**Port Lincoln Hockey Association Regulations**

Adopted 21 March 2016 PLHA Board meeting

Revised March 2018 passed at PLHA Board Meeting



These Regulations form part of the Regulations as defined in the PLHA Constitution and have been developed to provide more detail and clarification on sections of the Constitution. They are to be read and applied in conjunction with Constitution. Definitions in these Regulations have the same meaning as defined in the Constitution.

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1. POWER TO MAKE AND AMEND REGULATIONS

**1.1 Board to formulate Regulations (PLHA Constitution Clause 31)**

The Board may make and amend rules, regulations and policies (**Regulations)** for the proper advancement, management and administration of the Association, the advancement of the purposes of the Association and the Sport in South Australia as it thinks necessary or desirable, including without limitation regulations governing:

(a) the conduct of competitions (including but not limited to the rules of competition and codes of conduct);

(b) the conduct of meetings;

(c) the resolution of disputes;

(d) discipline of Members and Participants for breaches of this Constitution or the Regulations;

(e) any other matter in respect of which this Constitution authorises the Board to make Regulations or which the Board considers is necessary or appropriate for the good governance of the Association and its affairs.

The Regulations must be consistent with the Port Lincoln Hockey Association Constitution.

2. MEMBERS

**2.1 Affiliate Members**

Affiliate Members will be clubs that enter teams to play in the competitions of the Port Lincoln Hockey Association. Application for affiliation will be by completion of the form distributed annually in January (if any) and payment of the membership fee before start of season, if any. If an application form is not issued by the Board, and a club has not indicated that they wish to withdraw their membership, affiliate membership is presumed to continue from the previous year.

**2.2 Individual Members**

(a) All playing and non-playing members of affiliated members are automatically Individual Members upon proper registration with the PLHA, unless their application is rejected under Clause 5.3 of the PLHA Constitution.

(b) Member registration as per the current version of the PLHA Competition By-Laws will constitute application for individual membership of the PLHA for the purposes of Clause 5.6 (b) and (c) of the PLHA Constitution.

(c) All applications for membership must include full name and address and contact details of the applicant. Using the club contact details for an individual member will not be accepted.

**2.3 Junior Member**

Any person under the age of 18 years will be class as a Junior Member. Junior Members shall have no voting rights nor be entitled to hold a position on the Board.

**2.4 Life Members**

(a) The nomination must be in writing to the Association.

(b) Supporting document must be provided at the time of the nomination and must include the nominee’s contribution to the Association.

(c) The nomination must be endorsed by two (2) member of PLHA.

(d) No more than two (2) members will be awarded Life Membership in one (1) financial year.

(e) The nominated member must have be an individual member for more than fifteen (15) years.

(f) The Life Membership can be awarded any time during the year.

(g)The Board will vote and need more than 75% in favor for the nomination to be passed.

(h) The nominee shall not be present either during the course of the debate or during the election.

(i) Life Membership shall be granted honorary membership to the stadium.

**2.5 Register of Members**

The Association shall keep and maintain a register in which shall be entered (as a minimum):

(a) the full name, address, category of membership and date of entry to membership of Club;

(b) the full name, address and date of entry to membership of each Director and Life Member;

(c) where applicable, the date of termination of membership of any Club;

(d) the name and category of membership of each other Member, Directors and Life Members shall provide notice of any change and required details to the Association within one month of such change.

3. DISCIPLINE

**3.1 Reports and complaints**

(a) Individual players, coaches, team managers, umpires, volunteers and other officials who are engaged by the Association or a club affiliated with the Association shall be required to abide by all Rules of the Association, including, but not restricted to, the Constitution, Regulations, Competition By-Laws, Codes of Conduct and Policies that are introduced from time to time by the Association.

(b) Any person is entitled to make a report or complaint, in writing, to the PLHA Chairperson within five days after any incident of concern.

(c) The Board has the power under Clause 7(c) of the Constitution to itself deal with reports of breaches of any Rules under clause 3.1(a), and reports and complaints made under clause 3.1(b), or to appoint a Judiciary Committee to do so.

**3.2 Establishment of Judiciary Committee**

(a) The Board may establish a Judiciary Committee to hear and resolve cases under clause 7(a) of the PLHA Constitution (disputes, protests or complaints) referred to it by the Board, and all matters required by the PLHA Competition By-Laws and any other matter referred to it by the Board.

