



**JUDICIAL CODE
FALSE BAY SPORTS SHOOTING CLUB**

Updated: Friday, 22 March 2024

CONTENTS

CONTENTS	1
PREAMBLE	2
1. INTERPRETATION	2
2. MEDIA & PUBLICATION.....	2
3. GENERAL PRINCIPLES RELATING TO HEARINGS	3
4. JUDICIAL PROCESSES AT FBSSC	3
5. DISCIPLINARY PROCESS.....	3
6. GRIEVANCE / MEDIATION PROCESS	5
7. ARBITRATION PROCESS	6
8. APPEAL PROCESS	7
ANNEXURE A: NOTICE OF HEARING.....	9
ANNEXURE B: PRESIDING OFFICERS	10
ANNEXURE C: HEARING OUTCOME	12
ANNEXURE D: SUGGESTED HEARING PROCEDURE	13
ANNEXURE D: SUGGESTED SANCTIONS	14
ANNEXURE E: SUGGESTED MEDIATION MEETING PROCEDURE	15
ANNEXURE F: SUGGESTED APPEAL PROVISIONS	16

PREAMBLE

The following FBSSC Judicial processes have been established to fairly and justly regulate; disagreements between individuals, contraventions of the FBSSC; Memorandum of Incorporation, Rules and Regulations and/or Code of Conduct, and serious firearm safety infractions.

1. INTERPRETATION

The interpretation of the Judicial Code shall be the same as the interpretation of the Memorandum of Incorporation of the False Bay Sports Shooting Club.

1.1. the following words and expressions shall have the following meanings:

“Appellant”	the individual/organisation who takes an appeal of a decision made in a judicial process as outlined herein;
“Applicant”	the individual/organisation who applies for a remedy or relief set out in an Application;
“Application”	a request of FBSSC for remedy or relief against another individual/organisation;
“Contravention”	a breach or violation of the provisions of the; FBSSC MOI, Rules and Regulations, or Code of Conduct.
“Committee”	the Committee duly constituted to supervise over a Disciplinary, Arbitration or Appeal Hearing.
“Party”/“Parties”	FBSSC/individual/organisation who is either Applicant / Appellant or Respondent;
“Preliminary Inquiry”	an inquiry before a Hearing to decide whether there is sufficient evidence to warrant a Hearing;
“Respondent”	the individual/organisation who is in response to or in opposition to an Application made by the Applicant; or the individual/organisation who is charged with a Contravention; or FBSSC/member/visitor/organisation who is in response to or in opposition to an appeal taken by an Appellant.

2. MEDIA & PUBLICATION

2.1. At all times during any FBSSC judicial process, Parties shall not publicize the issue, the process, or malign/comment on any other Party involved. Any such publicization may result in Disciplinary Process.

2.2. Parties involved in any FBSSC-related Mediation, Arbitration, Disciplinary or Appeal Processes shall not publicize the process, issue, dispute, contravention or malign comment on any other party involved, including but not limited to;

- 2.2.1. discussion with club members or other individuals,
- 2.2.2. posting on social media and/or forums,
- 2.2.3. posting in public or private chat groups,
- 2.2.4. or publishing in print media or any other manner.

3. GENERAL PRINCIPLES RELATING TO HEARINGS

- 3.1. The Hearing shall be limited to the Contravention/Application/Appeal outlined in the notice sent to the Respondent.
- 3.2. Should the Respondent fail to attend a properly convened Hearing, then the Hearing will be postponed. However; should the Respondent then fail to attend the postponed Hearing, then the postponed Hearing will continue without the Respondent present.
- 3.3. All parties involved in a Hearing shall be entitled to call witnesses to give evidence.
- 3.4. Hearsay evidence may not be used at Hearings.
- 3.5. An interpreter must be provided for the Respondent when necessary.
- 3.6. The Hearing must be properly minuted at all times and all records (including evidence) shall be kept by FBSSC for a minimum of 5 (five) years.
- 3.7. The Committee may postpone a Hearing at the request of any party to the Hearing, provide that;
- 3.8. The postponement request must be in writing and delivered to the Committee at least 2 (two) days before the date set for the hearing, and
- 3.9. Valid written reasons for such postponement must be provided in writing.
- 3.10. The postponement shall not be more than 30 days from the original date set for the Hearing.
- 3.11. All parties concerned must be notified of the postponement.

