



Policy Name	DISCIPLINARY PROCEDURES MANUAL
Overview	The <i>AgShows NSW Disciplinary Procedure</i> provides a clear, step-by-step guide for managing complaints, inquiries, early guilty pleas, and appeals under the Rules for Discipline Policy. It ensures fairness, consistency, and transparency in all disciplinary processes across NSW agricultural shows. The manual outlines responsibilities of the Executive Officer, Disciplinary Committee, and Member Organisations, while safeguarding confidentiality and natural justice. It promotes proportional penalties, effective record-keeping, and accountability in decision-making. Designed to support volunteer committees, it strengthens integrity and trust across the AgShows NSW network through structured, fair, and efficient management of disciplinary matters.
Review Date	This Disciplinary Procedures Manual applies from the date of approval and remains in force until amended or replaced by the \AgShows NSW Board.
For	Disciplinary Committee Members, Directors, employees (full-time, part-time, casual)
Related Policies	Rules for Discipline, Code of Conduct To be Completed: Prohibitive Substance Testing Background and To be Completed: Policy Prohibitive Substance Testing Procedure,
Policy Register	

Purpose

To provide step-by-step operational guidance for managing inquiries, hearings, early guilty pleas, and appeals under the *AgShows NSW [Rules for Discipline Policy](#)*.

This manual ensures procedural fairness, consistency, and efficiency in all disciplinary processes while supporting volunteer-led Member Organisations.

DISCIPLINARY PROCEDURES MANUAL

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Part 1 - Scope and Application

1.1.

- a. Applies to all inquiries, investigations, and appeals under the AgShows NSW [Rules for Discipline](#) Policy.
- b. Used by the Disciplinary Committee, Executive Officer, and Member Organisations when managing misconduct. All references to misconduct are to be interpreted in accordance with the AgShows NSW Master Definitions Schedule.
- c. Supplements (but does not replace) the AgShows NSW Board-approved [Rules for Discipline](#) policy.

Part 2 - Key Principles

2.1. Definitions Cross-Reference

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

2.2. Interpretation

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

This Manual is procedural in nature and does not replace or modify the definitions adopted under the [Rules for Discipline](#) or the Master Definitions Schedule.

- I. **Natural justice** — every person has the right to know the case against them and to respond.
- II. **Proportionality** — penalties must reflect the seriousness of the misconduct.
- III. **Impartiality** — conflicts of interest must be declared and managed.
- IV. **Transparency** — clear documentation and record keeping at all stages.
- V. **Confidentiality** — information is shared only on a need-to-know basis.
- VI. **Cost recovery** — for testing or administration is not a disciplinary penalty and must only be applied where expressly authorised by the [Rules for Discipline](#)

Part 3 - Roles and Responsibilities

Role	Responsibilities
Executive Officer	Receives complaints, coordinates hearings, maintains records, provides secretariat support.
Disciplinary Committee Chair	Determines jurisdiction, appoints panels, manages hearings and decisions.

Role	Responsibilities
Disciplinary Panel	Review evidence, participate in hearings, decide outcomes by majority vote.
Member Organisations	Manage minor behavioural matters locally; refer serious issues to AgShows NSW.
Legal Advisor (as required)	Provides procedural or legal advice (not representation).

3.1. 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 4 - Complaint Management

4.1. – Lodging a Complaint

- a. Complaints must be lodged within 30 days of the event using the official AgShows NSW Complaint Form.
- b. Complaints must be accompanied by sufficient evidence including a description of the alleged misconduct, dates, witnesses.

4.2. – Initial Assessment

AgShows NSW will not investigate local governance or personality matters; only serious misconduct or prohibited substance issues fall under Committee jurisdiction.

- a. Executive Officer logs the complaint and acknowledges receipt.
- b. The Disciplinary Committee Chair decides whether:
 - c. The matter falls under AgShows NSW jurisdiction, or
 - d. Should be referred to the relevant Member Organisation.

- e. If the matter falls under the AgShows NSW jurisdiction, the Disciplinary Chair appoints a panel and the panel elects its chair

4.3. – Notification to Respondent

The respondent is provided with:

- a. A copy of the complaint,
- b. Relevant evidence, and
- c. Information about their rights and options (including Early Guilty Plea).

Part 5 - Inquiry Procedures

5.1. Pre-hearing

A minimum notice period of 21 days is required. Remote attendance via Zoom is permitted.

- a. Option for attendance via Zoom.
- b. Parties may provide written statements, witness lists, and evidence before the hearing.