(b) The Judiciary Committee will consist of one nominated person from each affiliated club.

(i) Clubs must ensure their nominated person does not have any actual or perceived conflict of interest or bias regarding the matter to be heard. Generally clubs would appoint their Judiciary Committee representative at the start of the season, but may appoint different representatives for each Judiciary hearing if necessary.

(ii) Each club should provide the PLHA Board with the contact details of their nominated representative for each hearing. Communication regarding the hearing will only be sent to the Judiciary Committee members direct.

(iii) Judiciary Committee members must not discuss any matters pertaining to any hearing outside of the committee meeting, even after the matter has been resolved.

**3.3 Chair, Quorum and Voting at a Judiciary Meeting**

(a) The Chair of the Board will be the Chair of the Judiciary Committee, or the board may appoint an independent person to be the chair.

(b) The Chair of the meeting may vote.

(c) The representative of the club or clubs involved in the matter currently before the Judiciary may not vote, unless more than two clubs are involved, in which case all members of the Judiciary Committee may vote.

(d) All members of the Judiciary Committee must be present to form a quorum.

(e) If a quorum is not present within 15 minutes of the scheduled meeting time, the meeting will be rescheduled to another date. If a quorum is not present at the rescheduled meeting those members present will constitute a quorum.

**3.4 Procedure prior to hearing**

(a) The Judiciary meeting will be scheduled by the PLHA Chairperson and will be as soon as possible, but must allow adequate time for the respondent to prepare their case for the meeting. In the case of a Red Card Judiciary the meeting will be held before the player’s next scheduled match.

(b) The Judiciary members will be provided with a copy of all relevant correspondence, reports or information received and sent by the PLHA Chairperson relating to the complaint/allegations. This will be prior to the meeting if possible.

(c) The PLHA Chairperson will inform the complainant and the respondent in writing that a Judiciary meeting will take place. The notice will outline:

(i) That the person has a right to appear at the meeting to defend the complaint/allegation;

(ii) Details of the complaint, and details of all allegations and the clause of any policy or rule allegedly breached by the respondent;

(iii) The date, time and venue of the meeting;

(iv) That they can make either verbal or written submissions to the Judiciary;

(v) That they may arrange for witnesses to attend the meeting in support of their position, but that the Judiciary may choose not to hear evidence from witnesses;

(vi) That the Judiciary may still go ahead in their absence;

(vii) An outline of any possible penalties that may be imposed if the complaint is found to be true; and

(viii) That legal representation will not be allowed. If the respondent and/or complainant is a minor, they should have a parent or guardian present.

(d) Copies of all information/documents that have been given to the Judiciary members will also be provided to the complainant and the respondent.

(e)If the complainant believes the details of the complaint are incorrect or insufficient they should inform the PLHA Chairperson as soon as possible so that the respondent and the Judiciary committee members can be property informed of the complaint.

**3.5 Judiciary Meeting Procedure**

(a) The following people will be allowed to attend the Judiciary meeting:

(i) The Judiciary committee members

(ii) The Judiciary Chair

(iii) The PLHA Secretary with no voting rights

(iv) The respondent

(v) The complainant

(vi) Any witnesses called by the respondent or complainant

(vii) Any parent/guardian required to support an underage respondent/complainant

(b) If the respondent or complainant is not present at the set meeting time and the Judiciary Chair considers that:

(i) no valid reason has been presented for their non-attendance, the meeting will continue in their absence; or

(ii) a valid reason has been presented for their non-attendance, the meeting will be rescheduled to a later date.

(c)The Judiciary Chair will read out the complaint/charge, ask the respondent if they understand the complaint/charge and if they agree or disagree with the complaint/charge.

(d) If the respondent agrees with the complaint/charge, he/she will be asked to provide any evidence that should be considered by the Judiciary when determining any penalty.

(e) If the respondent disagrees with the complaint/charge, the complainant will be asked to describe the circumstances that led to the complaint being made. The respondent will then be asked to respond.

(f) Both the complainant and respondent may be present when evidence is presented to the Judiciary, unless the Judiciary decide otherwise. Witnesses will be asked to wait outside until (if) required.

