



## GENERAL RULES

NATIONAL ICE SKATING ASSOCIATION (UK) LTD

## National Ice Skating Association

### GENERAL RULES (adopted 21 September 2013)

#### Definitions:

Associate Member	a person under the age of 18 who joins NISA by paying a subscription
Chair	the Chair of the NISA Board
Chief Executive	the Chief Executive of NISA
Current ISU rules	those rules adopted from time to time by the ISU
Complaints and Disciplinary Procedure	the disciplinary procedure in Rule 11 and detailed in the Annex
Disciplinary Committee	the disciplinary committee appointed in accordance with Rule 13
Eligibility	the basis, including any financial arrangement, upon which members are permitted to participate in skating events
Eligible Member	a member defined as Eligible according to NISA/ISU Eligibility Rules
Eligibility Policy of NISA	the Eligibility Policy published on the NISA Website
Eligibility Rules	the rules for Eligibility as adopted by ISU from time to time

Investigation Committee	the investigation committee appointed in accordance with Rule 13
ISU	the International Skating Union
Member	includes a Member as defined in the Articles of Association and also an Associate Member
Member Federations	the member federations of the ISU
NISA	the National Ice Skating Association of the United Kingdom Limited.
The NISA Board	The Board of Directors of NISA
NISA Website	<a href="http://www.iceskating.org.uk">www.iceskating.org.uk</a>
Proper Address	the Member's address entered for the time being in the register of members of NISA
Regulations	policies, codes of conduct and rules implemented by NISA from time to time (including but not limited to NISA's Social Media Policy and these General Rules) and for the purposes of the Annex includes the Articles of Association
Safeguarding	The care of children and vulnerable adults against injury or harassment or threats thereof as referred to in NISA's Safeguarding Policy Document

Words importing the singular number only shall include the plural number and vice versa.

Words importing the masculine gender shall include the feminine and neuter genders.

Words importing persons shall include corporations. Subject as aforesaid, any words or expressions defined in the Act shall, if consistent with the subject or context, bear the same meaning in the articles.

## **Regulations for Eligibility**

### **1. Eligibility**

The ISU recognises NISA as the member federation within the United Kingdom. The responsibility for establishing the basis for Eligibility rests with the NISA Board which shall determine the Eligibility Policy of NISA from time to time which shall be published (with all subsequent revisions) on the NISA Website and shall administer such Policy as it thinks fit. Any decision of the NISA Board in relation to such Policy shall be final and binding. For the avoidance of doubt, entitlement to stand as a director shall be determined in accordance with the Articles of Association of NISA.

### **2. Doping**

The NISA Board and all Members will be bound by the Doping Rules of National Anti Doping Agency published from time to time on the NISA website.

### **3. Conduct of Members**

- (a) All Members including, but not limited to, an entrant in a competition or a candidate for a test, or a relation, guardian or coach of an entrant or candidate shall act strictly in accordance with acceptable conduct and good manners, express himself in a proper manner and shall not make any derogatory comment concerning the conduct or result of a competition or test, or concerning the conduct or qualification of an official or judge, or concerning the marking of a judge or official.
- (b) Members have an obligation in all national and international matters to support the objects, activities and unity of NISA and the ISU. Members shall not participate in any activities, national or international, against the integrity, the exclusive role and interests of NISA or the ISU within the United Kingdom.
- (c) No Member shall act in a manner contrary to the Articles of Association, General Rules or Regulations, or any policy or code of conduct of NISA or so as to bring NISA or the sport of ice skating into disrepute or otherwise bring discredit on NISA.
- (d) Without prejudice to any of the foregoing paragraphs, the NISA Board may resolve at any time to consider the conduct of any member who appears (in the sole

discretion of the NISA Board) to be in breach of any rule, regulation, policy or code of conduct of NISA or appears to have acted contrary to the interests of NISA and, if appropriate, initiate the Complaints and Disciplinary Procedure.

- (e) Particular, non exhaustive examples of misconduct which may also lead to disciplinary action being taken against a Member include:
  - (i) any breach of the General Rules;
  - (ii) any breach of the NISA Articles of Association;
  - (iii) any breach of the NISA Social Media Policy or any other regulation, policy or code of conduct of NISA; and
  - (iv) any conduct which constitutes a criminal offence.

