

PART 8: CODE OF CONDUCT FOR BOARD MEMBERS, AFFILIATES, CLUBS, VOLUNTEERS AND PARENTS

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8.1. PURPOSE

To outline CYCLING SOUTH AFRICA'S (CYCLINGSA) practice of regulating the standards of conduct of all Board members, Manfin, Affiliates, Clubs, Volunteers, Parents.

8.2. POLICY STATEMENT

CYCLINGSA believes that a formal Code of Conduct inclusive of a disciplinary code and procedure is necessary for the efficient running of CYCLINGSA, with fair and equitable treatment of all Board Members, Affiliates, Clubs, Volunteers, and Parents ensuring sound relations.

To achieve this aim:

- 8.2.1. All role players mentioned above will agree that it is the responsibility of the Board of CYCLINGSA to administer a fair code of conduct and disciplinary procedure.
- 8.2.2. The Board accepts the responsibility of administering this Code as well as keeping the above mentioned informed by regular updates on the website and at AGM's and any other communication means at their disposal.
- 8.2.3. The Board will apply the formal disciplinary process once it has been established that the incident occurred is serious enough to warrant it. Alternatively the Board institute counselling or any other means of dealing with the situation provided it is fair and consistent in its practice.
- 8.2.4. The Disciplinary Committee ensures that an accused will have an opportunity to state his/her case and know the outcome of the case as well as sanctions (if any) taken against him/her

8.3. DEFINITIONS

- 8.3.1. "Relevant Legislation" means any rule or regulation or Acts as deemed appropriate and applicable to cycling in the broader sense and fiduciary requirements. These may include the various disciplines' rule books, UCI rules and regulations and legislation governing and applicable to the running of CYCLINGSA.
- 8.3.2. "Board Member(s)" takes the same meaning as stated in the Constitution
- 8.3.3. "Affiliates, Clubs and Volunteers" take the same meaning as stated in the Constitution
- 8.3.4. "Parent(s)" means a parent or guardian of an under aged cyclist and who will be subject to this Code by virtue of his/her child participating in the sport of cycling

8.4. STANDARDS OF CONDUCT

It is expected that all the role players mentioned above maintain acceptable standards of conduct in accordance with this Code. In particular, and without detracting from this general statement the above mentioned shall:

- 8.4.1. Not commit any deed to the detriment of CYCLINGSA or allow it to be committed;
- 8.4.2. Board Members shall attend Board meetings regularly - failure to attend two (2) consecutive meetings will result in an automatic disqualification;
- 8.4.3. Perform their responsibilities diligently and professionally;
- 8.4.4. Conduct themselves with honesty and integrity;
- 8.4.5. Avoid any conflict of interest with respect to their fiduciary responsibility;
- 8.4.6. Not behave in an unprofessional way and in a manner which is unbecoming that of the portfolio held and in direct contradiction of CYCLINGSA'S Constitution and all relevant legislations and Acts;

- 8.4.7. not be so negligent that this behaviour could endanger others or lead to the damage of CYCLINGSA's property or cause detrimental damage to the health of a cyclist, the disruption of activities or the impairment of CYCLINGSA's reputation;
- 8.4.8. Not wrongfully disclose confidential information;
- 8.4.9. Not use his/her position in the TRUST to promote or impair the interest of a political party;
- 8.4.10. Not accept or claim any commission, money, or any other *form* of financial reward in the execution of their functions or omission to perform such function;
- 8.4.11. Disclose to the Board, in writing, any interest (whether direct or indirect) they may have in any contract or proposed contract or business being considered by CYCLINGSA and shall refrain from discussing or voting upon such business;
- 8.4.12. in the course of their duties report to the appropriate authorities, fraud, corruption, nepotism, mal-administration and any other act which constitutes offences or which are prejudicial to the cyclist and cycling and to the public interest ;
- 8.4.13. Parents shall not bring the name of cycling or CYCLINGSA into disrepute by committing any misconduct or embarrassment to their child (ren) and the Federation.
- 8.4.14. Declare any gifts and/or gratuities and/or benefits received, where the value exceeds R500.00 to CYCLINGSA. Furthermore, the Board shall have the power to take such action as it deems necessary if it considers the gift, gratuity or benefit to be capable of impairing the dignity and integrity of CYCLINGSA. Should any member of the Board be the subject of this determination, he/she shall reclude him/herself from the Board's deliberations