5.2. Hearing Process

- a. Chair opens and outlines procedure.
- b. Complaint presented.
- c. Respondent presents their case.
- d. Witnesses (if any) heard and questioned.
- e. Committee deliberates in private.
- f. Decision reached by majority vote.
- g. Decision and reasons documented.

5.3. - Post-hearing

- a. Written notice of outcome and penalty issued within 14 days.
- b. Record stored securely by Executive Officer.

Part 6 - Prohibited Substances

6.1. The Committee shall arrange for any test for a Prohibited Substance to be carried out in accordance with such procedures as the Committee may from time to time determine in line with AgShows NSW and Forensic Laboratory procedures.

6.2. A person must not enter at a show any animal/exhibit to which a Prohibited

Substance has been administered or permit an animal/exhibit to which a prohibited Substance has been administered to compete.

6.3. The Competitor, the Owner and an Attendant of any animal/exhibit in which a Prohibited Substance is detected is deemed to be in breach of these rules.

6.4. An animal/exhibit to which a Prohibited Substance has been administered is not eligible to compete.

6.5. The Governance Committee may in its discretion appoint accredited person(s) to cause an examination to be made at any time of any animal/exhibit at any Show conducted by a Member Organisation. In the course of such examination, the person(s) may take any samples from an animal/exhibit as are considered by that person necessary or advisable.

6.6. Refusal to present an animal/exhibit for sampling, refusal to sign sampling documentation, or refusal to comply with reasonable directions of the veterinarian or swab steward shall constitute misconduct and may be treated as if a Prohibited Substance has been detected.

Part 7 - Early Admission of Misconduct (Early Guilty Plea)

7.1.Process - This section provides procedural guidance only.

The authority, eligibility, effect (including no right of appeal once accepted) and available outcomes are governed by the [Rules for Discipline](#) – Part 10 Early Admission of Misconduct (Early Guilty Plea).

7.2. Purpose of Early Guilty Plea Process

The Early Guilty Plea Process provides an efficient pathway to resolve a disciplinary matter where the person concerned accepts responsibility early, reducing time and cost while maintaining fairness and appropriate outcomes.

7.3. When the Early Guilty Plea option must be offered

The Executive Officer must include Early Guilty Plea information when providing the person concerned with the complaint and supporting material, so they can make an informed decision.

7.4. Timeframe for Lodgment

An Early Guilty Plea must be received in writing within 14 days of the person concerned receiving the complaint documentation (unless the Chair grants an extension in exceptional circumstances).

7.5. Minimum requirements for a valid plea

A valid Early Guilty Plea must:

- a. clearly identify the individual making the plea (anonymous admissions will not be permitted or accepted);
- b. state that the misconduct is admitted as described (or identify the parts admitted);
- c. acknowledge responsibility;
- d. confirm the person understands the usual inquiry process and elects to waive a formal inquiry; and
- e. confirm the person understands that, if the plea is accepted and a penalty imposed, there is no right of appeal.

7.6. Determining and recording the outcome

If an early guilty plea is received, the Disciplinary Panel may determine an outcome without a hearing. The written outcome must:

- a. record that the Early Guilty Plea was accepted;
- b. state the admitted misconduct;
- c. set out the outcome/penalty (if any) and brief reasons; and
- d. whether acceptance would still result in a proportionate and defensible outcome.

7.7. No Right of Appeal

Once the Early Guilty Plea is finalised, there will be no right of Appeal and the matter is deemed concluded.

7.8. Records management

The Executive Officer must retain the Early Guilty Plea submission, acceptance decision and written outcome on the disciplinary file, annotated “Early Guilty Plea – Accepted”.

7.9. Cross-Reference

For eligibility, effect and finality, refer to: [Rules for Discipline](#) – Part 10 (Early Admission of Misconduct, Early Guilty Plea).

Part 8 – Appeals Process (Operational Guidance)

8.1. Status of this Section

This Part provides operational and procedural guidance only.

The authority, eligibility, grounds, powers, stay of penalty and finality of appeals are governed exclusively by [Rules for Discipline](#) Part 11 – Appeals Framework. This Manual does not vary or replace those Rules.

8.2. Purpose of Appeals Process

The Appeals Process supports the Appeals Framework by providing practical guidance on how appeals are lodged, managed, recorded and communicated, ensuring fairness, transparency and natural justice.

8.3. Lodgment of Appeal

An appeal must be lodged in writing with the Executive Officer within **14 days** of the appellant receiving the written disciplinary decision.

The Notice of Appeal must:

- identify the specific ground(s) relied upon; and
- include any supporting documents or material.

Upon receipt, the Executive Officer must acknowledge the appeal in writing and notify the Disciplinary Committee Chair and Governance Committee.