(g) The Judiciary may:

(i) consider any evidence, and in any form, that it deems relevant

(ii) question any person giving evidence

(iii) listen to witnesses at its discretion

(iv) require (to the extent that is has the power to do so) the attendance of any other person(s) it deems relevant

(v) adjourn from time to time as may be convenient

(vi) conduct hearings and investigations in such a manner as it thinks fit.

(h) After all of the evidence has been presented the Judiciary will make its decision in private. The Judiciary must decide whether the complaint/charge has been substantiated on the balance of probabilities (ie more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the Judiciary that the complaint/charge has been substantiated.

(i) If the Judiciary decides that the charge/complaint has been substantiated the respondent will be given the opportunity to address the meeting on any penalty which might be imposed.

(j) If the Judiciary considers that at any time during the meeting there is any unreasonable or intimidatory behavior from anyone, the Judiciary Chair may deny further involvement of the person in the hearing.

(k) All Judiciary decisions will be by majority vote of those present and eligible to vote. Any penalty imposed must be within the guidelines set for the Judiciary Committee in Clause 15. Or reasonable in the circumstances.

(l) The Judiciary Chair will announce the decision in the presence of all those involved in the hearing and will declare the meeting closed.

(m) Within 48 hours the Judiciary Chair will advise the respondent, and the respondent’s club if necessary, in writing reconfirming the Judiciary decision and any penalty imposed.

(n) The Judiciary does not need to provide reasons for its decision.

(o) PLHA Judiciary decisions are final any appeals must go to Hockey SA.

**Appeals to Hockey SA**

3.6.1 For any appeals against process, verdict or penalty, a Member or a reported person/s shall have the right to have the Tribunal referred to Hockey SA.

3.6.2 Appeals must be received in writing by the PLHA Association within 7 days of the official notification of the findings of the Tribunal. This appeal will be forwarded to Hockey SA, along with all evidence submitted, minutes, correspondence relating to the process, verdict and penalty of the Tribunal. Such notice of appeal shall state in detail all grounds on which the appeal is made.

3.6.3 Any ground for appeal which is not clearly set out in the appeal notice cannot be introduced or used at the hearing of the appeal.

**3.7 The Judiciary Committee Powers to impose Penalties**

The Judiciary Committee may:

(a) In its absolute discretion punish by reprimand, fine, suspension, warning or suspended penalty any players or other persons referred to it pursuant to the Constitution and Rules of the Association.

(b) Dismiss a report or charge as being trivial or as not having been proved against the player or other persons referred to it pursuant to the Constitution and Rules of the Association.

(c) In its absolute discretion punish by reprimand, fine, suspension, warning or suspended penalty any witness who is found knowingly and with intent to have mislead the Judiciary Committee.

4. APPEALS

(a) All appeals against a decision made by the PLHA, except the Judiciary, shall be notified in writing to the PLHA Secretary within seven (7) days of the decision.

(b) All appeals shall be dealt with by the Board or referred to the Judiciary Committee within seven (7) days.

(c) Any decision made on the appeal shall be final and binding on all parties.

5. COMPOSITION OF THE BOARD

5.1 Directors of Board

(a) A Director (elected or appointed) cannot also act as a Club Delegate at General Meetings of the PLHA.

(b) The following portfolios will be allocated to Elected Directors and be taken into consideration when nominations are called for election:

(i) Director of Hockey (Chairperson)

(ii) Director of Finance (Treasurer)

(iii) Director of Administration (Secretary)

(iv) Director of Competitions

(v) Director of Development

(vi) Director of Facilities

(vii) Director of Communication and Promotion

(c) Additional portfolios may be allocated as the Board sees fit.

(d) Role descriptions for each portfolio may be distributed prior to calling for nominations for any election (if any).

(e) If the law requires the Elected Director to have a particular qualification or clearance (for example, police clearance), the Elected Director's will need to get the qualification or clearance within the time frame set by the Board.

(f) Each Board member must sign the code of conduct form.

**5.2. Club Delegate**

(a) Each Club will have one (1) club represented with voting rights at every board meeting.

(b) Must be a member of the Association and voted in at the Annual General Meeting and serve a term of one year. A Delegate cannot also be a Director.

(c) The Delegate must be nominated at the Annual General Meeting by the Club.

