

APPENDIX 1

Disciplinary Procedure

Pursuant to Paragraph 5.11.1 of the Club Constitution.

In the event of any written complaint by any Club member ("the Complainant") to the Club Secretary that another Club member ("the Respondent") has been in breach of the Club Constitution and/or Club Rules and/or guilty of conduct which would discredit or harm the Club or the GAA (hereinafter called "the complaint") then this disciplinary procedure shall apply:

1. The Executive shall meet within 14 days of receipt of the complaint to consider the matter.
2. The Executive Committee may deem the complaint one in relation to which no further action be taken and it shall, within 7 days of so deciding, notify the Complainant that it intends to take no further action.
3. The Executive Committee, if it feels the complaint so warrants, shall appoint an Investigating Committee, comprising not less than 2 members and not more than 3 members of the Executive, for the purpose of investigating that complaint.
4. The Investigating Committee shall notify the Respondent of the complaint and the Respondent shall be invited to make any statement/observations that he/she may wish to make to the Investigating Committee, within 7 days of such notification.
5. The Investigating Committee shall carry out an investigation of the complaint (including interviewing such persons as it feels appropriate) and prepare a report on the matter. If the Investigating Committee considers that the Respondent has been in breach of the Club Constitution and/or Club Rules and/or guilty of conduct which would discredit or harm the Club or the GAA then the Investigating Committee shall so notify the Respondent within 7 days of preparation of its report, and furnish him/her with a copy of its report and the Investigating Committee shall recommend to the Executive Committee that the Executive Committee propose a penalty, which can comprise only either a warning as to future conduct or a suspension/disqualification from all Club activities for a maximum of 28 days.
6. The Respondent, upon receipt of the Notice of the proposed penalty from the Executive Committee, may, within a period of 7 days from the date of receipt of this Notice (the Notice shall be presumed to be received by the Respondent the day following the date of posting of same by the Executive Committee) reply to the Club Secretary and either; a) accept the proposed penalty, or b) request, in writing, a hearing before the Club Hearings Committee. If the Respondent fails to reply within the said period then he/she shall be deemed to have accepted the penalty proposed by the Executive Committee. In that event or in the event that the Respondent indicates that he/she accepts the penalty then that penalty shall be imposed.
7. Where the Respondent requests a hearing before the Club Hearings Committee then the Executive Committee shall, within 14 days of the receipt of such request from the Respondent, arrange for a Hearings Committee to be formed from the membership of the Club exclusively for the purpose of dealing with the Hearing requested by the Respondent. The Club Hearings Committee shall comprise a minimum of 3 and a maximum of 5 members full members of the Club and any such member cannot be a current member of the Executive Committee of the Club. When formed, the Club Hearings Committee shall appoint one of its members to act as Secretary to the Committee, whose function shall be to record the minutes of the Hearing and communicate with any relevant parties as appropriate.

8. The Respondent shall be entitled to be accompanied by one full member of the Club at any hearing before the Club Hearings Committee but there shall be no right to legal representation, on the part of any party, at any stage of this process.
9. The Respondent shall be notified, in writing, at least 3 days in advance of any meeting of the Club Hearings Committee convened to hear the complaint. The Respondent shall attend this hearing and may give evidence and/or call any witness/es to give evidence on his/her behalf. A member of the Investigating Committee shall also attend the hearing to present the report of the Investigating Committee to the Club Hearings Committee and may call any evidence, including evidence from the Complainant, as it feels appropriate. The Club Hearings Committee shall decide whether or not the complaint is such that it amounts to a breach on the part of the Respondent of the Club Constitution and/or Club Rules and/or that he/she is guilty of conduct which would discredit or harm the Club or the GAA. If the Club Hearings Committee finds that the complaint does not amount to such a breach then it shall dismiss the complaint. If the Club Hearings Committee finds that the complaint does amount to such a breach then the Club Hearings Committee shall have the power to recommend to the Executive Committee that the Executive Committee, pursuant to paragraph 5.11.1 of the Club Constitution, imposes the penalty as recommended by the Investigating Committee or, if it feels appropriate, a penalty less severe than that recommended by the Investigating Committee.
10. In the event that the Investigating Committee, following its investigation, feels that the complaint constitutes such a breach of the Club's Constitution and/or Rules or amounts to conduct that might cause such serious discredit or harm to the Club or the GAA that a penalty more severe than a warning or suspension/disqualification for no more than 28 days might be warranted then the Investigating Committee shall simply compile its report and refer the matter to the Executive Committee with a recommendation that the matter is referred directly to the Club Hearings Committee for the purpose of holding a Disciplinary Hearing. In the event of such a referral by the Executive Committee, then the Secretary of the Club Hearings Committee, within 14 days of being notified by the Executive Committee of this referral, shall notify the Respondent of the referral and furnish him/her with a copy of the Report of the Investigating Committee. The Secretary of the Hearings Committee shall at that time also notify the Respondent that a Disciplinary Hearing is to be held and notify him/her of the date and venue of the hearing before the Club Hearings Committee, which said hearing will be held within 14 days of that notification. The procedure set out in paragraph 8 hereinabove shall apply to any such hearing before the Club Hearings Committee except that if the Club Hearings Committee finds that the complaint constitutes such a serious breach on the part of the Respondent of the Club Constitution and/or Club Rules and/or that he/she is guilty of such conduct which would seriously discredit or harm the Club or the GAA then the Club Hearings Committee shall have the power to recommend to the Executive Committee that the Executive Committee, pursuant to paragraph 5.11.1 of the Club Constitution, warn the defending party as to his/her future conduct; suspend/disqualify the defending party from all Club activities up to maximum period of 48 weeks; impose a fine (not exceeding €50) on the Respondent or, if it feels such punishment is warranted expel the Respondent from membership of the Club.
11. Unless the offence is brought to the notice of the Mayo County Committee of the G.A.A. by the Club, and that body, having considered the merits of the case and having regard to the rights of the Respondent, including his/her right to fair procedures, confirms the penalty imposed, the member continues to be a legal member of the Association and is suspended from Club activities only.

Appeals

12. The Respondent shall be notified in writing of the decision of the Executive Committee, within a period of 7 days of the date of any hearing pursuant to paragraphs 8 or 9 above. The Respondent shall be entitled, pursuant to paragraph 5.11.2 of the Club's Constitution, to appeal any decision of the Executive Committee to expel, suspend, warn or fine him/her or disqualify him/her from Club activities to the Hearings Committee of Mayo County Committee of the G.A.A. Such an appeal must be notified by the Respondent to the Secretary of the Mayo County Hearings Committee, within 7 days of the receipt by the Respondent of the decision of the Executive Committee (the decision of the Executive Committee shall, if posted, be deemed to have been received by the Respondent the day following the date of posting thereof). A copy of such notice of appeal shall be furnished to the Club Secretary by the Respondent.
13. Any such appeal shall be conducted in accordance with the provisions of Rule 7.11 of the Official Guide.
14. Where this document is silent in relation to any matters of procedure then the procedures set out in Chapter 7 of Part I of the Official Guide shall apply.