

2 Regulations

2.1 Fees

2.1.1 Membership fees for Associations affiliated to TBASA

- a) The annual membership fee for Associations and clubs are decided at the AGM.
- b) The club membership fees are included in the invoice sent out by TBASA to its Affiliated members.
- c) The fees have to be paid to TBASA in total latest 28th February.
- d) If the membership fees have not been paid by 28th February, the Secretary General of TBASA will inform the Associations concerned that if the fees are not received by 31st March they will be suspended and that they can be re-instated as a member after having paid the fees plus a 20% fine.
- e) New members do not have to pay fees in the year they are admitted.

2.1.2 Tournament approval fees

- a) The fee for TBASA approval of a National tournament is decided at the AGM.
- b) Invoices will be sent at regular intervals by the TBASA Secretary General to the Associations.
- c) Once a tournament has been approved there will be no refund in case the tournament is cancelled.
- d) Approved tournaments are those that are captured on the annual TBASA tournament calendar.

2.1.3 Application fee for championships

- a) For filing an application to host a TBASA championship the potential host has to pay an application fee to TBASA of R1000 to be used to offset the costs for TBASA officials.
- b) The costs for two TBASA officials to perform the pre-competition verification / certification visit will be paid by the host Association.
- c) The costs for the TBASA Championship Director and the TBASA Technical Delegate during the championships will be paid by the host Association.
- d) If the host withdraws from organising the championship less than 6 months prior to the start the fee will be forfeited.

2.1.4 Entry fees for championships

- a) The TBASA Championship Director shall agree with the organising Association on the entry fee to be paid by each member of the delegation from each Association participating in a championship.
- b) The agreed upon fee shall include R50 per member of the delegation, which amount shall be forwarded by the organising Association to TBASA.
- c) The organising Association has the right to ask for a separate fee for the extra persons (supporters and guests) to an amount agreed with the TBASA Championship Director.
- d) If a Association withdraws its team completely from a championship after the entry deadline a cancellation fee of R1500 must be paid to TBASA and the entry fee is forfeited.
- e) TBASA shall collect all entry fees.

- 2.1.5 Fee for Coaching and Technical clinics
- a) Travel expenses as well as hotel accommodation for the instructor(s) have to be paid by the host Association.
 - b) For a 3-day clinic the host Association has to pay a fee of R3000 per instructor.
 - c) For a 4-day clinic the host Association has to pay a fee of R4000 per instructor.
 - d) The host Association also has to pay an administrative fee of R500 to the TBASA.
 - e) If a clinic would be organised by an organisation outside of TBASA, the administrative fee to be paid to TBASA would be R750.

2.2 Expenses

- 2.2.1 For members of the TBASA Executive and other persons travelling to carry out their duties on behalf of TBASA, TBASA will meet their expenses for travel, board and lodging, as well as other justified costs up to a reasonable amount.

2.3 Awards

- 2.3.1 The TBASA Executive is authorised to present the following awards:
- a) **Life Membership Award**, which can be awarded to persons who have served for more than seven years on the TBASA Executive or as otherwise decided upon by the TBASA Executive.

2.4 Disciplinary actions

- 2.4.1 Purpose and scope
- a) The purpose of this regulation is to specify the rights of the TBASA Executive to impose disciplinary actions.
 - b) This sub-chapter describes the disciplinary actions that may be taken by the TBASA Executive. It also gives recommendations about procedures that should be included in the constitution of the national Associations, which are members of the TBASA.
 - c) The word person in this sub-chapter is meant one (national Association, sub-organisation of a national Association, athlete, coach, or official) that is recognized as a member of TBASA and subject to the rights and duties of the TBASA Constitution.
- 2.4.2 Disciplinary authorities
- a) The TBASA Executive may deal with disciplinary actions against a national Association, sub-organisation of a national Association, athlete, coach, official, spectator or guest.
 - b) The TBASA Executive may deal with disciplinary actions against an individual member only if it is an offence related to a TBASA championship or a TBASA approved international tournament. In such a case the offence shall first be reported for action to the Regional/Provincial Association to which the individual member belongs.

- c) The TBASA Executive may deal with disciplinary actions against an individual member if a case of an appeal against a decision made by a Regional/Provincial Association, and the constitution of the Association allows an appeal to the TBASA Executive.
- d) All other cases shall be dealt with in accordance with the constitution of the Regional/Provincial Associations to which the individual member belongs.
- e) Disciplinary actions against a sub-organisation of a Regional/Provincial Association shall be dealt with in accordance with the constitution of the said Association to which the sub-organisation belongs.
- f) A member of the disciplinary authority must not take part in the investigation or trial of a case of which
 - he himself or his organisation is a part, or
 - the result may have an influence on his organisation, or
 - he has previously dealt with in any other disciplinary authority, or
 - he in any other way can be challenged