(d) The Club Delegate must attend all Board meetings. The Club can nominate a new delegate during the term of its Club Delegate if the person resigns during its term on the Board.

(e) If a Club fails to provide a Delegate to Board meeting. The Board can enforce the fines listed in the schedule.

6. ELECTED DIRECTORS - APPEALS

**Election Appeals and Election Appeals Committee**

(a) If a dispute arises in connection with the election of a Director an appeal may be made by a person who was a nominee for the position in dispute.

(b) Such an appeal may only be made by the person who was a nominee for the position in dispute. The appeal must be in writing giving the grounds for the appeal and be forwarded to the Board within seven (7) days after the declaration of the result of the election.

(c) The Board may appoint as many of its Directors who are disinterested parties to the dispute, to form an Election Appeals Committee.

(d) The Election Appeals Committee shall give the person who is appealing and also the person whose election has been disputed an opportunity to submit evidence and the Election Appeals Committee shall have the power to call for such additional evidence or documents as they consider relevant to the dispute.

(e) The Election Appeals Committee will make its decision within fourteen (14) days of receipt of the appeal.

(f) The decision of the Election Appeals Committee shall be final.

7. VACANCIES ON THE BOARD

In the event of a casual vacancy occurring in the position of Elected Director, the Board will ask Affiliate Members (clubs) to nominate suitably qualified candidates to fill the vacancy. Candidates must be Individual Members of the PLHA. The remaining Directors will fill the vacancy from the nominated candidates by consensus. If, in the opinion of the remaining Directors, none of the nominated candidates has the skills required to fill the vacancy, the Directors may make their own nomination to the vacancy. The vacancy will serve the full amount of time of the term of the Director being replaced.

8. MEETINGS OF THE BOARD

**8.1 Meeting Schedule**

(a) Shall meet at least every 60 days, or more frequently if deemed necessary by the Director of Hockey or the Board.

(b) Urgent meetings may be called by the Director of Hockey or any two (2) members of the Executive provided 24 hours’ notice is given to all members of the Executive. If an emergency requires a decision more immediately three (3) Directors may make such decision provided a properly constituted meeting is called within 48 hours to ratify that decision.

(c) All meetings of the Executive will be minuted and the minutes distributed through the Director of Administration 7 days of the meeting. For distribution to all members.

(d) A Director may require an item to be added to the Board meeting agenda.

(e) All Agenda items will be given to Director of Administration twenty-four (24) hours before the meeting.

(f) Board meeting will start no later than fifteen (15) minutes of the time appointed.

(g) A motion may be passed by a simple majority on a show of hands or by consensus.

(h) Resolutions made in out of session meetings or by electronic communications must have the outcome noted and the discussion minuted in the next Board minutes.

(i) Suggested topics for meeting schedule:

(i) Early December - Induction

(ii) January – Budget meeting

(iii) February/March – Adopt budget, Set Schedule of Fees, Local Rules etc, review sub-committees and Regulations

(iv) June - Strategic Planning

(v) October – Performance Review

These aren't exhaustive topics, but Board meetings should concentrate on Governance, not Operations.

**Quorum**

Under clause 13.5 of the PLHA constitution meetings of the Board is the number of Directors whose presence is required to constitute a quorum is:

 (a) if the number of Directors then in office is an even number, half of the number of Directors plus one; or

 (b) if the number of Directors then in office is an odd number, half of the number of Directors rounded up to the next whole number.

**STRATEGIC FORUM OF ASSOCIATION**

**Strategic Forums**

The Association shall hold a strategic forum at least every three year. The object of the strategic forum is to:

(a) inform the Board of significant membership issues;

(b) assist the Board to design or review the Association’s strategic plan and direction;

(c) provide feedback to the Board on the results of its governance decisions in practice at Member level.

**Attendees at Strategic Forums**

The following persons may attend strategic fora of the Association:

(a) the Directors; and

(b) such other persons the Board considers should be invited.

(c) any Individual Member

**8.2 Chairperson.**

(a) Voting to elect the Chairperson of the Board will occur each year at the first Board meeting following the AGM. Should the existing chairperson retire or not be returned at the AGM, the Board shall convene directly after the AGM and vote an acting chairperson. With agreement of the Board, this appointment can either be ratified at the next Board meeting or a new vote conducted.