8.4. Grounds for Appeal (Reference Only)

Appeals may only be lodged on the following grounds, as set out in the [Rules for Discipline](#):

- material procedural error;
- material new evidence not reasonably available at the time of the hearing; or
- manifestly excessive or disproportionate penalty.

8.5. Upholding of Penalty

Upon lodgment of a valid Notice of Appeal, any penalty imposed is automatically upheld until the appeal is finalised.

The Executive Officer must notify all relevant parties of the stay.

8.6. Appointment 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 must be external to AgShows NSW.

One Panel member will be appointed Chair.

Independence means having had no prior involvement in the matter and no personal or financial interest in its outcome.

8.7. Conduct of Appeal

The Appeals Panel determines its own fair procedure and timetable, which may include:

- written submissions;
- video conference hearing; or
- in-person hearing.

The appeal is generally conducted as a **review on the record**. The Panel will not rehear evidence unless it considers this necessary to prevent injustice.

8.8. Powers of the Appeals Panel

The Appeals Panel may:

- confirm the decision and penalty;
- vary the penalty;
- set aside the decision and substitute a new decision; or
- refer the matter back to the Disciplinary Committee for reconsideration with directions.

8.9. Decision, Written Reasons and Communication

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

The Executive Officer must:

- issue the written decision to the parties;
- advise of the outcome and commencement of any penalty; and
- retain the decision and reasons on the disciplinary file.

Where appropriate, a confidential summary may be provided to the Governance Committee for governance oversight.

8.10. Finality of Appeal

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

No further internal appeal is available.

8.11. Records Management

All appeal-related documents, including Notices of Appeal, submissions, Panel decisions and written reasons, must be securely retained by AgShows NSW for a minimum of **seven (7) years**.

8.12. Cross-Reference

For appeal authority, eligibility, grounds, stay of penalty, panel powers and finality, refer to: [Rules for Discipline](#) – **Part 11 (Appeals Framework)**.

Part 9 – Decisions of the Disciplinary Panel and Penalty Guidelines

9.1 Determination of Guilt and Decision Making

- a. The Disciplinary Panel must first determine whether the person concerned is guilty of a breach of the [Rules for Discipline](#) or [Code of Conduct](#).
- b. No sanction or reimbursement may be imposed unless a determination of guilt has first been made.
- c. The Panel may announce its decision in writing. Any decision announced orally has effect in accordance with its terms.
- d. The Panel may, but is not obliged to, publish a written report setting out the facts as found by the inquiry and any sanction considered appropriate under the Rules.
- e. Where the opinion of the Panel is not unanimous, the decision of the majority prevails.
- f. If the Panel is equally divided on any question concerning guilt or innocence, the question must be resolved in favour of the person concerned.

9.2 Consideration of Sanction

9.2.1. Where the Panel determines that a sanction may be appropriate, the Panel:

- a. must have regard to any submission on sanction made by the person concerned; and

- b. may have regard to any previous upheld finding of misconduct or breach of rules by the person concerned, provided that the Panel is not informed of any such previous finding until after guilt has been determined.

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

9.2.2. It is the responsibility of the AgShows NSW Executive Officer, after a finding of guilt and prior to consideration of sanction, to provide the Panel with details of any previous upheld complaints or findings.

9.2.3. Where the person concerned has no prior upheld findings, the Panel should consider whether a reprimand is an appropriate outcome.

9.3 Reimbursement of Direct Costs (Cost Recovery Only – Operational Guidance)

9.3.1. Authority to Order Reimbursement

- a. The Disciplinary Panel may order reimbursement to AgShows NSW only where expressly authorised by the [Rules for Discipline](#) and only following a finding of guilt.
- b. Reimbursement cannot be imposed unless guilt has been determined.
- c. Reimbursement is not a disciplinary penalty, fine, or punishment.

9.3.2. Nature and Limits of Reimbursement

Any reimbursement ordered under this Part:

- a. must be strictly limited to actual, direct and reasonable costs incurred by AgShows NSW as a direct result of the inquiry (including, without limitation, laboratory testing or analysis);
- b. must not include administrative overheads, general operational expenses, or deterrent amounts;
- c. must not exceed the amount reasonably incurred by AgShows NSW; and
- d. must never be imposed for punitive purposes or used as a substitute for non-financial disciplinary sanctions.

Cost recovery must be limited to direct costs actually incurred and must not be punitive in nature.

9.3.3. Operational Application

Where reimbursement is being considered, the Panel must ensure that:

- a. the costs claimed are directly attributable to the specific disciplinary matter;
- b. all amounts are supported by invoices or equivalent documentation; and
- c. the reimbursement order is clearly itemised in the written outcome.