4. JUDICIAL PROCESSES AT FBSSC

The following are common processes within the FBSSC Judicial Framework.

- 4.1. **NOTICE OF HEARING:** The requirements for a formal notice is set out in **Annexure "A"** hereto.
- 4.2. **PRESIDING OFFICERS:** The formation of the appropriate Committee and/or Panel will be as set out in **Annexure "B"** hereto.
- 4.3. **HEARING OUTCOME:** The process for the delivery of the outcome for a hearing is set out in **Annexure "C"** hereto.
- 4.4. **SUGGESTED HEARING PROCEDURE:** The suggested hearing procedure is set out in **Annexure "D"** hereto.
- 4.5. **SANCTIONS:** A list of suggested sanctions is set out in **Annexure "E"** hereto.
- 4.6. **APPEAL:** The suggested appeal process is set out in **Annexure "F"** hereto.

5. DISCIPLINARY PROCESS

- 5.1. The False Bay Sports Shooting Club Disciplinary Process is established to impartially regulate the exercise of disciplinary proceedings by FBSSC against an Individual or organization falling under the jurisdiction of FBSSC.
- 5.2. Any individual/organisation who, at the Club or at a Club associated event, contravenes any of the FBSSC Memorandum of Incorporation, Rules and Regulations, or Code of Conduct, or who commits a serious safety violation may be subject to the FBSSC Disciplinary Process and be required to attend a Disciplinary Hearing.
- 5.3. In the case of a serious Contravention; an individual/organisation may be immediately suspended by the Board of Directors, pending the outcome of a Disciplinary Process.
 - 5.3.1. Serious contraventions include, but are not limited to;

- 5.3.1.1. Any Serious Safety Contravention,
- 5.3.1.2. Any Contravention of the Firearms Control Act (60) of 2000 and its Regulations,
- 5.3.1.3. Any form of physical assault,
- 5.3.1.4. Prolonged verbal assault and/or threats,
- 5.3.1.5. Any form of theft.
- 5.3.2. During the suspension, the individual/organisation shall not partake in any club activities whatsoever.
- 5.4. FORMATION OF THE DISCIPLINARY COMMITTEE
 - 5.4.1. The Board of Directors must ensure that a Disciplinary Committee is formed if any incident is brought to their attention or reported to them that relates to 5.3.1.1 and 5.3.1.2 above.
 - 5.4.2. In the case of less serious Contraventions, the Board of Directors, after reviewing the incident, may at their discretion establish a Disciplinary Committee.
 - 5.4.3. Should a Disciplinary Committee be established then;
 - 5.4.3.1. The Disciplinary Committee shall be established within 14 (fourteen) calendar days of the Board of Directors being made aware of any Contravention that warrants it, and
 - 5.4.3.2. the Respondent shall be notified, by the Board of Directors, within 7 (seven) calendar days of the decision to form the Disciplinary Committee.
 - 5.4.4. The Disciplinary Committee will be established in terms of 4.1 above.
- 5.5. PRELIMINARY INQUIRY OF THE DISCIPLINARY COMMITTEE
 - 5.5.1. The Disciplinary Committee shall meet within 14 (fourteen) days of being constituted and conduct an investigation into the Contravention to determine whether there are grounds for a Disciplinary Hearing.
 - 5.5.2. Should the Disciplinary Committee decide that:
 - 5.5.2.1. the Contravention does not warrant a Disciplinary Hearing, then:
 - 5.5.2.1.1. the Respondent shall be informed in writing, within 7 (seven) calendar days of the Preliminary Inquiry, then no Disciplinary Hearing shall be held; and
 - 5.5.2.1.2. If the Respondent was suspended in the interim, then their membership shall be re-instated immediately.
 - 5.5.2.2. the Contravention does warrant a Disciplinary Hearing, then:
 - 5.5.2.2.1. a written notice shall be sent to the Respondent, within 7 (seven) days of the preliminary meeting, and
 - 5.5.2.2.2. the Disciplinary Hearing shall take place within 30 (thirty) calendar days of the Preliminary Inquiry, and no sooner than 14 (fourteen) days after notice has been sent to the Respondent.
- 5.6. RIGHTS OF THE RESPONDENT IN A DISCIPLINARY HEARING
 - 5.6.1. The right to prepare to respond to the charge(s) and to receive timely notice of a Disciplinary Hearing.
 - 5.6.2. The right to state their case in defence against the accusation(s).
 - 5.6.3. The right to receive and study any document submitted as evidence beforehand.

