



SOUTHERN AFRICA CAT COUNCIL

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PROCEDURAL GUIDELINES WITH REGARD TO COMPLAINTS (SACR D12)

Definitions

Complainant:	The person/ party that makes a complaint or files a formal charge against a person/s, SACC member or affiliated member.
Respondent:	A person/ party, SACC member or affiliated member against whom a complaint is filed.
Investigating committee:	An ad hoc ethics committee appointed by the GC of SACC to investigate a specified complaint; or the judges panel investigating a complaint against a judge; or the member or affiliated member dealing with a complaint referred to it in terms of paragraph 28.5.2 of the SACC Constitution.
Review, investigate and determine:	This means full disposal of the complaint, i.e. investigate, collect and consider evidence, make findings, decide on and impose appropriate penalties.

Procedure to file a complaint

1. No complaint will be considered for investigation unless submitted in writing.
2. Complaints should preferably be submitted to the body that is most closely associated with the event leading to the complaint at the time, as outlined in paragraph 28.5 of the SACC Constitution. This would mean:
 - 2.1 In the event a complaint that shall be delegated as contemplated in paragraph 28.5.1, was lodged directly with the Central Office of SACC, the registrar shall forward the complaint to the appropriate judges' panel for review, investigation and determination.
 - 2.2 In the event a complaint that may be delegated as contemplated in paragraph 28.5.2, was lodged directly with the Central Office of SACC, the registrar shall forward the complaint to the GC of SACC, for a decision on whether to refer it to the appropriate member or affiliated member for review, investigation and determination.

2.3 In the event a complaint that may be delegated as contemplated in paragraph 28.5.3 was lodged directly with the Central Office of SACC, the registrar will forward the complaint to the GC of SACC, for a decision on whether to accept it for investigation.

Procedure to investigate a complaint

3. If accepted for investigation, Governing Council may appoint an ad hoc ethics committee, comprising of persons with suitable experience, knowledge and in good standing in SACC, to investigate the complaint and provide advice to the GC of SACC. Such appointment shall be made in writing. The ad hoc ethics committee **may** use the provisions of the **SACC Procedural Guidelines with regard to Complaints** to investigate the complaint.
4. The GC of SACC may, in its sole discretion, mandate and authorise the appointed ethics committee to review, investigate and determine the complaint without further reference to the GC of SACC. The GC of SACC shall advise the appointed ethics committee of such mandate and authority in writing at the time of its appointment.
5. For complaints referred to a judges' panel or SACC member or affiliated member, such body may use its own disciplinary procedures, or the show rules provisions as the case may be or may elect to use **these SACC Procedural Guidelines with regard to Complaints** to investigate the complaint. Such bodies, however, do not provide advice to or require a decision from the GC of SACC. Instead, they address the complaint to its final conclusion.
6. Correspondence between the complainant and SACC or its delegated members, affiliated members or advisory ethics committee remains confidential; the complainant may, however, agree in advance in writing that SACC may provide copies of correspondence between it and SACC, to the respondent. The complainant may specify that only certain correspondence be disclosed to the respondent.
7. The respondent is entitled to Legal Representation.
8. The investigating committee shall send a copy of the complaint to the respondent within 7 days of the decision to investigate the complaint and request a written response within 14 calendar days from date of letter/fax/email. The respondent should be advised of the possible consequences of non-compliance (for example, but not limited to, suspension or deregistration and no entry to shows.)
9. If the respondent's written response is not received within the required time period, another written notice shall be sent to the respondent requesting a written response (within a further 14 calendar days from date of the notice) to the complaint. Failing that, the investigating committee may advise the Governing Council to suspend/cancel the respondent's registration or any other appropriate sanction or penalty will be imposed. The respondent must be notified in writing of the outcome and consequences of his/ her non-compliance.

10. After timeous receipt of the respondent's written response to the complaint, the investigating committee, as outlined in the SACC Constitution Article 4 paragraph 28.5, shall proceed to investigate the complaint. This may include visiting and investigating the respondent's facilities, by appointment (if pertinent to the substance of the complaint); or make any other enquiries, collect any other information and evidence, including supplementary information from the complainant, or investigate as appropriate.
11. In its capacity as advisory body to the GC of SACC (except if appointed as provided for in paragraph 4 above), the ad hoc ethics committee shall provide a written report to the GC of SACC, which shall include details of its investigation, its findings and recommendations. The GC of SACC shall make a determination of guilt or otherwise, and decide on appropriate penalties.
12. When relevant, penalties may be suspended for a specified period to allow the respondent to make such corrections to behaviour, cattery conditions or as the case may be, as directed by the GC of SACC in its determination of the complaint.
13. A written response, within 45 calendar days of the GC of SACC making a decision as per paragraph 11 above, will be given to the respondent and complainant by the GC, advising the parties of the outcome of the complaint and investigation.

Additional involvement of the ad hoc ethics committee in complaints regarding cat welfare, cattery conditions or other relevant cases

14. Advice and guidance will be given to the respondent by the investigating committee and the steps required to rectify the situation will be documented by this committee. The respondent will be given a fixed time frame (depending on the nature of the complaint and remedial action required) within which to rectify the situation. This will be confirmed in writing.
15. After the lapse of the time frame decided on in paragraph 14 above, the investigating committee will visit the respondent's facilities again or make such other enquiries or investigate as appropriate to determine whether the required remedial action had been taken.
16. In the event that the situation had not been rectified, or the investigation proves that the respondent remains in breach of SACC's Rules and Constitution, the investigating committee shall report this to the GC of SACC within 14 calendar days; whereupon the GC of SACC may effect the suspended penalties contemplated in paragraph 13 above.
17. The investigating committee should submit a written report/ response to the respondent within 14 calendar days of its findings.
18. In the event that the respondent's SACC registration privileges had been suspended, the respondent will be given a further opportunity to rectify the situation and paragraphs 15 to 17 above will apply.

19. Where the respondent again fails to rectify the situation to the investigating committee's satisfaction, or where further complaints are received, he could have his registration privileges suspended and/or refused entry to shows, or a further penalty or sanction could be imposed, as decided by the GC of SACC. The Secretary of GC must advise the respondent in writing of any of the latter decisions.
20. It is at the investigating committee's discretion as to when (or whether) a recommendation can be made to the GC of SACC that the respondent may have registration privileges reinstated and/or again allowed entry to shows or have any other penalty that might have been imposed, rescinded.

Appeals

21. A respondent may lodge an appeal against the findings of an investigating committee **within 30 days of receipt of the outcome and providing that further concrete evidence in support of the claim is included together with the lodged appeal.**
 - 21.1 Appeals against the findings/ decisions of a Judges' Panel shall be lodged with Judges' Council.
 - 21.2 Appeals against the findings/ decisions of a club committee or ad hoc committee shall be lodged with Governing Council.