The Executive Officer must retain all supporting cost documentation on the disciplinary file.

9.3.4. Cross Reference

For reimbursement authority, pre-conditions and limitations, refer to [Rules for Discipline](#) – Part 9 (Reimbursement of Direct Costs).

9.4 Key Principles – Penalties vs Cost Recovery

- a. AgShows NSW does not ordinarily impose monetary penalties.
- b. Reimbursement is limited to recovery of direct costs actually incurred (including laboratory testing) and does not constitute a fine or punitive financial sanction.
- c. In exceptional and clearly justified circumstances, the Disciplinary Panel may impose a financial penalty where permitted by the Rules, and only where non-financial sanctions are insufficient.
- d. Cost recovery must only be applied where expressly authorised by the [Rules for Discipline](#).

9.5 Penalty Guidelines (Non-Mandatory)

9.5.1. In line with the AgShows NSW [Code of Conduct](#), where a sanction is considered appropriate, the following non-mandatory suspension guidelines apply to matters involving misconduct, including those involving a Prohibited Substance:

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

These guidelines are indicative only and do not limit the Panel's discretion.

9.6 Improper Complaints (Vexatious or Bad-Faith Complaints)

9.6.1. Where the Panel forms the opinion that a complaint or allegation was made:

- a. frivolously;
- b. without sufficient supporting evidence; or
- c. out of ill will, spite, or bad faith,

the Panel may:

- a. dismiss the complaint;
- b. issue a reprimand or warning to the complainant; and/or
- c. make procedural directions to prevent misuse of the disciplinary process.

9.7 Operational Invoicing Procedure (Where Reimbursement Is Ordered)

9.7.1 Where the Panel orders reimbursement:

- a. The Executive Officer must prepare and issue a formal invoice within seven (7) days of the written outcome being finalised.
- b. The invoice must clearly:
 - I. itemise the direct costs ordered;
 - II. reference the relevant disciplinary matter; and
 - III. state payment terms of thirty (30) days unless otherwise specified in the Panel decision.
- c. A copy of the invoice must be retained on the disciplinary file.
- d. The Executive Officer must diarise the due date and monitor payment.
- e. If payment is not received by the due date, the Executive Officer must notify the Chair for direction, including consideration of continuation of suspension or other action in accordance with the [Rules for Discipline](#).

Part 10 - Operational Record Keeping Requirements and Confidentiality

10.1. Purpose

This Part sets out the minimum record keeping and confidentiality requirements for disciplinary matters, to support fairness, accountability and consistent decision-making.

10.2. What must be kept on file

The Executive Officer must maintain a secure file for each matter, including (as applicable):

- a. the complaint form and acknowledgement;
- b. jurisdiction assessment and referrals;
- c. notices issued (inquiry, appeal, directions);

- d. evidence received (statements, reports, laboratory results, correspondence);
- e. conflict of interest declarations;
- f. hearing notes (where maintained) and formal outcomes;
- g. written decisions and reasons; and
- h. publication/notification records (where publication is authorised).

10.3. Retention period

All disciplinary records (including appeals) must be retained for at least 7 years from the date the matter is finalised.

10.4. Access controls

Access to disciplinary records is restricted to:

- a. the Executive Officer;
- b. members of the Disciplinary Committee (as required for their role); and
- c. the Governance Committee (where oversight is required).

10.5. Confidentiality obligations

All disciplinary material is confidential and must be shared only on a need-to-know basis. The Executive Officer must ensure that:

- a. files are stored securely;
- b. information is only disclosed where authorised by the Rules or required by law; and
- c. any external communication is managed under Part 13 of this Procedures Manual.

10.6. Breach management

A confidentiality breach may itself constitute misconduct. Any suspected breach should be documented and referred to the Chair for direction.

Part 11 - Conflict of Interest Operational Procedure

11.1. Purpose

This Part ensures disciplinary decisions are impartial and defensible by requiring conflicts of interest to be identified, declared and managed.

11.2. When conflicts must be considered

Conflicts must be considered:

- a. when a matter is received;
- b. before appointing a Panel; and
- c. at the commencement of any inquiry, appeal or decision-making process.

11.3. Types of conflicts

A conflict may be actual, perceived or potential and may include personal relationships, prior involvement in the matter, or any interest that could reasonably be seen as affecting impartiality.

11.4. Declaration process

All Committee members must declare any conflict to the Chair as soon as they become aware of it. The declaration must be recorded by the Chair and All Committee Members.

