



August 2023

WWR Regulations

implementation date – 1 August 2023

World Wheelchair Rugby Regulations

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| DATE | SUMMARY OF CHANGE | COMMENTS |
|---------------|------------------------|----------------------------------------|
| 28 MARCH 2023 | Board approval | Document first conceived in early 2022 |
| 1 AUGUST 2023 | Regulation implemented | |
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Acknowledgements

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The WWR Regulations and accompanying forms are available from the website.

Please go to the "[About WWR](#)" section.

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1. Regulation 1: Definitions & Interpretation

1.1. For the purposes of these Regulations the terms below shall have the following meanings assigned to them unless the context otherwise requires.

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| Anti-Doping Hearing Panel: | means the panel of persons appointed by WWR who can be called upon to act at first instance or on appeal to hear and determine whether an Athlete or other Person, subject to the WWR Anti-Doping Rules, has committed an anti-doping rule violation and, if applicable, to impose relevant Consequences (as defined therein). The WWR Anti-Doping Hearing Panel shall consist of an independent chair and four (4) other independent members. |
| Athlete: | means a player of the Game who plays or competes at any level in the Game. |
| Appeal Committee: | a committee appointed pursuant to Regulation 6.2 to hear and decide appeals from decisions of Judicial Officers, Judicial Committees and/or as otherwise provided in these Regulations and under the rules and policies of WWR. |
| Board: | means the WWR Board of Directors. |
| Classifier: | means a person appointed by WWR to determine the sports class of an Athlete in accordance with the WWR Classification Rules. |
| Days: | means the total days, irrespective of weekends or holidays. |
| Disciplinary Officer: | means the Secretary General or other person appointed by WWR on its behalf to investigate, present and enforce (as appropriate) WWR Regulations. |
| Game / Sport: | means the sport of wheelchair rugby in all its forms and disciplines as mandated or recognised by WWR. |
| Head of Classification: | means a person appointed by WWR to manage the Classification process on behalf of the organisation. |
| Independent Judicial Chair: | is the person so appointed by WWR who shall appoint persons from the Judicial Panel to designated cases under the WWR Bylaws, Regulations, rules and policies. |
| International Paralympic Committee (IPC): | is the global governing body for the Paralympic Movement and the organiser of the Paralympic Games. See the IPC Constitution on www.paralympic.org |
| Judicial Committee / Judicial Officer: | a committee or an individual appointed pursuant to Regulation 6 to hear, resolve and adjudicate on all matters of discipline, misconduct and alleged breaches of the WWR Bylaws, Regulations, rules and policies. Judicial Officers, Judicial Committees, and Appeal Committees once appointed may be referred to as a Committee. |

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| Judicial Panel: | The panel of persons appointed by WWR who can be called upon to act in a judicial and/or disciplinary and/or investigatory capacity as Judicial Officers or members of a Judicial or Appeals Committee and from which the Independent Judicial Chair shall make appointments to designated cases at first instance or on appeal. Judicial Panel members are appointed to the Panel in accordance with Regulation 6, Appendix 1. |
| Match: | means a contest in which two teams compete against each other in playing the sport of Wheelchair Rugby (as defined in Article 2.2a of the Statutes). |
| National Member Organisation (NMO) | , hereinafter, may also be referred to as "Member": means an organisation that has been approved by the General Assembly or WWR Board in one of the three classes of Membership: Full Member, Affiliate Member or Associate Member. |
| National Paralympic Committee: | A national organisation that is a Member of the IPC. During the Paralympic Games, the NPC will act as a responsible body for Athletes and support staff. In some countries, the NPC also operates as the WWR NMO. |
| National Representative Teams: | means the team selected by a National Member Organisation to represent the nation of the Member. |
| Notice of Appeal Form: | A request for appeal of a WWR decision submitted by the Appellant in the form set out in Regulation 7 Appendix B. |
| Misconduct: | has the meaning ascribed to it in Regulation 4. |
| Person: | means any Athlete, trainer, coach, Technical Official, Technical Delegate, medical officer, physiotherapist and/or any other individual who is or has been at any time involved in the Game, or in the organisation, administration or promotion of the Game and shall for the avoidance of doubt include WWR staff and the Board members. |
| Respondent: | means the body, person or persons whose decision is being appealed (under Regulation 7). |
| Statutes: | means the primary constitutional document of WWR. |
| Technical Delegate (TD): | is responsible for liaison with the Local Organising Committee (LOC), providing support, advice and information on the technical requirements for the wheelchair rugby competition. During competition, the TD is the appointed senior WWR representative to the Tournament Organiser, and has the authority to rule on all matters related to the Regulations, rules and policies of WWR. |
| Technical Official: | means a person of good standing with their National Member Organisation appointed by WWR to undertake any of the following functions: Technical Delegate, Assistant Technical Delegate, Head Technical Official, Assistant Head Technical Official, Evaluator, Referee or Table Official duty. For the purposes of |

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| | these Regulations it shall also include a Classifier and Chief Classifier (further definitions are available in the WWR International Rules and the WWR Classification Rules). |
| Tournament Organiser: | means any entity that arranges, organises and has administrative responsibility for a tournament, competition, Match or series of Matches (whether international or below international level), and shall include the Local Organising Committee. The Tournament Organiser must be recognised as such by the Member(s) in whose territories the relevant tournament, competition, Match or series of Matches are played and/or whose affiliated teams or National Representative Teams participate in such tournament, competition, Match or series of Matches. |
| Wheelchair Rugby: | means a discipline of the sport governed by WWR and described in Article 2.2.a of the Statutes of WWR. |
| Written Response: | means the response submitted by the Respondent under Regulation 7. |
| WWR: | means World Wheelchair Rugby, “the Association” and “the Federation” |
| WWR Classification Rules: | the rules that define how an Athlete’s classification sports class and/or status are applied. |
| WWR Code of Conduct: | means the code of conduct in Appendix 1 of Regulation 4 |
| WWR International Rules: | the rules that define how a discipline of wheelchair rugby is played. |
| WWR Licensed Competition: | any competition, event, match or game of wheelchair rugby that has been formally recognised by WWR. |

1.2. The following interpretation provisions shall apply to these Regulations:

- 1.2.1. words importing the singular number shall include the plural number and vice versa.
- 1.2.2. words importing the neutral gender shall include the feminine gender, the masculine gender, and any other gender to which an individual identifies; as the case may be, and vice versa. ‘Gender’ means the gender to which a person identifies, which may not be that person’s biological sex.
- 1.2.3. In the event of any inconsistency between the WWR rules, policies and these Regulations, these Regulations shall prevail.
- 1.2.4. The Statutes take precedence to the WWR Regulations, rules and policies in accordance with Article 22.4 of the Statutes.

1.3. These Regulations shall be governed by and interpreted in accordance with Swiss Law.

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- 1.4. These Regulations form a central part of the Disputes and Appeals Policies under Article 20.1 of the Statutes. Final appeal of any matter addressed pursuant to the Disputes and Appeals Policies as reflected in these Regulations shall be to the Court of Arbitration for Sport (CAS) in accordance with Article 20.2 of the Statutes. In the event of an Appeal to CAS, the matter shall be determined in accordance with the Code of Sports-related Arbitration before a Sole Arbitrator in the English language in accordance with Swiss law.

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2. Regulation 2: Compliance

- 2.1. It is the responsibility of each Member to acquaint themselves with all of the provisions of these Regulations. A Member is deemed to have full knowledge of the content of these Regulations.
- 2.2. A Member must ensure that it complies with these Regulations, and WWR Bylaws, rules and policies and must further ensure that it takes appropriate action to inform all of its members and any Tournament Organiser(s) under its jurisdiction of the terms of these Regulations, WWR Bylaws, rules and policies and the obligation to comply with the same.
- 2.3. All Persons are deemed, by their participation or seeking to participate in the Game in any way whether directly or indirectly or by virtue of their role or position in relation to the Game, to have agreed to be bound by and to comply with these Regulations. It is the responsibility of each Person to acquaint themselves with all of the provisions of these Regulations.
- 2.4. WWR may from time to time issue guidelines in relation to the implementation of these Regulations. Any breach(es) of such guidelines may render a Member or Person responsible for such breach(es) liable to sanctions.
- 2.5. All Persons shall ensure that they comply with the WWR Code of Conduct and Athletes must also ensure that they comply with Regulation 3 (Eligibility). Breaches of these provisions will be dealt with in accordance with Regulation 5 (Breaches of the Regulations) by Judicial Officer(s) / Committee(s) appointed pursuant to Regulation 6.
- 2.6. Affiliation:
 - 2.6.1. Subject to Regulation 2.6.3, Athletes and Clubs may only be affiliated to one Member at a time and be subject to the jurisdiction of the bylaws, rules and/or regulations of that Member.
 - 2.6.2. Athletes shall be registered with a Member body through the relevant governance structure of that Member.
 - 2.6.3. Athletes may only represent one National Member Organisation for the purposes of representing them at national team / national representative level. Where an Athlete is registered with a Member body that is different to the Member they represent at national team / national representative level, each Member shall have jurisdiction over the Athlete within their own territorial jurisdiction, save that in the event of a conflict the Member body the Athlete represents at national team / national representative team level shall have primary jurisdiction.

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- 2.7. Provided that the same are not in conflict with these Regulations and subject to conformity with the relevant legal system(s), a Member may make and adopt other more restrictive regulations. Such domestic regulations shall have effect only within the jurisdiction of that Member.
- 2.8. Only an Athlete who is currently Registered with a Member shall be able to participate in competitions organised, recognised or licensed by that Member. Registered means registered with a Member, whether directly, or indirectly via registration with a Club or other Wheelchair Rugby body affiliated to such Member.
- 2.9. Any matters not provided for in these Regulations shall be dealt with by the Board.
- 2.10. As a condition of membership of the International Paralympic Committee, WWR (as a Member) is required to comply with the constitution and regulations of the IPC and the WADA Code and to adopt and implement rules requiring WWR Members and Persons to comply with same and in particular Articles 13.2.13 to 13.2.17 of the IPC Constitution . Members and Persons are hereby put on notice of their requirement to comply with same.

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3. Regulation 3: Eligibility

A. Nationality

General

- 3.1. Any Athlete participating in an WWR-Licensed Competition as a member of a national team must be a national of the country entering the team. The term 'country' refers to any country, state, territory, or part of a territory, which is accepted by WWR as the area of jurisdiction of a Member of WWR.
- 3.2. This policy applies to all Athletes participating in WWR Licensed Competitions. This policy does not apply to non-Athlete participants including coaches, managers, and other team staff.

Determination of Nationality

- 3.3. An Athlete's nationality is determined by the citizenship of the Athlete. Proof of citizenship shall generally be that the Athlete holds an official passport issued by the country. Evidence of legal residence or domicile will not be accepted as evidence of nationality save where otherwise provided in an international treaty or comparable instrument.
- 3.4. An Athlete who is a national of two or more countries at the same time may choose to represent either one of them. However, after having represented one of the countries in a WWR Licensed Competition, the Athlete may not represent another country without meeting the conditions for a change of nationality.

Change of Nationality

- 3.5. An Athlete who has represented one country in a WWR Licensed Competition who changes nationality, who acquires a new nationality, or who holds two or more nationalities, may change the country they represent to one of their other nationalities. The Athlete may represent a new country in WWR Licensed Competition after three years have passed since the Athlete last represented the former country in a WWR Licensed Competition. This waiting period may be reduced to one year with the agreement of the WWR Member for the Athlete's former country.