(b) The Board shall use an exhaustive secret ballot to determine the chair. Under the exhaustive ballot the voter simply casts a single vote for his or her favourite candidate. If no candidate receives an absolute majority (more than 50%) of votes then the candidate with the fewest votes is eliminated and a further round of voting occurs. This process is repeated for as many rounds as necessary until one candidate has an absolute majority. If votes are tied and can’t be separated then a General Meeting will be called for the Members to vote.

(c) All Elected Directors, except the Director of Administration, are eligible to be elected chairperson and are presumed to be included in the ballot unless they specifically advise the Board immediately prior to the ballot, they will not accept the appointment as chairperson.

(d) Two Directors will be appointed scrutineers and will ensure the destruction of ballot papers.

(e) The Chairperson is the nominal head of the Association unless the Board decides otherwise, and will be entitled to use the term President of the Association.

9. DELEGATIONS (SUBCOMMITTEES)

**9.1 Establishment and composition**

(a) Subject to the Constitution, the Board may establish subcommittees for any tasks that the Board sees fit.

(b) The Board may appoint any convenors and members of any subcommittees as it sees fit. The Board may call for and take into consideration nominations received from Affiliate Members, but it may appoint any Individual Member as a member of a subcommittee.

**9.2 Role and supervision**

(a) Subcommittees shall be responsible to the Board for the implementation of the task or tasks allocated to them by the Board and shall at all times be responsible to the Board.

(b) Each subcommittee will come under the portfolio of a Director who oversees its affairs.

(c) The duties and roles of all subcommittees will be detailed in the “PLHA Organisational Chart and Terms of Reference” document or similar document.

**9.3 Meetings**

(a) Subcommittees must meet as often as is necessary to conduct their business.

(b) A quorum for each subcommittee and the powers delegated in relation to making decisions will also be documented in their Terms of Reference. All decisions must be ratified by the Board.

(c) All subcommittee meetings must be minuted and each subcommittee shall present reports to the Board as required by the Director overseeing their affairs or as directed by the Board.

(d) The Minimum subcommittees or Coordinator for a season will be

 Umpiring Committee

 Juinor Committee

 Grounds Coordinator

 Publicity Coordinator

 Records Coordinator

10. VOTING PROCEDURES

**10.1 Secret ballot**

(a) When a ballot is required for any reason, the meeting shall appoint two scrutineers from amongst those present who are disinterested parties.

(b) Votes shall be cast on the official voting paper.

(c) Ballot papers will be kept for ten days after the declaration of the result of the ballot, when they shall be destroyed unless an appeal has been lodged.

**10.2 Proxy voting**

Proxy voting shall not be used for any meetings. A Member entitled to attend and vote at a meeting may request that a matter be deferred to the next meeting if the Member is unable to participate in the discussion on the matter by any means. The Chair of the meeting will decide on the deferral. Such deferred matters must be resolved at that next meeting.

11. ADMINISTRATIVE OBLIGATIONS

**11.1 Correspondence**

Each Club is responsible for responding promptly to communication from the PLHA and for ensuring any directive is complied with and is passed on to individual members where appropriate.

**11.2 Notification of Office Bearers**

(a) All clubs must supply the Board with the following information annually

(i) Names and contact details of the club President, Secretary and Treasurer.

(ii) Other information as may be requested.

(iii) Clubs must notify the Board of any changes to the information supplied above.

12. RULES FOR MATCHES

Constitution reference section 3 OBJECTS OF THE ASSOCIATION

All matches shall be played in accordance with the authorized Rules of the Game of Hockey (and interpretations thereunder) as adopted and authorized by Hockey Australia and Hockey South Australia from time to time or as otherwise amended by the Board.

13. FINANCIAL OBLIGATIONS

**13.1 Setting of fees**

All fees and fines will be set annually by the Board and published in the Schedule attached to the Competition By-Laws.

**13.2 Sending of invoices**

Invoices will be issued for all amounts due to the PLHA and will be emailed by the PLHA Treasurer to the Club Treasurer.

**13.3 Payment terms**

All PLHA invoices will have a minimum of Twenty One (21) days payment terms and will be due on the date printed on the invoice.

