



CODE OF CONDUCT (2012)

This Code of Conduct applies to amateur golfers and caddies, in all Championships, major activities, events and competitions conducted by Golf NSW in addition to any other requirements of Players and Caddies as set out in tournament conditions, local rules or by-laws of clubs hosting Golf NSW events.

Each Player or Caddie in a competition must adhere to commonly-accepted standards of golfing etiquette and sportsmanship.

In order to ensure proper standards of behaviour during a competition a Player or Caddie, who commits an offence under this Code will face disciplinary proceedings.

1. DEFINITIONS

In this code, unless the context otherwise requires:

Term	Definition
Appeal Tribunal	means the tribunal referred to in attachment Attachment A of this document
Board	means the Board of Directors of Golf NSW
Caddie	means the definition as per the Rules of Golf
Code	means this Code of Conduct
Competition	means a Championship, event, competition, practice session or major activity conducted or sanctioned by Golf NSW
Conduct Officers	means two officials of Golf NSW appointed at any time to consider, hear and determine a report during or after the conclusion of a competition
Investigative Officer	means a person appointed by Golf NSW to administer a report
State Representatives	means Teams or Players selected by Golf NSW to represent at selected events.
Notice	means notice in writing by letter, facsimile, other written means of communication, or email
Player	means a player or participant in a competition. Player also includes a caddie and/or parent
Report	means any oral or written statement by any person of an alleged offence by a player under this Code



An act is deemed to occur “*during a competition*” if it occurs:

- a) when travelling to or from a competition;
- b) on any qualifying or practice day for a competition;
- c) when playing at a specific course for the purpose of practicing for an upcoming event at that course; or
- d) at any time day or night during which the competition is conducted.

2. OFFENCES

NOTE: The use of any narcotic or other substance may constitute an offence under the Doping Policy of Golf NSW.

2.1 A Player is guilty of a Category A offence under this Code if the Player or Caddie:

- a) physically attacks or abuses, in any way, a player, an official, or person during a competition;
- b) verbally threatens a player, an official, or person during a competition;
- c) racially vilifies a player, an official, or person during a competition;
- d) wrongfully damages the facilities, including the course and the clubhouse, of the competition golf course;
- e) wrongfully removes or damages property belonging to another player, an official, the tournament organiser, or the competition golf club;
- f) deliberately breaks a Rule (as defined in the Rules of Golf);
- g) deliberately returns a false score card;
- h) during a competition, deliberately seeks to manipulate the player’s Australian handicap;
- i) fails or refuses to co-operate with, or obstructs, any investigation by the Investigative Officer of the Player or Caddie’s conduct or the conduct of another person;
- j) fails or refuses to co-operate with, or obstructs, a hearing by the Conduct Officers or the Appeal Tribunal;
- k) behaves in a manner detrimental to the good name and reputation of Golf NSW, this includes excessive consumption of alcohol or no alcohol if under 18 years of age;
- l) brings the game of golf into disrepute.

2.2 A Player is guilty of a Category B offence under this Code if the Player:

- a) in relation to a competition, publicly criticises:
 - i. *the competition golf course;*
 - ii. *the competition itself;*
 - iii. *the organisers of the competition;*
 - iv. *the sponsors of the competition; or*
 - v. *any official supervising or organising the competition during a competition;*
- b) throws or deliberately or in anger breaks golf equipment (including golf balls) during a competition;
- c) uses abusive or profane language towards another player, an official, or person during a competition;
- d) utters audible obscenities during a competition;



- e) consumes any alcohol or a prohibited substance under the Golf NSW Doping Policy during the course of any round played in a competition;
- f) is unable to play golf to the best of their ability without just cause;
- g) behaves in a manner detrimental to the performance of other players.

2.3 A Player is guilty of a Category C offence if the Player:

- a) fails to comply with the Rules of Golf as amended by Local Rules in force at any competition, or fails to comply with any other rules, by-laws, directions or instructions, including dress regulations, as specified by Golf NSW or the Championship Play Committee for that competition or any other duly authorised official;
- b) fails to comply with the Rules of Golf with respect to Section I – Etiquette. NB Etiquette includes the continual failure to fill in divots or repair pitch marks;
- c) continually fails to play without undue delay;
- d) commits an act to deliberately disqualify the player from a competition or, during the course of a round picks up the player’s own ball without playing out a hole;
- e) misses a tee time or withdraws from a competition before the completion of that competition without providing good reason in writing for doing so;
- f) uses a radio (of any kind), recorder or mobile telephone during the course of play in a competition or allows the player’s caddy to do so;
- g) fails, without good reason, to attend the trophy presentation at the completion of a competition where the player is:
 - i. in the case of a stroke play event, a trophy winner;
 - ii. in the case of a match play event, a finalist or semi-finalist.

