
Appendix B

CODE OF CONDUCT

CHAPTER I

PREAMBLE

- 1.1 Modern Pentathlon is the multi-disciplinary sport comprising fencing, swimming, horse riding, obstacle racing, shooting and running or any combination thereof under governance of Union Internationale de Pentathlon Moderne (hereinafter “UIPM”).
- 1.2 In this Code of Conduct (hereinafter “the Code”) “UIPM Sports” includes, as far as the context permits, every combination of these disciplines including Biathle (continuous run/swim/run), Laser Run (running and shooting combined event), Triathle (3 disciplines), Tetrathlon (any 4 disciplines) and Pentathlon (5 disciplines); and obstacle discipline.
- 1.3 UIPM is the sole competent authority over UIPM Sports. It exercises its powers worldwide and is recognised as such by the International Olympic Committee (IOC), the International Paralympic Committee (IPC), the Association of National Olympic Committees (ANOC) and the International University Sports Federation (FISU).
- 1.4 UIPM is a member of and supports the mission and ideals of the Association of the Summer Olympic International Federations (ASOIF), the International Pierre de Coubertin Committee, the International Fairplay Committee, the CIEPSS/ICSSPE: the International Council of Sport Science and Physical Education and the Conseil International du Sport Militaire CISM.
- 1.5 The South African Modern Pentathlon Association (hereinafter “SAMPA”) is recognised and accredited by UIPM and the South African Sports Confederation and Olympic Committee (hereinafter “SASCOC”) as the sole representative body of South African UIPM Sports.
- 1.6 The General Meeting (“the GM”) of SAMPA, as the supreme decision-making body of SAMPA and the supreme supervisory authority of all Members of SAMPA (affiliated provinces), their members (districts) and every person or body affiliated to SAMPA and any participant in UIPM Sports, in so far as their involvement with SAMPA. This also applies to organising committees of SAMPA competitions. It further applies to everyone associated with all participants, including managers, agents, coaches, physical trainers, medical staff, scientists, sports organisations, sponsors, lawyers and any person promoting or involved in an athlete’s sporting career, including parents, legal guardians and other family members (all combined referred to as “Person subject to the Code”).
- 1.7 To give effect to its rights and responsibilities, the GM has instituted the Code in accordance with the rules and prerogatives of SAMPA and the GM. The Code is issued

based on UIPM Statutes and the SAMPA Constitution. It restates the commitment of SAMPA to the Olympic Charter and the IOC Code of Ethics, and SAMPA's loyalty to the Olympic ideal inspired by Pierre de Coubertin, the founder of Modern Pentathlon.

- 1.8 The Code will come into effect on 1 September 2025.
- 1.9 The Code may not be invoked where the subject matter of the Complaint:
- 1.9.1 derives from an issue of judgment on the field of play,
 - 1.9.2 is more appropriately covered by applicable competition rules,
 - 1.9.3 is against a SAMPA employee acting as such in circumstances where the procedures in the employee's contract are more appropriate.
- 1.10 Insofar as a parent or legal guardian acts on behalf of a minor athlete, the actions, omissions and conduct of the parent or legal guardian will be deemed as fully representative of the minor athlete and will such actions, omissions and conduct be attributed to the minor athlete.
- 1.11 Insofar as a minor athlete breaches the Code while under the direct supervision of a parent or legal guardian, such parent or legal guardian may be held liable for the breaches committed under his or her direct supervision.