#### **4. Conduct of officials**

No judge or official of a championship event or other competition held under ISU, or NISA Regulations is allowed (unless authorised by the NISA Board) to write for publication, under his own name or nom-de-plume, or anonymously (whether for remuneration or not) any report or article dealing with the competition concerned.

All officials are required to abide by the NISA Code of Conduct and sign to accept the requirements within the Officials Policy Manual and the Child Safeguarding Procedures Manual.

#### **5 Safeguarding Complaints**

Where the Chief Executive or his representative receives a complaint which appears to constitute a Safeguarding offence it shall be promptly referred to the NISA Case Management Panel who will act in accordance with the NISA "Safeguarding and Protecting Young People (SPYP) policy, case management processes and procedures".

#### **6. Appointment and removal of officials**

- (a) Potential officials shall be recommended by the director of Judges/Officials and will be appointed by the NISA Board.
- (a) The NISA Board may require any official to resign in the event that he proves, in the reasonable opinion of the NISA Board, to be disinterested, in dereliction of duty or incompetent or loses the special skills which originally recommended him to the position.
- (b) Contracted employees of the ISU or NISA and their affiliated clubs may not be a Referee, Assistant Referee, Judge, Technical Official, Starter or Competitor's

Steward in ISU Championships, the Olympic Winter Games or International Competitions, or Association events, or be a member of the ISU Council, Technical Committees or the Appeals Commission, or the NISA Board or a sub-group of that Board. Such persons may however attend ISU Congresses as delegates, subject to the limitations set forth in the Procedural provisions of the ISU Constitution, paragraph 11, but without the right to vote.

## **7. International Competitions/Championships**

- (a) Selection of competitors for international events will be made strictly in accord with the criteria contained within the NISA Selection Policy Manual approved by the NISA Board annually before the start of the skating season and published on the NISA Website
- (b) NISA is responsible for taking out comprehensive foreign travel insurance to cover third party, baggage, medical expenses and accidents including whilst skating for GB competitors entered for ISU International Championships, all members of the performance squad travelling to the ISU International Competitions and team managers, judges and officials attending any event on behalf of NISA. All other persons travelling abroad shall take out their own personal medical insurance cover to include third party and accidents.
- (c) All persons who represent Great Britain, as a member of the official team, are required to be Full Annual Members, Life Members or Associate Members.

## **8. National Ice Skating Association Permitted Championships and Competitions**

NISA Permitted Championships, Open Competitions, Competitions and exhibition events will be conducted according to rules and regulations of NISA in relation to the same as laid down by the NISA Board from time to time which will be published on NISA's website.

## **9. Trophies**

The winner (or winners) of any Championship or Competition to which a challenge trophy is attached, shall be entitled on his (their) giving security for the return of the same in such manner and to such amount as may be required by the NISA Board , to hold possession of the challenge trophy so long as he (they) holds(s) the title or such shorter period as the Board may require, but no trophy may be won outright, nor may any trophy be taken out of the United Kingdom.

## **10. Liabilities**

Neither NISA nor the NISA Board shall be liable for accidents or damage however caused to any Member of NISA, or to any member of any Affiliated Association or Club, or candidates for tests or officials appointed by the NISA Board or Sub-groups arising out of or in connection with the activities of NISA provided that nothing in this Rule shall exclude or limit the liability of NISA or the NISA Board in respect of death or personal injury due to the negligence of NISA or the NISA Board.

## **11. Complaints and Disciplinary Procedure**

If a Member or the NISA Board wishes to make a complaint against another Member, the Complaints and Disciplinary Procedure contained in the Annex must be followed.

### **Annex**

#### **Disciplinary and Complaints Procedure**

This Annex outlines NISA's procedure and policy for dealing with and determining complaints raised by Members or the NISA Board. For the avoidance of doubt, a complaint must constitute a breach of the Articles of Association, these General Rules or any other rules, policy or code of conduct issued by NISA.

The following definitions shall apply to this Annex, in addition to the definitions set out in the General Rules.

#### **Definitions**

Appeal Committee: The committee of members of the Board appointed to adjudicate appeals in accordance with clause 24.

Complaint: A formal complaint raised by any Member (in accordance with clause 1) or the Board (in accordance with clause 5) against another Member following a breach of Regulation.