Participation in non-WWR events

- 3.6. This policy applies only to Athletes participating in the Sport in WWR Licensed Competitions. Recognition of nationality by WWR does not obligate another sport federation to recognize the same nationality, and recognition of nationality by another sport federation does not obligate WWR to recognize the same nationality. In particular, nationality requirements for Paralympic Games are set by IPC and Athletes participating in Wheelchair Rugby at Paralympic Games are required to follow IPC rules for determining nationality and for change of nationality.

Special Status

- 3.7. WWR recognizes National Paralympic Committees (NPCs) in good standing with the IPC in determining jurisdiction of member countries. As IPC recognizes certain NPCs for territories that are not sovereign states, the IPC concept of 'nationality' may not always follow the general principle set out in this Regulation 3. The Board will have absolute discretion to determine the nationality eligibility requirements of Athletes representing such territories.

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- 3.8. WWR will have regard to the plight of stateless persons (as that phrase is understood in international law and more specifically defined in the UN Convention on the Reduction of Statelessness, the 1951 UN Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees). WWR will determine the eligibility requirements of any Athlete deemed to be a stateless person.
- 3.9. Regardless of the provisions of this eligibility Regulation, any Athlete who as of the date of implementation of this Regulation by the Board was recognized as a national of a country shall continue to be permitted to represent that country in international competition until such time as they retire from the Sport or change nationality in accordance with the provisions of this Regulation.

Procedures

- 3.10. Any application for a change of nationality, or for any consideration under specific or exceptional circumstances, shall be submitted to WWR by the Member who wishes to enter the Athlete into competition. The application shall be accompanied by all relevant evidence and any other documentation as required by WWR. This may include but is not limited to the evidence of support from the country of origin / relevant Member.
- 3.11. Where an Athlete competitor objects to the nationality attributed to them under these Regulations and where genuine exceptional circumstances exist, or in circumstances not fully covered by these Regulations, an Athlete may apply to WWR for a ruling on their nationality. On such an application WWR may take all decisions of a general or individual nature with regard to issues resulting from nationality, citizenship, domicile or residence of any Athlete, including the duration of any waiting period and/or any other requirements or conditions.
- 3.12. The Board normally delegates authority to the Secretary General to decide and resolve all matters relating to the determination of the country that a competitor may represent in WWR competitions. Where the matter pertains to an international treaty the matter shall be referred to the Board.

B. Classification

- 3.13. The WWR Classification Rules permit an appeal as provided for in Articles 42 to 44 thereof, referred to as the Classification Appeal.
- 3.14. Where the Classification Appeal process is activated pursuant to the Classification Rules the Appeal Body designated thereunder shall be constituted as an Appeal Committee in accordance with Regulation 6 to resolve the Classification Appeal. Sitting in this capacity the Appeal Committee shall be known as the Appeal Body (as contemplated under the Classification Rules).
- 3.15. A Classification Appeal is commenced by way of the Classification Appeal Form as set out in **Appendix 1** of this Regulation. The Appeal Form submitted shall identify the classification decision being appealed and provide all relevant details including the grounds upon which the decision is being appealed.
- 3.16. The Classification Appeal Form shall be lodged by the appealing party (the "Appellant") with WWR within fourteen (14) days of the date of communication of the underlying decision to the Athlete or National Member Organisation. Classification Appeals should be sent to the Secretary General.

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Regulation 3. - APPENDIX 1 Classification Appeal Form

This form is available from the website as a separate download that can be filled in.

Please go to the "[About WWR](#)" section.

Please note Appellants should also refer to the WWR Classification Rules – [click here](#)

| | |
|----------------------------------------|--|
| WWR National Member Organisation (NMO) | |
| NMO Contact Name | |
| Role | |
| Telephone Number | |
| Email address | |

| | |
|-------------------|--|
| Appellant Athlete | |
| Telephone Number | |
| Email address | |

| | |
|---------------------------------------------|--|
| Representative of Appellant (if applicable) | |
| Telephone Number | |
| Email address | |

| | |
|--------------------------------------------|--|
| Date that appeal is lodged | |
| Date of athlete classification | |
| Tournament where classification took place | |

| |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Please provide the reasons for the Classification Appeal and in particular the procedural errors that occurred during the Classification process. (Note that further pages can be added as necessary) |
| |
| Please identify and provide any relevant documentation in support of your Classification Appeal |
| |

Please return completed form by e-mail to judicial@worldwheelchair.rugby

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4. Regulation 4: Misconduct & Code of Conduct

A. Application of the Regulation

- 4.1. The provisions of this Regulation including the WWR Code of Conduct (at Appendix 1) apply to all Members and Persons within their jurisdictions at all levels. It is each Member's responsibility to advise their Athletes, Persons and members of this Regulation and the WWR Code of Conduct and their duty to comply with same.
- 4.2. Members shall ensure that they have in place disciplinary regulations and a code of conduct compatible with and not in conflict with this Regulation 4 and such regulations are applied to and complied with by all Athletes, Persons and members within their jurisdiction.
- 4.3. Any act of Misconduct shall constitute an offence under this Regulation and may result in disciplinary proceedings being brought against and sanctions being imposed upon the Athlete, Person and/or Member involved.
- 4.4. For the purposes of these Regulations, "**Misconduct**" shall mean any conduct, behaviour, statements and/or practices on or off the playing enclosure during or in connection with a Match, competition or otherwise, that is unsporting and/or cheating and/or insulting and/or unruly and/or ill-disciplined and/or contrary to the integrity of the Game and/or that brings or has the potential to bring the Game and/or any of its constituent bodies, WWR and/or its appointed personnel or partners and/or Match officials, and/or Technical Officials and/or judicial personnel into disrepute.
- 4.5. Whilst it is not possible to provide an exhaustive list of the types of conduct, behaviour, statements or practices that may amount to Misconduct under these Regulations, by way of illustration, each of the following types of conduct, behaviour, statements (including any statement made online, on social networking platforms or on group chat or messaging applications or sites) or practices however or wheresoever undertaken are examples of and constitute Misconduct:
 - 4.5.1. verbal, physical or emotional abuse of any kind, or other violent, threatening, intimidating, harassing or deliberately provocative behaviour, or behaviour which may reasonably be interpreted as intended to offend, insult, humiliate, ridicule or cause harm or fear;

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- 4.5.2. acting in an abusive, insulting, intimidating or offensive manner towards Technical Officials, Technical Delegates, members of Judicial or Appeal Committees or other officials or any person associated with the host Member, the Tournament Organiser or the Member or Member teams participating in a Match or spectators;
- 4.5.3. acts or statements that are, or conduct that is, discriminatory by reason of religion, race, sex, sexual orientation, disability, colour or national or ethnic origin;
- 4.5.4. providing inaccurate and/or misleading information about the previous disciplinary record of the Athlete or Person in any proceedings under this Regulation or the Anti-Doping Regulation or other disciplinary proceedings and any classification misrepresentation;
- 4.5.5. any breach of the WWR Code of Conduct;
- 4.5.6. comments and/or conduct in connection with current and/or anticipated disciplinary proceedings and/or Match officiating (or any aspect thereof), which may be prejudicial to or adversely impact such proceedings and/or which are prejudicial to the interests of the Game and/or any Person and/or any disciplinary personnel;
- 4.5.7. refusal or failure to cooperate fully with the classification and/or judicial process (including co-operation with any investigation by the Disciplinary Officer or their nominee) in the absence of a reasonable explanation;
- 4.5.8. refusal or failure to cooperate fully with any investigations conducted pursuant under WWR Statutes, Bylaws, Regulations rules or policies or in connection with any complaint or dispute which is or could be brought before a Judicial Officer, Judicial Committee or Appeal Committee;
- 4.5.9. refusal and/or failure to comply with the reasonable directions of WWR or any Technical Official or to comply with an order of a Judicial or Appeal Committee that the Person appear, including as a witness;
- 4.5.10. the commission of any act and/or the making of any statement that attacks the Game and/or any of its constituent bodies, WWR and/or its associated entities and its or their appointed personnel or partners and/or Match officials and/or Technical Officials and/or judicial personnel or is unlawfully discriminatory; and/or
- 4.5.11. any breach of the Anti-Doping Rules or WWR Classification Code.

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- 4.6. For the avoidance of doubt:
- 4.6.1. proceedings may be brought against a Person (and that Person may be sanctioned) for Misconduct that also constitutes a breach of the WWR International Rules and/or WWR Classification Rules even if that conduct has been the subject of a penalty or otherwise dealt with by the Technical Official(s); and
 - 4.6.2. the threshold for Misconduct might be met by multiple instances of the same or different conduct or behaviour that, taken alone would not reach the threshold to constitute Misconduct but, when considered together, in the absolute discretion of the Disciplinary Officer, would constitute Misconduct; and
 - 4.6.3. A Person who solicits, induces, entice, instructs, persuades, encourages or facilitates another Person to commit Misconduct, or who knowingly assists, covers up or is otherwise complicit in another Person's committal of Misconduct, will be treated as if that Person committed such breach themselves and will be held liable accordingly.
- 4.7. Members are responsible and accountable for the conduct of their Athletes and all Persons within their jurisdiction. Members, Athletes and Persons must conduct themselves in a disciplined and sporting manner and ensure that they do not commit any act(s) of Misconduct. They shall be obliged to cooperate fully and promptly with any investigation instigated under this Regulation 4.

B. Disciplinary Officer

- 4.8. The Board shall nominate the Disciplinary Officer for WWR to carry out the functions specified in these Regulations or as otherwise delegated to them by the Board. The Disciplinary Officer shall ordinarily be the Secretary General or their designated nominee.
- 4.9. The Disciplinary Officer who shall administer this Regulation shall:
- 4.9.1. shall consider any complaints submitted alleging breaches of the Code of Conduct;
 - 4.9.2. have full power and authority to consider and investigate all matters that constitute or are capable of constituting Misconduct whether; (i) following a report by a third party of possible Misconduct, which report should ordinarily be made promptly after the conduct in question occurred; (ii) on the recommendation of the Board; (iii) at the Disciplinary Officer's own instigation; or (iv) otherwise prompted;
 - 4.9.3. be entitled to undertake such investigations (personally or through a nominee(s)) as the officer may consider necessary into incidents that constitute or may be capable of constituting Misconduct on the part of Athletes, Persons, Members and/or wheelchair rugby bodies in accordance with Regulation 4. The Disciplinary Officer may

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- bring a Misconduct complaint and their decision in respect of both the initiating of an investigation and/or the bringing of a Misconduct complaint shall be final;
- 4.9.4. have the burden of proving, on the balance of probabilities, that an act or acts of Misconduct have been committed; and
 - 4.9.5. attend any hearing to explain the basis of the Misconduct complaint and present the complaint to the appointed hearing panel. They may be assisted by a legal advisor.
- 4.10. Nothing in this Regulation shall limit or restrict the right of the Disciplinary Officer on behalf of WWR to appoint a designated disciplinary officer to undertake such investigations as they may consider necessary into incidents that constitute or may be capable of constituting Misconduct or acts which have the potential to bring the Game or WWR into disrepute on the part of Persons, Members and/or wheelchair rugby bodies.

