rules decide on the course of action to be taken.

RULE 19

FIXTURES, POSTPONEMENT, LATE ARRIVALS

- 19.1 The Board or an official of the Union to whom such functions have been delegated shall draw up the league fixtures for the respective leagues and shall distribute such league fixtures to the clubs affiliated to the league, the Referees Society and to the Board of the Union, at the beginning of each rugby season or second half of the rugby season.
- 19.2 Every club shall honour the league fixtures as drawn up by the league to which the club is affiliated.
- 19.3 (a) Where a club are unable to fulfill a league match, that particular match shall not be postponed and the club shall forfeit the match plus a score of 40 – 0 to the opponents plus six (6) league points for the match.
(b) A club which fails to fulfill its league match without the permission of the responsible authority commits an act of misconduct.
- 19.4 Where the occurrence of any event by an act of God and/of *vis majeure* prevents a league match to be played, the Board may reschedule the match.
- 19.5 No club or clubs shall alter the kick-off time of a league match.
- 19.6 Clubs may however, prior to the start of the match, but not later than 24 hours before the start of the match, agree with the Union or the Representative of the Union to change the kick-off time of the match. In such cases, the Referees Society also must be informed by the Union or the Representative of the Union about the change in time.
- 19.7 Clubs or a club which contravene(s) Rule 19.6 and 19.7 of these Rules commit(s) an act of misconduct.
- 19.8 Notwithstanding the provisions of Rule 19, when a club is late or arrives late for a scheduled match the club shall be allowed 15 minutes grace period; or
- 19.9 Subject to rule 19.3, a club which arrives after the grace period referred to in Rule 19.8 (a) and the league match is not played, that club shall be deemed to have failed to fulfill the league obligations and the match shall be deemed as cancelled and the club may be charged with misconduct.

RULE 20

COMPOSITION OF LEAGUES, PLAYER'S REGISTRATION, TEAM LISTS, HOME TEAMS, REGRADING OF PLAYERS, TEAM WITHDRAWALS

20.1 (a) The Board shall decide upon the method which is to be used to determine the promotion and relegation of clubs from a lower division of any league to a higher division of that or other league and the method of allocating teams to the different divisions of the league.

(b) The Board shall circulate the method determined in terms of paragraph (a) to its Members, before the commencement of the rugby season of which the method is to be applied.

20.2 (a) No re-grading of players are necessary in the round robin phase of the NRU League. For the quarter finals, semifinals and finals of the NRU 1st League, than the following re-grading shall apply:

(i) If the player under review did play (part of the team of 22) in 50% or more Premier League matches for any club during the season under review, that player shall not be granted re-grading.

(b) An application for re-grading shall be accompanied by a proper motivation setting out the reasons for the re-grading, the particulars of the player, the reason why a player playing in the same league is not available or such other reasons as the Board may require.

(c) Any club which uses a player in contravention of this Rule shall be deemed to have used an unregistered or suspended player and commits an act of misconduct.

20.3 (a) Each team which participates in a league match, shall on the Friday before the commencement of each league match, complete the official preliminary team list and all details required on the form shall be entered as accurately as possible. This official team list must be submitted to the Union on or before 10h00 on the Friday before the commencement of each league match.

(b) The team captain of each team shall hand one copy of the team list to the opposing team's captain and one to the Match Commissioner or Referee before the league commences, and the third copy shall be retained by the club until 30 days after the end of the relevant rugby season.

(c) If a club desires to withdraw one or more of its teams from a competition it shall first withdraw the most junior team that participates or intents to participate in the competition.

20.4 (a) A player who is not listed on a team list before the commencement of the league match shall not be allowed to play in that league match, and a team which uses a player whose name does not appear on the team list, shall be deemed to have used an unregistered or suspended player and commits an act of misconduct.

(b) Only those players who take to the field and actually participate in a league match will be deemed to have played for the purposes of this Rule, and when a dispute arises as to whether a player played a specific league match or not the onus of proof shall be on the player's club.

20.5 (a) A team captain or manager of both teams must inspect the opposition team's final team list and all final team lists must be counter signed by both teams before the start of the match. These team lists, which also carry the statistics of the particular match, must be submitted to the Union on the first working day after the match day on or before 10h00. Each Team Representative must complete the statistics of his own team.

(b) When the team captain or manager is not happy with any aspect concerning the composition of the opposing team, the manager or team captain may make a protest to the Referee, or make a protest in terms of Rule 24.8, but this will not constitute the match not to be played or abandoned.

20.6 The team which is playing at its registered home ground shall be regarded as the "home team", except where the teams are playing at a neutral venue, in such event the team whose name is mentioned first in the circulated or published fixtures shall be deemed to be the "home team".

20.7 When the venue in a first round league match is changed to the ground of the team whose name appears second on the league fixtures, the venue of the return league fixture shall similarly be swopped, except where the Board decides otherwise and in writing informs both clubs of such decision.