Complainant: Any Member who has raised a Complaint.

Grounds of Particulars regarding a breach of Regulation set out in a

Complaint:	Complaint.
Disciplinary Committee:	The committee of two Members and one independent person appointed in accordance with clause 9.
Disciplinary Procedure:	The procedure set out in clauses 11 to 25.
Investigator:	The member of the Board appointed in accordance with clause 7.
Respondent:	The Member against whom a Complaint is made.

## **Complaints**

- 1 Any member may at any time raise a Complaint addressed to the Chief Executive. The Complaint must be made in writing stating:
  - 1.1 the Member against whom the Complaint is made;
  - 1.2 the Grounds of Complaint; and
  - 1.3 any accompanying evidence.
- 2 Upon receipt of a Complaint the Chief Executive shall consider the Grounds of Complaint and accompanying evidence and shall, in his sole discretion, make a decision whether the Complaint should be referred to the NISA Board for further consideration.
- 3 If the Chief Executive decides not to refer a Complaint to NISA Board, the Complainant shall be entitled to request the Board (by notice in writing to Chair which must be received within 14 days of receipt by the Complainant that the Chief Executive has decided not to refer the Complaint to the MSA Board) to consider the Complaint.
- 4 Any Complaint referred to the NISA Board by the Chief Executive or in accordance with clause 3 above shall be considered at the next meeting of the NISA Board. If the NISA Board is of the opinion that there are sufficient grounds to invoke disciplinary action against the Respondent, the NISA Board shall commence formal proceedings in accordance with the Disciplinary Procedure.
- 5 A Complaint may be raised by the NISA Board of its own initiative provided that there are sufficient Grounds of Complaint to invoke the Disciplinary Procedure. A Complaint raised in accordance with this clause shall be raised at the NISA Board's sole discretion.



## **Interim Suspension**

- 6** If, following a Complaint raised by a Member or the NISA Board, the allegations against the Respondent are sufficiently serious, the NISA Board may, at its sole discretion, temporarily suspend the Respondent from taking part in any activity administered or managed by NISA pending resolution of the Disciplinary Procedure.

## **Investigator**

- 7** At all times the NISA Board shall appoint an independent person to act as Investigator for the purpose of the Disciplinary Procedure. The role of the Investigator shall be to consider the Complaint raised by a Member or the NISA Board and conduct all reasonable enquiries into the Complaint.
- 8** If the Investigator appointed to act in a particular Complaint has an interest in the Complaint he shall disclose that interest to the NISA Board immediately and shall have no further involvement in the Disciplinary Procedure. The NISA Board shall appoint a replacement Investigator in accordance with clause 7.

## **Disciplinary Committee**

- 9** The Disciplinary Committee shall consist of two Directors (or if there are insufficient Directors able or willing to act, then such other Member(s) as the NISA Board shall select) and one independent party (who is not a Director or a Member) appointed by the NISA Board. Such independent person shall act as chairman of the Disciplinary Committee.
- 10** If any member of the Disciplinary Committee has a prior material interest in the Complaint, they shall disclose that interest to the NISA Board immediately and shall have no further involvement in the Disciplinary Procedure. The NISA Board shall appoint a replacement member of the Disciplinary Committee in accordance with clause 9.

## **Disciplinary Procedure**

- 11** Upon deciding to invoke the Disciplinary Procedure the NISA Board shall refer the Complaint, Grounds of Complaint and any accompanying evidence to the Investigator. However, if the NISA Board believes that any criminal activity has taken place, the NISA Board shall refer the matter directly to the police.