C. Misconduct Complaint

- 4.11. Each Person should report to the Disciplinary Officer matters that may constitute Misconduct under this Regulation 4 promptly after becoming aware of such matters.
- 4.12. Subject to Regulation 2.2 any Misconduct complaint shall be sent in writing to the Disciplinary Officer by the Member or other Person in respect of the Person(s) or body(ies) against whom the Misconduct complaint is made. The Misconduct complaint should contain the following information:
 - 4.12.1. date and place of the alleged Misconduct;
 - 4.12.2. the name of the Person or other party in respect of whom the complaint is made and (where applicable) their wheelchair rugby body; and
 - 4.12.3. details of the alleged Misconduct (including brief details of the evidence to be relied upon).
- 4.13. On receipt of a Misconduct complaint, the Disciplinary Officer shall review the matter in accordance with the Investigation procedures in this Regulation.

D. Investigation

- 4.14. In carrying out the Disciplinary Officer's functions under this Misconduct Regulation, the Disciplinary Officer will be entitled to undertake such investigations as they may deem appropriate, including:
 - 4.14.1. requiring the provision of information, documentation, written statements and/or answers, and other material that the Disciplinary Officer considers relevant; and/or
 - 4.14.2. requiring attendance at meetings to answer questions in person.

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- 4.15. If a matter is brought to the attention of the Disciplinary Officer and/or they investigate any matter, the Disciplinary Officer will have sole discretion to determine whether or not to take further action and, if so, what action to take, which might include:
- 4.15.1. deciding no further action is required and, if appropriate, informing the subject of the investigation;
 - 4.15.2. rejecting a report because it does not fall within the authority of WWR and/or, if appropriate, referring it to another relevant body (such as a Member);
 - 4.15.3. dismissing a report on the grounds that there is not enough evidence to warrant further action being taken and, if appropriate, informing the subject of the investigation;
 - 4.15.4. dismissing a report on the grounds that it is vexatious or malicious and, if appropriate, informing the subject of the investigation;
 - 4.15.5. referring a report to any authority deemed more appropriate in practice or in law to handle it, including other sports governing bodies, statutory bodies and/or law enforcement agencies;
 - 4.15.6. referring the matter to be dealt with under the Anti-Doping Rules;
 - 4.15.7. dealing with a report informally by way of advice, information, warning or reprimand because it is not serious enough to warrant the issuing of a Misconduct charge;
 - 4.15.8. bringing a Misconduct charge if there is a case to answer; and/or
 - 4.15.9. taking any other action in accordance with this Regulation.
- 4.16. A decision of the Disciplinary Officer (including regarding whether or not to instigate an investigation and, if an investigation is instigated, whether or not to take any action or the nature of the action taken) will be final and will not be subject to appeal by any party.
- 4.17. The Disciplinary Officer will not notify or otherwise update or respond to: (i) any person who reported a matter to WWR; (ii) any person who is the subject of an investigation; or (iii) any third party, regarding any decisions taken, unless the Disciplinary Officer deems it necessary and/or appropriate.

E. Charge

- 4.18. If, as a result of an investigation, the Disciplinary Officer concludes that the Person under investigation has a case to answer in respect of Misconduct, then the Disciplinary Officer will send a formal notice of charge to that Person. The notice of charge will ordinarily:
- 4.18.1. set out the charge, or if more than one specify each charge individually, including the provision(s) and/or regulation(s) alleged to have been breached and attach copies of the evidence, information and/or documentation to be relied on; and
 - 4.18.2. require a response from the Person within 21 days (or within a shorter period in the sole discretion of the Disciplinary Officer).

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- 4.19. The Person charged may admit the charge or if they deny the charge (in whole or in part) shall provide written submissions setting out why the Misconduct charge(s) should not be upheld and provide all supporting evidence, information and/or documentation upon which they intend to rely upon, including a written witness statement from any witness of fact or evidence upon whom they intend to rely or call to give evidence at the hearing.
- 4.20. If the charged Person fails or refuses to respond to the notice of charge by the stipulated deadline, or by any extended timeline provided by the Disciplinary Officer (at their discretion), will presume the charge is admitted and that the Person does not wish to make any submissions or provide any evidence and forward the matter to the Independent Judicial Chair for a Judicial Committee or Judicial Officer to determine the charge and (if applicable) any consequential sanction.

F. Provisional Suspension

- 4.21. In exceptional circumstances where the conduct of a Person is considered by the Disciplinary Officer to be sufficiently serious and urgent that their continued involvement in the Game in any capacity pending the final determination of the matter is inappropriate, then the Disciplinary Officer may at their discretion impose a provisional suspension on the Person subject to the Misconduct complaint pending the resolution of the case.
- 4.22. Where a provisional suspension is imposed pending investigation or charge:
- 4.22.1. the Person who is provisionally suspended will be suspended from participating in all aspects of the Game unless the Disciplinary Officer determines in writing to vary the breadth of the provisional suspension and/or to restrict it only to certain aspects and/or activities.
 - 4.22.2. the provisional suspension will be effective from the date that it is notified to the Person (unless determined otherwise by the Disciplinary Officer and notified in writing to the Participant).
 - 4.22.3. the Disciplinary Officer will in their sole discretion periodically review the need for provisional suspension and maintain, vary or withdraw the provisional suspension accordingly.
- 4.23. The Person who is provisionally suspended may voluntarily accept the provisional suspension or may appeal its imposition. Any appeal should be made in writing within 14 days of the imposition of the provisional suspension to the Judicial Committee or Judicial Office (or the Independent Judicial Chair if a Committee has not been appointed) to lift or vary the provisional suspension on the basis that the matter is not sufficiently serious

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or urgent enough to justify its imposition. In such circumstances the Judicial Committee or Judicial Officer (or the Independent Judicial Chair):

- 4.23.1. will promptly consider the request and hear from WWR, determine the application, make an appropriate order and notify the parties of its decision;
- 4.23.2. may lift the provisional suspension or impose an indefinite provisional suspension or impose a limited period of provision suspension or vary the provisional suspension.
- 4.24. There is no appeal from the Judicial Committee or Judicial Officer (or the Independent Judicial Chair's) decision in relation to the provisional suspension.
- 4.25. A period of provisional suspension fully served (whether voluntary or otherwise) will be credited against any period of suspension that may subsequently be imposed on the Person.

G. Appointment of Committee and Hearing

- 4.26. The Independent Judicial Chair, at the request of the Disciplinary Officer, shall appoint a Judicial Committee or Judicial Officer to hear the matter as soon as reasonably practicable in accordance with Regulation 6.
- 4.27. The Judicial Committee or Judicial Officer shall deal with cases involving alleged Misconduct as soon as practicable.
- 4.28. The appointed Judicial Committee or Judicial Officer shall;
 - 4.28.1. deal with pre-hearing and hearing procedures in accordance with Regulation 6.32;
 - 4.28.2. make and issue its decision in accordance with Regulation 6.12;
- 4.29. Hearings shall be held by virtual means utilising appropriate technology. The Independent Judicial Chair may, on the application of a party to a dispute or allegation of misconduct decide that the matter be held in person (or by hybrid means) subject to considerations of convenience, timing and cost to the parties involved.
- 4.30. A Member or Person subject to the Misconduct proceedings shall be entitled to request an expedited hearing and the Judicial Committee or Judicial Officer appointed shall consider such a request and make a determination accordingly.
- 4.31. Where a Person admits the Misconduct charge, the determination of the appropriate sanction (if any) shall be determined by a Judicial Officer or Judicial Committee as appointed by the Independent Judicial Chair for this purpose.

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- 4.32. The final written decision of a Judicial Committee or Judicial Officer in relation to any charge of Misconduct (whether upheld by such Committee or not) may be appealed by any of the parties in accordance with Regulation 6.16 and Regulation 6K.

H. General

- 4.33. Employees of WWR may be engaged to provide administrative support to the Independent Judicial Chair, the Judicial Officer and the Judicial Committees appointed, at their request, to send notifications and other communications from any of them (on their behalf), to the parties to the proceedings.
- 4.34. In the event that a particular incident takes place for which there is no provision in the Regulations, rules or policies, the Disciplinary Officer (or their nominee) may take such action as is considered appropriate in the circumstances in accordance with the general principles of natural justice and fairness.

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Reg. 4 - APPENDIX 1 – CODE OF CONDUCT

A. All Members and Persons shall:

- 4.35. ensure that the Sport is played and conducted in accordance with integrity, with disciplined and sporting behaviour and acknowledge that it is not sufficient to rely solely upon the Technical Officials including referees to maintain those principles. Equally Technical Officials shall apply the rules of the Sport in a fair and consistent manner and make decisions with absolute impartiality and objectivity;
- 4.36. co-operate in ensuring that the spirit of fair play and the Bylaws, Regulations, rules and policies of the Sport are upheld;
- 4.37. promote the reputation of the Sport and take all possible steps to prevent it from being brought into disrepute;
- 4.38. refrain from selecting Athletes who are provisionally suspended or serving a disciplinary sanction;
- 4.39. not repeatedly breach the rules, policies and/or Regulations of the Sport;
- 4.40. accept and observe the authority and decisions of Technical Delegates, Technical Officials, the Disciplinary Officer and all other wheelchair rugby disciplinary bodies;
- 4.41. not publish or cause to be published (including online, on social networking platforms or on group chat or messaging applications or sites) criticism of the manner in which a Technical Official or Referee handled a Match;
- 4.42. not publish or cause to be published criticism of the manner in which the Board, Technical Official, Technical Delegate, Judicial or Appeal Committee or any other

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- wheelchair rugby disciplinary body handled or resolved any dispute or disciplinary matter resulting from a breach of the Bylaws, Regulations, rules or policies of the Sport;
- 4.43. not engage in any conduct or any activity on or off the field that may impair public confidence in the honest and orderly conduct of a Match (or series of Matches), competition or tournament (including, but not limited to, the supply of information in relation to the Match or any Athlete, directly or indirectly, to bookmakers or to persons who may use such information to their advantage) or in the integrity and good character of any Person;
 - 4.44. abstain from participating in, supporting or promoting betting related to WWR Licensed Games and/or events;
 - 4.45. not commit an anti-doping rule violation as defined in the WWR Anti-Doping Rules and refrain from assisting any Athlete or Person in gaining an unfair advantage;
 - 4.46. not abuse, threaten or intimidate a referee or other Technical Official or staff member of WWR, or WWR volunteer, whether on or off the field of play;
 - 4.47. not use crude or abusive language or gestures towards Technical Officials, referees, spectators and/or Persons;
 - 4.48. not do anything which is likely to intimidate, offend, insult, humiliate or discriminate against any Person on the ground of their religion, race, sex, sexual orientation, colour or national or ethnic origin;
 - 4.49. not do anything which adversely affects the Sport, the Board, any Member or Person or any commercial partner of the Sport;
 - 4.50. refrain from using WWR Membership and WWR Matches and/or events to promote any political agenda, other than the advancement of sport for persons with an impairment and democracy, empowerment, equality and the protection of human rights.

B. Applicability

- 4.51. Each Member is under an obligation to comply with and to ensure that each of its members comply with this Code of Conduct and adopt procedures to monitor compliance with and impose sanctions for breaches of the Code of Conduct by Persons under its jurisdiction.
- 4.52. This Code of Conduct applies to all Persons participating or involved in WWR sanctioned events, including but not limited to Matches, competitions, conferences, meetings, training events and clinics. This Code of Conduct also applies to all WWR staff, WWR committee members, the Board members when they are engaged in activities representing or related to the business of WWR.
- 4.53. Where a Person believes that another Person has violated this Code, a complaint should be made promptly to WWR for the attention of the Disciplinary Officer.

