

Disciplinary Rules 2019-20 : Changes from 2018-19 (Drafts 1 and 2 combined)

Note: Draft 1 = black text; Draft 2 = blue text.

Ref.	Change Proposed in the Draft	Explanation
5.3	Insert the word “unduly” such that it now reads: “A Disciplinary Hearing shall not be unduly delayed ...”	A degree of procedural delay may be inevitable where a player is potentially subject to criminal proceedings as a result of the foul play committed. However, the mere fact that criminal proceedings may take place should not necessarily delay the rugby disciplinary process.
7.3	Add clarification that more than one player may be Cited for the same incident.	Clarification only.
7.23	Clarify that it is the Citing Officer who makes the determination (and not the Discipline Manager).	Clarification only.
7.26	Clarify that the procedure to be followed is to seek an Interim Order.	Clarification only.
7.29.1	The wording of the options available to a Cited player have been amended to reflect those open to a player in receipt of a Red Card.	Consistency.
7.32	Line 2 - changed “charge” to “complaint”.	Consistency.
7.32.4	Clarify that the procedure to be followed is to seek an Interim Order. Line 2 - deleted “confirming”.	Clarification only. Repetition (it already appears at the end of the main para of 7.32 before the list).
8.11	Clarify that the procedure to be followed is to seek an Interim Order.	Clarification only.
9.3.9(d)	Line 2 – changed the “/” to “or”.	Consistency.
9.3.13	For clarity reference to failure to abide by the terms of the Dual Participation Protocol and the Player Payment Regulation have been noted as specific examples of “Misconduct”.	Highlighted for visibility.

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9.16	Clarified that the procedure to be followed is to seek an Interim Order.	Clarification only.
10.6	Yellow Cards are not automatically distributed, but can be requested by a Player within 7 days of the Match. (In Draft 2 the “p” of “Player” has been capitalised).	This option has been highlighted.
10.7	In order to dispute a Yellow Card the player must have requested a copy of the Yellow Card and disputed it within the set time limits. (In Draft 2 the word “report” has been inserted after “Yellow Card”).	Highlighted for clarity.
10.9	The ability to challenge a “technical” Yellow Card i.e. one not awarded for Dangerous Play under Law 9, has been removed.	This is in line with a number of other rugby jurisdictions.
10.22	Line 2 – “in the event of” changed to “if”.	Consistency.
14.5	Interim Orders : in the 2018/19 re-write of the Disciplinary Rules the Interim Order process (as set out in the Rules) was much reduced. It is now proposed to restore much of the former wording. (In Draft 2 - line 2 – inserted the word “the” after “and/or” and changed “Chairman” to “Chair”).	Provides extra clarity around the process to be followed.
14.8	End of line 4 – full stop inserted.	End of sentence.
14.12	Multiple Offending : Clarifying that where, subsequent to an ordering off, a Player commits an act of misconduct (e.g. abuses the referee) that act can be dealt with as part of the Red Card proceedings (and does not require a separate Misconduct process). Additional provisions around the detailed process have been added in Draft 2).	Process efficiency.
14.21/ 14/22	At present the Disciplinary process can be modified in respect of persons under the age of 18. It is proposed to extend this in respect of persons of “reduced capacity”.	It is appropriate that reasonable adjustments are made where required.
Appendix 1	Added definition of “Dual Participation Protocol”. Amended definition of “Scottish Rugby”.	Required for new Rule 9.3.13. In this context it includes both the SRU and SRU Ltd (as applicable).

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<p>Appendices 3 & 4 Formatting amended slightly. Appendix 3 - Numbering changed in 4 (b) to (i) and (ii).</p>	<p>Consistency.</p>
<p>Appendix 4 Super 6 has been added to the list of designated leagues. In Draft 2 para 7 the word “Performance” has been amended to “designated” (for consistency).</p>	<p>It is appropriate that Super 6 players are able to provide a detailed forward playing schedule.</p>

Note:

1. The Consultation period in respect of Draft 1 ended on 28 April 2019.
2. All comments and proposals in respect of the draft *Disciplinary Rules 2019-20 (Draft 2)* should be submitted to Graham Ireland, Head of Regulation, Scottish Rugby (graham.ireland@sru.org.uk) by 12 May 2019.