- 5.6.4. The right to object to the chairperson of the Disciplinary Committee within 2 (two) days of receiving the notice.
- 5.6.5. A right to be assisted by a representative in the hearing, including legal presentation.
- 5.6.6. A right to be assisted by a representative in the hearing.
- 5.6.7. A right to an interpreter to interpret the proceedings in a language they understand.
- 5.6.8. A right to lead evidence and to call witnesses.
- 5.6.9. The right of having their case finalised within a reasonable time.
- 5.7. PRE-HEARING PROCESS
 - 5.7.1. The Respondent shall be afforded an opportunity to view any documents and any other material, including but not limited to, tape, video, and magnetic disc recordings, relating to the any matter in question in the disciplinary hearing, at any time before the hearing.
 - 5.7.2. No later than 3 (three) working days before the disciplinary hearing, the parties shall deliver, in writing, to the chairperson information regarding the identity of the witness that each party wishes to call, and the subject matter of the witness' testimony.
 - 5.7.3. Notice of Hearing should be given in terms of paragraph 4.1 above.
- 5.8. HEARING PROCESS
 - 5.8.1. The Hearing should follow the process set out in 4.4 above.
- 5.9. HEARING OUTCOME
 - 5.9.1. The Outcome should be provided to the Respondent as set out in 4.3 above.
- 5.10. SANCTIONS
 - 5.10.1. The appropriate Sanctions should be as set out in 4.5 above.
- 5.11. APPEAL
 - 5.11.1. Any Appeal should be made in terms of 4.6 above.

6. GRIEVANCE / MEDIATION PROCESS

- 6.1. The False Bay Sports Shooting Club Grievance / Mediation Process is established to impartially regulate the exercise of mediation proceedings between 2 (two) Individual(s)/Organization(s) that fall under the jurisdiction of FBSSC.
- 6.2. The primary objective of this Grievance/Mediation Process is to at first mediate the issue/dispute in an attempt to resolve the matter without recourse to any formal judicial procedure.
- 6.3. All Parties in the Mediation shall be bound to the Mediation Process. Should either party fail to co-operate during the Mediation, it may be held against them and may result in a Disciplinary Hearing.
- 6.4. AMICABLE RESOLUTION BY NEGOTIATION
 - 6.4.1. It is requested that before an Individual/organization starts the grievance process, that they approach the Individual/Organization with whom they have the grievance prior to proceeding to try to reasonably resolve the matter amicably by direct negotiation between them.

6.5. APPLICATION

- 6.5.1. If the Parties cannot resolve the issue between themselves, the Applicant must make an Application in writing to the Board of Directors for Mediation.
- 6.5.2. Only an issue or dispute that occurred within the last three (3) months may be referred for resolution through the Mediation Process.
- 6.5.3. The Application must in a succinct manner state;
 - 6.5.3.1. the names and details of both parties, and
 - 6.5.3.2. the issue / nature of the dispute, and
 - 6.5.3.3. the relief sought.
- 6.5.4. The Application shall be submitted to the Board of Directors.

6.6. FORMATION OF THE MEDIATION PANEL

- 6.6.1. Once the Application has been received by the Board of Directors, it will be discussed at the next Board Meeting or, if it is an urgent matter, at a Special meeting.
- 6.6.2. The Mediation Panel shall be established within 14 (fourteen) calendar days of the Board of Directors meeting to discuss the Application.
- 6.6.3. The Mediation Panel shall be established in terms of 4.2 above.

6.7. PRE-MEDIATION PROCESSES

- 6.7.1. Notice of a Mediation Meeting should be given in terms of paragraph 4.1 above.

6.8. MEDIATION MEETING

- 6.8.1. The Mediation Meeting should follow the process set out in 4.4 above.

6.9. MEDIATION OUTCOME

- 6.9.1. The Outcome should be as set out in 4.3 above.