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5. Regulation 5: Breach of the Regulations, WWR Statutes, Bylaws or Rules

- 5.1. A Person or Member shall be subject to sanction by a Judicial Officer or Judicial Committee if they are found to have breached the Bylaws, Regulations (including the Code of Conduct), rules or policies.
- 5.2. Where the Board suspends a Member pursuant to Bylaw 2 (6), the Member shall have the right to appeal against such suspension. The procedures to apply to such appeal are set out in Regulation 7.
- 5.3. Where a Judicial Committee or Appeal Committee consider that a Member has engaged in conduct which warrants the expulsion of a Member from WWR – the power of the judicial body will be limited to a suspension and a recommendation to the Board that the Member be expelled in accordance with the Statutes.
- 5.4. Where a decision is made (by WWR or by a Judicial Officer or Judicial / Appeal Committee) that there has been a breach of the WWR Statutes, Bylaws, Regulations, Rules or Policies and a sanction is imposed such sanction shall be recognised by all the Members of WWR who shall apply same within their territories. In this regard the Members shall take all necessary actions to render such decision effective within their jurisdiction(s).

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6. Regulation 6: Judicial Matters & Judicial Panel

A. General- Judicial & Appeal Committees

- 6.1. Regulation 6 sets out the procedures, functions and powers of the Judicial and Appeal Committees and Judicial Officers – which are collectively referred to in this Regulation 6 as 'Committee(s)'.
- 6.2. Committees shall be composed from the persons who are members of the WWR Judicial Panel (appointed pursuant to Regulation 6B) and thereafter appointed to a case by the Independent Judicial Chair (in accordance with Regulation 6C).
- 6.3. Committees constituted under these Regulations shall exercise their functions independently, including independently of (i) the parties to the Match and/or proceedings, (ii) the Member or body under whose jurisdiction responsibility falls for the relevant Match and shall not perform a legislative role for any Member involved in the Match and/or proceedings.
- 6.4. Committees shall be fully autonomous and, any decision(s) they make shall be binding on the Athlete, Person, their National Member Organization and all other Members (and Tournament Organisers and their constituent bodies, none of whom shall have the power to affirm, revoke or alter any decision.
- 6.5. The standard of proof on all questions to be determined by Committees shall be the balance of probabilities unless otherwise specified in a particular Regulation. Committees shall have no discretion in this regard.
- 6.6. Committees shall ordinarily publish reports of their proceedings, findings and sanctions save where the Committee has directed otherwise (giving reasons) and such publication shall be made through WWR. No member of a Committee shall comment publicly on a decision of that body.
- 6.7. Committees shall not award costs in relation to any proceedings save in exceptional circumstances.
- 6.8. Hearings shall ordinarily take place in private, save where any of the parties wish the hearing to take place in public (meaning in a publicly-accessible manner which may include the recording and/or transmission of the hearing on a live or delayed basis). In such circumstances:

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- 6.8.1. The party wishing to have the hearing take place in public shall make an application to the Committee seized of the proceedings setting out their reasons;
- 6.8.2. Committees shall grant such application (i) if all parties are in agreement; or (ii) if it determines that it is in the interests of justice to do so.
- 6.9. Committees shall be entitled to:
 - 6.9.1. adjourn and/or postpone proceedings;
 - 6.9.2. determine whether witnesses that give evidence are able to remain within the room in which the matter is being heard after their evidence has been given;
 - 6.9.3. call on experts to provide specialist advice;
 - 6.9.4. be assisted by a legal advisor;
 - 6.9.5. In addition Committees:
 - 6.9.6. may direct that an interpreter be present to partake in the proceedings;
 - 6.9.7. shall deliberate in private on their decisions.
- 6.10. The non-attendance of a party at a hearing and/or any preliminary hearing in respect of which that party has received notice, shall not prevent the matter being dealt with in their absence.
- 6.11. Hearings by Committees shall:
 - 6.11.1. ordinarily be held by video-conference, unless otherwise agreed by the Independent Judicial Chair taking into account the circumstances of the case, convenience and cost considerations.
 - 6.11.2. ordinarily be recorded, in whole or in part, at the discretion of the Committee using audio and/or audio-visual recording equipment or the services of a stenographer. The record of proceedings and all documents and other evidence/information associated with the proceedings shall be retained securely for a suitable period by WWR.
- 6.12. A decision of a Committee shall:
 - 6.12.1. be made by majority save where the Committee is comprised of two persons, in which case their decision shall be unanimous.
 - 6.12.2. no member of the Committee may abstain from participating in any deliberations or from voting. Where a Committee has an even number of members and they are unable to reach a unanimous or majority decision then the Chair of the Committee shall have a casting vote.
 - 6.12.3. reasons for the decision shall be given in writing. Dissenting opinions are not recognised by WWR and are not notified, but the fact a decision is one made by majority may be referenced by the Committee.
 - 6.12.4. shall ordinarily contain details of the charge(s) / allegation(s) considered; a summary of the relevant evidence heard; the findings of the Committee; the decision of the Committee; the sanction and/or order (if any) imposed (the precise nature of which will be described including its scope and the extent of any activities restricted or

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- prohibited); the reasons for the Committee's decision to uphold or dismiss the charge / allegation; and if applicable, the reasons for the Committee's decision to impose a sanction and/or other order.
- 6.12.5. be sent by the Chair of the Committee to the parties the subject of the proceedings (including WWR);
- 6.12.6. unless stated otherwise by the Committee shall take effect immediately. Any penalties imposed shall remain in effective unless and until an appeal decision has been rendered.
- 6.13. Any procedures, findings or decisions of Committees pursuant to disciplinary processes under these Regulations shall not be quashed or invalidated by reason only of any departure from the procedural regulations, defect, irregularity, omission or other technicality unless such departure, defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of these bodies or results in a miscarriage of justice.
- 6.14. The final written decision of a Judicial Committee or Judicial Officer may be appealed to an Appeal Committee. For the appeal to be valid it must be made within 14 days of receipt of the written decision that is to be appealed. The Appeals procedure are set out in Regulation 6K below.
- 6.15. Where a matter is not provided for in this Regulation 6, the Committee shall take a decision according to general principles of natural justice and fairness.

B. Appointment to the WWR Judicial Panel

- 6.16. The Board shall establish the Judicial Panel from which all Committees shall be appointed save where otherwise expressly provided in these Regulations. The Board may supplement the membership of the Judicial Panel at any time.
- 6.17. The Judicial Panel shall comprise of individuals of such number as the Board shall think fit, each of whom shall be eligible to sit in one or more of the following capacities:
- 6.17.1. Judicial Officer and/or Member of a Judicial Committee; or
 - 6.17.2. Appeal Officer and/or Member of an Appeal Committee; or
 - 6.17.3. Special designated Committee e.g. Anti-Doping or Classification Committee
- 6.18. The Board shall appoint a chairperson of the Judicial Panel who shall be known as the Independent Judicial Chair. The term of the Independent Judicial Chair shall be for four (4) years, renewable by the Board.
- 6.19. The Judicial Panel members and the Independent Judicial Chair shall meet the Appointment Criteria as set out in **Appendix 1** of this Regulation.

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- 6.20. Members of the Judicial Panel shall be appointed for a period of up to four (4) years, following which they shall, unless re-appointed by the Board, automatically cease to be a member of the Judicial Panel. The Board may, at its discretion, remove any member of the Judicial Panel where the member:
- 6.20.1. no longer meets the Appointment Criteria; or
 - 6.20.2. committed any serious or repeated breach of WWR's Regulations, rules and/or policies; or
 - 6.20.3. committed a criminal offence or acted in any manner that brought the Game and/or WWR into disrepute; or
 - 6.20.4. acted in a manner inconsistent with their role as a Judicial Panel Member.

The decision of the Board in relation to the removal of any member of the Judicial Panel shall be final and binding.

- 6.21. No person who is a member of the Judicial Panel may hold a position, either as a member of the executive of WWR, the Board or be a member of Council or of any Working Group or Committee of WWR. Any Judicial Panel member intending to seek a role within WWR shall first resign their position on the Judicial Panel.
- 6.22. The Independent Judicial Chair shall have the power, exercisable in their discretion, to co-opt from time to time additional persons with specialist skills and experience to sit on Judicial Committees to deal with cases that require such specialist skills and experience whether such persons are members of the Judicial and Disciplinary Panel or not.
- 6.23. In exceptional circumstances the Independent Judicial Chair may appoint an Appeal Officer to conduct an appeal. Such circumstances would include expedition in the context of an impending deadline, by agreement of the Appellant or if the appeal is limited to an appeal of sanction only.
- 6.24. Every member of the Judicial Panel, the Independent Judicial Chair shall be indemnified in respect of the execution of their duties on terms to be notified by the Board.

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C. The Appointment & functions of Committees

- 6.25. The Independent Judicial Chair shall, appoint individual Committees from members of the Judicial Panel to resolve, hear and adjudicate on the following:
- 6.25.1. alleged breach(es) of the Bylaws, Regulations, WWR rules and/or policies;
 - 6.25.2. disputes arising under these Regulations;
 - 6.25.3. disciplinary matters;
 - 6.25.4. arising from the Anti-Doping Rules;
 - 6.25.5. arising from the WWR Classification Rules;
 - 6.25.6. appeals; and/or
 - 6.25.7. such other matters as the Board, Secretary General or Independent Judicial Chair may refer to a Committee for adjudication.
- 6.26. When a Committee is appointed to adjudicate on a case it shall, ordinarily, be made up of three (3) members of the Judicial Panel, one of whom shall be a Judicial Officer nominated to act as Chair of the Committee. The Independent Judicial Chair shall, however, in any case, be entitled, at their discretion, to appoint a sole Judicial Officer or a Judicial Committee of such number as they consider appropriate, up to a maximum of 5. In the case of Appeal Committees the minimum composition shall be 2 members up to a maximum of 5.
- 6.26.1. In appeals relating to the Classification Rules, the Appeal Body shall include one independent classification expert drawn from the Appeal Panel.
 - 6.26.2. In cases relating to the Anti-Doping rules, the composition of the Anti-Doping Panel (referred to as the Anti-Doping Hearing Panel) shall consist of 3 persons drawn from the Panel, the chair of which shall be legally qualified with experience in anti-doping.
- 6.27. Members of Committees shall not have any personal involvement with any case referred to them for adjudication or any connection with any of the parties involved in such matter. Where any uncertainty arises, the member in question shall refer the matter to the Independent Judicial Chair for consideration prior to accepting the appointment.
- 6.28. If a member of a Committee having been appointed to deal with a case is unable or unwilling to adjudicate then the member shall inform the Independent Judicial Chair (providing reasons) and the Independent Judicial Chair may; (i) appoint another member of the Judicial Panel as a replacement; or (ii) appoint a new Committee; or (iii) allow the remaining Committee members to proceed and adjudicate on the case.
- 6.29. A Committee constituted under these Regulations shall exercise their functions independently, including independently of (i) the parties to the Match, dispute and/or the proceedings, (ii) WWR, relevant Member(s) and/or the Tournament Organiser.

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- 6.30. Committees shall be fully autonomous and, any decision(s) they make shall be binding on the Athlete, Person, the relevant Member bod(ies) and all other Members and the Tournament Organiser and their constituent bodies, none of whom shall have the power to affirm, revoke or alter any decision.