CHAPTER II

RELEVANT CONDUCT

2.1 CORPORATE GOVERNANCE

A Person subject to the Code doing, attempting, agreeing to do or encouraging any of the following is a breach of the Code:

- 2.1.1 direct or indirect solicitation, acceptance or offer of any form of remuneration or commission, or any concealed benefit or service of any nature, connected with any activity under the jurisdiction of SAMPA,
- 2.1.2 not declaring any gift received in connection with any activity under the jurisdiction of SAMPA, to SAMPA; and/or not handing such gift over to SAMPA immediately upon request,
- 2.1.3 participation in any form of betting or support for betting related to any event or activity under the jurisdiction of SAMPA,
- 2.1.4 in any way acting in a situation of an undisclosed conflict of interest involving SAMPA,

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- 2.1.5 breaching of the:
 - 2.1.5.1 UIPM Statutes,
 - 2.1.5.2 SAMPA Constitution,
 - 2.1.5.3 the UIPM Betting and Anti-Corruption Rules,
 - 2.1.5.4 any other Rules of the UIPM,
 - 2.1.5.5 rules, regulations and/or resolutions of SAMPA.
 - 2.1.6 improperly influencing the result of any SAMPA election,
 - 2.1.7 corrupt behaviour of any nature,
 - 2.1.8 dishonest behaviour of any nature,
 - 2.1.9 unlawful possession of any nature.

2.2 DISCRIMINATION

A Person subject to the Code engaging in or encouraging any of the following is a breach of the Code:

- 2.2.1 unfair discrimination of any kind on whatever grounds, including but not limited to:
 - 2.2.1.1 race,
 - 2.2.1.2 ethnicity,
 - 2.2.1.3 sex or gender,
 - 2.2.1.4 sexual orientation,
 - 2.2.1.5 language,
 - 2.2.1.6 religion,
 - 2.2.1.7 political or any other opinion,
 - 2.2.1.8 national or social origin,
 - 2.2.1.9 property,
 - 2.2.1.10 birth,
 - 2.2.1.11 or other status.

2.3 ABUSIVE BEHAVIOUR

A Person subject to the Code engaging in, attempting or encouraging any of the following is a breach of the Code:

- 2.3.1 physical, psychological or sexual harassment,
- 2.3.2 abuse of any kind, be it physical, psychological, professional or sexual,
- 2.3.3 causing of physical or mental injuries,

2.3.4 breaching of the relevant requirements for participants' safety, wellbeing and medical care,

2.3.5 abusive social and electronic media use.

2.4 UNSPORTING CONDUCT

A Person subject to the Code engaging in, attempting or encouraging any of the following is a breach of the Code:

2.4.1 improperly influencing the course or result of any UIPM Sports event,

2.4.2 violating the principles and spirit of fair play,

2.4.3 not entering a competition event as prescribed,

2.4.4 not arriving on time and as prescribed for a competition event,

2.4.5 offences against UIPM Competition Rules, insofar as penalties are not already imposed,

2.4.6 support fellow athletes in an undignified manner,

2.4.7 dishonesty in connection with competition.

2.5 DOPING VIOLATIONS

A Person subject to the Code doing, attempting, agreeing to do or encouraging any of the following is a breach of the Code:

2.5.1 use or possession of a prohibited substance or prohibited method under the UIPM Anti-Doping Rules without valid justification,

2.5.2 failure to cooperate fully with SAMPA or other Anti-Doping Organisations investigating Anti-Doping Rules violations.

2.6 CAUSING DAMAGE

A Person subject to the Code engaging in, attempting or encouraging any of the following is a breach of the Code:

2.6.1 unjustifiably endangering or impairing the reputation of SAMPA,

2.6.2 unjustifiably endangering or impairing the interests or relations of SAMPA,

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- 2.6.3 social and electronic media use that reflect negatively on SAMPA or UIPM Sports,
 - 2.6.4 engaging in illegal behaviour of any kind,
 - 2.6.5 conduct that will bring UIPM Sports into disrepute,
 - 2.6.6 causing damage to the property of others, whether private or public,

2.7 CONDUCT DURING TRAVEL

A Person subject to the Code doing or encouraging any of the following during competition or during the duration of travel during international participation is a breach of the Code:

- 2.7.1 disrespectful behaviour,
- 2.7.2 sporting ill-discipline,
- 2.7.3 competitive participation at less than full capacity,
- 2.7.4 disruptive behaviour,
- 2.7.5 serious disorderly conduct,
- 2.7.6 not adhering to team orders,
- 2.7.7 possession or use of an illegal substance,
- 2.7.8 possession or use of cannabis in any form,
- 2.7.9 not wearing apparel approved by SAMPA.

