

Policy Name	RULES FOR DISCIPLINE
<p><b>Overview</b></p>	<p>The <i>Rules for Discipline</i> establish a clear and consistent framework for managing misconduct across NSW agricultural shows. They promote fairness, transparency, and procedural integrity while supporting volunteers and upholding AgShows NSW’s Code of Conduct.</p> <p>The revised policy replaces monetary penalties with proportionate non-financial sanctions such as suspension, reprimand, or training, aligning with the organisation’s values and volunteer culture. It introduces an <b>Early Guilty Plea</b> process that allows individuals to admit misconduct early, enabling faster resolution and reduced penalties, and an <b>Appeals Framework</b> that ensures independence and procedural fairness through an appointed panel.</p> <p>Simplified inquiry procedures clarify when matters are handled by the AgShows NSW Disciplinary Committee or by Member Organisations and allow remote hearings to reduce travel and cost. Updated definitions—such as <i>Responsible Person, Participant, and Prohibited Substance</i>—improve clarity and alignment with the Prohibited Substance Testing Policy.</p> <p>The policy also strengthens cooperation between AgShows NSW and other show bodies through transparent publication of disciplinary outcomes. It takes effect on <b>1 March 2026</b> and will be reviewed in <b>November 2026</b> to ensure continued relevance and effectiveness in maintaining integrity, welfare, and good governance across all affiliated shows.</p>
<p><b>Review Date</b></p>	<p>These Rules for Discipline apply from the date of approval and remain in force until amended or replaced by the Board of AgShows NSW.</p>
<p><b>For</b></p>	<p>Members, Directors, employees (full-time, part-time, casual)</p>
<p><b>Related Policies</b></p>	<p><a href="#">Disciplinary Procedure Manual (TBC)</a>, <a href="#">Prohibited Substance Testing Policy (TBC)</a> and <a href="#">Code of Conduct</a></p>
<p><b>Policy Register</b></p>	

## RULES FOR DISCIPLINE

### Purpose

AgShows NSW Rules for Discipline set out clear and consistent procedures to manage misconduct at Shows across NSW.

These rules support both the objectives of AgShows NSW and the autonomy of affiliated Member Organisations. They distinguish between:

- Misconduct involving objective evidence such as Prohibited Substance testing (to be managed by AgShows NSW Disciplinary Committee)
- Behavioural or subjective misconduct (to be managed, where possible, at Member Organisation level)

This edition removes monetary penalties, incorporates a new Early Guilty Plea process, and aligns with [AgShows NSW Code of Conduct](#). It simplifies procedures and provides clearer guidance to support volunteers.

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## **Part 1 -Definitions**

### **Definitions Cross-Reference**

The terminology in this document is set out in [AgShows NSW Definitions Schedule and Glossary](#), which applies across all AgShows NSW disciplinary, complaints and prohibitive substance policies and procedures.

### **Interpretation**

This Master Definitions Schedule is to prevail over any inconsistent definitions contained elsewhere in AgShows NSW policies, procedures or forms.

The AgShows NSW Master Definitions Schedule applies across all disciplinary, complaints and prohibitive substance documents and is intended to ensure consistency of interpretation. Where ambiguity arises, the Master Definitions Schedule is to be applied.

### **Part 2- Inquiry**

All inquiries, investigations and appeals shall be conducted in accordance with AgShows NSW Rules for Discipline.

### **Part 3- Bodies that may Conduct Inquiries**

All inquiries shall be conducted by AgShows NSW Disciplinary Panel with a panel of at least 3 members of the committee arranged.

### **Part 4- The Jurisdiction of The Disciplinary Committee**

AgShows NSW will not investigate, intervene in, or adjudicate local governance disputes, personality conflicts, volunteer disagreements, or internal society politics. These matters remain the responsibility of Member Organisations.

Before accepting any matter, The Disciplinary Committee must confirm: the issue falls within AgShows NSW authority; objective evidence exists; local processes have been exhausted; and the matter concerns serious misconduct, prohibited substances, or broader network impact.

## **Part 5 – Matters Not Proceeding to Inquiry**

The Committee will not initiate an inquiry where:

**5.1.** It does not have prima facie evidence

**5.2.** Misuse of Process

A complaint is assessed as vexatious, malicious, frivolous, retaliatory, or politically motivated. Misuse of the complaints or disciplinary process constitutes misconduct and may itself result in disciplinary action.

**5.3.** More Appropriately Managed Locally

Upon receipt of a completed and signed AgShows NSW Complaint Form, the Committee may determine that the matter is more appropriately managed by the relevant Member Organisation Executive, led by the Member Organisation President.

**5.4.** Matters Outside Committee Jurisdiction

An inquiry may not be initiated in respect of any matter that the Committee considers:

- a. relates solely to the internal domestic affairs of a Member Organisation or Group; or
- b. primarily concerns legal rights between members of a Member Organisation, where the courts are the more appropriate forum; or
- c. constitutes a police matter.