7. ARBITRATION PROCESS

- 7.1. This Arbitration procedure has been formulated to deal with any issue or dispute that could not be resolved through the Mediation Process.
- 7.2. The primary objective of this Arbitration Process is to resolve an issue or dispute without recourse to any formal judicial procedure.
- 7.3. This Arbitration Process falls under the terms of administrative justice and therefore the Promotion of Administrative Justice Act (Act 3 of 2000) (PAJA) may apply.
- 7.4. All Parties in the Arbitration shall be bound by the Arbitration Process. Should either party fail to co-operate during the Arbitration, it may be held against them and may result in a Disciplinary Hearing.
- 7.5. FORMATION OF THE ARBITRATION COMMITTEE
 - 7.5.1. The Board of Directors shall establish an Arbitration Committee within 14 (fourteen) calendar days of receipt of the written referral for Arbitration by the Mediator.
 - 7.5.2. The Arbitration Committee will be established in terms of 4.1 above.
- 7.6. PRE-ARBITRATION PROCESS
 - 7.6.1. Notice of an Arbitration Hearing should be given in terms of paragraph 4.1 above.
- 7.7. ARBITRATION HEARING
 - 7.7.1. The Arbitration Hearing should follow the process set out in 4.4 above.
- 7.8. ARBITRATION FINDING & OUTCOME

- 7.8.1. The Outcome should be as set out in 4.3 above.
- 7.8.2. Any potential Sanction should be as set out in 4.5 above.
- 7.9. APPEAL AGAINST ARBITRATION FINDING & OUTCOME
 - 7.9.1. Any Appeal should follow the process as set out in 4.6 above.

8. APPEAL PROCESS

- 8.1. This Appeal procedure has been formulated to deal with any Appeal to the process, decisions or sanctions made in a previous Arbitration or Disciplinary Process.
- 8.2. All Parties in the Appeal shall be bound to the Appeal Process. Should either Party fail to co-operate during the Appeal, it may be held against them and may result in a Disciplinary Hearing.
- 8.3. FORMATION OF APPEAL COMMITTEE
 - 8.3.1. The Board of Directors shall establish an Appeal Committee within 14 (fourteen) calendar days of receipt of a written request to Appeal an Arbitration or Disciplinary Outcome.
 - 8.3.2. The Appeal Committee will be established in terms of 4.1 hereof.
- 8.4. PRELIMINARY MEETING OF THE APPEAL COMMITTEE
 - 8.4.1. An Appeal is confined to the records of the proceedings a quo, but the Appeal Committee may substitute their own conclusion based on the merits from that of the Arbitration/Disciplinary Committee.
 - 8.4.2. The Appeal Committee shall meet within 14 (fourteen) days of being constituted, and conduct an investigation into the Arbitration or Disciplinary Hearing to determine whether the merits put forward for Appeal warrants an Appeal.
 - 8.4.3. If the Appeal has been rejected then the Appeal Committee shall within 7 (seven) calendar days of the Preliminary Meeting inform the Appellant, and provide the reasons as to why the appeal was rejected.
 - 8.4.4. If the Appeal committee finds that there is sufficient ground and reasons for the Appeal then:
 - 8.4.4.1. the Appeal Committee shall within 7 (seven) calendar days of the Preliminary Meeting inform the Chairperson who made the decision in question of the Appeal, supplying him/her with the Appeal documentation, and request him/her to respond in writing within 7 (seven) days, as to why the Appeal should not be upheld.
 - 8.4.5. Thereafter, the Appeal Committee must decide within 14 (fourteen) days whether to deal with the Appeal on the basis of written arguments only or to hold an Appeal Hearing.
 - 8.4.6. Should the Appeal Committee decide to hold an Appeal Hearing then
 - 8.4.7. the Appellant and Respondent (if applicable) shall be notified of the Hearing in terms of paragraph 4.1 above and the Hearing shall take place within 14 (fourteen) days of notice being sent to the Parties,
- 8.5. APPEAL HEARING
 - 8.5.1. The Appeal Hearing should follow the process set out in 4.4 above.
- 8.6. APPEAL FINDINGS
 - 8.6.1. The Outcome should be as set out in 4.3 above.

8.7. SANCTIONS

8.7.1. Any potential Sanction should be as set out in 4.5 above.

8.8. APPEAL AGAINST APPEAL OUTCOME

8.8.1. There shall be no further appeal or recourse after the Appeal Committee has dealt with the Appeal, and communicated the outcome thereof to the Appellant.

ANNEXURE A: NOTICE OF HEARING

1. Notice of any FBSSC Hearing must be delivered to the Parties no later than 14 (fourteen) calendar days before the Hearing is due to take place.
2. The written notice of a Hearing shall inform the parties concerned as to;
 - 2.1. the date and location of the Hearing,
 - 2.2. the name of the chairperson of the Committee,
 - 2.3. the nature of the Contravention/Application/Appeal,
 - 2.4. the Sanction that may be sought (if applicable),
 - 2.5. as well as the possible outcome(s) of the Hearing.