20.8 The "home-team" shall;

- (a) supply the match ball which must conform to the Laws of the Game and must have sufficient replacement balls available in the event of a match ball becoming unusable; and
- (b) ensure that the field of play is properly and visibly marked and all flags must be in the correct positions and ensure that no litter or dirt is on the play field;
- (c) ensure that adequate security is provided for in the stadiums before, during and after any rugby match under the jurisdiction of the NRU and until 20 minutes after the match was ended.
- (d) ensure that adequate first aid equipment and staff is available during the match;
- (e) ensure that all responsible steps are taken to safeguard the match officials officiating in the game, as well as their property from any harm and/or damages occurring, Any home team which contravenes this rule shall commit an act of misconduct and can also be held liable for and in respect of the damages occurring.
- (f) be responsible for the behaviour of spectators before, during and after any rugby match under the jurisdiction of the NRU and until 20 minutes after the match was ended.
- (g) Barriers must be erected around the playing area (field of play) during all rugby matches played under the jurisdiction of the NRU.

20.9 Notwithstanding Rule 20.8 (a) a Referee may accept a ball provided by the visiting team if the "home team" provides a ball that does not conform to the standards prescribed in terms of the Laws of the Game.

20.10 The match balls that shall be used for competitions of the under 13 years age group shall be size four, while the match balls that may be used for competitions of the over 13 years age groups shall be size five.

RULE 21

IDENTIFICATION OF PLAYERS

21.1 The player's jersey must be clearly numbered at the back and that number must correspond with the number allocated to that player list or team return submitted to the Referee before a league match or a cup or any tournament match.

21.2 The team captain shall be the spokesperson of the team on the field of play.

21.3 A team which fails to comply with the provisions of Rules 21.1 and 21.2 commits an act of misconduct.

RULE 22

COMPETITION ENTRIES, SANCTION OF TOURS, COMPETITIONS AND MATCHES

22.1 Each club shall submit all entries for international, continental, national or regional competitions to the Union on the forms approved by the Board or the body organizing the competition, on or before the closing date as laid down by the league or the body organizing the competition.

22.2 A club, which submits an entry for a competition and then subsequently withdraws from the competition after the closing date for entries passed or expired, commits an act of misconduct.

22.3 The Board may refuse to accept any or all entries from a club if such club did not fulfill its obligations to the Union in the previous rugby season, or if the Board is of the opinion that the club will not be able to meet the obligations that will result from participating in the competitions to be entered, whether by reason of inadequate facilities, playing strength or any other reason in the Board discretion.

22.4 Any club affiliated to the Union or to a Member shall not:

- (a) undertake a tour or play a match, competition or tournament outside the Union's area of jurisdiction; or
- (b) invite any club from outside the Union area of jurisdiction to play a match in the Union's area of jurisdiction;
- (c) arrange a competition, or tournament for affiliated clubs or clubs affiliated to a Member;
- (d) play against a club or players not registered with or not affiliated to the Union, without the prior consent, in writing, of the Board or Member to which the club is affiliated.

22.5 Notwithstanding Rule 22.4 a club may take part in a friendly match against any other club whether affiliated or not to the Union, without the Board's or the Member to which the club is affiliated consent if:

- (a) the match shall not form part of any competition or tournament;
- (b) the match shall not be played for any form of prize or award and no gate moneys are collected;
- (c) the match shall not conflict in any way with a match forming part of any competition of the Union or of a Member or with the activities of any of the Union's Representative teams;
- (d) all affiliated players and officials shall abide by the Rules and Regulations of the Union, and remain under the jurisdiction of the Union;
- (e) the powers of a Disciplinary Committee in cases of misconduct arising out of such friendly match shall be limited to suspension of players or officials or the imposition of a monetary fine on the club concerned.

C. MATCH OFFICIALS

RULE 23

MATCH OFFICIALS

23.1 (a) The appointment of Match Officials for league matches and cup matches shall be the duty of the Referees Society, except where the Board or the NRU's Referee's Society calls for nominations for match officials for the given match.

(b) The Referees Society shall at the beginning of each rugby season compile and submit to the Board a list of referees who shall officiate over league matches and shall indicate the level at which the Referees may adjudicate a league match.

(c) Notwithstanding the provisions of Rule 23.1(a) the Board, may appoint a Match Commissioner for each league match.

23.2 (a) Where match-officials appointed for a particular league match fail to turn up 20 minutes after the time scheduled for a league match, the match officials shall be appointed as prescribed for in the Laws of the Game.

(b) No match shall be postponed or cancelled because of the absence of a match official, and shall be played in accordance with the Laws of the Game, and a club which refuses to play after a match official has been appointed in terms of the Laws of the Game, commits an act of misconduct and rule 19.3(a) shall be applicable as sanction.

23.4 (a) Referees must report late starts and late arrivals of assistant referees or themselves to the Board or Committee of the league, whose league match they officiate;

- (b) A Referee or other match official who arrives late for any league match commits an act of misconduct and may be dealt with by the Union or the Referees Committee.

23.5 Referees and Assistant-Referees:

- (a) shall report to the Union, all acts of misconduct of players, officials and spectators not later than 72 hours from the time the misconduct is committed;
- (b) shall ensure that clubs play in club colours registered in terms of Rule 8;
- (c) shall not accept appointments to handle or officiate over matches outside the Union's area of jurisdiction or at any other place within the Union's area of jurisdiction on the dates they have been appointed to handle league or cup matches;
- (d) shall in all league and cup matches wear an outfit as determined by the Referees Society.