2.8 BEHAVIOUR OF UNDERAGE ATHLETES

A Person subject to the Code that is underage doing any of the following during competition or during the duration of travel during international participation is a breach of the Code:

- 2.8.1 possession of alcohol,
- 2.8.2 consumption of alcohol,
- 2.8.3 possession of a tobacco product,
- 2.8.4 use of a tobacco product,
- 2.8.5 possession or use of a vaping device,
- 2.8.6 visiting an age restricted establishment,
- 2.8.7 engaging in sexual conduct.

2.9 INDEMNITY

A Person subject to the Code failing to indemnify SAMPA against any claim for damages of whatsoever nature, whether such damages are direct or consequential.

CHAPTER III

COOPERATION

- 3.1 A Person subject to the Code must co-operate fully with any inquiry into a breach of the Code undertaken by SAMPA and on written request must provide specific information which SAMPA considers relevant to investigate any potential breach.

CHAPTER IV

PROCEDURE

- 4.1 Where an allegation is made of a breach of the Code the procedures set out in the Procedural Rules attached below shall be followed unless and to the extent that it is agreed or is just and reasonable to adopt a different approach.

CHAPTER V

PENALTIES AND COSTS

- 5.1 Breaches of the Code may be sanctioned by any one or a combination of the following penalties:
- 5.1.1 private reprimand,
 - 5.1.2 public reprimand,
 - 5.1.3 written warning,
 - 5.1.4 final written warning,
 - 5.1.5 fine of up to fifty thousand Rand (R50 000) per violation,
 - 5.1.6 suspension from specified SAMPA activities and/or events for a certain period,
 - 5.1.7 expulsion from SAMPA,
 - 5.1.8 banishment from all SAMPA and UIPM Sports activities,
 - 5.1.9 confiscation of equipment or items connected with doping, illegal activities and/or cheating,
 - 5.1.10 removal from function, office or duties for such period as is reasonable,
 - 5.1.11 in addition, the Disciplinary Committee may make an order for payment of the costs of and incidental to the disciplinary hearing including costs incurred by the complainant, and the cost of convening the hearing and associated with the hearing. Costs shall be reasonable and proportionate. Liability for costs will normally follow the event.

5.2 FINES

- 5.2.1 Fines shall be paid when and, in the manner directed but not later than sixty (60) days from the date of the order in question. Fines become the property of SAMPA. In default of timely payment, the outstanding balance will bear interest at the highest legal interest rate applicable pursuant to South African law.
- 5.2.2 Fines are an alternative or additional sanction to a reprimand, written warning, final written warning, removal or suspension.
- 5.2.3 The SAMPA Disciplinary Committee may impose a fine of up to but no more than ten thousand Rand (R10 000) per violation.
- 5.2.4 The Executive Board may impose a fine of up to fifty thousand Rand (R50 000) per violation.

5.3 SUSPENSION, EXPULSION AND BANISHMENT

- 5.3.1 Suspension from specified SAMPA activities and/or events for a certain period means that the sanctioned Person subject to the Code will be prohibited from participating and/or attending specific activities and events organised or hosted under the auspices of SAMPA for a clearly defined period not exceeding four (4) years, however, the person's status as affiliate or associate of SAMPA will not be suspended.
- 5.3.2 Expulsion from SAMPA means that the sanctioned Person subject to the Code will be removed from and prohibited from attending all SAMPA activities, events, positions, functions and affiliations for a specific period not exceeding six (6) years.
- 5.3.3 Banishment from all UIPM Sports activities mean a sanctioned Person subject to the Code is permanently banned from attending, participating or in any way be involved with SAMPA or any activities under its auspices.
- 5.3.4 Unless otherwise specified suspension, expulsion and banishment shall immediately come into effect.
- 5.3.5 In case of breach of suspension by an athlete, the athlete's results of competitions in the suspended period are void, and the suspension period originally imposed shall start again from the date of violation.
- 5.3.6 In case of breach of suspension by a Person subject to the Code, who did not compete at an event, the suspension period originally imposed shall start again from the date of violation.