ANNEXURE B: PRESIDING OFFICERS

1. DISCIPLINARY COMMITTEE

- 1.1. The Disciplinary Committee shall consist of 3 (three) to 5 (five) FBSSC Members who;
 - 1.1.1. are not directly involved with the incident or event,
 - 1.1.2. could not be called on as possible witnesses,
 - 1.1.3. have no direct (or otherwise) connection/relation to the individual/organisation concerned.
- 1.2. The Disciplinary Committee shall;
 - 1.2.1. act fairly, impartially, and with decorum, and
 - 1.2.2. consider only the facts presented.

2. MEDIATION PANEL

- 2.1. The Board of Directors shall appoint a FBSSC Member to appear as the Mediator (Chairperson).
- 2.2. The Mediator may appoint 2 (two) additional FBSSC Members to the Mediation Panel.
- 2.3. The Mediation Panel shall consist of between 1 (one) to 3 (three) FBSSC Members who;
 - 2.3.1. are not directly involved with the Application,
 - 2.3.2. could not be called on as possible witnesses,
 - 2.3.3. have no direct (or otherwise) connection/relation to the Applicant or Respondent concerned.
- 2.4. The Mediation Panel shall;
 - 2.4.1. act fairly, impartially, and with decorum, and
 - 2.4.2. endeavour to assist both parties in reaching an amicable decision.

3. ARBITRATION COMMITTEE

- 3.1. The Arbitration Committee shall consist of between 1 (one) to 3 (three) FBSSC Members who;
 - 3.1.1. have not previously been involved with the Mediation,
 - 3.1.2. are not directly involved with the Application,
 - 3.1.3. could not be called on as possible witnesses,
 - 3.1.4. have no direct (or otherwise) connection/relation to the Parties concerned.
- 3.2. The Arbitration Committee shall;
 - 3.2.1. act fairly, impartially, and with decorum, and
 - 3.2.2. endeavour to reach a fair and just decision.
- 3.3. The Board of Directors shall appoint a FBSSC Member as the Arbitrator (Chairperson).
- 3.4. The Arbitrator may appoint 2 (two) additional FBSSC Members, who have not previously been directly involved with the matter, to the Arbitration Committee.
- 3.5. The Arbitration must be properly minuted at all times and all records (including evidence) shall be kept by FBSSC for a minimum of 5 (five) years.

4. THE APPEAL COMMITTEE

- 4.1. shall consist of;
 - 4.1.1. 1 (one) member of the Board of Directors, and
 - 4.1.2. 2 (two) other Members, who;
 - 4.1.2.1. have not previously been involved with the Mediation,
 - 4.1.2.2. are not directly involved with the Application,

- 4.1.2.3. could not be called on as possible witnesses,
- 4.1.2.4. have no direct (or otherwise) connection/relation to the Parties concerned.

ANNEXURE C: HEARING OUTCOME

1. At the end of any FBSSC Hearing, after considering all the evidence, documents and testimonies of all Parties and Witnesses, the Committee, through the Chairperson, may give its decision immediately, or postpone its decision to consider the matter.
2. If the Respondent has been discharged of the matter then;
 - 2.1. no further action or sanction shall take place, and
 - 2.2. if their membership was suspended, it shall be re-instated immediately.
3. Within 7 (seven) calendar days after the hearing, the Chairperson shall provide the parties with a written notification of the decision taken, setting out the reasons for findings on each charge and, if applicable, the sanctions imposed.
4. **Outcome of a Disciplinary Hearing:**
 - 4.1. The Chairperson must inform the Respondent of the right to appeal the decision taken by the Committee.
5. **Mediation Outcome:**
 - 5.1. If the Mediation is successful, then all parties shall sign a legally binding settlement agreement, and no further Application by the Applicant to the Board of Directors regarding the Issue will be considered.
 - 5.2. If the Mediation is not successful the Mediator may refer the Application to the Board of Directors for Arbitration Process.
 - 5.3. If, during the Mediation, the Mediator finds any matter to be in Contravention of any of the FBSSC; Memorandum of Incorporation, Rules and Regulations, or Code of Conduct, or is a Contravention of the Firearms Control Act (60) of 2000 and its Regulations, then the Mediator may, refer the matter to the Board of Directors for Disciplinary Process.
6. **Arbitration Outcome:**
 - 6.1. If, during the Arbitration, the Arbitrator finds any matter to be in Contravention of any of the FBSSC; Memorandum of Incorporation, Rules and Regulations, or Code of Conduct, or is a Contravention of the Firearms Control Act (60) of 2000 and its Regulations, then the Arbitrator may, in addition to the outcome, refer the matter to the Board of Directors for Disciplinary Process.
7. **Appeal Findings/Outcome**
 - 7.1. The Appeal Committee shall uphold or set aside the decision made by the Arbitration/Disciplinary Committee.
 - 7.2. The Appeal committee may recommend one of the following courses of action:
 - 7.2.1. reassert the original sanction imposed; or
 - 7.2.2. propose an amendment to the original sanction imposed, which may include a harsher Sanction.
 - 7.3. If an Appeal is upheld where the member's membership was previously suspended or terminated, then;
 - 7.3.1. their membership shall be reinstated immediately, and
 - 7.3.2. they shall continue with their participation in the Club activities and shoots, and
 - 7.3.3. no further action shall be taken.
 - 7.4. The decision made by the Appeal Committee is final.