23.6 (a) Any club, official or other person who acts on behalf of or in presumed interest of a club, pays or attempts to pay a referee or assistant referee more than the approved match fees commits an act of misconduct.

(b) A Referee or other match officials, who solicits to be appointed for a specific league match or cup match or solicits or attempts to solicit to be paid more than his or her match fees commits an act of misconduct.

23.7 The Board may request the Referees Society to remove a Referee who continuously makes decisions which are controversial or decisions which are in conflict with the Laws of the Game.

23.8 The responsibility of ascertaining the regularity of the fields' dimensions and practicability and ascertaining the regular strength of the electric lights for nocturnal matches is exclusively that of the referee.

23.9 The referee or his assistants are the only person to control all procedures concerning the substitution of players during the match.

23.10 The Match Commissioner, if any, may if he deems it necessary for the security of Referees, other match officials or the visiting club, decide not to have the match played until his conditions and instructions are carried out. Once the match is started it is the prerogative of the referee to suspend the match for any of the reasons stipulated in The Laws of the Game.

23.11 The duties of a Match Commissioner are:

- (a) to observe the match in respect of which he/she has been designated or appointed in all aspects, performances of referees behaviour of the spectators and eventual incidents.
- (b) to send not later than 48 hours following the date the match was played a detailed report to the Union Secretariat or to the Secretary of the Member or League appointing or designating him or her. The report shall be in prescribed form.

- (c) To send to the Union, or Member or league appointing or designating him or her by the most expedite means, the result of the match immediately after the end of the match.

23.12 (a) The absence of a Match Commissioner shall not prevent the playing of the matches at the scheduled time and date.

(b) The Match Commissioner shall not be replaced except by a written decision of the Board.

ANNEXURE 1

A. APPLICATION FOR MEMBERSHIP TO THE NAMIBIA RUGBY UNION

1. NAME OF CLUB/ORGANISATION:

2. NAME OF LEAGUE/CLUB:

3. (a) Postal Address	
(b) Telephone Number	
(c) Facsimile	
(d) Email Address	

4. COMMITTEE MEMBERS OF CLUB OR REGION

PRESIDENT

Name: _____

Tel. Home: _____

Tel. Office: _____

Facsimile: _____

Email: _____

DEPUTY-PRESIDENT

Name: _____

Tel. Home: _____

Tel. Office: _____

Facsimile: _____

Email: _____

SECRETARY

Name: _____

Tel. Home: _____

Tel. Office: _____

Facsimile: _____

Email: _____

TREASURER

Name: _____

Tel. Home: _____

Tel. Office: _____

Facsimile: _____

Email: _____

PRO

Name: _____
Tel. Home: _____
Tel. Office: _____
Facsimile: _____
Email: _____

PRO

Name: _____
Tel. Home: _____
Tel. Office: _____
Facsimile: _____
Email: _____

PRO

Name: _____
Tel. Home: _____
Tel. Office: _____
Facsimile: _____
Email: _____

PRO

Name: _____
Tel. Home: _____
Tel. Office: _____
Facsimile: _____
Email: _____

5. DATE OF LAST ANNUAL GENERAL MEETING: _____

(a) Already represented _____
(b) Attached hereto _____

6. APPLICATION FEES

6.1 Herewith cheque in the amount of N\$_____

6.2 Bank deposit copy attached and dated: _____

7. NUMBER OF REGISTERED PLAYERS: _____

8. OFFICIALS: _____

B UNDERTAKING:

The (name of league or organisation) and its officials, clubs, players and supporters herewith undertake:

- (a) To accept and respect the Namibia Rugby Union as the supreme controlling body of Rugby in Namibia.
- (b) To conform to the Constitution, NRU Policy Manual, Rules and Regulations, By-Laws and Standing Orders of the Namibia Rugby Union.
- (c) To observe the Laws of the Game in force with the Union.
- (d) To accept and respect the IRB as the controlling bodies of Rugby on the continent of Africa and the World respectively to which the Union is affiliated and to abide to its Constitution, Rules and Regulations as applicable.

DATED AND SIGNED AT **ON THIS** **DAY OF** **, IN THE YEAR 20____.**

For and on behalf of the Club:

1. Name: in his capacity as Chairperson.

Signature:

Witness :

2. Name: in his capacity as Secretary.

Signature:

Witness :

Acknowledged for the **NAMIBIA RUGBY UNION** by:

1. Name: in his capacity as President.

Signature:

Witness :

DATED AND SIGNED AT **ON THIS** **DAY OF** , **IN THE YEAR 20**_____.

D. LEGAL

Rule 24

NRU's REGULATIONS ON DISCIPLINARY MATTERS

1. STRUCTURE AND JURISDICTION

- 1.1 NRU**
- 1.2 Disciplinary Committee**
- 1.2.1 Constitution and appointment**
- 1.2.2 Jurisdiction**
- 1.2.3 Misconduct**
- 1.2.4 Penalties**
- 1.2.5 Right of appeal**
- 1.2.6 Visiting players and officials**
- 1.3 Appeal Tribunal**
- 1.3.1 Executive Committee or Special Tribunal**
- 1.3.2 Appeal conducted by reference of the record**
- 1.3.3 Further Evidence**
- 1.3.4 Powers**