5.4 CONFISCATION OF EQUIPMENT

- 5.4.1 Any equipment used by an athlete and not compliant with the UIPM Competition Rules may be seized and confiscated by the competition organiser in consultation with the Board and on request and at the expense of the athlete may at the Board's discretion be returned to the athlete.
- 5.4.2 Any equipment utilised in a breach of the UIPM Competition Rules, or this Code may be confiscated by the Board.

CHAPTER VI

DISCIPLINARY PROCEDURES

6. Disciplinary Procedures:

6.1 *A Complaint:*

- 6.1.1 may be laid by any Member of the Association, and
- 6.1.2 may only be laid against any Member of the Association, and
- 6.1.3 must be made in writing and must state what rule has allegedly been broken and briefly state the facts upon which the complaint is based, and
- 6.1.4 shall state the name of the person or body against whom the complaint has been laid (and, where available, that person's contact details) and shall state the name of the complainant and contact details (where the complaint has been laid on behalf of another party, that party's name must be given and the complaint must state whether that party is aware of the complaint and has agreed to it being laid), and
- 6.1.5 must be delivered in writing to the Secretary General or where the complaint concerns the Secretary General, to the President of the Association.

6.2 *Drawing up of the charge:*

- 6.2.1 Any complaint duly lodged shall be immediately forwarded to the Disciplinary Committee.
- 6.2.2 If the complaint is laid by or against a member of the Disciplinary Committee, that member shall be recused from serving on the Disciplinary Committee in that matter.
- 6.2.3 The Disciplinary Committee shall peruse the complaint and decide whether the complaint could sustain a valid charge.

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- 6.2.4 If the complaint can sustain a valid charge, a charge sheet shall be drawn up, indicating the name of the person accused, the nature of the offence, the rule broken (where applicable), the complainant (in the case of a highly sensitive matter the name of the complainant may be omitted from the charge sheet, with a statement that there are valid reasons for omitting the name which may not be due to any conduct on the part of the person accused and that the name will be disclosed at the hearing), and the time, date and place of the hearing.
- 6.2.5 The charge sheet shall indicate that the person accused has:
- 6.2.5.1 the right to representation by another Member but may not be represented by a legal professional, and
 - 6.2.5.2 the right to call witnesses, who must be present at the hearing, and
 - 6.2.5.3 the right to fully state her, his or its case.
- 6.2.6 If the complaint cannot sustain a charge, the complainant shall be advised of that fact in writing as soon as possible.
- 6.3 *Service of the charge sheet:*
- 6.3.1 The charge sheet shall be served on the person accused (hereinafter referred to as the respondent) by electronic mail to the respondent's official address on record with the Association and the respondent shall acknowledge receipt in accordance with the prescriptions provided by the Disciplinary Committee.
 - 6.3.2 Where receipt of the charge sheet is not electronically acknowledged, it may be delivered to the respondent personally or alternatively to the address reflected on their affiliation form.
 - 6.3.3 Where there is personal service, the respondent shall be requested to sign a copy of the charge sheet to indicate receipt. At the same time, the date, time and place of service must be reflected on the copy. If the respondent refuses to sign the copy, proof of service may be given by the person so serving it certifying in writing that it was served at the relevant time, place and date and that the respondent refused to sign receipt or refused to receive or sign the charge sheet.
 - 6.3.4 It shall be a disciplinary offence to refuse service of the charge sheet (receipt of the charge sheet does not imply admission of guilt) for which a sanction of Suspension may be imposed.

