

Disciplinary Code for the Riding Horse Judge's Association of South Africa

Dissiplinêre Kode vir die Ryperd Beoordelaars Vereeniging van Suid-Afrika

1. Any member who contravenes this constitution, the objectives of the Association as contained in the Constitution, the Rules or Regulations of the Association, the Code of Conduct or any other decision taken at the Annual General Meeting, is guilty of an offence and is subject to the disciplinary procedures set out herein.

Enige lid wat die Grondwet, die doelstellings van die Vereniging soos vervat in die Grondwet, die Reëls of Regulasies van die Vereniging, die gedragskode, of enige besluit geneem by 'n Algemene Jaarvergadering, oortree is skuldig aan 'n oortreding en onderworpe aan die dissiplinêre prosedures hierin uiteengesit.

2. Complaints will be made by interested persons in writing to the Executive Committee or any other officials designated from time to time by the Executive Committee for the purpose of receiving complaints.

Klagtes kan deur die belanghebbende persone skriftelik aan die Uitvoerende Komitee of enige ander beamppte van tyd tot tyd benoem deur die Uitvoerende Komitee, daar gestel om klagtes te ontvang, gerig word.

3. The Executive Committee (or President and the Vice-President of the Association) will appoint Disciplinary Committees to hear complaints which are founded, which are not frivolous, which the Executive Committee (or President and the Vice-President of the Association) determines have been made in good time and which the Executive Committee (or the President or the Vice-President of the Association) is of the opinion should be adjudicated on by a Disciplinary Committee.

Die Uitvoerende Komitee (of Voorsitter of Vise-Voorsitter van die Vereniging) sal Dissiplinêre Komitees aanstel om gegronde klagtes aan te hoor, wat nie onbenullig van aard is nie, wat die Uitvoerende Komitee (of Voorsitter of ViseVoorsitter) bepaal, betyds gemaak is en wat die Uitvoerende Komitee (of Voorsitter of Vise-Voorsitter van die Vereniging) van mening is, deur die Dissiplinêre Komitee aangehoor behoort te word.

4. Should a written complaint be received during a show, such disciplinary enquiries will be held during such show or thereafter as the Disciplinary Committee may determine (but subject to 6.4 hereof).

Indien 'n skriftelike klagte gedurende 'n skou gemaak word, sal sodanige dissiplinêre ondersoek tydens sodanige skou gehou word of daarna, soos deur die Dissiplinêre Komitee bepaal (maar onderworpe aan klousule 6.4 hiervan).

5. The Disciplinary Committee charged with holding a disciplinary enquiry in respect of a complaint may elect to accept a written admission of guilt by the accused in lieu of holding a disciplinary enquiry in respect of the complaint.

Die Dissiplinêre Komitee wat gelas is om sodanige dissiplinêre ondersoek te hou mag verkies om 'n skriftelike skulderkenning deur die beskuldigde te aanvaar, in plaas daarvan om 'n dissiplinêre ondersoek in terme van die klagte te hou.

6. The following are the disciplinary procedures to be followed:

Die volgende dissiplinêre prosedures sal gevolg word:

- 6.1 The Executive Committee (or the President and the Vice- President of the Association) will appoint a Disciplinary Committee consisting of at least 3 persons selected by the Executive Committee (or the President and the Vice- President of the Association) and who may also include members of the Executive Committee.

Die Uitvoerende Komitee (of Voorsitter of Vise-Voorsitter van die Vereniging), sal 'n Dissiplinêre Komitee aanstel wat bestaan uit ten minste drie persone gekies deur die Uitvoerende Komitee (of Voorsitter of Vise-Voorsitter van die Vereniging) en mag ook lede van die Uitvoerende Komitee insluit.

- 6.2 The Executive Committee (or the President and the Vice- President of the Association) will appoint a person (free of consideration and not in any professional capacity) and who may also be a member of the Executive Committee and to gather evidence of the alleged contravention.

Die Uitvoerende Komitee (of Voorsitter of Vise-Voorsitter van die Vereniging) sal 'n persoon aanstel (sonder vergoeding en in geen professionele hoedanigheid nie), en wie ook 'n lid van die Uitvoerende Komitee mag wees, as aanklaer om die beweerde oortreding te vervolg voor die Dissiplinêre Komitee en om bewyse/getuienis van die beweerde oortreding in te samel.

- 6.3 The Accused will be advised of the alleged contravention on behalf of the Association in writing as soon as practically possible after the Disciplinary Committee has been charged with the adjudication of the alleged contravention.

