



NSWFA Black Card Policy

(Approved by the NSWFA Executive – July 2014)

This NSWFA Black Card Policy is consistent with and operates in conjunction with the Reciprocal Black Card Policy agreed by Australian State fencing associations.

Black cards are issued, in accordance with the FIE Rules of Fencing, for breaches of orderly and proper conduct.

1. Scope of the NSWFA Black Card Policy

This policy covers:

- 1.1 the circumstances in which a black card may be awarded;
- 1.2 the sanctions that will apply to the recipient of a black card;
- 1.3 nominates the officials with the authority to issue a black card;
- 1.4 describes the process to be followed when a black card is issued;
- 1.5 explains the grounds on which an appeal can be made against the award of a black card.

2. Who may issue a black card at a NSWFA fencing activity

A black card may be given by the following authorised issuers:

- 2.1 The referee in charge of a fencing bout;
- 2.2 A member of the Directoire Technique;
- 2.3 The State Officiating Director;
- 2.4 A member of the NSWFA Executive who is the Duty Executive at the event;
- 2.5 A member of the NSWFA Executive who witnesses the incident;
- 2.6 The President of a club that is hosting a NSWFA competition, e.g. a regional competition;
- 2.7 The coach in charge of a camp or squad training session.

3. Who may receive a black card

- 3.1 A fencer participating in a bout or training activity who, in the opinion of the authorised issuer, transgresses the FIE Technical Rules (see point 5).

3.2 Any other person present at the fencing competition, including other fencers, coaches and spectators who, in the judgement of the authorised issuer, transgresses the FIE Technical Rules.

4. Where a black card may be issued

4.1 A black card may be issued at any official NSWFA fencing activity, including competitions, camps and squad training.

4.2 A black card may be issued anywhere within a venue in which a NSWFA fencing activity is being conducted.

5. Circumstances in which a black card can be issued

Black cards may be issued in accordance with the FIE Technical Rules which can be found here: [www.fie.ch/download/rules/en/book t jan 2014.pdf](http://www.fie.ch/download/rules/en/book_t_jan_2014.pdf)

The offences covered by the FIE Technical Rules are summarised at **Attachment A**.

A guide to these rules is attached to scoresheet clipboards for ready reference. A convenient summary can also be found at:

[www.fie.ch/download/rules/en/t.120 jan 2014.pdf](http://www.fie.ch/download/rules/en/t.120_jan_2014.pdf)

Note: Offences for which black cards may be issued include:

- throwing or kicking equipment (e.g. masks, weapons) in a violent or dangerous manner;
- going near the piste and giving advice to fencers during a bout;
- criticising, insulting, threatening or trying to influence a referee;
- refusing to salute at the beginning or end of a bout;
- disorderly conduct disrupting the smooth running of a bout.

6. Sanctions

First black card:

6.1 The recipient of a black card, subject to the outcome of any appeal, will not be permitted to participate in any NSWFA competition or other activity for a period of two months from the date of issue of the black card or a determination of the Appeals Panel upholding the black card.

6.2 In accordance with the Reciprocal Black Card Policy, NSWFA will inform other State Associations and the person who received the black card will not be permitted to participate in any other State level event for the same two month period.

Second black card:

6.3 The recipient of a second black card within 12 months of the first will not, subject to the outcome of an appeal:

- 6.3.1 be permitted to enter any NSWFA or State level competition for a period of two months from the issue of the black card.
- 6.3.2 Be nominated for entry to the next AFF national tournament at which they would have been eligible to compete.
- 6.3.3 Be registered or nominated (in accordance with the AFF's Black Card Policy) for international events, for which they would have been eligible to compete, until the conclusion of the national event referred to in 6.3.2.

Third black card:

6.4 The recipient of a third black card within 24 months shall be deemed a repeat offender and also be subject to the FIE Disciplinary Code.