8.5. CODE OF CONDUCT APPLICABLE TO ALL CYCLISTS AND REPRESENTATIVES OF TEAM SOUTH AFRICA

- 8.5.1. In accepting the award of selection as members of Team South Africa, Cyclists, coaches, managers and other Team officials involved in the participation of South Africa at the Event, also accept to conduct themselves at all times in a manner that will do the insignia under which they have been chosen to represent their sport, CYCLINGSA as custodian of South Africa's participation in the Event and finally their country, in whose name they participate, proud.
- 8.5.2. CYCLINGSA has accepted the responsibility on behalf of government, sponsors, supporters and the broad South African public to ensure that the South African Cycling Team to any Event, is a credit to the country and that its members are at all times worthy and dignified ambassadors while representing the high ideals that CYCLINGSA has set for their participation. Whilst there is due regard for the fact that a Cycling team varies in its make-up, there are certain set traditions that young Cyclists need to be treated differently from the older and more experienced participants, there are also certain generally accepted and basic norms that need to be upheld at all times.
- 8.5.3. The following criteria are applicable to all members of the Team in order to ensure basic uniformity, group unity, discipline and a comfortable disposition within the group. An appeal is made to every Team member to observe the Code of Conduct at all times. In the interest of South Africa and of sport in general, it is vital that the conduct of those representing the country will at all times be above reproach.
- 8.5.4. If anyone should infringe this Code, disciplinary steps in the discretion of CYCLINGSA, and as necessary, in consultation with the National Federation and/or authority concerned, will be taken against such person. This may include, under special circumstances, the immediate suspension of Team membership.
- 8.5.5. Whilst CYCLINGSA will ensure that the Team management will consist of seasoned, experienced and responsible persons who can provide the necessary guidance to the young and inexperienced, every



Team member as an ambassador of his/her country, must accept that acceptable behavior will include:

- 8.5.5.1. Neat appearance at all times;
- 8.5.5.2. Punctuality;
- 8.5.5.3. Dignity;
- 8.5.5.4. Respect for fellow travelers (on aircraft, busses, in public places, hotels), for fellow Cyclists at the event, towards staff or hosts, for other people's property, for speakers at official receptions, etc.
- 8.5.5.5. General conduct: bad language, rowdy behavior (even when celebrating victory!), singing of vulgar songs, etc. can never be condoned;
- 8.5.5.6. To be humble in victory, gracious in defeat, the first to congratulate or sympathize with an opponent,
- 8.5.5.7. To lodge appeals through the correct channels;
- 8.5.5.8. It is the unconditional view of CYCLINGSA that the abusive use of alcohol and tobacco is not part of the make-up of the serious Cyclist. Officials in charge have particular responsibility to set the correct example;
- 8.5.5.9. International participation is the result of many and long hours of hard training, of sacrifices and of absolute dedication. Only the very best in a sport, can achieve this level. To represent one's country is a singular honor reserved for a selected few and the ultimate honor would be to be adjudicated the victor. At all times however, and without exception, this honor must only be bestowed on him or her that competed fairly. Under no circumstances ever should such a victory or for that matter the mere participation in an event, be enhanced due to unfair methods having been employed, be it by cheating, by unsportsmanlike behavior, or worse, by employing methods (like the intake of prohibited chemical substances) to improve one's performance, thus providing an unfair advantage over fellow competitors.

