



MALTA GOLF ASSOCIATION

BYLAW 5 - DISCIPLINARY PROCESS

1. Introduction

- 1.1 The Malta Golf Association has adopted the ensuing document to be able to administer matters of a disciplinary nature.
- 1.2 Terms in italics shall bear the meanings given to them as follows:
 - 1.2.1 *MGA* means the Malta Golf Association.
 - 1.2.2 *Club* means any club affiliated to the MGA.
 - 1.2.3 *Member* means a member/player of a *Club* irrespective of membership category and against whom the complaint has arisen. *Member* includes an official, representative of the *MGA* and any other person appointed by the *MGA* for any responsibility.
 - 1.2.4 *Amateur Rules* mean the Rules of Amateur Status as determined by the R&A Rules Limited and the United States Golf Association.
 - 1.2.5 *Code of Ethics* means the Code of Ethics as published by the *MGA*.
 - 1.2.6 *Code of Conduct* means the Code of Conduct as published by the *MGA*.
- 1.3 This process is intended to deal with matters resulting from a breach of the *MGA's Code of Ethics* (intended to be a guide as to the expected behaviour during representation of the *MGA* in an international tournament or event) or a breach of the *MGA's Code of Conduct* (intended to be a guide as to the expected behaviour during a national or "open" competition organised by the *MGA*). An example but not necessarily a complete list of categories of offences can be found in the *MGA's Code of Conduct*.
- 1.4 If a *member* is charged with an offence pursuant to the *MGA's* Anti-Doping or Child Protection Policies, then the provisions of the relevant policy will apply.
- 1.5 Any breach of the *Amateur Rules* shall be referred to the *MGA* and the provisions of the relevant policy will apply.

2. Receipt of Information and Consideration by MGA Executive Council

- 2.1 On receipt of information relating to a possible misconduct, the *MGA* Executive Council will in the first instant meet to decide whether this is a breach of the *Code of Ethics or Conduct* or whether it is of a more serious case of misconduct.
- 2.2 A breach of the *Code of Ethics* will be considered and decided by the *MGA* Executive Council within a reasonable timescale. The Executive Council may refer to the categories highlighted in the *Code of Conduct* to reach an equitable decision.
- 2.3 A breach of the *Code of Conduct* will similarly be considered and decided by the *MGA* Executive Council within a reasonable timescale. The application of a warning, penalty or disqualification will be within the sole discretion of the *MGA* and there will be no right of appeal.
- 2.4 A *member* will only have a right of appeal to the *MGA* if the sanction is of a more permanent nature which will restrict the *member's* privileges through a suspension or termination of his privileges for a breach of the *Code of Ethics or Conduct*.
- 2.5 If the *MGA* Executive Council considers that the misconduct is of a more serious nature, then it can request the *Club* to consider the case on behalf of the *MGA* and the *Club's* Disciplinary Process will be initiated forthwith.
- 2.6 In any of the above procedure, if an *MGA* Executive Council member is involved in the case due to the offence having been committed either directly by him or directly against him, then the *MGA* Executive Council member must refrain from having any decision on the matter including trying to influence the rest of the Executive Council members.

NB: The *MGA's* Grievance Procedures; Code of Ethics and Code of Conduct are linked to this process.

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March 2025