## **Part 6 - Conduct of Inquiries**

**6.1.** The Committee requires that any matter, the subject of an inquiry, be given in writing.

**6.2.** The person concerned shall be informed in writing of any complaint and be provided with a copy of all documents in possession of the Committee necessary to enable the person to understand the nature of the complaint and of any case he/she may have to answer.

**6.3.** The Committee Chair shall appoint a Disciplinary Panel to hold a hearing at a time and place it considers appropriate, provided that at least 21 days' written notice is given to the following:

- a. The person concerned;
- b. The person or persons (if any) who made the complaint; and
- c. Any witnesses to the events in question.

**6.4.** All of these parties are entitled to attend the hearing, be heard, and present any evidence that is relevant to the matter.

**6.5.** The person concerned or a witness in relation to the matter the subject of an inquiry and that witness has presented a written statement to the Committee, the Committee may permit the person concerned and the witness to give evidence and be cross examined by means of a online Zoom conference.

**6.6.** All persons who constitute the Committee Panel for the purpose of an inquiry must be present via Zoom meeting at the inquiry or hearing at all times.

**6.7.** The Disciplinary Panel may conduct the inquiry notwithstanding that any person (including the person concerned or a witness) who has been given notice fails to appear at the inquiry.

**6.8.** The Disciplinary Panel may from time to time on its own motion adjourn the conduct of the inquiry to such time and place as it considers fit but notice of such adjournment shall not be required to be given to persons not present at the inquiry when the adjournment is announced.

**6.9.** The Disciplinary Panel shall only grant an application for an adjournment by the persons concerned in circumstances where to fail to do so would in the Committee's opinion constitute a denial of natural justice.

**6.10.** The Disciplinary Panel is not bound by rules of evidence and shall conduct the inquiry with the minimum of formality and in such manner as it sees fit.

**6.11.** The Disciplinary Panel may require any person to attend a hearing before the Panel and to furnish such information and evidence and to produce such documents relevant to the matter the subject of the inquiry as the Panel sees fit.

**6.12.** The Disciplinary Panel may of its own motion call evidence from experts.

**6.13.** No person shall be legally represented before the Panel.

**6.14.** The Disciplinary Panel may, at the expense of AgShows NSW, obtain legal advice concerning any matter or thing relevant to the inquiry but any such advice shall, unless the Committee otherwise resolves, be and remain confidential to the Committee.

All deliberations of the Disciplinary Panel are and must remain confidential to the Panel.

## **Part 7 - Decisions of The Disciplinary Panel & Penalty Guidelines**

**7.1.** The Panel will announce all decisions in writing.

**7.2.** The Panel will provide a confidential and internal written report on the facts as found by the inquiry and the penalty (if any) the Committee considers appropriate to impose in the circumstances.

**7.3.** If the opinion of the members of the Panel is not unanimous, the decision of the majority shall prevail. If the members of the Panel are equally divided on any question concerning the guilt or innocence of a person concerned, the question shall be resolved in the person's favour.

**7.4.** If the Panel considers that the imposition of a penalty may be appropriate, the Panel:

- a. must have regard to any submission on penalty that the person concerned may wish to make;

- b. may have regard to any previous instance in which the person concerned has been found guilty by any Organisation of a breach of the rules, or of misconduct, provided that the Panel shall not be made aware of any such previous instance until after the Panel has reached the decision that the person concerned is guilty in respect of the matter then before the Panel.

For the purpose of this paragraph (b), "Organisation" includes AgShows NSW, any Member Organisation, the Show Horse Council, the Royal Agricultural Society of NSW and any other kindred body.

**7.5.** It shall be the duty of AgShows NSW Executive Officer to provide to the Disciplinary Panel, prior to the Panel's consideration of the question of penalty, information concerning any reference to previous upheld complaints

**7.6.** In line with the [AgShows NSW Code of Conduct](#): If the Panel considers that the imposition of a penalty is appropriate, the following table of suspensions shall apply as non-mandatory guidelines applicable to matters that involve or include the presence of a Prohibited Substance:

- a. Denigration of a competitor, an exhibit, a judge, a Show Official or a spectator during a Show – 3 to 12mths
- b. Abuse of a competitor or spectator - 12 to 24mths
- c. Abuse of a judge or Show Official - 24mths to life
- d. Excessive discipline of an animal – 3 to 12mths
- e. Causing hurt or undue stress to an animal – 12 to 24mths
- f. Causing injury to an animal - 24mths to life

**7.7.** In the case where the person concerned has not previously been found guilty of misconduct or a breach of the rules, the Panel should consider whether or not a reprimand is an appropriate penalty.