2. CLUBS, REGIONS, AND SCHOOLS RESPONSIBILITIES

- 2.1 Conduct of Members**
- 2.2 Sale and consumption on intoxicating liquor**
- 2.3 Identification of a contravening member**

3. DISCIPLINARY HEARINGS

- 3.1 Date, time and venue**
- 3.2 Notice of hearing**
- 3.3 Accuser's notice of failing to appear**
- 3.4 Attendance of match officials**
- 3.5 Attendance of witnesses**

4. PROCEDURES OF HEARINGS

- 4.1 Power to determinate own procedure**
- 4.2 Guideline procedure of hearings**
- 4.3 Technical matters**
- 4.4 Charge**
- 4.5 Plea of defence**
- 4.6 Admissions**
- 4.7 Unions' case**
- 4.8 Accuser's case**

- 4.9 Addresses
- 4.10 Decision of the Disciplinary Committee
- 4.11 Mitigating and aggravating circumstances
- 4.12 Record of judgements and sentences

5. **EVIDENCE AND STANDING OF PROOF**

- 5.1 Type of Evidence
- 5.2 Video tape
- 5.3 Standard of proof

6. **PROCEDURE FOLLOWING A CAUTION OR DISMISSAL**

7. **MISCONDUCT**

8. **PROTEST AND COMPLAINTS**

9. **SANCTIONS**

10. **DISPUTE RESOLUTION**

11. **GENERAL**

- 11.1 Player ordered off or cited while case pending
- 11.2 Effect of suspension
- 11.3 Legal representation
- 11.4 Contempt of the Disciplinary Committee
- 11.5 Proceedings not to be invalidated for technical reasons.

12. **REPEAL**

D. LEGAL: NRU REGULATIONS ON DISCIPLINARY MATTERS

RULE 24

1. STRUCTURE AND JURISDICTION

1.1 NRU

- 1.1.1 The NRU has the power and right to discipline and sanction clubs, associations, societies and / or bodies which are affiliated to the NRU, as well as all players, referees, coaches, match officials, club members, office bearers and employees of the NRU and of the said clubs, schools, associations, societies and / or bodies for any behaviour on or off the rugby field, which in the opinion of the NRU, is not beneficial to the interest of the NRU or of Rugby in general.
- 1.1.2 Contravention of any of the provisions of the constitution and the regulations as well as any rule, resolution, decision, instruction or direction of the NRU or its authorized subcommittees and officials which constitutes misconduct may be reported at any time to the CEO of the NRU or the administrative officer of the Executive Body of the Union.
- 1.1.3 It is the duty of every match official, official and office bearer of the NRU to report in writing any misconduct or irregularity, which comes to his attention. The CEO or the administrative officer of the Executive Body of the Union shall register such complaints before referral to the Rugby Committee or the secretary of the Disciplinary Committee.

1.2 Disciplinary Committee (DC)

1.2.1 Constitution and appointment

- (a) The NRU Board shall identify and appoint duly qualified persons to serve as members on the Disciplinary Committee. A Disciplinary Committee shall consist of a chairperson, and at least one (1) other member of whom at least one(1) shall be a legally qualified person.
- (b) The NRU Board shall further appoint a secretary to the Disciplinary Committee, as well as an initiator(s), who are to represent the Union during the disciplinary hearings. The secretary and the initiator(s), so appointed, do not form part of the Disciplinary Committee itself, and as such, are excluded from any deliberations in respect of any convictions and/or sanctions to be imposed.
- (c) Two (2) members of the DC shall constitute a quorum for any meeting of the DC.

1.2.2 Jurisdiction

The DC shall have jurisdiction to hear and discipline all clubs, associations, societies and or bodies which are affiliated to the NRU as well as all players, referees, coaches, other match officials, officials, team members, office bearers and employees of the NRU or any person involved in any matter of a Rugby Setting within the jurisdiction of the NRU which has been referred to the DC by the CEO or the Executive Body's, administrative assistant or the Rugby Committee.

1.2.3 Misconduct

Misconduct for purposes of disciplinary hearings includes but is not limited to the following conduct:

- (a) The breach of:
 - (i) Any decision taken, any resolution adopted or any ruling made by the Union, its Board or its Executive Body, or the International Rugby Board,
 - (ii) Any provision of any contract entered into by the Union;
 - (iii) Any of the Laws of the Game or the rules of the Union;
 - (iv) Any of the anti-doping regulations;
 - (v) The disciplinary rules or regulations of the Union, or the International Rugby Board.
- (b) Any action or lack of action which is detrimental to the best interest of the NRU or rugby in general, inclusive the failure of match officials to attend to the game for which they were appointed, and/or the failure of the referee society to appoint match officials for a scheduled league fixture.
- (c) The Disciplinary Committee's jurisdiction to hear and discipline shall apply particularly, to the following circumstances:
 - (i) where a player was ordered off the playing enclosure;
 - (ii) where a complaint was lodged pursuant to these regulations;
 - (iii) where there was misconduct on or off the playing enclosure;
 - (iv) where any other matter has been referred to the Disciplinary Committee by the Union.

The Disciplinary Committee may hear and determine disciplinary proceedings in the absence of an accused if the accused elects not to attend or fails to attend the hearing.

