# BA 003 Policy - NST Conduct and Disciplinary Policy

# **SCHEDULE 3: Letter - Breach Offer Template**

This template is to be used in accordance with the Bowls Australia – National Sport Tribunal, Conduct and Disciplinary Policy. The highlighted yellow text is to be updated with relevant information, the letter content is to be presented on the Sport’s organisations letter head and provided to the Respondent.

## [ENGROSS ON SPORT ORGANISATION LETTERHEAD]

## COMPLAINTS & DISPUTES POLICY - BREACH OFFER

### Breach Offer

[insert name]

[address line 1]

[address line 2] **By email:** [insert email address]

### **Referral**

1. [insert Sport Organisation] (**Sport**) has received information (**Alleged Breach**) under its Conduct & Disciplinary Policy (**Policy**) alleging that you have breached an eligible policy of the Sport, as outlined below. A copy of the Policy is available at [insert link].
2. The complaints manager under the Policy has referred the Alleged Breach about you for resolution under the Breach Offer Process.

### **Allegations**

1. The Alleged Breach was lodged by [insert name] and received by the Sport on [insert date].

**OR** The Sport was made aware of the Alleged Breach on [insert date].

1. It is alleged in the Alleged Breach that you:

### [insert alleged conduct]; and

* 1. **[++++++]**.
1. As a result of the above allegations, it is alleged that you have consequently breached the following eligible policies of the Sport:

### [insert specific sections of eligible policies allegedly breached]; and

* 1. **[++++++]**.

### **Sanction**

1. If a breach of the type outlined in the Alleged Breach was fully proven, Sport would ordinarily impose the following sanction:

### [insert applicable sanction]; and

* 1. **[++++++]**.
1. In accordance with the Policy, to resolve the Alleged Breach using the Breach Offer Process, if you accept the alleged breach occurred without a hearing, Sport will offer you a sanction as follows:

### [insert applicable sanction]; and

* 1. **[++++++]**.

### **Decision**

1. You are entitled to decide either to accept your alleged breach occurred, and the proposed sanction that will be imposed by Sport set out at paragraph 7, or alternatively dispute the alleged breach and/or proposed sanction.
2. If you dispute the alleged breach and/or proposed sanction, the Alleged Breach will be referred to a hearing tribunal for determination under the Policy.

### **Notification**

1. Please advise Sport's complaints manager of your decision to either accept the alleged breach and proposed sanction or dispute the breach and/or sanction and proceed to a hearing tribunal, by signing and returning the below 'Acknowledgement' to the complaints manager at [insert contact address].
2. You must advise the complaints manager of your decision within 7 days of the date of this letter, failing which you will be deemed to have accepted the breach occurred and the proposed sanction will automatically commence.
3. Unless you dispute the alleged breach and/or proposed sanction, the proposed sanction will commence on the earlier of the date you notify the complaints manager of your acceptance, or the end of the date 14 days from the date of this letter.
4. If you have any questions in relation to this Breach Offer, the complaints manager can be contacted by telephone on **[++++++]** or by email at **[++++++]**.

Yours faithfully

[insert signatory]

## **ACKNOWLEDGEMENT**

I, ,

confirm to [insert Sport Organisation], that in response to this Breach Offer, I (tick one): Accept my breach of the eligible policies occurred and the proposed sanction offered.

OR

Dispute my breach of the eligible policies occurred and/or the proposed sanction offered and wish the matter to be heard by a hearing tribunal.

Signed: ………………………………………………………………………………………….. Dated: …………………………...