D. Judicial Committees - Power to regulate their own procedures

- 6.31. The procedures of Judicial Committees in all proceedings shall be as the appointed Judicial Committee or Judicial Officer determines in each case. However, subject to the power to regulate its own procedures, it shall:
- 6.31.1. seek to conform generally with the procedures set out in the remainder of this Regulation 6; and
 - 6.31.2. ensure that an Athlete and/or Person subject to judicial proceedings has a reasonable opportunity to be heard and be informed of the charge(s) and to present their case.
- 6.32. The Chair of the Judicial Committee shall be entitled to determine pre-hearing procedural and/or evidential matters. Such matters may include:
- 6.32.1. a pre-hearing conference convened for the purposes of giving directions for the hearing and clarification of the procedures; and
 - 6.32.2. the requirement for any person to attend the hearing as a witness.
- For the purposes of pre-hearing case management the Chair of the Judicial Committee may exercise this function without reference to the other Judicial Committee members.
- 6.33. The Judicial Committee shall endeavour to ensure that disciplinary/judicial proceedings are heard in the presence of the Member, Athlete and/or Person who is the subject of the proceedings. Nothing in the Regulations, or otherwise, shall prevent a Judicial Committee hearing and determining disciplinary/judicial proceedings in their absence. However hearings may only be held in the absence of any of the parties if those parties have first been given the opportunity to attend and have declined or not responded to the opportunity to attend without reasonable excuse or consented to a hearing in absentia. In such circumstances the Judicial Committee may take any written representations into account in making its decision.
- 6.34. If a member of a Judicial Committee is unwilling or unable, for whatever reason, to hear the matter referred to them then the Independent Judicial Chair may, at their discretion:
- 6.34.1. appoint another member to the Judicial Committee as a replacement;
 - 6.34.2. appoint a new Judicial or Appeal Member or appoint a new Judicial Committee;
 - 6.34.3. allow the remaining members of the Judicial Committee to hear the matter; or
 - 6.34.4. appoint a Judicial or Appeal Officer to take the place of the Judicial Committee.

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- 6.35. Where a hearing is pending, the Judicial Committee may, prior to the hearing, require the following of the subject(s) of the hearing to:
- 6.35.1. supply the Judicial Committee with full particulars of the case that will be presented on their behalf at the hearing and any witnesses intended to be called by them;
 - 6.35.2. provide it with copies of any documents or reports that may be relied on by the subject(s) of the hearing at the hearing; and
 - 6.35.3. comply with such directions as shall be considered appropriate by the Judicial Committee at, or prior to, the hearing.

E. Judicial Committees - General Procedures

- 6.36. The general procedures relating to proceedings of Judicial Committees set out above shall apply. The Board may prescribe additional regulations for the conduct of members of Judicial Committees and may from time to time vary, revoke or replace any such regulations in accordance with the procedures set out in the WWR Bylaws.
- 6.37. Any Member, Athlete or Person **who** is required to attend a hearing to answer charges or allegations shall be entitled to be represented at the hearing including by a Member representative and/or by legal counsel.

Evidence

- 6.38. The Judicial Committee shall be entitled to receive such evidence and in such form as it thinks fit (including evidence in writing), notwithstanding the evidence may not be admissible in civil or criminal proceedings and shall be entitled to attach such weight to that evidence as it sees fit.
- 6.39. First-hand accounts from persons present at the hearing as to their observations of the incident in question are to be preferred. Hearsay evidence may be accepted. However, caution will be exercised before hearsay evidence is accepted in preference to first hand evidence and generally less weight is likely to be given to hearsay evidence.
- 6.40. Judicial Committees should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence is only likely to be permitted when the evidence falls outside the everyday knowledge of members of the Judicial Committee.

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- 6.41. Where a direction is given by a Judicial Committee it shall be the responsibility of the Member, the Athlete, Person or witness concerned to ensure that it is complied with. In any case where a direction given by the Judicial Committee is not complied with, the Judicial Committee may refuse to allow the evidence of the Member, Athlete or Person or witness to be given in any other form.
- 6.42. The Judicial Committee may direct that WWR be represented. If so directed, the WWR shall appear at the hearing represented by counsel, in such capacity as the Judicial Committee requires, to provide assistance to it in the discharge of its duties.
- 6.43. Offences and breaches of Regulations may be established by any reliable means, including admissions. The following rules of proof shall be applied by the Judicial Committee:
- 6.43.1. they shall have the discretion to accept any facts established by a decision of a court of competent jurisdiction or professional disciplinary Committee which is not the subject of a pending appeal as irrefutable evidence against the Member, Athlete and/or Person to whom the decision relates of those facts; and
- 6.43.2. where the Member, Athlete and/or Person is charged with an offence and/or breach and fails or refuses without reasonable justification to appear at a hearing (in person or by way of technology) of which they have been given reasonable notice, the Judicial Committee may draw an inference adverse to the Member, Athlete or Person.

F. Hearing Procedures

- 6.44. Unless it otherwise directs, the procedure of the Judicial Committee at a hearing will be as follows:
- 6.44.1. the Chair will explain the procedure to be followed;
- 6.44.2. the allegations will be read; and
- 6.44.3. the Member (through its authorised representative), Athlete or Person will be asked to confirm if they admit that they have committed the act(s) of Misconduct or breach(es) of the Regulation(s) for which they are charged;
- 6.44.4. the Disciplinary Officer (or their nominee) shall present the evidence including calling any witnesses;
- 6.44.5. evidence from the Member, Athlete or Person if they elect to give evidence, and from any witnesses to be called will be heard; and
- 6.44.6. final submissions will be heard including in relation to sanctions.
- 6.45. For cases involving Misconduct or other breaches of the Regulations, the Judicial Committee may request that a person be available to present the case and set out the basis of the Misconduct or other charges.

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- 6.46. The party subject to disciplinary/judicial proceedings may admit the offence at any time in which case the Judicial Committee or Judicial Officer should proceed immediately to hear submissions in relation to sanction.
- 6.47. Where disciplinary/judicial proceedings, however arising, are taken against more than one Athlete, Person or Member as a result of incidents or arising from the same incident or series of incidents, such proceedings may be heard by a Judicial Committee at the same time, provided there is no prejudice to any person against whom the disciplinary proceedings are taken.
- 6.48. Judicial and Appeal Committees shall endeavour to ensure that:
- 6.48.1. the Athlete, Member and/or Person subject to proceedings has a reasonable opportunity to be heard and to present their case;
 - 6.48.2. any Athlete or other Person who has appealed a decision or who is required to attend a hearing shall be entitled to be represented at the hearing including by a Member representative and/or by legal counsel;
 - 6.48.3. proceedings are heard in the presence of the Athlete, Member and/or Person subject to proceedings. However, nothing in the Rules or otherwise shall prevent the Judicial / Appeal Committee hearing and determining a matter in their absence.

G. Judicial Committee - Sanctions

- 6.49. Upon the finding of a breach of the Bylaws, Regulations, WWR rules and/or policies, Judicial Committees (including Juridical Officers) shall be entitled to impose such sanctions and orders as they think fit which may include but shall not be limited to:
- 6.49.1. a caution, warning as to future conduct, or reprimand;
 - 6.49.2. a fine(s) and/or compensation orders;
 - 6.49.3. a suspension for a specified number of Matches and/or a specified period; and/or from involvement in officiating, coaching and/or the administration of the Sport;
 - 6.49.4. the cancellation of a Match result and, where appropriate, the replaying of a Match or the forfeiture of a Match(s);
 - 6.49.5. the deduction or cancellation of points or results; the immediate or future expulsion or suspension from a tournament(s) or competition(s); or any such similar sanctions;
 - 6.49.6. exclusion orders from membership or grounds within Members;
 - 6.49.7. an order that any Person, Member, or Person under the jurisdiction of a Member pay compensation and/or restitution;
 - 6.49.8. the withdrawal of other benefits or membership of WWR, including, but not limited to, the right to apply to host international tournaments;

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- 6.49.9.a recommendation to the Board that a Member be expelled or suspended from Membership of WWR. Subject to the provisions of Regulation 5 and WWR Bylaw 2, only the WWR Board shall be competent to expel or suspend a Member and/or where the WWR Statutes or Bylaws require it and any such expulsion or suspension should be dealt with at an appropriately convened meeting of the Members;
- 6.49.10. to impose such other punishment, penalty, restriction or other terms as it considers appropriate having regard to the circumstances; and
- 6.49.11. any combination of the penalties set out in (a) to (j) above.
- 6.50. In reaching its determination on any applicable sanction under these Regulations, Judicial Committees / Judicial Officers shall be entitled to take account of mitigating and/or aggravating circumstances in the individual case.

H. The Functions of Appeal Committees

- 6.51. The functions of Appeal Committees shall be to hear and decide appeals from decisions made by Judicial Committees/Officers or as referred on appeal pursuant to the Bylaws, Regulations, rules and/or policies of WWR.
- 6.52. The Independent Judicial Chair shall appoint Appeal Committees from members of the Judicial Panel to hear such appeals. Their appointments shall be on the same basis as set out in Regulation 6.2 and 6.27 above.
- 6.53. If the decision of the Appeal Body may affect another party to the extent that the other party would have recourse to an appeal in their own right under these Regulations, that party will, at the direction of the Appeal Body, become a party to the appeal in question and will be bound by its outcome.
- 6.54. Save where the Appeal Committee decides to hear the entire case *de novo*, the Appellant shall have the burden of proving that the decision being challenged should be overturned or varied.
- 6.55. The standard of proof on all questions to be determined shall be the balance of probabilities unless otherwise specified.
- 6.56. An Appeal Body may publish reports of their proceedings, findings and sanctions (as applicable). Any such publication shall be made solely through WWR. No member of an Appeal Body shall comment publicly on a decision of that body.

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I. Appeal Committees – Power to regulate their own procedures

- 6.57. The Appeal Committee is entitled to receive and shall be provided with all available records of the proceedings before the Judicial Committee, Judicial Officer or other body whose decision is being appealed.
- 6.58. An Appeal Committee shall have the power to conduct and regulate the appeal proceedings as it sees fit having regard to the circumstances of the case but shall generally conform to the procedures stated in this Regulation 6.
- 6.59. The Appeal Committee shall have the power to order that a *de novo* hearing in whole or in part be adopted on appeal. A *de novo* hearing in whole or in part would ordinarily only be appropriate where it is established that it is in the interests of justice that a re-hearing of the case in whole or in part is necessary. In the case of an appeal which proceeds in whole as a *de novo* hearing the procedure to be adopted, the burden of proof and all evidential and other matters shall proceed as if the hearing was a first instance hearing before a Judicial Committee.
- 6.60. Except where an appeal proceeds in whole or in part on a *de novo* basis, and then only with respect of that part, which is *de novo*, the following shall apply:
- 6.60.1. Appeals and any question of fact arising on appeal will be heard and determined based on the record of the earlier decision and the evidence received and considered by the Judicial Committee;
- 6.60.2. It is for the appealing party (the “Appellant”) to establish that the decision being challenged on appeal:
- 6.60.2.1. was in error (either as to central factual findings or in law); or
- 6.60.2.2. in the interests of justice should be overturned; or
- 6.60.2.3. the sanction imposed was manifestly excessive or wrong in principle; or
- 6.60.2.4. the sanction imposed was unduly lenient; and/or
- 6.60.2.5. the correct procedures were not followed at first instance such that the decision rendered is unsound and/or materially impeded the natural rights of the Appellant.
- 6.60.3. Except where an appeal proceeds in whole or in part, and then only with respect to that part, as a *de novo* hearing, appeals shall be conducted on the basis that:
- 6.60.3.1.1. the evidential assessment or decision involving an exercise of discretion or judgment of or by a Judicial Committee shall not be overturned save in circumstances where the relevant findings made by the Judicial Committee are manifestly wrong; and/or