**7.8.** If the Panel, having conducted any inquiry, is of the opinion that any complaint or allegation which led to the institution of the inquiry was made:

- a. frivolously,
- b. without sufficient evidence to justify the making of the complaint or allegation,
- c. out of ill will, spite or on bad faith,

the Panel may decide that: there be a penalty imposed on the person considered by the Panel to have acted in any manner described in (a) to (c) of this rule, and AgShows NSW shall take all such action as may be necessary to give effect to such a decision of the Panel.

## **Part 8- Penalty Guidelines for Prohibited Substance Offences in Animal/Exhibits**

**8.1.** Use of a Prohibited Substance which could have affected the performance of the animal/exhibit at the time of competition:

- a. 1st Offence – 12mths suspension-Loss of Award – Loss of Official Position;
- b. Subsequent Offences - 24mths suspension-Loss of Award - Loss of Official Position;

**8.2.** In addition, a person who has been found guilty of a breach of Rule of use of a Prohibited Substance, may be required to reimburse AgShows NSW all costs incurred by AgShows NSW in relation to the detection of the Prohibited Substance in question.

In respect of an offence, the suspension will be of the animal/exhibit concerned and/or the Competitor and/or the Responsible Person and/or the Owner, as the Committee may in the particular case determine.

**8.3.** Where a penalty comprises a suspension of a person and return of awards (with or without reimbursement of AgShows NSW costs), the suspension will continue beyond its specified completion until all the other penalty requirements have been completed.

## **Part 9. - Reimbursement of Direct Costs (Cost Recovery Only)**

**9.1.** Authority to Order Reimbursement:

The Disciplinary Panel may order reimbursement to AgShows NSW of direct and reasonable costs actually incurred as a result of an inquiry, including (without limitation) laboratory testing or analysis, only where expressly authorised by these Rules.

**9.2.** Nature of Reimbursement Any reimbursement ordered under this Part:

- a. is not a penalty, fine, or punishment;
- b. must be limited to actual, direct costs incurred;
- c. must not include administrative overheads, general operational costs, or deterrent amounts; and
- d. must not exceed the amount reasonably incurred by AgShows NSW.

**9.3.** Precondition: No reimbursement may be imposed unless the person concerned has been found guilty of a breach of these Rules.

## **9.4 Invoicing and Payment of Reimbursement**

Where the Disciplinary Panel orders reimbursement under this Part:

- a. AgShows NSW must issue a tax invoice itemising the direct costs ordered for reimbursement;
- b. Unless otherwise determined by the Panel or agreed in writing, payment is due within thirty (30) days of the date of invoice;
- c. Failure to pay within the specified timeframe may result in the suspension remaining in effect, or being extended, until payment is made in full; and
- d. AgShows NSW may take reasonable steps to recover the amount as a debt owing.

For the avoidance of doubt, reimbursement remains cost recovery only and does not constitute a monetary penalty.

## **Part 10 - Early Guilty Plea - for Prohibited Substance Offences only**

### **10.1. Overview:**

AgShows NSW recognises that disciplinary processes may be more efficiently managed where the person concerned accepts responsibility for the alleged misconduct at an early stage. To support this, the Rules provide a structured early admission process.

### **10.2. Eligibility**

A person will be eligible to make an Early Guilty Plea when:

- a. a formal complaint or allegation has been received and acknowledged by the AgShows NSW Office; and
- b. the person concerned has been provided with sufficient information and evidence to understand the allegation(s) made against them; and the misconduct may or may not involve a prohibited substance offence Procedure for Early Guilty Plea

**10.3.** The option to accept an early guilty plea will be offered at the time the documents are provided.

The person concerned must submit a written statement to AgShows NSW within 14 days of receiving the complaint documentation, clearly stating that they:

- a. admit to the misconduct as described;
- b. accept responsibility for their actions; and
- c. waive their right to a formal hearing before the Disciplinary Committee in relation to the admitted misconduct.

**10.4.** Upon receipt of the written admission:

- a. the Chair of the AgShows NSW Disciplinary Committee (or delegate) will determine whether to accept the plea;
- b. if accepted, a penalty may be imposed without the need for a hearing.

**10.5.** Effect of Early Guilty Plea

Where an Early Guilty Plea is accepted:

- a. the penalty may be reduced to reflect the early admission and willingness to resolve the matter expediently;
- b. the penalty must still reflect the seriousness of the misconduct, considering any aggravating or mitigating factors.

### **10.6. Available Penalties**

Where the person accepts an early guilty plea and admits guilt, the Committee will consider whether a penalty is appropriate. The Disciplinary Panel will determine the penalty (suspension / ban of the offender and / or animal).