2.4.3 Offences

- a) A disciplinary action can be inflicted upon a person who has neglected to pay a prescribed fee within the stipulated time, or submit requested reports or information.
- b) A disciplinary action can be inflicted upon a person who has accepted to participate in a competition or exhibition but without valid reason has refused to fulfil the agreement or without valid reason has failed to appear.
- c) A disciplinary action can be inflicted upon a person who has officially announced that in a competition or exhibition certain athlete(s) should participate but has failed to appear, despite the fact that it was known at the time for the announcement that no agreement of participation existed, or that the athlete(s) could not participate.
- d) A disciplinary action can be inflicted upon a person who has participated in competition or exhibition, or has practiced sports activities during the time he was suspended.
- e) A disciplinary action can be inflicted upon a person who has allowed a suspended person to participate in competition or exhibition or to practice sports activities despite the fact that it was known that the person was suspended.
- f) A disciplinary action can be inflicted upon a person who has during or in connection with competition or exhibition demonstrated, behaved insulting or in other ways improperly against a participant, official or audience, or has neglected directions or instructions given by officials.
- g) A disciplinary action can be inflicted upon a person who has in connection with sports activities caused damage, or violence against any person, or threats against persons.
- h) A disciplinary action can be inflicted upon a person who has by untruth or in other ways misled, or tried to mislead, official, other individual or organization in their sports activities.
- i) A disciplinary action can be inflicted upon a person who has contrary to one's knowledge or without plausible reason reported another person for an offence, which would result in a disciplinary action in accordance with these regulations.
- j) A disciplinary action can be inflicted upon a person who has in connection with sports activities provided himself or another person with undue advantages.

- k) A disciplinary action can be inflicted upon a person who has behaved in a way that the image of the sport has been damaged, or obviously could have been damaged.
- l) A disciplinary action can be inflicted upon a person who has violated the playing rules of WTBA, TBASA, the national Association, or other tournament organizer.
- m) A disciplinary action can be inflicted upon a person who has violated the established doping control rules.
- n) A disciplinary action can be inflicted upon a person who has in any other way neglected to follow the obligations of the statutes, rules and regulations, which govern the sport of bowling.

2.4.4 Disciplinary actions

- a) The disciplinary actions of offences according to these regulations are reprimand, fines, restriction of rights or suspension.
- b) If the offence will be regarded as insignificant considering the circumstances, then only a reprimand may be imposed. If the offence will be regarded as gross, then suspension shall be imposed of minimum one and maximum two years.
- c) Disciplinary actions related to doping control violations will be dealt with in accordance with special doping control regulations.
- d) Reprimand, which is the lightest disciplinary action that can be imposed on a person, involves a written call of attention of the offence that has been committed and a demand of the offender in the future to obey to the actual statutes, rules and regulations.
- e) Fines involve that the offender is demanded to pay a certain amount of money to TBASA. The amount to be paid shall be used to cover the costs incurred for investigation of the case and for the further development of the sport within TBASA. The imposed fine shall be paid within four weeks after the decision has been announced. This action can be suspended for a period not exceeding two years.
- f) Restriction of rights involves that a Regional/Provincial Association or its individual members may not, during a limited period of time, participate in certain TBASA activities. This action can be suspended for a period not exceeding two years.
- g) Suspension involves that a Regional/Provincial Association or its individual members may not participate in competition, exhibition and/or other activities related to the sport. A suspended Regional/Provincial Association does not have the right to vote at the TBASA Congress. This action can be suspended for a period not exceeding two years.
- h) Suspension has to be time limited and can be maximum two years.
- i) A suspension announcement must specify the first and last date of the suspension period of time. The start of the period shall be within one week of the date of the decision. However, if the offender has been suspended during the investigation period of time, then the start of the suspension shall be counted from that date of suspension.

2.4.5 Reporting of offences

- a) A matter of disciplinary action for an offence against these regulations may be dealt with only if the relevant disciplinary authority has received a written report.

- b) The report shall be signed by the informer. It shall include the name of the offender, clear information about the offence together with the immediate circumstances and the evidences related thereto.
- c) If the report is incomplete, then the disciplinary authority may ask the informer to make the report complete within a specified time.
- d) If the report has been addressed to an instance, which does not have the authority to deal with the matter, then the instance must immediately forward the report to the correct instance.
- e) If the report has been received by an unauthorized instance, but within the specified time frame, then it must be considered as being received within the correct time, even if the correct authority did not receive it until after the specified time limit.

2.4.6 Prescription period

- a) A disciplinary action for an offence can be imposed on someone, only if the offence has been reported for disciplinary action latest within two months from the time when the offence was committed.
- b) A disciplinary action must not be imposed when two years have passed since the day of the offence.