6.4 *Time, place and date of hearing:*

- 6.4.1 The respondent shall not be given less than five (5) working days' notice of a hearing.
- 6.4.2 Save where the respondent otherwise agrees, a hearing shall take place during a weekday in the evening and after 19h00.
- 6.4.3 Where reasonably possible a hearing shall take place at a venue close to the respondent's place of residence.
- 6.4.4 At the election of the Disciplinary Committee any hearing may be conducted by remote electronic conferencing.

6.5 *The presiding officer:*

- 6.5.1 The presiding officer shall be the Executive Board office bearer for discipline and adherence, or if unavailable, implicated in the matter or otherwise not suitable to adjudicate on the matter, another member of the Executive Board's Disciplinary Committee, who is not implicated nor has a vested interest in the matter.
- 6.5.2 Where one member of the Disciplinary Committee is delegated to hear a matter, and it is apparent in their opinion, that the matter is sufficiently complex or sensitive, the presiding officer may adjourn the hearing and order that it recommence before a reconstituted panel and shall state how many persons in their opinion should hear the matter.
- 6.5.3 The Disciplinary Committee shall reconvene the hearing with more than one member hearing it. The same person who adjourned the initial hearing may be a member of the panel hearing the reconvened matter.

6.6 *The prosecution of the complaint:*

- 6.6.1 The complainant, who shall also be entitled to representation by a Member though not by a legal professional acting in that capacity, shall be invited to present the case against the respondent.
- 6.6.2 Where the complaint originates from the Association, Executive Board, a Provincial member, Associated Member or Provisional Member, such Body shall appoint someone to present the case on their behalf.

6.7 *Absence from the hearing:*

- 6.7.1 In the event of the complainant being absent twenty (20) minutes later than the time set down for the hearing to start, without having provided a reason for the absence before the expiry of the twenty minutes, the charge shall be

dismissed. Should the complainant wish to revive the charge they will have to file a fresh complaint and provide reasons for the previous absence.

6.7.2 In the event of the respondent being absent after twenty (20) minutes later than the time set down for the hearing to start, the matter shall be postponed. The respondent shall be advised of the new date, time and place of the hearing and be advised that they must adequately explain their absence at the previous hearing, failing which one of the following sanctions may be imposed for such absence:

6.7.2.1 a suspension of no more than one month; and/or

6.7.2.2 a fine of no more than one thousand Rand (R1000).

6.7.3 Should the respondent fail to be present within twenty (20) minutes after the time set for the matter to recommence after it has been postponed in terms of Clause 3.7.2, the matter may continue in the respondent's absence.

6.8 *The hearing:*

6.8.1 The hearing shall follow the following format:

6.8.1.1 The charge shall be read to the respondent, after which the respondent shall be asked to acknowledge that they understand the charge and knows what it pertains to.

6.8.1.2 The respondent shall be asked to either admit or deny the charge.

6.8.1.3 The complainant shall present their case.

6.8.1.4 Where evidence is led, the complainant shall lead the witness, who may be cross examined by the other parties to the matter.

6.8.1.5 Re-examination shall only be allowed with the permission of the presiding officer.

6.8.1.6 At the close of the complainant's case, the respondent may ask for the case to be dismissed for want of a *prima facie* case.

6.8.1.7 If the respondent's request is refused, or if no such application is made, the respondent shall present its case and Clause 3.8.1.4. and 3.8.1.5. shall apply *mutatis mutandis*.

6.8.1.8 Where evidence has been led, the complainant may address the hearing in closing and the respondent may then answer.

6.8.1.9 Although the hearing shall not be held in accordance with the strict formality of court proceedings, the general principles as to the

laws of evidence shall be applied, save where they conflict with these rules.

6.8.1.10 Evidence may be tendered by way of affidavit but shall be accorded lesser weight than *viva voce* evidence and shall be disregarded to the extent that there is direct and reliable *viva voce* evidence to contradict it.