Available penalties may include:

- a. a reprimand (formal warning);
- b. suspension from participation in Shows (duration to be determined by the Committee
- c. a requirement to complete training, counselling, or remedial actions;
- d. withdrawal of awards or honours relating to the Show where the misconduct occurred;
- e. other sanctions considered appropriate and proportionate by the Committee.

### **10.7. Non-Eligibility or Rejection**

An Early Guilty Plea will not proceed where:

- a. the Early Guilty Plea is not submitted within the specified timeframe; or

### **10.8. No Right of Appeal (after Early Guilty Plea)**

Once a penalty has been imposed under the Early Guilty Plea process, there shall be no right of appeal, and the matter shall be deemed concluded.

## **Part 11 – Appeals Framework**

### **11.1. Purpose– Statement of Principles**

The Appeals Framework establishes a fair, transparent and efficient mechanism for the review of Disciplinary Committee decisions, ensuring natural justice across all disciplinary matters within AgShows NSW. Without limiting clause 28, the Appeals Framework provides that:

- a. appeals are limited to defined grounds;
- b. appeals are determined independently of the original decision-makers;
- c. penalties are stayed unless otherwise ordered; and
- d. decisions are reasoned, timely and final within AgShows NSW.

### **11.2. Right of Appeal**

A person found guilty by the Disciplinary Committee may appeal the decision and/or the penalty imposed, except where the person has accepted an Early Guilty Plea, in which case no right of appeal exists.

### **11.3. Grounds for Appeal**

An appeal may be lodged only on one or more of the following grounds:

- a. A material procedural error that may have affected the decision;
- b. Material new evidence that was not reasonably available at the time of the hearing;
- c. The penalty imposed was manifestly excessive or disproportionate.

### **11.4. Lodgement of Appeal**

The appellant must lodge a written Notice of Appeal with the Executive Officer within **14 days** of receiving the written decision, identifying the specific ground(s) relied upon and attaching any supporting material.

### **11.5. Stay of Penalty**

Upon lodgement of a Notice of Appeal, any penalty imposed is stayed until the appeal is determined, unless the Appeals Panel orders otherwise.

### **11.6. Constitution of Appeals Panel**

Within 14 days of receipt of a valid Notice of Appeal, the Governance Committee must appoint an Appeals Panel comprising three independent persons, at least one of whom is external to AgShows NSW. One member will act as Chair.

For the purposes of this clause, *independent* means having had no prior involvement in the matter and no personal or financial interest in its outcome.

### **11.7. Appeal Procedure**

- a. The Appeals Panel will determine its own procedure and timetable and may proceed by written submissions, video conference, or in-person hearing.
- b. The appellant is entitled to attend, be heard, and, with leave, call or cross-examine witnesses.
- c. Legal representation is [permitted / not permitted] in accordance with rule 15(a).
- d. The appeal is a review on the record. The Panel will not rehear evidence unless it considers this necessary to prevent injustice.

### **11.8. Powers of the Appeals Panel**

The Appeals Panel may:

- a. Confirm the decision and penalty;
- b. Vary the penalty;
- c. Set aside the decision and substitute a new decision;
- d. Refer the matter back to the Disciplinary Committee for reconsideration with directions.

### **11.9. Decision and Reasons**

The Appeals Panel must provide a written decision and reasons within **14 days** of the hearing or the receipt of the final submission, whichever is later.

### **11.10. Confidentiality**

All appeal deliberations and documents are confidential to the Appeals Panel and the parties, subject to publication in accordance with these Rules.

### **11.11. Finality**

The decision of the Appeals Panel is final and binding within AgShows NSW.

### **11.12. Publication**

The outcome of an appeal may be published in accordance with the Publication of Results provisions of these Rules.

### **11.13. Early Guilty Plea)**

Please refer to page 8 of this document for details of this option.

## **Part 12 - Publication of Results and Co-Operation with Other Bodies.**

**12.1.** AgShows NSW may, in its entire discretion, publish any decision of the Disciplinary Committee, including any penalty imposed, to the Member Organisations of AgShows

NSW and Royal Show Societies throughout Australia, Equestrian Australia, the Show Horse Council of Australasia Inc. and to such other organisations conducting shows as express a clear interest in supporting AgShows NSW penalties. Where appropriate such publication may strongly recommend that relevant bodies support AgShows NSW penalties by extending any AgShows NSW suspension to include the shows held during that time by those relevant bodies.

**12.2.** No action shall lie against AgShows NSW, the Board or any member of a Committee in respect of any such publication.

**12.3.** The AgShows NSW may determine by resolution that, when notified by another body of the suspension of an animal and/or a person (or persons) under the rules applicable to that body’s showing rules, the suspension will be extended to include NSW Members, and will be notified accordingly.

**12.4.** AgShows NSW may publish checklists or templates from time to time to support consistent application of these procedures. Such tools do not replace the Rules for Discipline or the **Disciplinary Committee Procedures Manual**

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