**13.4 Unfinancial clubs**

(a) Affiliated Members must be financial to participate in voting at General Meetings, to nominate members for Life Membership or nomination to the Board. Financial means all accounts due are paid before the date of the meeting and nomination date. Accounts in dispute do not mean the member is unfinancial if the PLHA has been notified and has acknowledged the notification of the disputed amount.

(b) In the event of an Affiliated Member failing to pay an invoice by the due date, or negotiating an alternative payment arrangement with the PLHA Director of Finance, it shall be deemed to be unfinancial and the Affiliated Member will be notified forthwith. The emailing of outstanding invoices to the Club Treasurer, with a copy to the PLHA President, by the PLHA Director of Finance will constitute proof of delivery of the notification. Should the outstanding invoice not be paid within ten (10) business days of the date of the notification ALL teams of that Club shall not score premiership points until the account is paid in full. The last time for a Club to become financial will be 2pm of each Friday to enable points to be scored the following weekend.

14. DISPUTE RESOLUTION

14.1 Grievance Procedures

The following processes and resources shall be used to resolve disputes that arise between the Association and its Members or between individual Members of the Association that cannot be resolved as per the Constitution Clause 25:

(a) In the case where the Constitution and the Regulations are silent the Board shall make a determination or an interpretation on the method to be used.

(b) The Board will refer to the Hockey Australia Member Protection Policy for guidance in resolving grievances.

(c) The Association has a Judiciary Committee who may conduct Tribunals to deal with a range of issues that may be referred to it by the Board from time to time.

(d) The Association may use the mediation and arbitration facilities provided by Sport SA as an external service on a user pays basis.

Whichever method is used to adjudicate on a dispute the rules of natural justice will be observed. (Rule 40, Associations Incorporations Act 1985)

15. GUIDE FOR JUDICIARY HEARINGS.

15.1 The Judiciary Committee will use this when impose penalties in accordance with sentences as set out below:

|  |  |
| --- | --- |
| **Offence**  | **Offence**  |
| Four Yellow Cards Automatic  | 1 match |
| Tripping  | Minimum 1 match |
| Dispute umpires decision  | Minimum 2 match |
| Verbally abusing umpire  | Minimum 2 match |
| Verbally abusing umpire – 2nd offence  | Minimum 6 matches |
| Deliberately striking an umpire  | Minimum 2 Year |
| Deliberately striking an umpire – 2nd offence  | 5 year to life |
| Deliberately throwing of a stick  | 2 to 6 matches |
| Striking another player (fight, punch) | Minimum 3 matches |
| Striking another player with a hockey stick (recklessly, dangerously)  | Minimum 3 matches |
| Deliberately striking another player with a hockey stick | Minimum 10 matches |
| Deliberately striking another player with a hockey stick – 2nd offence | 1 year to life |
| Spitting at a player/officials  | Minimum 5 matches |
| Deliberately lifting the ball at or near another player | 1 to ten matches |
| Rough, dangerous, intimidatory play  | Minimum 2 matches |
| Persistent and deliberate breach of the rules  | Minimum 2 matches |
| Abusive conduct whilst a spectator  | Minimum 3 matches |
| Abusive and/ or offensive conduct | Minimum 3 matches |
| Inappropriate physical play  | Minimum 3 matches |
| Contempt of the Investigation Committee or Judicial Process (includes intimidatory behaviour towards or intimidatory phone calls to an umpire) | Minimum 10 matches |
| Repeated professional foul or participate in a melee (a melee is defined as a confrontation between two or more players teams or officials pushing, shoving etc.) | 1 to 3 matches |
| Acting in a detrimental manner to PLHA Inc. | Minimum 3 matches |
| Breaching Port Lincoln Hockey policies and proceduresrelevant to the code of conduct | Minimum 3 matches |
| Use a telecommunications device to threaten/abuse a player or official | Minimum 3 matches |
| Deliberately misleading judiciary | Minimum 4 matches |
| Intoxicated/drug influenced | 6-20 matches |
| Assault/attempted assault by spectator on umpire/player | Minimum 6 matches |

15.4 Unless specifically provided for, the second of these offences may be doubled

or any otherwise as specified penalty of the first offence.

15.6 The Judiciary Committee may suspend all or part of a sentence.

15.7 The Judiciary Committee may withdraw a charge, and replace it with a more serious or less serious offence, if it in its absolute discretion deems that the facts warrant same.