12.4 Penalties

The Disciplinary Committee may impose the penalties prescribed herein. Where no penalties are prescribed, the DC may impose penalties as it may deem fit, including the recommended penalties contained in the IRB's Sanctions for Offences. When considering a penalty, account must be taken of any relevant mitigating or aggravating circumstances.

All decisions of the Disciplinary Committee come into effect immediately.

1.2.5 Right of Appeal

- (a) There shall be a right of appeal to the Board or Special Appeal Tribunal established by the Board from a decision of the Disciplinary Committee by the person and/or entity affected by such decision. The notice of appeal must be lodged, in writing, with the Union within 48 hours after the decision of the Disciplinary Committee and must contain the grounds of appeal.
- (b) The Notice of appeal shall be accompanied by payment in the amount of N\$500.00.
- (c) Failure to comply with any of the requirements *supra*, shall result therein that the appeal shall not be entertained and shall be deemed to have lapsed.

1.2.6 Visiting players and officials

Disciplinary proceedings against visiting players and officials shall be dealt with in accordance with the directions of the IRB.

1.3 Appeal Tribunal

1.3.1 Board or Special Appeal Tribunal

The Board or Special Appeal Tribunal appointed by the Board shall have the power to hear and determine appeals from decisions of the Disciplinary Committee.

1.3.2 Appeal conducted by reference to the record

Where any question of fact arises on an appeal before the Appeal Tribunal, it shall be determined by reference to the record of proceedings before the Disciplinary Committee.

1.3.3 Further evidence

The Appeal Tribunal shall have full discretionary power to hear and receive such further evidence on an appeal as it thinks fit provided it is established that such evidence was not, on reasonable enquiry, available at the time of the original hearing. The Appeal Tribunal shall be entitled to receive such evidence as it thinks fit notwithstanding that the evidence may not be legally admissible.

1.3.4 Powers

An Appeal Tribunal on hearing an appeal shall have the power to:

- (a) confirm, amend or set aside the decision which is the subject of the appeal;
- (b) quash, suspend, vary or increase the penalty appealed against or take any decision which the circumstance may require;
- (c) substitute any finding or decision as it deems fit or substitute such penalty as it deems fit including any increased penalty provided however that it shall not increase any penalty imposed unless it is satisfied that the penalty imposed was manifestly inadequate in the circumstances;
- (d) hear evidence or receive any documents on such terms and conditions as it in its discretion may decide;
- (e) make such order as in its opinion the circumstances may require including an order to remit the matter for the hearing of further evidence or an order for the hearing of the matter *de novo*;
- (f) direct that all or portion of the costs of, or incidental to or in connection with the proceedings (including the attorney and own client legal costs) and the costs and expenses incurred by the Union shall be paid by any party or the Union in such an amount as it deems fit, and the amount determined shall be final and binding on the party concerned;
- (g) order, in the event of the appeal succeeding, wholly or partially, that the whole or any part of the amount paid pursuant to rule 1.2.5(b) above, be refunded.

1.3.5 Appeal final

The decision of the Appeal Tribunal shall be final and binding and there shall be no further appeal.

2. CLUBS, REGIONS AND SCHOOLS RESPONSIBILITIES

2.1 Conduct of Members

Every region, club and school shall be responsible for ensuring that whilst attending or participating in a match in which the region, club or school is involved, whether before, during, or after such match, and irrespective of the venue:

- 2.1.1 its members, officials, players, employees and all persons purporting to be its supporters or followers conduct themselves in an orderly fashion, and refrain from violent, threatening, abusive, obscene or provocative behavior or language and from conduct prejudicial to good sportsmanship; and
- 2.1.2 no unauthorised persons mentioned in 2.1.1 encroached on to the playing area, save for reasons of crowd safety;
- 2.1.3 no missiles, bottles or other potentially harmful or dangerous objects are thrown at or onto or off the playing enclosure by the persons mentioned in 2.1.1;
- 2.1.4 it and the persons mentioned in 2.1.1 uphold in all respects any code of conduct from time to time adopted by the Union.

2.2 Sale and consumption of intoxicating liquor

A region, club or school shall:

- 2.2.1 Not allow the sale or supply of intoxicating liquor at a match unless a valid liquor license is held for the venue and such intoxicating liquor is sold or supplied under that license;
- 2.2.2 not allow the consumption of intoxicating liquor in the vicinity of the enclosure or on any stand, pavilion, or similar structure alongside the playing enclosure unless such liquor has been sold or supplied under license referred to in 2.2.1 and such liquor is consumed on the licensed premises;
- 2.2.3 if so required by the Board or the Executive Body, furnish the Union with a certified copy of the liquor license and a short description of the extent of the licensed premises.

Explanatory Note

It is the intention of this regulation that spectators at rugby matches of the Union should not be permitted to consume liquor brought by them to the venue because of the difficulty in controlling such consumption.

2.3 Identification of a contravening member

The Disciplinary Committee has the power to penalize a region, club or school after it has been notified to do so by the Disciplinary Committee, omits to identify a member of that region, club or school alleged to have been involved in any action or inaction or contravention contemplated in these regulations, if the Disciplinary Committee is satisfied that it was reasonably possible for that region, club or school to identify such person.

3 DISCIPLINARY HEARINGS

3.1 Date, time and venue

The date, time and venue of a disciplinary hearing will be determined by the chairman and secretary of the Disciplinary Committee. Such a hearing shall take place as soon as possible, but in the event of a player having been sent off the field not later than 14 days after the player was sent off.