7. What happens when a black card is issued

- 7.1 The fencer or other participant who receives the black card is immediately disqualified from the competition, forfeiting the bout in which the black card was awarded, and, on request, must leave the premises in which the competition is being held.
- 7.2 The fencer's results in the competition will be annulled.
- 7.3 At a competition, when a black card is given, the authorised person who gave the black card must immediately inform the Directoire Technique of the circumstances and reason for the black card.
- 7.4 The authorised person who issued the black card must, within two days, make a written report describing the circumstances in which the black card was issued and the reason for issuing it. If the person who issued the black card is a referee, a copy of the written report should be provided to a member of the DT who was managing the competition at which the incident occurred and who may then make any further relevant comment. The reports must be submitted within two days to secretary@nswfencing.org.au
- 7.5 Depending on the outcome of any appeal, NSWFA will inform the AFF and other State fencing associations of the award of a black card. The Reciprocal Black Card Policy agreed by State associations will then apply.

8. Grounds for appeal

- 8.1 If the person against whom the black card was issued wishes to appeal against the award of the card, that person must lodge an appeal within seven days of the issue of the card. The appeal must be in writing and sent by email to secretary@nswfencing.org.au
- 8.2 An appeal cannot be based on disputing the factual determination of the authorised person who issued the black card. An appeal can only be based on the interpretation

of the rules in the circumstances or that the determination was affected by actual bias.

8.3 The State Officiating Director will refer the appeal to an independent Appeals Panel of three people over the age of 18, one whom must be an AFF accredited referee.

8.4 The members of the Appeals Panel will be appointed by the Executive.

8.5 The Appeals Panel will first consider whether the appeal is based on valid grounds (as in 8.2). If the Panel decides the appeal is not valid, it will dismiss the appeal and confirm the sanctions specified in this Policy.

8.6 If the Appeals Panel decides the appeal is based on valid grounds, it may then consider:

8.6.1 the appeal lodged by the fencer against whom a black card was awarded;

8.6.2 the reports submitted by the referee, a member of the Directoire Technique, the Duty Executive or a member of the Executive who witnessed the incident, the State Officiating Director;

8.6.3 evidence provided, at the request of the Appeals Panel, by first hand witnesses;

8.6.4 any additional facts the Appeals Panel may wish to seek from any of the parties involved;

8.6.5 any legal or other professional advice the Appeals Panel may think it appropriate to seek.

8.7 An appeal will be decided within fourteen days of the lodgement of the appeal and the appellant will be informed in writing of the decision of the Appeals Panel

8.8 During the period between lodgement of the appeal and communication of the decision of the Appeals Panel, any sanction is suspended and the recipient of the black card will be able to participate in NSW, inter-State and National events.

9. NSWFA Code of Conduct

Actions which result in the award of a black card, may also be considered under the NSWFA Code of Conduct.

Penalties under the Code include suspension or expulsion from membership of NSWFA at the discretion of the Executive.

Attachment A

A summary of offences for which a black card may be issued in accordance with the FIE Technical Rules.

Group 3 offences:

On a second offence for:

- Fencer disturbing order on the piste (t.72, 82.3, 83, 96.2)
- Dishonest fencing (t.87.1)
- Offence in breach of the FIE Publicity Code
- Any person not on the piste (e.g. a coach or spectator) who is disturbing order (t.82, 83, 96.3, 118.3)

Group 4 offences:

On a first offence for:

- Use of electronic equipment allowing the fencer to receive communications during the course of the bout (t.43, 1.f, 44.2, 45.3.vii)
- Fraudulent, falsified or displaced control marks (t.45.3.a.iii/iv/v)
- Equipment altered to permit touches to register, or for non-functioning equipment, at will (t.45.3.a.v.)
- Refusal of a fencer to fence any other fencer properly entered (individual or team match) (t.85.1)
- Offence against sportsmanship such as violently or dangerously throwing a mask or other piece of equipment (t.87.3, t.105.1)
- Disorderly conduct disrupting the smooth running of the competition; going near the piste during a bout; giving advice to fencers during a bout; criticising, insulting, threatening or trying to influence a referee (t.83)
- Refusal to salute the opponent, the referee or the public at the beginning and the end of a bout (t.87.3)
- Favouring the opponent, profiting from collusion (t.88, 105.1)
- Intentional brutality (t.105.1)
- Doping (t.127)

////