Die beskuldigde sal so gou as moontlik, nadat die Dissiplinêre Komitee wat met die ondersoek van die klagte belas is, skriftelik van die beweerde oortreding ingelig word.

- 6.4 The disciplinary enquiry proceedings will be commenced within 30 days (or such extended period as the Executive Committee, or the President and the Vice-President of the Association may determine) after the Accused has been advised of the alleged contravention at a time and place determined by the Disciplinary Committee. The Accused will be given fair warning of the time and the place at which the disciplinary enquiry will be held.

Die Dissiplinêre Ondersoekprosedure sal binne 30 dae (of sodanige verlengde tydperk soos deur die Aksiekomitee, Voorsitter of ViseVoorsitter van die Vereniging bepaal) plaasvind op 'n datum en plek soos bepaal deur die Dissiplinêre Komitee nadat die Beskuldigde van die beweerde oortreding in kennis gestel is. Die Beskuldigde moet betyds gewaarsku word van die tyd en plek waar die dissiplinêre ondersoek gehou sal word.

- 6.5 The Accused is entitled to be represented at the disciplinary enquiry by a fellow member (free of consideration and not in any professional capacity). The Accused is not entitled to any other representation; provided that the Disciplinary Committee may in exceptional cases, on written application by the Accused setting forth compelling reasons, grant the Accused the right to professional legal representation. This representation may be granted in the absolute discretion of the Disciplinary Committee in order to attain procedural fairness, and taking into account such factors as the nature of the charges brought against the accused; the degree of the legal or factual complexity involved; the potential seriousness of the consequences of an adverse finding; the availability of suitably qualified legal representatives amongst fellow members; and any other factors which the Disciplinary Committee in its discretion considers relevant in the light of the circumstances which prevail in the particular case.

Die Beskuldigde is tydens die dissiplinêre ondersoek geregtig daarop om deur 'n medelid(sonder vergoeding en in geen professionele hoedanigheid nie) verteenwoordig te word. Die Beskuldigde is nie geregtig op enige ander verteenwoordiging nie, behalwe in 'n uitsonderlike geval, kan die Dissiplinêre Komitee by ontvangs van 'n skriftelike aansoek van die Beskuldigde waarin die beskuldigde dwingende redes uiteensit, aan die beskuldigde die reg tot professionele regsverteenvoording verleen.

- 6.6 The Disciplinary Committee will determine its own procedures for holding the disciplinary enquiry.

Die Dissiplinêre Komitee sal sy eie prosedures vir die dissiplinêre ondersoek stel.

- 6.7 The President of the Disciplinary Committee, who is to be appointed by the members of the Disciplinary Committee themselves, or by the Executive Committee (or the President and the Vice-President of the Association) will maintain order during the disciplinary enquiry.

Die President van die Dissiplinêre Komitee, soos aangewys deur die dissiplinêre komitee self, of deur die Uitvoerende Komitee (of Voorsitter of Vise-Voorsitter van die Vereniging) sal toesien dat orde gedurende die dissiplinêre ondersoek gehandhaaf word.

- 6.8 The Prosecutor will detail the alleged contravention at the commencement of the disciplinary proceedings and will present evidence of the alleged contravention to the Disciplinary Committee.

Die Aanklaer sal die beweerde oortreding uiteensit aan die begin van die dissiplinêre ondersoek en sal dan getuïenis aanbied aan die Dissiplinêre Komitee van die beweerde oortreding.

- 6.9 The Accused will have an opportunity to state his/her case and to present evidence to the Disciplinary Committee in respect of the alleged contravention.

Die Beskuldigde sal geleentheid gebied word om sy/haar saak te stel en om getuïenis/bewyse aan die Dissiplinêre Komitee voor te lê met betrekking tot die beweerde oortreding.

- 6.10 The Prosecutor, the Accused and the Disciplinary Committee may examine all witnesses. The Prosecutor and the Accused may cross examine all witnesses.

Die Aanklaer, die Beskuldigde en die Dissiplinêre Komitee mag al die getuïes ondervra. Die Aanklaer en die Beskuldigde mag alle getuïes kruisondervra.

6.11 After all evidence has been presented, the Disciplinary Committee will adjourn to consider all evidence and to make its decision.

Nadat al die getuienis gelewer is, sal die Dissiplinêre Komitee verdaag om alle getuienis te oorweeg en 'n besluit te neem.