ANNEXURE D: SUGGESTED HEARING PROCEDURE

1. Welcome and introduction of Committee members, Applicant and Respondent together with legal representative (if applicable). The Chairperson also informs the Applicant and the Respondent that the proceedings are being recorded.
2. The Respondent is requested to stand for the complaints to be read to him. After the complaints have been read to the Respondent, the Chairperson asks the Respondent to plead on each of the complaints. The Chairperson also informs the Respondent that the Plea has been noted.
3. The Pro-forma prosecutor calls the first witness and the Chairperson asks him whether he has any objection to the taking of the oath and if not, the Chairperson swears in the witness.
4. The Chairperson then requests the Pro-forma prosecutor to proceed with the leading of evidence. When the Pro-Forma prosecutor has conducted leading of evidence, the Chairperson gives the Respondent the opportunity to direct questions to the witness for clarification purposes.
5. The Chairperson then gives the Pro-forma prosecutor the opportunity of re-examination.
6. The Pro-forma prosecutor may then call further witnesses or close his case.
7. In the event of the Pro-forma prosecutor closing his case, the Chairperson gives the Respondent an opportunity to put his version before the Committee. Before the Respondent proceeds to give evidence, the Chairperson enquires from the Respondent whether he has any objection to the taking of the oath and if not, the Chairperson swears in the Respondent, where after he may proceed with giving evidence. The Respondent may call witnesses in support of his case and such witnesses must also be sworn in by the Chairperson.
8. The Pro-forma prosecutor then has the opportunity to direct questions to the Respondent or his witnesses for clarification purposes.
9. The Committee is at any time entitled to direct questions to either the Complainant or his witnesses(es) or the Respondent or his witness(es) for clarification purposes.
10. When the Respondent has closed his case, the Chairperson gives the Pro-forma prosecutor the opportunity to argue the matter. After argument by the Pro-forma prosecutor, the same opportunity is given to the Respondent.
11. The Pro-forma prosecutor is then given the opportunity to reply.
12. The Committee adjourns to consider a finding of guilty or not guilty.
13. The Committee re-adjourns and after having delivered a guilty verdict, the Chairperson requests the Pro-forma prosecutor to address the Committee in respect of sentencing. The Pro-forma prosecutor should inform the Chairperson of any prior convictions.
14. In the event of a finding of not guilty, the Chairperson adjourns the proceedings.
15. The Respondent is then granted the opportunity to argue in respect of mitigation.
16. The Committee adjourns to consider the sentence to be imposed.
17. After sentencing, the Chairperson adjourns the proceedings.
18. NOTE: All documents handed up as evidence should be numbered in alphabetical order by the Chairperson