11.5. Managing Conflicts

A conflicted member must not participate in deliberations or decisions about the matter. The Chair will:

- a. determine whether the conflict requires recusal; and
- b. appoint replacement Panel members where required to maintain a Panel of at least three.

11.6. Recording

The Executive Officer must retain the declaration and the management decision on the disciplinary file.

Part 12 - Reimbursement of Direct Costs Cost Recovery Only – Operational Guidance

12.1. Authority to Order Reimbursement

The Disciplinary Panel may order reimbursement to AgShows NSW only where expressly authorised by the [Rules for Discipline](#), and only after the person concerned has been found guilty of a breach.

No reimbursement may be imposed unless a determination of guilt has first been made.

12.2. Nature and Limits of Reimbursement

Any reimbursement ordered under this Part:

- a. is **not** a disciplinary penalty, fine, or punishment;
- b. must be strictly limited to actual, direct and reasonable costs incurred by AgShows NSW as a result of the inquiry (including, without limitation, laboratory testing and/or analysis);
- c. must **not** include administrative overheads, general operational costs, or deterrent amounts; and
- d. must **not exceed** the amount reasonably incurred by AgShows NSW.

Reimbursement must never be imposed for punitive purposes and must not be used as a substitute for non-financial disciplinary sanctions.

12.3. Operational Application

Where reimbursement is being considered, the Panel must ensure that:

- the costs claimed are directly attributable to the specific matter;
- the amounts are supported by invoices or equivalent documentation; and
- the reimbursement order is clearly itemised in the written outcome.

The Executive Officer must retain supporting cost documentation on the disciplinary file.

12.4. Cross-Reference

For reimbursement authority, pre-conditions and limitations, refer to: [Rules for Discipline – Part 9 \(Reimbursement of Direct Costs\)](#).

Part 13- Communication and Publication Operational guidance

13.1. Purpose

Publication of results and co-operation with other bodies is governed by the [Rules for Discipline – Part 12 Publication of Results and Co-Operation with Other Bodies](#)

The Executive Officer must issue outcomes in writing to relevant parties. Written communication should, as applicable:

- a. identify the decision-maker (Panel/Appeals Panel);
- b. summarise the allegation(s), findings and determination;
- c. state the outcome/penalty and commencement date;

- d. include reasons (brief but clear);
- e. advise of any appeal rights (or confirm no appeal right where Early Guilty Plea was accepted); and
- f. set out any required actions (e.g., return of Awards, and suspension from Competition).

13.2. Sharing information with other bodies

Where authorised by the Rules, the Committee may share relevant outcomes with other show bodies or organisations to support consistent enforcement. Any sharing must be limited to what is relevant and appropriate.

13.3. Media and public comment

No media statements or public comment are to be made unless authorised by the AgShows NSW Board in line with the company communications policy. All external inquiries are to be referred to the Executive Officer.

13.4. Records of communication

The Executive Officer must retain copies of all outcome notices and any authorised publication/notification communications on the disciplinary file.

13.5. Cross-Reference

For publication authority and co-operation mechanisms, refer to: [Rules for Discipline](#) – Part 13 (Publication of Results and Co-Operation with Other Bodies).

Part 14 – Operational Review and Maintenance

14.1. Purpose

- a. The manual should be reviewed annually by the Disciplinary Committee and Executive Officer, with recommended updates endorsed by the AgShows NSW Board every two years or more regularly if required.
- b. 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 this Manual.
- c. This Part sets out how the Manual is reviewed, updated and maintained to ensure it remains current, effective and aligned with AgShows NSW Board-approved Rules.

14.2. Annual review

The Executive Officer and Disciplinary Committee will review this Manual annually, focusing on:

- a. operational clarity for volunteer-led Member Organisations;
- b. alignment with the [Rules for Discipline](#) and related policies;
- c. practical improvements identified through case management; and
- d. any insurance, integrity or animal welfare considerations requiring procedural updates.

14.3. Out-of-cycle review triggers

An earlier review should occur where:

- a. the [Rules for Discipline](#) are amended;
- b. a related policy/procedure (e.g., testing) changes;
- c. legal or insurer requirements change; or
- d. a significant procedural issue is identified in practice.

14.4. Approval and version control

All amendments must be endorsed by the AgShows NSW Board. The Executive Officer must ensure the Document Control and Version Control tables are updated, including version number, date, notes and authorising body.

14.5. Templates and tools

AgShows NSW may publish templates or checklists to support consistent application. These tools do not replace the [Rules for Discipline](#) or this Manual.

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Version Control

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1	1 June 2026		AgShows NSW Board