2.4.7 Investigation

- a) The disciplinary authority must give the reported person an opportunity to express his views on the report. The parties shall be provided with all documents and other quoted material belonging to the case.
- b) A solicitor, who in such a case must provide evidence of power given, may represent a party.
- c) The disciplinary authority may take the initiative by itself to start a complete investigation.
- d) The disciplinary authority may decide on an oral interrogation. The parties concerned shall be called to such an interrogation.
- e) Oral interrogation shall be held on request of a party. However, if it is obvious that such an interrogation does not benefit the investigation, then the disciplinary authority may deny the request.
- f) Each party is responsible for covering its own expenses for dealing with the case. It is the responsibility of the disciplinary authority to cover expenses that are related to substantiation of evidence or other investigation initiated by the disciplinary authority.
- g) All dealing with a case must be documented in minutes.
- h) A disciplinary action must be promptly dealt with and the decision announced immediately.

2.4.8 Suspension during investigation

- a) If it is an obvious fact that the reported offence will lead to suspension, then the disciplinary authority, without hearing the offender, may decide that he until further notice and until the case has been finally decided upon may not participate in competition or exhibition.
- b) The offender must be informed immediately and latest within one week of a decision about suspension during the investigation.
- c) If the final decision will be a suspension, then the time of suspension during investigation shall be included in the total time of suspension.

2.4.9 Deliberation

- a) Decision about disciplinary action may not concern other offence than the explicitly reported. Furthermore a decision may not be based on a statement or proof of which the offender has not been given the opportunity to comment on.
- b) In doubtful cases the offender shall be given the benefit of the doubt.
- c) The decision about disciplinary action shall be taken by majority vote. If a tie exists, then the opinion that means a verdict of not guilty or the least severe disciplinary action, shall apply.

2.4.10 Announcement of decision

- a) The announcement of a decision shall be made immediately and latest within one week to the persons concerned.
- b) The announcement of a decision must be in the written form, irrespective of it being a verdict of not guilty or guilty. The announcement shall include the names of the persons participating in the decision.
- c) If the verdict is guilty, then the announcement shall include information about the kind of offence, the regulation applied, and the disciplinary action.
- d) If the disciplinary action consists of fines, then the announcement shall specify to which organisation the fines shall be paid.
- e) The announcement shall also include a statement about to which higher authority an appeal of the decision may be submitted, as well as the last day when an appeal must be received, and also what the party has to observe in other respects. In case the decision cannot be appealed, this must be clearly stated in the announcement.
- f) The disciplinary authority must keep a register of all disciplinary actions that have been decided upon. Also eventual amendments or remission must be registered.
- g) The decision about disciplinary action shall be in effect even if it has been appealed to a higher authority. However, the higher authority may decide that the original decision shall not be in effect pending the final dealing of the appeal. Such a decision may not be appealed.

2.4.11 First appeal

- a) Unless otherwise specified, the reporting as well as the sentenced party may appeal to a higher discipline authority on payment of an appeal fee of R1000.00 paid into TBASA Bank Account.
- b) The relevant authority must receive such an appeal no later than 21 days after the announcement of the original decision.
- c) If the appeal has been lodged with an instance, which does not have the authority to deal with the matter, then the instance must immediately forward the appeal to the correct instance.
- d) If the appeal has been lodged with an unauthorized instance, but within the specified time frame, then it must be considered as being received within the correct time, even if the correct authority did not receive it until after the specified time limit.
- e) If the complaining party can provide proof that the stipulated time frame could not be maintained, then the appeal shall be dealt with despite the fact that it was not received until after the specified date.
- f) An appealed decision may not be changed unless the opponent has been given the opportunity to comment on the appeal. However, if a major procedural error has been made when the case was dealt with by the original instance, then the higher discipline authority may set aside the original decision without hearing the opponent.

- g) In principle the same procedure and announcement of decision apply to the dealing with an appeal as with a reported offence.
- h) Any person, other than the reporting party, or the sentenced party, offering comment or discussion on the results of the disciplinary decision, may be subjecting himself to disciplinary procedures.
- i) If the appeal is successful, the appeal fee will be reimbursed.

2.4.12 Further appeals

- a) After a decision on an appeal has been announced, a further appeal may be granted on payment of a further appeal fee of R1500.00 (not refundable) if:
 - Circumstances or evidence, not previously presented, can be referred to and its presentation likely should have led to a lesser degree of disciplinary action or a not guilty verdict.
 - A major procedural error has been made in dealing with the appeal.
 - The decision has been made on juridical principles, which obviously are in conflict with the established constitution.
- b) A request of further appeal, which may be made by the person on which a disciplinary action has been imposed, shall be submitted in writing to a higher authority not less than 21 days after the announcement of the decision on the appeal.

2.4.13 The TBASA member Associations are recommended to include in their constitution a suitable clause, which governs the handling of disciplinary actions including the procedure of appeals against a decision.

2.5 Amendments

This Chapter was amended by the Congress in July 2012