2.4 If a Player commits two or more Category C offences during a competition, the Player or Caddie is deemed to have committed a Category B offence and is subject to penalties prescribed for a Category B offence. If a Player or Caddie commits two or more Category B offences during a competition, the Player or Caddie is deemed to have committed a Category A offence and is subject to penalties prescribed for a Category A offence.

2.5 Subsequent breaches of the Code within a 24 month period will result in a penalty prescribed for the Category one above the highest Category of the previous breach. For sake of clarity, should a Player commit a Category B offence originally, and then commit a Category B offence 6 months later, the player is deemed to have committed a Category A offence and is subject to penalties prescribed for a Category A offence. Should the original breach be a Category A offence, the penalty imposed will be as the Conduct Officers see fit.

3. DISCIPLINARY PROCEDURE

3.1 Any report made to Golf NSW or the Championship Play Committee during a competition or after the conclusion of the competition must be referred to an Investigative Officer and the Conduct Officers.



- 3.2 Upon receiving a report under clause 3.1, the Conduct Officers must determine whether:
- a) no further action should be taken; or
 - b) if in the course of such investigation it is evident that, in the opinion of the Conduct Officers, a breach has occurred, an appropriate penalty may be imposed
- 3.3 Should the offence be considered to have an appropriate penalty as per Clause 3.2 b) then the Player is to be informed and;
- a) be presented with the details of the offence.
 - b) be permitted to present his/her explanation.
 - c) the Conduct Officers will take into account all the facts when issuing the appropriate penalty.
 - d) this penalty will be communicated to the Player or Caddie by Golf NSW (Notice).

4. PENALTIES

- 4.1 If a Player is found guilty of a Category A offence, any of the following penalties, minimum 3 months and not normally exceeding more than 2 years duration, may be imposed:
- a) disqualify the player from the competition;
 - b) an order that the player attend appropriate counseling sessions as specified by Golf NSW;
 - c) a recommendation to the player's home club that the player's membership be suspended for a set period of time;
 - d) a recommendation to the player's District Association that the player not be permitted to enter District Events;
 - e) a recommendation to the player's District Association that the player be suspended from a District Squad;
 - f) suspension of the player's Australian Handicap;
 - g) suspension from the State Squad;
 - h) in the case of an offence under clauses 2.1(d) or (e) of this Code, an order that the player should pay compensation to the player, official, tournament organiser or club who suffered loss as a result of the accused player's conduct, or
 - i) such other penalty as determined from time to time.
- 4.2 If a Player is found guilty of a Category B offence, any of the following penalties, minimum 1 month but not more than 3 months for any one offence, may be imposed:
- a) disqualify the player from the competition;
 - b) an order that the player attend appropriate counseling sessions as specified by Golf NSW;
 - c) a recommendation to the player's home club that the player's membership be suspended for a set period of time;
 - d) a recommendation to the player's District Association that the player not be permitted to enter District Events;



- e) a recommendation to the player's District Association that the player be suspended from a District Squad;
- f) a penalty under the Doping Policy of Golf NSW (if applicable);
- g) suspension of the player's Australian Handicap;
- h) suspension from the State Squad; or
- i) such other penalty as determined from time to time.

4.3 If a Player is found guilty of a Category C offence, any of the following penalties may be imposed:

- a) a severe reprimand;
- b) an order that the player attend appropriate counseling sessions as specified by Golf NSW; or
- c) suspension of the player's Australian Handicap (recommendation: no more than 1 month);
- d) such other penalty as determined from time to time.

5. APPEAL PROCEDURE

The appeal procedure for determination of breach by a Player is detailed in Appendix A of this document.