8.6. SPOKESPERSON PROTOCOL: CYCLING SOUTH AFRICA

- 8.6.1. Only the President and Vice President may publically address the media on behalf of Cycling South Africa. All media correspondence should at all time be agreed to by both or either parties.
- 8.6.2. Team South Africa Spokesperson Guidelines:
 - 8.6.2.1. Publicity about Team South Africa, its Cyclists, General Team Management, staff and cyclists involved, is an intrinsic part of the delivery of the federation especially where sponsors are concerned. It is important that together all these parties create a positive image about the team and participation at the event.
 - 8.6.2.2. Accordingly, certain guidelines are implemented to help anyone who will at some or other stage in the run up to the Event and during the event, interact with media.
 - 8.6.2.3. The intention of these guidelines is to focus media attention in areas where people are best equipped to answer their questions, while also managing the needs of the Cyclists especially when the pressure is on and media interest can be destructive.
 - 8.6.2.4. It also ensures that controversy is kept at bay by ensuring that everyone speaks with one voice by understanding the limitations of knowledge and information and where the most expert comment can be secured without compromising each other and the Team as a whole not to mention its important sponsors whose funding makes it all possible.
 - 8.6.2.5. Who speaks to the media?
 - 8.6.2.5.1. At all times, at any pre-Event, training camp as well as the Event period, media liaison is the main responsibility of the designated PR person who will assist any person approached by the media in terms of advice and redirecting inquiries to the relevant spokesperson/s. In the absence of a PR person the main responsibility will be that of the Team Manager, Team Captain (as cyclist) or the Discipline Director.

- 8.6.2.5.2. Where matters have a direct bearing on the policy of CYCLINGSA, the spokesperson will be the President of CYCLINGSA or his representative.
- 8.6.2.5.3. During the event, the Team Manager will chair all media conferences arranged prior to, during and post the Event and will in addition comment to the media on issues such as:
 - 8.6.2.5.3.1. Team selection
 - 8.6.2.5.3.2. Cyclist and management performance
 - 8.6.2.5.3.3. Injuries to Cyclists
 - 8.6.2.5.3.4. Team preparation and logistics
 - 8.6.2.5.3.5. Training matters of their respective Cyclists

- 8.6.3. The Presidents of Cycling South Africa (or his appointed spokespersons) will comment to the media on any:
 - 8.6.3.1. Sponsorship matters (only of confirmed sponsors reflecting on Team South Africa clothing)
 - 8.6.3.2. Disciplinary issues
 - 8.6.3.3. Anti-doping matters
- 8.6.4. Cyclists may talk to the media about:
 - 8.6.4.1. Their own preparations and performances (not of other members of their team, other competitors in the Event, CYCLINGSA and the Event organizers)
 - 8.6.4.2. Their past performances, achievements or non-achievements
 - 8.6.4.3. Their biographies e.g. for Cyclist feature stories, etc.
 - 8.6.4.4. The training programmes and progress
 - 8.6.4.5. Other preparations in the run-up to and during the Event
 - 8.6.4.6. The event/s they will compete in

8.7. DISCIPLINARY PROTOCOL APPLICABLE TO TEAM SOUTH AFRICA RIDERS

- 8.7.1. A Cyclist and/or Team Official is accepted as a member of Team South Africa on condition that he/she has signed the Cyclist/Team Official Agreement which clearly sets out the conditions under which a Cyclist or Team Official is accepted as a member of Team South Africa and the Code of Conduct applicable to all Team members.
- 8.7.2. Specific reference is made to Clause 18 of the Team South Africa Representative Agreement. (Breach regards the Provisions of the Agreement).
- 8.7.3. A Disciplinary Tribunal may act upon the request from CYCLINGSA upon the return of the within 2 weeks after the teams return arrival date. The Tribunal will comprise of the at least 2 members of the traveling team, which one will be the Team Manager, except in the case where a disciplinary action is taken against the team manager, 2 members from the Board of Cycling South Africa and 1 party who is unknown and independent from all of the parties represented at the Tribunal.
- 8.7.4. The following general principles will be applied to ensure that any disciplinary hearing in respect of any member of the Team (hereinafter referred to as "Member") are conducted by the Tribunal on a basis that is both procedurally and substantively fair:
 - 8.7.4.1. The Member should be given reasonable notice of the date and time of the hearing as well as all the essential facts, to enable him/her to prepare his/her reply to the charge (es). In the case of a Cyclist, the Tribunal may decide, in its discretion, to have a respective representative present which may be the Manager and/or Coach.