6.12 The Disciplinary Committee in respect of each contravention will either:

exonerate the member; or

reprimand the member; or

suspend the member from judging at any shows for a specific period.

Die Dissiplinêre Komitee sal ingevolge elke oortreding die bevoegdheid hê om:

die lid vry te spreek; of

die lid tereg te wys; of

die lid te skors van enige beoordeling by skoue vir 'n spesifieke tydperk.

6.13 Should any member fail to strictly adhere to any of the terms of any imposed penalty, such member will automatically be considered to be suspended from JUDGING at any shows until such time as the member complies with the terms of the penalty.

Indien enige lid versuim om enige strafbepaling streng na te volg, sal sodanige lid outomaties geskors wees om enige beoordeling by enige skou waar te neem, todat sodanige lid voldoen aan die strafbepalings wat hom of haar opgelê is.

6.14 Should a member wish to admit guilt without the necessity to conduct a disciplinary enquiry, he/she can do so in writing. The Disciplinary Committee will then be entitled to impose any of the above penalties.

Indien 'n lid skuld wil erken sonder dat daar 'n dissiplinêre ondersoek gehou word, mag hy/sy dit skriftelik doen. Die Dissiplinêre Komitee sal dan geregtig wees om enige van die bogemelde strafmaatreels toe te pas.

6.15 The President of the Disciplinary Committee (or the Association on his/her behalf) will advise the Accused in writing of the decision of the Disciplinary Committee and such President will submit a written report to the Executive Committee on the disciplinary enquiry and its decisions as soon as practically possible.

Die President van die Dissiplinêre Komitee (of die Vereniging om sy/haar onthelwe) sal die Beskuldigde skriftelik van die besluit van die Dissiplinêre Komitee inlig en die President sal 'n skriftelike verslag oor die dissiplinêre ondersoek en die besluite geneem, so gou prakties moontlik aan die Uitvoerende Komitee voorlê.

6.16 The details of the disciplinary enquiry may be published as the Executive Committee (or the President and the Vice-President of the Association) may determine in the Association's newsletter.

Die uitslag van die dissiplinêre ondersoek mag gepubliseer word soos bepaal deur die Uitvoerende Komitee (of Voorsitter of Vise-Voorsitter van die Vereniging) in die Vereniging se nuusbrief.

- 6.17 If an Accused refuses or fails to attend a disciplinary enquiry, he/she waives all his/her rights in respect of the disciplinary enquiry and the disciplinary enquiry may proceed in his/her absence.

Indien 'n beskuldigde weier of versuim om 'n dissiplinêre ondersoek by te woon, sien hy/sy af van al sy/haar regte ingevolge die dissiplinêre ondersoek en mag die Dissiplinêre Komitee in sy/haar afwesigheid voortgaan daarmee.

- 6.18 The decision of the Disciplinary Committee will be final and binding and is not subject to any right of appeal and no Court of Law shall have any jurisdiction to intervene with and/or set aside such decision or the effect of such decision.

Die besluit van die Dissiplinêre Komitee sal finaal en bindend wees en is nie onderworpe aan enige reg van appèl nie en geen Hof sal enige jurisdiksie hê om in te meng of enige beslissing of die uitwerking daarvan, tersyde te stel nie.

- 6.19 All members waive the right to claim compensation of whatever nature on any cause of action whatsoever resulting from or based on conduct of the Association or any of its officials, employees or members, in the implementation or enforcement of these rules or any investigation aimed at determining whether these rules had been breached. The members furthermore indemnify the Association and all of its officials and employees against any claim for compensation that any non-member who may be affected by the imposing of any penalty on any member, may institute against the Association or any of its officials or employees.

Alle lede doen afstand van die reg om vergoeding te eis van enige aard ookal tov enige skuldoorsaak hoegenaamd, wat voortspruit uit of ten opsigte van die Vereniging of enige van sy beamptes, werknemers of lede, in die toepassing of afdwing van hierdie reëls of enige ondersoek gemik daarop om vas te stel of enige van hierdie reëls verbreek is. Die lede vrywaar ook die Vereniging en al sy beamptes en werknemers teen enige eis vir vergoeding, waar enige nie-lid wat beïnvloed word deur die toepassing van 'n strafmaatreëls op enige lid.

- 6.20 The English copy of the Disciplinary Code will be accepted as the correct copy and will be used for disciplinary enquiries.

Die Engelse weergawe van die Dissiplinêre Kode word aanvaar as die korrekte weergawe en sal gebruik word vir dissiplinêre ondersoeke.