6.8.1.11 The *onus* shall be on any party alleging a fact to prove that fact.

6.8.1.12 The *onus* shall be on the complainant to prove their case on the balance of probabilities.

6.9 *The decision:*

6.9.1 A decision may be reserved at the end of the hearing.

6.9.2 Reasons shall be furnished for the final decision reached, although it is not required that a complete judgment be given. Reasons for judgment shall include the material facts found to be proved and any points of law or rules of the Association relied upon in coming to the decision reached.

6.9.3 The decision shall be communicated to the respondent before it can have any force or effect.

6.10 *The sanction:*

6.10.1 If the respondent is found guilty of the charge, the respondent shall have the right to lead evidence and/or make any submissions regarding the sanction to be imposed.

6.10.2 The complainant shall have the right to answer, by also leading evidence and/or making submissions regarding the sanction to be imposed.

6.10.3 Where the hearing was postponed for judgment on the merits of the charge, the hearing must be reconvened to hear the evidence and/or submissions on the sanction to be imposed.

6.10.4 If judgment on the sanction is reserved, the decision shall be communicated to the respondent before it can have any force or effect.

6.11 *Appeal:*

6.11.1 Both the respondent, if found guilty, or the complainant, shall have the right to appeal to the Executive Board of the Association, provided that a written notice of appeal is lodged with the Secretary General not later than seven (7) days after the decision of the Disciplinary Committee has been communicated to the respondent and complainant. Such notice of appeal

shall set out the grounds upon which the appeal is based and whether it is directed against the finding of guilt or the sanction imposed.

- 6.11.2 The Secretary General shall place the appeal on the agenda of the next meeting of the Executive Board.
- 6.11.3 The notice of appeal shall be sent to the respondent, the complainant and the member or members of the Disciplinary Committee which heard the matter.
- 6.11.4 Both the complainant and the respondent shall be afforded the opportunity to present written argument to the Executive Board before it makes its decision on the merits of the appeal. The member or members of the Disciplinary Committee shall be entitled to comment on the arguments so presented.
- 6.11.5 The Executive Board shall deal with the appeal at the earliest reasonable opportunity, after having given the parties a reasonable time to make their representations, as provided for herein.
- 6.11.6 The Board shall provide brief reasons, in writing, for arriving at its conclusion in deciding the appeal.

6.12 *Miscellaneous:*

- 6.12.1 Any suspension or expulsion of a Provincial, Associated or Provisional Member shall be referred to a Special General Meeting after an appeal has been heard or the time for lodging an appeal has expired for ratification, subject to the right of the Disciplinary Committee, or the Executive Board where an appeal has been dismissed, to suspend such suspension or expulsion pending the outcome of that meeting.
- 6.12.2 In the event of the complainant withdrawing the complaint, save as provided hereinbelow, after the respondent has been asked to admit or deny the charge, the respondent shall be entitled to a finding of not guilty.
- 6.12.3 Where the matter cannot continue for any reason beyond the control of the complainant or the respondent and which is not related to the merits of the matter, the matter shall be null and void.
- 6.12.4 Once a finding has been made or a hearing has been abandoned, the Disciplinary Committee hearing the matter shall be discharged and shall have no further role in the matter, save regarding the right to comment to the Executive Board hearing an appeal on the notice of appeal or the arguments presented by the parties, as provided hereinabove.
- 6.12.5 In calculating time periods weekends and public holidays shall be excluded.

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- 6.12.6 In the event of the Disciplinary Committee refusing any postponement, it shall be obliged to give written reasons for doing so.
 - 6.12.7 It shall constitute a disciplinary offence to prevent or obstruct any evidence being placed before the Disciplinary Committee hearing a matter.
 - 6.12.8 A Disciplinary Committee hearing a matter shall only be seized of the matter once the matter serves before it.