3.2 Notice of the hearing

The secretary of the Disciplinary Committee will inform the player, person, region, member or club of the date, time and venue of the hearing and charge(s) against the player, person, region, member or club by notice to the nominated representative of the region, club or member.

3.3 Accuser's notice or failing to appear

If the accused is unable to appear at the hearing he must advise the secretary of the Disciplinary Committee immediately, and furnishes reasons for his inability. If he fails to advise or if the reasons given are unacceptable to the Disciplinary Committee, the committee may continue with the hearing in his absence. The Disciplinary Committee may however, in the absence of the accused, use telephonically conversations with the accused by means of a speaker telephone with the speakers on.

3.4 Attendance of match officials

A match official who filed a report regarding the ordering off of a player or any complaint against a person or club must attend the hearing unless he is excused from doing so by the Disciplinary Committee. Nothing in these regulations shall prevent the Disciplinary Committee from hearing a case in the absence of any such match official. The Disciplinary Committee may however, in the absence of such match official, use telephonical conversations with the match official by means of a speaker telephone with the speakers on.

3.5 Attendance of witnesses

The Disciplinary Committee may require the attendance of any person at the hearing for the purpose of giving evidence. In any case where a witness refuses or fails to attend or to remain in attendance so as to give evidence in person, the Disciplinary Committee may refuse to allow the evidence of that witness to be given in any other form.

4 **PROCEDURES AT HEARINGS**

4.1 Power to determinate own procedure

At each hearing the Disciplinary Committee shall have the power to determine its procedure on condition that the Rules of Natural Justice are complied with.

4.2 Guideline procedure at hearings

The following procedure may be followed as a guideline at a disciplinary hearing: -

4.3 Technical Matters

First, there will be an opportunity for the raising of technical matters.

4.4 Charge

The initiator will read the charge.

4.5 Plea of defense

The accused or his / her representative will be given an opportunity to plead or to explain his / her defense.

4.6 Admissions

There will be an opportunity for admissions, in the interests of time.

4.7 Union's case

The initiator will present the Union's case and the accused will have the opportunity to question any witness. All questions to a witness will be put through the chairman.

4.8 Accuser's case

The accused will be given an opportunity to present his / her case and equally the presenter may question any witness. The members of the Disciplinary Committee will also be given an opportunity for questioning.

4.9 Addresses

Both parties will be given an opportunity to address the Disciplinary Committee.

4.10 Decision of the Disciplinary Committee

Deliberations of the Disciplinary Committee will be in private. The decision will be given orally with reasons in the presence of both parties.

4.11 Mitigation and aggravating circumstances

If applicable, evidence in mitigating and aggravating circumstances will be presented, before a sanction is considered.

4.12 Record of judgments and sentences

The Executive Body shall keep a record of all judgments, as well as all sanctions imposed. The secretary of the Disciplinary Committee shall inform the club, school, region or member to which the particular player, person is registered/affiliated in writing about the judgment within 72 hours after the sanction having been imposed.

5. EVIDENCE AND STANDING OF PROOF

5.1 Type of evidence

The Disciplinary Committee shall be entitled to receive and consider such evidence as it deems fit (including evidence in writing) notwithstanding that such evidence may not be admissible in a court of law.

5.2 Video tape

Videotape or similar evidence may be accepted, but without the sound or commentary with it being heard. Where possible the videotape should be viewed prior to other evidence being led.

5.3 Standard of Proof

- (a) In any case, subject to the provisions of rule 5.3(b), *infra*, where the Disciplinary Committee is required to consider the disciplinary consequences of an incident it shall arrive at a verdict on a balance of probabilities on the evidence.
- (b) In respect of offences where a player or official were sent off the playing enclosure, by a referee, the burden and onus of proof, as prescribed by the IRB shall apply.

6. PROCEDURE FOLLOWING A CAUTION OR DISMISSAL

- 6.1** Each Referee who cautions or issues a yellow or red card to a player during any rugby match under the jurisdiction of the NRU shall submit a report to that effect to the Union, who shall record the caution of the player in a register kept for such purposes.
- 6.2** Except where the Rules of a competition provide otherwise, a player who receives two yellow cards during two consecutive matches of that competition shall be automatically suspended from the next match of that competition.
- 6.3** A player, who received more than two yellow cards in any particular rugby season, shall automatically be disciplined. He, however, will be entitled to play until the hearing is completed. Such a hearing shall be as soon as possible, but not later than 14 days after the match in which the second (2nd) yellow card was issued to him.
- 6.4** Once a suspension has been served the counting of cautions for that particular rugby season shall be resumed from zero.
- 6.5** The Board or the Rugby Committee may formulate a charge of misconduct against a player who is deemed to have received an excessive number of cautions and may order such player to appear before a Disciplinary Committee. The provisions of this Rule shall also apply to a club official if the official is reported as having been cautioned by a Referee.
- 6.6** The onus of counting the cautions and notifying a player or official of suspension shall be on the Union or its officials and not on the club.
- 6.7** When a player is send off the field in any rugby match played under the jurisdiction of the NRU, the referee shall submit his report to the Union within seventy two (72) hours after the end of the match concerned. The Union shall pass the report to the secretary/initiator of the Disciplinary Committee.
- 6.8** A caution and/or card which have not been reported to the Union in accordance with these Rules shall be deemed to have not been received, or issued.