ANNEXURE D: SUGGESTED SANCTIONS

1. The following sanctions are available, but not limited, to the discretion of an Arbitration/Disciplinary/Appeal Committee to impose:
 - 1.1. Verbal warning.
 - 1.2. Written warning.
 - 1.3. Suspended sentence: where an individual/organisation is found to be in Contravention, FBSSC suspends the passing of a sentence and releases the individual/organisation on conditions set out in a probation order. Upon the expiration of the probation order, where the individual/organisation has not been charged with further offences and has complied with all conditions of a probation order, FBSSC will not sanction the person;
 - 1.4. A fine up to a maximum of 10 (ten) times the annual membership.
 - 1.5. Temporary suspension of membership up to a maximum of 12 months, where during the period of suspension, the member shall not be allowed to;
 - 1.5.1. use the club facilities, nor
 - 1.5.2. shoot in any further FBSSC shoots, nor
 - 1.5.3. shoot in any shoots held at the club, nor
 - 1.5.4. shoot as a guest, nor
 - 1.5.5. attend FBSSC meetings.
 - 1.6. Termination of membership, where the member shall not be entitled to;
 - 1.6.1. use the club facilities, nor
 - 1.6.2. shoot in any further Club shoots, nor
 - 1.6.3. shoot in any shoots held at the club, nor
 - 1.6.4. shoot as a guest, nor
 - 1.6.5. attend FBSSC meetings.
 - 1.7. The member shall forfeit all fees previously paid to the Club.
 - 1.8. Should the member concerned hold Dedicated Status, in respect of the Firearms Control Act, then the Executive Committee of any National Firearm related Bodies/Associations that the member may be a member of, may be informed as to the termination of the member's membership with the Club.
2. Any Contravention may be reported to the Registrar of the Firearm Control Register if it fails to comply with;
 - 2.1. the provisions of the Firearms Control Act (60) of 2000, as amended, or
 - 2.2. any conditions specified on the license issued to any individual/organisation concerned, or in contemplation of Section 102, or 103 of the Act.

ANNEXURE E: SUGGESTED MEDIATION MEETING PROCEDURE

1. At a Mediation Meeting, the Application shall be discussed by the Parties with the aim of reaching an amicable decision through Mediation.
 - 1.1. The Mediation Meeting shall take place within 30 (thirty) calendar days, and no sooner than 14 (fourteen) days after notice has been sent to the Parties.
 - 1.2. The Mediation shall be limited to the Application outlined in the notice sent to the Respondent.
 - 1.3. The Mediator may postpone a Mediation at the request of either Party to the Mediation, provide that;
 - 1.3.1. The postponement request must be in writing and delivered to the Committee at least 2 (two) days before the date set for the hearing.
 - 1.3.2. Valid written reasons for such postponement must be provided in writing.
 - 1.4. Any postponed Mediation shall not be more than 30 days from the date set for the original Mediation, and
 - 1.4.1. All parties concerned must be notified of the postponement, and
 - 1.4.2. The postponement shall not marginalise either Party.
 - 1.5. A Mediation shall not be conducted in the absence of either Party.
 - 1.5.1. Should either Party fail to attend a properly convened Mediation, then the Mediation will be postponed.
 - 1.6. At a Postponed Mediation Meeting;
 - 1.6.1. If the Applicant fails to attend, then the Mediation will be considered to be completed, and no further Application by the Applicant to the Board of Directors regarding the Issue will be considered.
 - 1.6.2. If the Respondent fails to attend, then the Mediator will take the Application to the Board of Directors for Arbitration.
 - 1.7. The Parties shall be entitled to call witnesses to give evidence.
 - 1.8. Hearsay evidence may not be used at Mediations.
 - 1.9. An interpreter must be provided for either Party when necessary.
 - 1.10. No legal representation shall be allowed by either Party at the Mediation.
 - 1.11. The Parties are entitled to consult with legal counsel before the Mediation.
 - 1.12. The Mediation must be properly minuted at all times and all records (including evidence) shall be kept by FBSSC for a minimum of 5 (five) years.

ANNEXURE F: SUGGESTED APPEAL PROVISIONS

1. Once a Hearing Committee has made their decision and the Respondent has been sanctioned, then the Respondent shall have the right to Appeal the following circumstances:
 - 1.1. Where the disciplinary measure was too strict in view of the circumstances, or
 - 1.2. Where the chairperson had been prejudiced, the Respondent must prove beyond reasonable doubt that the chairperson was prejudiced, or
 - 1.3. Where gross procedural errors occurred during the disciplinary hearing or
 - 1.4. Where a fair procedure was not followed.
2. Any Appeal request against the decision of a Hearing Committee must be lodged in writing, by the Respondent concerned, with the Board of Directors within fourteen (14) calendar days of the Hearing Committee's decision.
3. The written request for the Appeal as well as written reasons for the Appeal must be stated in a succinct manner.