- 8.7.4.2. The member should be given the opportunity to present his/her case at the hearing, prior to any decision taken that may affect his/her rights or privileges.
- 8.7.4.3. Although no right to legal representation can be claimed in terms of the common law, legal representation will be permitted, if requested, unless it would cause an unreasonable delay or protraction of proceedings, particularly where circumstances require a speedy outcome.
- 8.7.4.4. The Tribunal conducting the hearing must be unbiased and unprejudiced. The test is objectivity and if it is found that a person has a material, pecuniary or some other interest in the case resulting in bias, or has conducted him/herself in such a way that a preconceived attitude or state of mind can be inferred, his/her action will be invalid even if no injustice is proved.
- 8.7.4.5. The evidence presented should be carefully heard, assessed and a decision taken based thereon. Findings of the Tribunal are definitive, i.e. findings are final and binding and are not subject to appeal.
- 8.7.4.6. The Tribunal shall furnish the Member with written reasons for its decision and the action taken by it.
- 8.7.4.7. The sanctions (if any) should be commensurate with the gravity of the offence and will in line with the UCI regulations.
- 8.7.4.8. In general, justice should not only be done but also be seen to be done. A general sense of fairness should prevail prior to, during and subsequent to the hearing.

8.8. INFORMAL AND FORMAL ACTION

- 8.8.1. A dedicated Executive Board Member will handle the portfolio of attending to all infringements committed by any of the above mentioned role players.
- 8.8.2. He/she will conduct a preliminary investigation to establish the seriousness of the case. Once established he/she will institute necessary steps which may be informal or formal.
- 8.8.3. Informal:
 - 8.8.3.1. The accused party will be called to a meeting chaired either by the Executive Board Member or an independent person to discuss the incident allowed to state his/her case and if proved, the relevant sanction may be imposed (e.g. or a written warning issued).
- 8.8.4. Formal:
 - 8.8.4.1. In the case of any misconduct an investigation will be launched. This investigation will be carried out by any qualified person(s) best suited for the issue at hand. The report will be submitted to the Executive Board Member representing the matter.
 - 8.8.4.2. A decision will be taken about what disciplinary steps to take; whether to suspend or not and the format and compilation of the disciplinary enquiry.
 - 8.8.4.3. Any sanction passed will be in line with the Constitution and any other rule and regulation applicable to the misconduct committed.
 - 8.8.4.4. The board may temporarily or permanently suspend any above mentioned role player who or which is guilty of misconduct of bringing the sport of cycling into disrepute, or to restore the status of such above mentioned role player.

8.9. COMPOSITION OF A DISCIPLINARY COMMITTEE (ALL DISPUTES)

A Disciplinary Committee will be made up of at least

- 8.9.1. An independent chairman,
- 8.9.2. A CYCLINGSA representative who will present the case on behalf of CYCLINGSA (may be a lawyer or any other suitably qualified person),
- 8.9.3. A minute taker (if the chairman does not take minutes),
- 8.9.4. If necessary, a representative of CYCLINGSA Board,
- 8.9.5. Any suitably qualified person dependant on the case at hand (e.g. a technical adviser),

- 8.9.6. The accused
- 8.9.7. The accused's representative (lawyers may be admitted dependent upon the complexity of the case and discretion of the chairman).