7. MISCONDUCT

Without derogating from the provisions of these Rules and in addition to the acts of misconduct set out in these Rules and Regulations, a Region, Member, club, official, match official or player who:

- a)** violates the Laws of the Game or the rules of the Union;
- b)** violates the NRU Constitution or a Constitution, Rules or Bye-Laws of a Member or League;

- c) bet on a rugby match;
- d) offers or attempts to offer either directly or indirectly any consideration to another person with the aim of influencing the results of a given match;
- e) accepts a consideration mentioned in paragraph (d) *supra*;
- f) commits an act, makes a statement either orally or in writing or is responsible for conduct or any matter which, in the opinion of the Board, Executive Body or the Council of the Union is considered to be ungentle, insulting or improper behaviour or likely to bring the game, or the Union or any Member into disrepute;
- g) plays with a suspended player;

commits an act of misconduct.

8. PROTEST AND COMPLAINTS

- 8.1 A region, club, player or member which or who is dissatisfied and prejudiced by a decision, act or omission of a Referee, Linesman, Match Commission official, member, club, player or official and/or employee of the Union may lodge a protest or complaint with the Union., which shall refer the complaint to the Complaints Review Committee. No protest and/or complaint, which relates to the interpretation of the laws during the game, shall be allowed.
- 8.2 The protest or complaint referred to in paragraph (a) shall be in writing and two copies of the protest or complaint must be lodged with the Union not later than 72 hours of the occurring of the act or omission which gave rise to the dissatisfaction, and prejudice and must contain the particulars of the grounds upon which it is founded. No complaint or protest lodged after the 72-hour window and/or without the particulars required shall be entertained.
- 8.3 For a protest or complaint to be valid it shall be accompanied by a protest fee of N\$500,00.
- 8.4 The Complaints Review Committee may not later than 48 hours of receiving the complaint or protest, send one copy of the protest or complaint and particulars of such protest or complaint to the club, person, member, official or employee protested against and may, notwithstanding the fact that the conduct, action or omission complaint of or protested against, amounts to an act of misconduct, request that person, member, entity, club, player and/or official or employee, in writing, to not later than 3-days from the date the protest or complaint is received to admit, deny or explain the conduct, action or omission complaint of or protested against.
- 8.5 If any possible misconduct, as described in terms of this rules and regulations is involved in respect of the protest and complaints lodged, the Complaints Review Committee shall refer same to the secretary of the Disciplinary Committee for the hearing of same.

- a. If the person, club, member, player, official and/or employee against whom a protest or complaint has been lodged in accordance with the provisions of this rule admits or explains the conduct, action or omission and the Disciplinary Committee is, on a balance of probabilities satisfied that the conduct, action or omission constitutes an act of misconduct, may dispense with the disciplinary procedures provided for in these Rules and impose any sentence provided for under point 9 of Rule 24.
- b. If the person, club, member, player or official against whom a protest or complaint has been lodged in accordance with the provisions of this rule and which has been forwarded to the Disciplinary Committee, by the Complaints Review Committee, denies the conduct, action or omission, then the Disciplinary Committee shall in accordance with these Rules summon the person or club to appear before it for a disciplinary hearing, subject thereto that the Disciplinary Committee, on the explanation received, is on a balance of probabilities satisfied that the protest, or complaint has no substance, it may dismiss the complaint, summarily, and inform the complainant of its decision and reasons.
- c. The Disciplinary Committee may order any region, player, member or club engaged in any dispute or protest to pay such sums as may be considered necessary towards defraying the expenses that may be incurred, in holding the hearing, which include an order for the repayment or part thereof, of the fee of N\$500.00 paid, in the event of the protest and/or complaint being upheld.
- d. The Complaints Review Committee may decide, in its sole discretion, what constitutes possible misconduct and in this regard it is specifically recorded that any unsporting behaviour may be regarded as misconduct. The Complaints Review Committee's decision in this regard will be final and no appeal shall lie against such a decision and/or ruling made.

9. SANCTIONS

When a Disciplinary Committee has found a region, player, member, team, person or a club guilty of misconduct in terms of this Rules and Regulations, the Disciplinary Committee may impose any or a combination of the sentences mentioned for the misconduct. Any misconduct not mentioned may be dealt with in accordance with the guidelines received from the IRB.

- 9.1 failure to fulfill a league match,
 - (a) the club responsible for the failure shall forfeit the match plus a score of 40 – 0 shall be rewarded to the opponents plus two bonus points for 7 or more tries, thus in total 6 points.
 - (b) if the opponents are from outside the designated field, petrol, and travelling cost as paid out by the Union shall be awarded to the other team, and if already paid by the Union, shall be repaid to the Union.
- 9.2 use of an unregistered or suspended players in any league or competition match under the jurisdiction of the NRU,