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- 6.60.3.1.2. the evidential assessment or decision involving an exercise of discretion or judgment of or by a Judicial Committee shall not be overturned save in circumstances where the Judicial Committee applied wrong principles in the exercise of their discretion which has resulted in an erroneous decision being made; and/or
 - 6.60.3.1.3. new or additional evidence not offered before the Judicial Committee shall only be considered by the Appeal Committee where the party offering such evidence establishes that it was not, on reasonable enquiry, available at the time of the proceedings before the Judicial Committee
- 6.61. Where the Appellant appeals against the sanction and/or cost order alone, the Appellant may request that the Appeal Committee review the sanction without the need for a personal hearing. The Appeal Committee may also determine that a personal hearing is not required in relation to any appeal. However, the Appellant always has the right to appear and make representations in all cases in person or by way of technology (including video-conference) or alternatively they may make representations in writing.
- 6.62. The Chair of the Appeal Committee shall be entitled to determine pre-hearing procedural and/or evidential matters. Such matters may include:
- 6.62.1. a pre-hearing conference convened for the purposes of giving directions for the hearing and clarification of the procedures; and/or
 - 6.62.2. the requirement for any person to attend the hearing as a witness.
- For the purposes of pre-hearing case management, the Chair of the Appeal Committee may exercise this function without reference to the other Appeal Committee members.
- 6.63. The Appeal Committee shall set a time, date and place for the hearing of the appeal which shall be notified by WWR to the Appellant(s) who has lodged the appeal.
- 6.64. Where an Athlete is suspended, provisionally suspended or had other sanctions imposed, such suspension and/or sanction shall remain in place pending the outcome of an Appeal.
- 6.65. If a Member of the Appeal Committee is unable or unwilling, for whatever reason, to hear the appeal, then the Independent Judicial Chair may, at their discretion:
- 6.65.1. appoint a replacement; or
 - 6.65.2. appoint a new Appeal Committee; or
 - 6.65.3. allow the remaining members of the Appeal Committee to hear the appeal.

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6.66. Appeal Committees shall:

- 6.66.1. have the power to direct that WWR be represented. If so, WWR shall be represented by a designated disciplinary officer (DDO) and may appear by counsel at the hearing of the appeal in such capacity as the Appeal Committee requires, to assist them in the discharge of their duties;
- 6.66.2. may permit such other persons to be present at the hearing of the appeal as they see fit;
- 6.66.3. in any case where a witness has been required to attend and refuses and/or fails to attend the hearing, the Appeal Committee may decide whether or not to allow the evidence of that witness to be given in any other form;
- 6.66.4. be entitled to determine whether witnesses that give evidence are entitled to remain within the room in which the appeal is being heard (including virtual) after their evidence has been given; and
- 6.66.5. subject to Regulation 6.62 and 6.63, be entitled to receive evidence in such form as they think fit (including evidence in writing), including evidence which may not be admissible in a court or Committee and should be entitled to attach such weight to that evidence as they see fit.

6.67. As a general rule, the Appeal Committee will only consider evidence that was before the original decision-maker. At its discretion, the Appeal Committee may hear new material evidence that was not available at the time of the original decision.

6.68. Unless a party can prove that they could not possibly have been aware of a certain fact at the time of the submission of the notice of appeal, no additional information or argument will be accepted from the Appellant by the Appeal Committee after the preliminary conference, other than that provided orally by witnesses at the hearing. The Appeal Committee will determine if an additional element of proof should be admitted or rejected where the preliminary conference has taken place.

6.69. The Appeal Committee shall have the powers ascribed to them in Regulation [x] including the power to deal with sanctions and costs as set out therein or to:

- 6.69.1. allow or re-affirm, or dismiss the appeal (in whole or part);
- 6.69.2. vary the decision in such manner as it shall think fit (including power to reduce, uphold, decrease or cancel any penalty);
- 6.69.3. make such further order (in relation to costs or otherwise) as it thinks fit;
- 6.69.4. take any other step which in the exercise of its discretion the Appeals Committee considers it would be appropriate to take in order to deal justly with the case in question;
- 6.69.5. exercise on appeal any power that the Judicial Committee could have exercised at first instance;

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- 6.69.6. remit the matter for re-hearing by the Judicial Committee or in the case of a Regulation 7 appeal, to the relevant decision making body;
- 6.69.7. take any other step it considers appropriate; and
- 6.69.8. In the case of Classification appeals only, will either affirm or set aside the decision appealed against. The Appeal Body shall have no power to modify, alter or otherwise change any athlete evaluation, sport class and or sport class status decision.
- 6.70. The decision of the Appeal Committee shall be advised to the parties as soon as practicable after the conclusion of the hearing and shall be final and binding on notification to the Member, Athlete and/or Person. Where they consider it appropriate, the Appeal Committee may deliver a short oral decision at the conclusion of the hearing (with their reasons to be put in writing and communicated to the parties at a later date) or they may reserve their decision.
- 6.71. Relevant parties heard by the Appeal Committee shall be entitled to a copy of the Appeal Committee's written decision which shall be provided by the Appeal Committee as soon as practicable after it is available.
- 6.72. The Appeal Committee shall have the power to impose any decision (or sanctions as applicable) which could be imposed by the body whose decision is challenged or appealed. Where the rules are silent in relation to sanction, the Appeal Committee shall make its determination consistent with general principles of justice and fairness taking account of any mitigating and/or aggravating factors that may apply to a particular case.
- 6.73. The Appellant may request that the Appeal Committee review the decision being challenged without the need for a personal hearing. The Appeal Committee may also determine that a personal hearing is not required in relation to any appeal. However, the Appellant always has the right to appear and make representations in all cases in person (by way of virtual technology) or alternatively they may make representations in writing.
- 6.74. Relevant parties heard by the Appeal Committee shall be entitled to a copy of the Appeal Committee's written decision. The Appeal Committee shall ordinarily within 21 days after the conclusion of the hearing provide its written decision to the parties.

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J. The Appeal formalities

6.75. An appeal is commenced by way of notice of appeal submitted to WWR. The notice of appeal shall be lodged by the Appellant with WWR within fourteen (14) days of the date of communication of the underlying written decision to the Athlete or National Member Organisation. Appeals should be sent to the WWR Disciplinary Officer by email to discipline@worldwheelchair.rugby who will liaise with the Appellant in relation to the appeal process.

6.76. The notice of appeal submitted shall state:

6.76.1. whether all or a portion of the identified decision is being appealed and if applicable shall specify the portion of the decision being appealed;

6.76.2. set out in detail the name of the appealing party ("Appellant") and respondent,

6.76.3. the grounds upon which the decision (or a portion of the decision) is being appealed and

6.76.4. provide copies of relevant documentation pertinent to the appeal.

The Notice of Appeal Form in Appendix 2 of Regulation 7 is a useful guide for the information that should be provided in the notice of appeal, although the completion of this form is not compulsory for a Regulation 6 appeal.

6.77. The Board shall appoint a nominated representative to attend and if necessary make submissions before the appointed Appeal Committee.

6.78. Classification Appeals are commenced in accordance with Regulation 3B.

6.79. Appeals of WWR Decisions are commenced in accordance with Regulation 7.

K. Variation and correction of decisions

6.80. Subject to the following provisions, a finding, ruling, determination, sanction imposed, or other order ("Decision") made by a Judicial Committee or Appeal Committee may be varied or rescinded by such Committee within the period of 14 days from the time of notification of the written Decision.

6.81. A Judicial Committee or Appeal Committee may at any time, on the application of a party to the relevant proceedings or otherwise, correct an accidental slip, error or omission in a Decision.

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- 6.82. The power conferred by Regulations 6.80 and 6.81 may not be exercised by a Judicial Committee in relation to any Decision if an appeal, or an application for leave to appeal, against that Decision has been determined.
- 6.83. A Decision shall not be varied or rescinded except by the Judicial Committee or Appeal constituted as it was when the Decision was issued.
- 6.84. Where a Decision is varied under Regulation 6.81 the sanction or other order, as so varied, shall take effect from the date on which it was originally imposed, unless the Judicial Committee or Appeal Committee otherwise directs.

L. Finality of decisions

- 6.85. The decisions of Judicial Committees are final and binding unless and until they are appealed.
- 6.86. The decisions of Appeal Committees are final and binding. All such decisions shall be recognised by the Members and be binding upon them and their members.

M. Mediation

- 6.87. In the event of a dispute between Members, the Members concerned may request the Secretary General to appoint a mediator to assist in settling the differences between the parties. The costs of such mediation shall be wholly borne by the Member(s) making the request.
- 6.88. Only where the Secretary General and all the parties who are involved in a dispute consent in writing may a matter be referred to a mediator (to be nominated in consultation with the Independent Judicial Chair) for consideration in accordance with Regulation 6.87 above.
- 6.89. A mediation panel may be established by the Board as part of the Judicial Panel structure, as further set out in Appendix 1.

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Reg 6. APPENDIX 1 - Judicial Panel appointment criteria

A. Criteria

This Appendix sets out the criteria determined by WWR against which proposed **Judicial Panel Members** will be considered.

No person who is an office holder or employee of WWR or of a Member shall be eligible for appointment to the Judicial and Disciplinary Panel.

The Judicial Panel Selection Criteria (the "Criteria") provide the Judicial Panel Appointments Committee ("JPAC") with the means to assess and evaluate applications by individuals for membership of WWR Judicial Panel in a fair and consistent manner. The JPAC is comprised of a sub-committee of the Board and the Independent Judicial Chair.

B. Panel Structure

The Panel is divided into two main classes, (i) Judicial Panel and (ii) Mediation Panel and includes stand-alone thematic panels such as the Classification Panel and the Anti-Doping Panel.

Judicial Panel

The Judicial Panel is maintained to identify and appoint individuals with the requisite experience to sit on hearings involving alleged breaches of the Regulations (including for example anti-doping, disciplinary, Athlete selection, eligibility and other regulatory hearings, reviews and investigations and/or any Committee which has the power to make decisions restricting participation in sport, commercial activities, funding etc.).

The Judicial Panel members class is further divided into two categories: Legal Member and Specialist Member.

- Legal Members are appointed to chair hearings and lead reviews or investigations
- Specialist Members are appointed as Committee wing members, to undertake investigations and to contribute to reviews

Judicial Panel members are also assigned to the thematic panels covering the following areas:

- Appeal Panel
- Classification Panel
- Anti-Doping Panel

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Mediation Panel

The Panel of Mediators is maintained to identify and appoint individuals with the requisite experience to act as mediator in any dispute referred to WWR where mediation has been identified and agreed by the parties as the most appropriate form of alternative dispute resolution.