6. CENTRAL REGISTER

6.1 Golf Australia will retain a record of all breaches that have been found against a Player, the results of any appeals from such findings and any pending appeals. Golf NSW will forward to Golf Australia the details of any breaches that have been found against a Player, the results of any appeals from such findings and any pending appeals

6.2 Where a Player commits a breach, Golf NSW must forward a copy of the Notice and notice of any appeals in relation to the breach to the Player's Home District Association and Home Club which must be kept on register.

6.3 A breach is only to be kept on a Player's record for a period of 24 months from the date such breach was committed or, 12 months after the period of which the Player's penalty expired. In the case where the breach is the subject of an appeal, from the date the appeal is upheld.

6.4 Golf NSW will comply with the Privacy Act (1988) when collecting or receiving information under this Code.



Attachment A – Golf NSW Code of Conduct

NB. The initial determination applies until an appeal is heard and continues to apply if the Appeal Tribunal affirms or agrees with the Determination.

1. The respondent must give written notice of his or her appeal to Golf NSW by 5.00pm (Australian Eastern Standard Time) on the second business day after the respondent has been informed of the Determination under clause 3.3.
2. If the letter of appeal is not received by the CEO of Golf NSW within the relevant time period the right of appeal will lapse.
3. The sole grounds for appeal to the Appeal Tribunal are that the:
 - 3.1 Policy was not properly followed or implemented; or
 - 3.2 Disciplinary measure(s) imposed is unjust and/or unreasonable; or
 - 3.3 Determination was affected by bias.
4. On receipt of an appeal by a respondent Golf NSW must adopt the following process:
 - 4.1 Consultation and mediation - the appellant, the Chair of the Committee, and the relevant expert must meet (with a Mediator as facilitator) to discuss the Determination;
 - 4.2 If the parties do not reach agreement by consultation and mediation within seven (7) working days (or a shorter period reasonably determined by Golf NSW) after the respondent gives notice under clause 3.3, the respondent may request in writing that the matter be heard by the Appeal Tribunal.
5. The Appeal Tribunal will consist of the following persons appointed by the Board:
 - 5.1 a barrister or solicitor, who will act as chairman;
 - 5.2 a person with a thorough knowledge of the matter; and
 - 5.3 another independent expert with knowledge specifically relevant to the matter, or as specified in the specific by-law.
6. Such appointments will be for a calendar year.
7. If a member of the Appeal Tribunal is unable to sit for a particular hearing, the Board will appoint another person as a member for that hearing.
8. A person who is:
 - 8.1 a member of the Board or of the Committee; or
 - 8.2 by reason of his or her relationship with:
 - i. the appellant concerned;
 - ii. any member of the Board or the Committee; or
 - iii. any person whose interest may be affected by the outcome of the appeal, is not eligible to be appointed to the Appeal Tribunal
9. The Appeal Tribunal will convene a hearing as soon as practicable at the discretion of Golf NSW, but in any event not more than seven (7) working days, after the submission of the grounds of appeal by the appellant.
10. If the appellant concerned challenges the impartiality of any member of the Appeal Tribunal, the challenge will be determined by the members of the Tribunal other than the member challenged.
11. The hearing may occur in such manner as the chairman decides, including by telephone or video conference.
12. In any hearing before the Appeal Tribunal:



12.1 the tribunal must observe the rules of natural justice;

12.2 the tribunal is not bound by the rules of evidence and may inform itself as to any matter in such manner as it thinks fit;

12.3 the appellant must establish one or more grounds of appeal to the reasonable satisfaction of the tribunal with full regard to the importance and gravity of the issue;

i. if a question of law arises during the course of the hearing, the appellant or Golf NSW may seek an adjournment in order to obtain legal advice; and

ii. neither the appellant nor Golf NSW is entitled to be represented by a barrister or solicitor, except with the leave of the tribunal, which leave will only be granted in exceptional circumstances.

13. The Appeal Tribunal will give its decision as soon as practicable after the hearing and will provide Golf NSW's Chief Executive Officer and the appellant with the decision.

14. There is only one right of appeal following the Determination. Any appeal must be solely and exclusively resolved by the Appeal Tribunal and the decision of the Appeal Tribunal is final and binding. A person must exercise his/her right of appeal under this Policy and have any appeal heard and determined by the Appeal Tribunal before commencing any proceedings or becoming a party to any proceedings in a court of law.

15. An appellant may withdraw his or her appeal by written notice to Golf NSW at any time before the appeal has been decided.