- (a) The score will stand, but the guilty club or region shall lose 2 league points on the log
- 9.3 action which causes a league match to be abandoned,
 - (a) The guilty club or region shall lose 2 league points on the log
- 9.4 arriving at a league match late after the period provided for it in this Rules,
 - (a) The club that arrived late for the match shall forfeit the match, and the opposing team shall get 4 points plus two bonus points for tries scored, thus in total six (6) points.
- 9.5 playing against an unaffiliated club, a fine not exceeding N\$10,000-00;
- 9.6 playing against a club affiliated to a body or union over which the union has no jurisdiction whether in or outside the Union's area of jurisdiction, a fine not exceeding N\$10,000-00;
- 9.7 Not submitting a final Team List, or using players not listed on the Final Team List;
 - (a) The guilty team or region shall lose 1 (one) league point on the log.
- 9.8 bribery or match fixing or attempt to bribe or fix any match;
 - (a) The Statutes of the IRB will be apply in respect of sanctions to be imposed.
- 9.9 failure to exercise control over spectators at any rugby match under the jurisdiction of the NRU which failure leads to chaos, violence, damage to property or abandonment of the rugby match.
 - (a) The Home Club shall be banned from using its registered home ground for a number of league matches as determined by the Disciplinary Committee, plus a fine not exceeding N\$10,000.00;
- 9.10 a club, which fails to fulfill three league matches in the year under review, shall be sentenced as determined by the Disciplinary Committee.
- 9.11 a club which withdraws from a Regional or International competition in Contravention of Rule 19.
 - (a) The equivalent of the fine imposed by the IRB on the Union shall apply.
- 9.12 The Disciplinary Committee may in circumstances where a punishment

or sentence for misconduct is not prescribed in these Rules and Regulations, impose a sentence which, in its discretion meets the justness of the case, but where the sentence or punishment also carries a monetary fine, the fine shall not exceed N\$10,000-00.

9.13 Non-compliance with Rule 2 of this Rules and Regulations will be a penalty of 75% per year on the registration fee payable by the club for the year under review.

10. DISPUTE RESOLUTION

10.1 Where a dispute arises between Members, a player and a club, or clubs, or an official and a Member or with the Union, the Member, player, club, official or Union, shall pursuant to Article 30 of the NRU Constitution not institute any proceedings in a Court of Law but shall in writing request the Union to set up an Arbitration Board.

- a) Where the President receives a request in terms of point 10 of Rule 24 the President shall as soon as possible but not later than seven days, request each party to the dispute to furnish him or her with the name of its suggested Arbitrator(s);
- b) As soon as the President receives the names in terms of paragraph (a), he or she shall inform the parties of the place, date and time on which the first meeting of the Arbitration Board shall be held, at which the parties shall identify the points of dispute and to determine the manner in which the Arbitration Board will conduct its proceedings, Which date shall be within seven days from the date of receipt of such names;
- c) Where the parties to a dispute cannot agree to the Arbitrators the Union shall appoint a single or three Arbitrators.
- d) When the Union is a party to the dispute the number of Arbitrators and the names of the Arbitrators shall be agreed upon by the parties, and if the parties cannot agree to the identity of the Arbitrator the National Sports Council shall appoint a single or three Arbitrators.

10.2 Where the Union fails to set up an Arbitration Board within seven days of receiving the names as mentioned in Rule 24, the aggrieved party may, in writing, request the National Sports Council to intervene and facilitate the setting up of an Arbitration Board.

The decision of an Arbitration Board shall be final and binding upon all parties and must strictly be adhered to.

The party requesting the setting up of an Arbitration Board shall together with the request to set up an Arbitration Board pay an amount of N\$2,000-00.

The Arbitration Board may in its award also make an award with regard to costs.

11. GENERAL

11.1 Player ordered off or cited while case pending

A player who has been ordered off or is the subject of a citing complaint is not permitted to take part in any game of rugby or any rugby activity until his / her case has been heard and finally determined before the Disciplinary Committee unless he / she is specifically authorized to do so by the Disciplinary Committee.

The lodging of an appeal shall not have the effect of deferring any suspension imposed. Once the period of any suspension has expired the player may however resume playing notwithstanding that the appeal has not been heard.

11.2 Effect of suspension

A player suspended by the Disciplinary Committee shall be suspended from participating in any manner whatever in any rugby activities anywhere in the world under the jurisdiction of the IRB during the period of suspension, excluding the attendance or rugby as a spectator. For the purpose of this paragraph, "Rugby" includes without restriction international matches, Super 14 matches, Provincial matches, League matches (clubs and schools), friendly matches (Clubs and schools) and team practices.

11.3 Legal representation

Any person appearing before the Disciplinary Committee shall be entitled to legal representation of his / her choice at his / her own cost.

11.4 Contempt of the Disciplinary Committee

A club, school, person, member or any other entity who or which fails to attend a hearing of the Disciplinary Committee to which he or it has been summoned and/or fails to remain in attendance of such hearing, without a reasonable excuse and without the permission of the Disciplinary Committee, shall be guilty of contempt of the Disciplinary Committee, which in itself constitutes an act of misconduct.

11.5 Proceedings not to be invalidated for technical reasons

No proceeding heard by any Disciplinary Committee or Appeal Tribunal shall be quashed or held invalid by reason of any defect, non-compliance with any of the rules, irregularity, omission or other technicality provided there has been no miscarriage of justice.

12. REPEAL

This document repeals all previous Rules and Regulations of the Union and has come into operation on _____, which date same has been approved by the Council of the NRU.