Selection Criteria

The following general criteria apply to the appointment of members to the Judicial Panel and Mediation Panel:

- Interest in sport and knowledge of the structure of sport in particular disability sport;
- Members of the Panels are required to have recent experience in at least two of the following areas; anti-doping, athlete selection, eligibility, corporate governance, sport disciplinary procedures, integrity issues in sport (e.g. anti-corruption), employment and discrimination or any other area identified by WWR and notified from time to time;
- Members are expected to support WWR in its objective of providing fair, speedy and effective resolution of WWR sports disputes;
- Panel Membership is open to all sections of the community. Persons with experience of wheelchair rugby in any capacity are also encouraged;
- Panel Members are not required to make any fixed time commitment beyond being flexible and making reasonable efforts to make themselves available if requested to sit. Hearings may be conducted in person or remotely using video conference technology;
- Panel Members shall be independent of Members and shall not perform a legislative role for any Member and not be involved or intending to become involved in the Match/Game/proceedings;
- Panel Members are required to adhere to a standard code of conduct and to agree that any complaints made by a party, which do not relate to the outcome of a dispute resolution process, will be dealt with under the relevant WWR policy and process;
- International hearings and communications with Athletes, their representatives, Members and fellow panel members are ordinarily conducted through the English language. In addition, any appeals should include a record of the proceedings in English for the appointed Appeal Panel's consideration. Therefore, Judicial Panel Members must be able to conduct proceedings in the English language and Chairs of Committees must be able to draft written decisions in the English language.
- Applications will also be measured against current and potential needs of WWR in order to fill gaps in experience and/or geographical representation and/or to meet diversity requirements;
- Additional criteria will also be applied from time to time when appointing to specific panels such as the Classification or Anti-Doping Panel. JPAC may require applicants for appointment to the Judicial Panel to provide suitable references as part of the application process.

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- Appointment to the Panel is for a period of up to 4 years. WWR reserves the right to review Panel Membership and/or categories of Panel Membership from time to time.

B1 Criteria for Appointment to the Judicial Panel – Legal Members List

The Criteria for appointment include but are not restricted to:

- Judge (sitting or retired), barrister, solicitor or accredited arbitrator;
- A minimum of ten years' post qualifying legal or arbitration experience;
- Recent experience of chairing no fewer than ten Committees, arbitrations, reviews, investigations or similar; (subject to the right of JPAC to waive/amend these requirements in exceptional circumstances);
- Recent experience of sitting as a member of a disciplinary, arbitration or appeals panel in sport on no fewer than five occasions; (subject to the right of PARC to waive/amend these requirements in exceptional circumstances); and
- Demonstration of an active participation in sport as part of a legal practice and/or by means of involvement as an official, published author on sporting topics, participant in lectures/seminars etc. Participation in sport socially will not be sufficient to satisfy this requirement.

B2 Criteria for Appointment to the Judicial Panel – Specialist Member List

The Criteria for appointment include, but are not restricted to:

- A recognised national professional qualification requiring expertise and skills in either accountancy, anti-doping, human resources, law, medical, pharmaceutical, policing, psychology, scientist; and/or
- Involvement at a national level in a sport or sports organisation (whether a disability sport or otherwise) as an administrator, competitor, coach, official, or adviser, published author on sporting topics, participant in lectures/seminars etc. Participation in sport socially will not be sufficient to satisfy this requirement; and/or
- Substantial experience of sitting as a member of, or as an independent adviser/expert to, Committees or an involvement as a wing member in commercial arbitrations; and/or
- Experience of undertaking relevant investigations, reviews, or risk assessment.
- For the WWR Anti-Doping Hearing Panel, specific expertise in anti-doping is required or a medical or pharmaceutical qualification accompanied by suitable professional experience.

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B3 Criteria for Appointment to the Mediation Panel

The Criteria for appointment include but are not restricted to:

- Evidence of successful completion of formal training with a national or internationally recognised mediation training body, evidenced by the award of the training body's certificate of accreditation. Acceptance of qualification from a mediation training body as satisfying this criterion will be solely at the discretion of JPAC; and
- Current registration with a nationally or internationally recognised mediation body, accepted as such solely at the discretion of JPAC; and
- Recent experience of having concluded no fewer than ten mediations as sole mediator to be supported by a minimum of two positive references to be obtained by the applicant, subject to the right of JPAC to waive/amend these requirements; and
- Evidence of active participation in, or experience of, sport as part of professional practice is not essential, but is desirable; and
- Evidence of compliance with the continuing professional development obligations of the applicant's professional body;
- Applications will also need to be measured against current and potential Sport Resolutions needs so as to fill gaps in experience and/or geographical spread and/or to meet diversity requirements, and/or anticipate trends.

C. Disciplinary matters

Judicial and Disciplinary Committee members are required to notify the Independent Judicial Chair immediately in the event that they have been or are the subject of an investigation and/or disciplinary process and/or sanction by a professional or industry body, government or other authority, club, Member or Tournament Organiser. In such case the Independent Judicial Chair shall refer the matter to the Board.

Note: For the avoidance of doubt, receipt of any reimbursement of expenses related exclusively to the provision of disciplinary services as a Panel Member does not constitute 'employment' for the purposes of these Regulations

D. Application Process

The Panel is reviewed at regular intervals (usually every 3 to 4 years) which normally coincides with the end of a fixed period of appointment of Panel Members. At this point existing Members may be invited to apply to continue as a Member of the Panel. New applications are also encouraged from suitably qualified and experienced individuals through a process of open and targeted advertising. Applications for membership outside of a panel review period will only be considered from exceptional individuals who offer unique skills, experience and diversity that is not provided for by the existing Panel.

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D1 Re-appointment of Panel Members

Towards the end of a term of appointment to the Panel the PARC will undertake an assessment of all existing Members to establish their recent activity on the Panel. Those Members who have both been offered and accepted appointments and who have consistently performed to a high standard will be offered a passport on to the new panel which will entitle them to automatic re-appointment.

Re-appointment of Members with passport status will be confirmed on receipt of the following:

- Completion of Section A (personal details) and Section C (signed declaration) of the Panel Application Form
- Evidence of current professional indemnity insurance cover applicable to the work to be carried out under the auspices of WWR (Legal and professional specialist members only)
- A link to or current copy of a sport specific CV, where it is significantly different from a CV previously provided Those Members who have not been offered or accepted regular appointments will be required to reapply as if they were new applicants, if they wish to be considered for reappointment to the Panel, with the exception that they do not to provide the names of two referees.

D2 New Applications

All new applicants, including existing panel members who have not been automatically re-appointed and who wish to continue on the Panel or who wish to apply for a new Panel class or category, will be required to provide the following documents in support of their application.

- Completion of all sections of the standard WWR application form for the Judicial Panel;
- A CV, demonstrating clearly that the applicant meets both the General criteria and the criteria for the category of Panel Membership for which application is being made;
- Contact details for two referees to support the application (new applicants only). The Secretary General of WWR may approach the referees for references prior to the application being submitted for consideration by the JPAC. Provision of the contact details is evidence of consent of the applicant to the request for a reference being made by the Secretary General of WWR;
- A copy of the relevant accreditation certificate and, in the case of Mediators only, evidence of registration with a nationally or internationally recognised mediation body;
- Legal and other professional panel members, other than lay specialist members, are required to provide evidence of current professional indemnity insurance cover applicable to the work to be carried out under the auspices of WWR, subject to the right of JPAC to waive/amend these requirements;
- Applicants may be required to undergo additional recruitment and selection checks prior to making appointments in the area of safeguarding.

7. REGULATION 7 – APPEALS FROM WWR DECISIONS

A. General Provisions

- 7.1. WWR recognizes the right of any Member to appeal the decisions of WWR. This Regulation provides a process for resolving disputes that could arise from time to time from decisions that affect them.
- 7.2. Appeals arising from Classifications shall be dealt with in accordance with Regulation 3B.
- 7.3. Appeals arising from decisions under Regulation 5 (Misconduct / Code of Conduct) shall be dealt with in accordance with Regulation 6.

B. Scope of Appeal

- 7.4. Any Member affected by a decision of the Board, of any Committee of the Board, or of any body or individual with delegated authority to make a decision on behalf of WWR or its Board, will have the right to appeal that decision, provided there are sufficient grounds for the appeal as set out in Regulation 7.25.
- 7.5. Without limiting the scope of Section 7.4, this Regulation will not apply to decisions relating to:
 - 7.5.1. Doping offences, which are dealt with under WWR Anti-Doping Rules.
 - 7.5.2. The application during competition of the sport technical rules of WWR, as set out in the International Rules for the Sport of Wheelchair Rugby.
 - 7.5.3. Decisions regarding the award of a specific sport class as part of a classification process, which are dealt with under the Classification Rules.
 - 7.5.4. Matters arising during events organized or sanctioned by entities other than WWR, which are dealt with under the policies of these other entities.
 - 7.5.5. Commercial / contractual matters for which another appeal process already exists under the applicable law or contract.
 - 7.5.6. Decisions rendered by Judicial Committees or Judicial Officers in accordance with Regulation 6, save as specifically specified otherwise in this Regulation 7.

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C. Timing of Appeals

- 7.6. Members who wish to appeal a decision have 14 days from the date of communication to the Member of the underlying decision they are seeking to appeal to submit a Notice of Appeal Form to WWR.
- 7.7. Any Member wishing to submit a Notice of Appeal Form after the 14-day period must provide a written request stating the reasons for an exemption to the requirement of Regulation 7.6. which will be considered by the Disciplinary Officer. The decision to allow or not an exemption sought under Regulation 7.6 will be at the discretion of the Disciplinary Officer. If an exemption is not granted, an appeal of this sole Issue may be made to the Independent Judicial Chair, whose decision will be final.

D. Notice and Delivery

- 7.8. All notices, requests, and other communications required in this Regulation shall be in writing with delivery in person, by courier service, by registered or certified mail, postage prepaid, or by electronic mail.
- 7.9. All notices, requests, and other communications to WWR shall be directed to:
WWR Office - office@worldwheelchair.rugby
See website for address. <https://worldwheelchair.rugby/about-wwr/>

E. Filing an Appeal

- 7.10. A Member(s) who wish to appeal a decision of WWR that affects them (i.e., the Appellant) must apply to WWR to initiate the appeal process using the Notice of Appeal Form (Appendix B). The appeal process does not begin until such application is made.
- 7.11. Solely for the purposes of this Regulation 7, a 'Member' shall mean: the National Member Organisations, and all individuals engaged in activities with WWR, including, but not limited to, athletes, coaches, officials, volunteers, administrators, and employees including contract personnel.

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- 7.12. The Notice of Appeal Form will state:
- (a) The name of the Appellant and Respondent.
 - (b) The decision being appealed.
 - (c) The grounds for the appeal.
 - (d) The evidence that supports the grounds of appeal.
 - (e) A list of the witnesses to be called at the hearing with a summary of the evidence to be provided by them.
 - (f) The remedy sought.
 - (g) Whether or not a representative will be present.
 - (h) A request for timing exemption under Regulation 7.7, when required.
- 7.13. Within five days of receiving the Notice of Appeal Form, WWR will appoint a Disciplinary Officer for the Appeal.

F. Administrative Review of the Appeal

- 7.14. The Disciplinary Officer will within 5 days of their appointment, review the Notice of Appeal to ascertain if the conditions for the appeal have been met and to assess if the appeal is one which is frivolous or vexatious in nature or bound to fail. If the conditions for appeal are not met the Disciplinary Officer shall notify the Appellant in writing giving reasons.
- 7.15. If the conditions for appeal are met, the Disciplinary Officer will notify the Respondent in writing and forward a copy of the Notice of Appeal Form to the Respondent, copying the Appellant.