- 12** The Investigator shall notify the Respondent of the Complaint made against him within 14 days of the Investigator being appointed. The Investigator shall inform the Respondent of the Grounds of Complaint and any accompanying evidence.
- 13** The Investigator shall have 42 days to conduct the investigations into the Complaint from the date of receipt of the Complaint from the NISA Board. If the Investigator believes there are sufficient Grounds of Complaint, the Investigator shall instruct the NISA Board to convene the Disciplinary Committee.
- 14** The Investigator shall decide whether a formal hearing should take place and the date of that hearing. If a formal hearing is to take place, all parties including the Respondent, Complainant, the NISA Board and the Disciplinary Committee shall be informed of the hearing date, not less than 14 days before the hearing is due to take place.
- 15** If the Respondent wishes to deny any allegations made against him, he shall send his written representations regarding each allegation to the Investigator not less than 3 working days prior to the hearing. The Respondent shall be entitled to be legally represented at a hearing. However NISA will not be liable for the costs of any legal representation and these costs must be borne solely by the Respondent.
- 16** If the Respondent, or his representative, fails to attend the hearing, the Disciplinary Committee shall be entitled to make findings in the Respondent's absence.
- 17** The Complainant shall be entitled to attend the hearing but shall only be asked to contribute at the Disciplinary Committee's sole discretion. No other Members shall be entitled to attend the hearing unless they are invited to do so by the Investigator or Disciplinary Committee.
- 18** Following conclusion of the hearing, the Disciplinary Committee shall provide their written decision within 7 days, including details of any penalties imposed against the Respondent. The written decision shall be sent to the NISA Board, Respondent, Complainant and Investigator.
- 19** If the Investigator decides that the Complaint shall be decided by the Disciplinary Committee without a hearing, he shall notify all parties. The Investigator shall provide the Disciplinary Committee with all relevant documents and specify a date by which the Disciplinary Committee shall provide their written decision, including any penalties imposed against the Respondent. If the Respondent wishes to send the Investigator and Disciplinary Committee written submissions he must do so 7 days before the final decision of the Disciplinary Committee is due.

## **Penalties**

- 20** If, following the decision of the Disciplinary Committee, the Respondent is believed to have breached any Regulation, the Disciplinary Committee may impose one or more of the following penalties:
- 20.1** A recommendation to the NISA Board that the Respondent be expelled from membership of NISA; or
  - 20.2** A recommendation to the NISA Board that the Respondent be suspended from membership of NISA; or
  - 20.3** A suspension from participating in any activity, event or competition of NISA; or
  - 20.4** Any other penalty which is fair and reasonable taking into account the seriousness or otherwise of the breach in question.
- 21** Upon receipt of any recommendation of the Disciplinary Committee the NISA Board may, at its sole discretion, decide whether to implement those recommendations.

## **Appeals**

- 22** Following the decision of the Disciplinary Committee the Respondent shall have 21 days to lodge an appeal. The Appeal shall be sent in writing to the NISA Board, along with the sum of £100 ("the fee"). The fee shall be repayable in the event that the appeal by the Respondent is successful.
- 23** The NISA Board shall appoint an Appeal Committee consisting of two members of the NISA Board (or if there are insufficient Directors who are able or willing to act, then such other Member(s) as the NISA Board shall select) and one independent party (who is not a Director or a Member) appointed by The NISA Board. Such independent person shall act as Chairman of the Appeal Committee. No member of the Appeal Committee shall have a material interest in the Complaint or the hearing. For the avoidance of doubt a member of the Appeal Committee shall not be considered to have a material interest merely by reason of being a director on the Board which decided whether or not to implement a recommendation of the Disciplinary Committee pursuant to clause 21 above.
- 24** Following receipt of the notice of appeal, the Appeal Committee shall notify all other parties of the Appeal. A full report of the disciplinary hearing and/or the conclusions reached by the Disciplinary Committee shall be made available for consideration by the Appeal Committee.

- 25** The Appeal Committee shall have 21 days to decide whether the appeal should be allowed and any decision of the Disciplinary Committee should be overturned.

**General**

- 26** This Complaints and Disciplinary Procedure is only to be initiated in the event that a Member is alleged to have breached one or more of the Regulations. The Procedure is not to be adopted in cases where there is a dispute between two or more Members, unless within that dispute, there is alleged to be a breach by a Member of the Regulations.
- 27** In the case of a dispute between two or more Members, the NISA Board may recommend the use of a mediator or other dispute resolution service. However, this is at the sole discretion of the NISA Board and there is no obligation on the NISA Board to make a recommendation. The NISA Board will only make a recommendation if it deems it appropriate to do so. In the event that the NISA Board does make a recommendation, the NISA Board shall not be liable for any costs of the mediation or other dispute resolution service which should be paid by the Members involved in the dispute.
- 28** Neither the Disciplinary Panel nor the NISA Board shall have the power to make an award of costs against any party to the proceedings. NISA shall not be liable for any party's travel expenses to or from a hearing.