G. Inter-Party Discussions

- 7.16. Before proceeding further, the Disciplinary Officer will endeavour to ensure that the Appellant and the Respondent have attempted to resolve the dispute between themselves, by any means possible under the circumstances including mediation. If this attempt is not successful, the Disciplinary Officer must be informed of this within ten days of the Disciplinary Officer making first contact with the parties.
- 7.17. The Disciplinary Officer may give the parties more time to amicably resolve the matter. The Disciplinary Officer may also require the parties to demonstrate their endeavours to reach resolution before the matter proceeds to the next stage.
- 7.18. If the matter is resolved privately between the parties, then a communication must be made to the Disciplinary Officer by the Appellant, copying the Respondent confirming the resolution. The matter will be considered resolved, the appeal withdrawn, and no further appeal can be raised in the same matter.

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H. Written Response

- 7.19. If the attempt to resolve the dispute through discussion between the parties does not succeed, the Disciplinary Officer will promptly request a Written Response from the Respondent (see Appendix C).
- 7.20. The Written Response will contain:
- (a) The Respondent's defense and summary of the evidence that supports the Respondent's case together with relevant evidence.
 - (b) The list of witnesses to be called at the hearing and the summary of the evidence to be provided by them.
 - (c) Whether or not a representative will be present.
- 7.21. The Written Response shall be sent to the Disciplinary Officer within 10 days from the date of receipt by the Respondent of the request to submit the Written Response, or such longer period as the Disciplinary Officer may specify.
- 7.22. A copy of the Written Response shall be transmitted to the Appellant without delay after receipt.
- 7.23. Should the Respondent fail to submit the Written Response within the time-limit provided by Section 7.21, the Disciplinary Officer will contact the Independent Judicial Chair to initiate the establishment of the Appeal Committee pursuant to Regulation 6, without further delay and notify the parties of such.
- 7.24. Upon appointment, the members of the Appeal Committee will be sent a copy of the Notice of Appeal Form, the Written Response and all supporting documentation.

I. Grounds for Appeal

- 7.25. The Appeal Committee shall determine if there are sufficient grounds for the appeal. Sufficient grounds include, but are not limited to, the Appellant establishing to the satisfaction of the Appeal Committee that the WWR decision making body (the Respondent):
- (a) Made a decision which it did not have authority or jurisdiction to make; or
 - (b) Made a decision in error (either as to central findings of fact or in law); or
 - (c) Failed to follow the procedures as laid out in any of the Statutes, By-laws, Regulations, rules, or policies of WWR such that the decision is unsound and/or materially impeded the natural rights of the Appellant; or

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- (d) Made a decision which was influenced by bias - where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views or that the decision was made on the basis of, or significantly influenced by factors unrelated to the merits of the decision; or
- (e) Exercised its discretion for an improper purpose; or
- (f) Made a decision that was grossly unreasonable or unfair or in the interests of justice should be overturned.

J. Pre-Hearing Procedures

- 7.26. The Chair of the Appeal Committee shall be entitled to determine pre-hearing procedural and/or evidential matters. Which may include but are not limited to:
- (a) a preliminary conference convened for the purposes of giving directions for the hearing (setting the timetable, dealing with any preliminary matters) and clarification of the procedures; and
 - (b) the requirement for any person to attend the hearing as a witness.
- For the purposes of pre-hearing case management, the Chair of the Appeal Committee may exercise this function without reference to the other Appeal Committee members.
- 7.27. The Pre-hearing conference should ordinarily be held within seven days of the Appeal Committee receiving the Notice of Appeal Form and Written Response.
- 7.28. The preliminary conference will be held by conference-call or video-call. This decision is at the sole discretion of the Chair of the Appeal Committee and may not be appealed.
- 7.29. The participants in the preliminary conference shall include the Appellant, the Respondent, their representatives, if any, the Disciplinary Officer, and the Chair of the Appeal Committee. The other members of the Appeal Committee may attend at their election.
- 7.30. The Disciplinary Officer shall arrange the preliminary conference and its precise date and time in consultation with the participants and under the direction of the Chair of the Appeal Committee.
- 7.31. The Disciplinary Officer shall act as secretary of the preliminary conference and shall following the approval of the Chair of the Appeal Committee confirm in writing to the Appellant and Respondent the determined appeal procedure and any directions arising established at this preliminary conference within two working days after the conclusion of such conference.

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K. Procedure for the Appeal

7.32. The Appeal Committee has the power to conduct and regulate their own procedures, but in any event, they shall generally confirm to the procedures as set out in Regulation 6. In addition, the following shall also apply:

- (a) The appeal shall be heard as quickly as reasonably possible, having regard to the nature of the appeal, and the circumstances of the case.
- (b) The appeal may proceed on the basis of the written submissions and documentation if all parties to the appeal consent and the Appeal Committee considers itself sufficiently well informed to be able to do so.
- (c) If the decision of the Appeal Committee is likely to affect another Member to the extent that the other Member would have recourse to an appeal in their own right, that Member will be able to apply to the Appeal Committee to intervene or to become a party to the appeal.
- (d) The Appeal Committee may direct that any other person or party participate in the appeal.
- (e) For sake of expediency and cost reduction, a hearing either by way of written submissions, via telephone conference or video conference is to be preferred with such safeguards as the Appeal Committee considers necessary to protect the interests of the parties.
- (f) There shall be no communication between Appeal Committee members and the parties except in the presence of or by copy to the other parties.

L. Procedure for Documentary Appeal

7.33. Where the Appeal Committee has determined that the appeal will be held by way of written submissions, it will govern the appeal by such procedures as it deems appropriate provided that:

- (a) All parties are given a reasonable opportunity to provide written submissions, to review the written submissions of the other party(ies), and where the Appeal Committee deems it appropriate, to provide written rebuttal and argument.
- (b) The applicable principles set out in Regulation 7.32 and Regulation 6 are respected.

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M. Evidence that may be Considered

- 7.34. As a general rule, the Appeal Committee will only consider evidence that was before the original decision-maker. At its discretion, the Appeal Committee may hear new material evidence that was not available at the time of the original decision.
- 7.35. Unless a party can prove that they could not possibly have been aware of a certain fact at the time of the submission of the Notice of Appeal or Written Response, no additional information or argument will be accepted from the Appellant or Respondent by the Appeal Committee after the preliminary conference, other than that provided orally by witnesses at the hearing.
- 7.36. The Appeal Committee will determine if an additional element of proof should be admitted or rejected where the preliminary conference has taken place.

N. Appeal Decision

- 7.37. Within fourteen days of concluding the appeal, the Appeal Committee will ordinarily issue its written decision, giving reasons. In making its decision, the Appeal Committee will have no greater authority than that of the original decision-maker.
- 7.38. The Appeal Committee may decide:
- (a) To reject the appeal and confirm the decision being appealed.
 - (b) To uphold the appeal and refer the matter back to the initial decision-maker for a new decision.
 - (c) To uphold the appeal and vary the decision where it is found that an error occurred, and such error cannot be corrected by the original decision-maker for reason of lack of clear procedure, lack of time, lack of neutrality or other good and stated reason.
 - (d) To determine how costs of the appeal, excluding legal fees and legal disbursements of any of the parties, will be allocated, if at all. When granting any costs order, the Appeal Committee shall take into account the outcome of the proceedings, the conduct of the parties and their respective financial resources.
- 7.39. A copy of the Appeal Committee decision will be provided by the Disciplinary Officer to each of the parties upon receipt.
- 7.40. In extraordinary circumstances, the Appeal Committee may issue a verbal decision, or a summary written decision, with reasons to follow, provided that the written decision with reasons is rendered within the timelines specified in Regulation 7.37.

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O. Modification of Timelines

- 7.41. If the circumstances of the dispute are such that this Regulation will not allow a timely appeal, or if the circumstances of the disputes are such that the appeal cannot be concluded within the timelines dictated in this Regulation, the Appeal Committee may direct that these timelines be revised.

P. Final Appeals

- 7.42. The decision of the Appeal Committee is final and binding on all the parties.

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Reg 7. Appendix A – Timelines for Appeal

| Step | Section | Days from the previous step |
|--------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------|
| Disputed Decision - Deadline to submit a Notice of Appeal Form (Appendix B) in respect of the Decision | 7.6 | 14 days from the Disputed Decision |
| Appointment of Disciplinary Officer | 7.13 | 5 days from receipt of Notice of Appeal Form |
| Administrative Review by Disciplinary Office Notify Respondent if conditions for appeal met | 7.14-15 | 5 days |
| Inter-Party Discussions | 7.16-7.18 | 10 days from notification of Parties by Disciplinary Officer |
| Disciplinary Officer request Written Response from the Respondent | 7.19 | Day following completion of 10-day Inter-Party Discussions |
| Written Response of Respondent (Appendix C) | 7.20-7.21 | Within 10 days of receipt of request from Disciplinary Officer |
| Transmit Written Response to Appellant | 7.22 | Without delay |
| Disciplinary Officer asks Independent Judicial Chair to appoint Appeal Committee | 7.23 | After 10-day time period expires |
| Establishment of Appeal Committee by Independent Judicial Chair | Regulation 6 | As soon as reasonably practicable |
| Appeal Committee sent Notice of Appeal Form, Written Response and evidence by Disciplinary Officer | 7.24 | Upon appointment |
| Pre-Hearing Procedures - preliminary conference | 7.26-7.31 | 7 days |
| Date of Hearing or Decision of Appeal Committee to proceed on the basis of the written evidence | 7.32-7.33 | As soon as reasonably practicable |
| Written confirmation of decisions taken during the Pre-Hearing Procedures | 7.37 | 14 days |
| Disciplinary Officer provides written decision to the parties | 7.39 | Upon receipt |

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Regulation 7. Appendix B - Notice of Appeal Form

This form is available from the website as a separate download that can be filled in.

Please go to the "[About WWR](#)" section.

Members who wish to appeal a decision have 14 days from the date of communication to the Member of the underlying decision they are seeking to appeal by submission of this "Notice of Appeal Form".

| | |
|--------------------------------------------------------|--|
| Name of Member appealing a decision ("the Appellant") | |
| Telephone Number | |
| Email address | |
| Name of organisation being represented (if applicable) | |

Section 7.11 provides a definition of the term "Member" for the purposes of Regulation 7.

| | |
|--------------------------------------------------------|--|
| Name of Respondent | |
| Role of Respondent (if known) | |
| Name of organisation being represented (if applicable) | |

| | | |
|-----------------------------------------------------|------------------------------|-----------------------------|
| Will a representative be present? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Name of representative of Appellant (if applicable) | | |
| Telephone Number | | |
| Email address | | |

| | |
|--------------------------------------|--|
| What is the decision being appealed. | |
| Date that decision was communicated. | |

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| | |
|-------------------------------------------------------------------|--|
| <p>The grounds for the appeal.</p> | |
| <p>The evidence that supports the grounds of appeal.</p> | |
| <p>A list of the witnesses to be called at the hearing.</p> | |
| <p>A summary of the evidence to be provided by the witnesses.</p> | |
| <p>The remedy sought.</p> | |

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A request for timing exemption under Regulation 7.6 should be provided here (if applicable).

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If any comments wish to be provided as part of this notice, please use the following section.

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Notice and delivery can be made as per section 7.8. If delivering by email please send to judicial@worldwheelchair.rugby

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Further comments may be provided. If further pages are being included with this written response, please reference them using the following section.

Notice and delivery can be made as per section 7.8. If delivering by email please send to judicial@worldwheelchair.rugby

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World Wheelchair Rugby is domiciled in Switzerland and regarded as an "Association" under Swiss law, with its address being:

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WWR operates an administration service which is based in the UK.

Please contact WWR via email to arrange for the best contact person, should it be required.

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