

# PASA CODE OF CONDUCT AND DISCIPLINE

## 1 Code of Conduct

### 1.1 Introduction

The Parachute Association of South Africa and its members shall, at all times, comply with all applicable rules and regulations as laid down and amended from time to time. PASA will not condone the activities of members who violate these rules and regulations or engage in any action which may bring PASA or the sport into disrepute. All activities of PASA should be conducted in a manner well above any minimum standards required. Members must ensure that their actions cannot be interpreted as being in any way in contravention of the rules and regulations of PASA.

PASA expects its officials and members to subscribe to an ethical code of conduct based upon the three tenets of beneficence (the duty to do good), non-maleficence (the duty to do no harm) and justice (offenders to be treated fairly and required to rectify their wrongdoings and face sanction for their transgressions).

A code cannot cover every conceivable contingency and although it can be reasonably prescriptive in so far as the behaviour of officials is concerned, in the case of individual parachutists, one can only provide a guideline as to the type of behaviour that they should aspire to. PASA members are to act in PASA's best interests. PASA members shall recognise their common responsibility to maintain good relations between PASA and the general public and they shall not compromise the integrity or damage the reputation of PASA. PASA funds and all other assets of PASA are for the use of PASA only and not for personal benefit.

### 1.2 Application

The code applies equally to all levels of the organisation from employed staff, Management Council members (both elected and co-opted), ordinary members and *ad hoc* appointed officials which may include but not be limited to event directors and competition administrators, judges and ground crew.

### 1.3 PASA Officials

PASA officials are expected to execute their respective portfolio responsibilities with diligence, enthusiasm, integrity and in accordance with the above principles by adhering to the following at all times:

- 1.3.1 Maintain exemplary standards of personal, professional and ethical conduct in fulfilling all aspects of the position of a PASA Management Council member and/or Officer, including while interacting with PASA members and all external organisations and individuals.
- 1.3.2 Act in the best interest of PASA while avoiding actions or decisions that could either bring PASA into disrepute or be construed as unethical, illegal or contrary to the public interest.
- 1.3.3 Communicate openly, honestly and in a timely fashion, while respecting confidentiality and individual rights, with PASA members and any other individuals or organisations having a relationship with PASA.
- 1.3.4 Ensure that all regulations, guidelines and requirements are made freely available, conscientiously applied, upheld, regularly reviewed and amended.
- 1.3.5 Investigate, evaluate, act and report on any safety, technical, procedural or disciplinary matters brought to their attention timeously in accordance with current regulations, devoid of favouritism and unencumbered by any external influences.

- 1.3.6 Disclose any potential conflict of interest situation resulting from involvement in PASA activities and, where appropriate, exclude themselves from involvement in such activities.
- 1.3.7 Keep privileged information confidential except in circumstances when doing so would result in a breach of regulations or ethical conduct.
- 1.3.8 Confidential information must be dealt with in terms of PASA's Privacy Policy.
- 1.3.9 Actively encourage diversity throughout the activities of the organisation.
- 1.3.10 Refuse to engage in or sanction discrimination on the basis of race, gender, age, religion, national origin, sexual orientation, physical appearance, or disability.
- 1.3.11 Exercise proper, legal and appropriate financial responsibility in all dealings with or on behalf of PASA through maintaining accurate accounts and asset registers as well as being proactive in pursuing debtors.

#### **1.4 PASA rating holders**

Rating holders are the most visible of all PASA members in respect of exposure to public scrutiny and should therefore:

- 1.4.1 Ensure that they are appropriately licensed;
- 1.4.2 Maintain logbooks, as may be required;
- 1.4.3 Comply with all requirements with regards to the ratings they hold;
- 1.4.4 Treat other rating holders, PASA members and members of the public with respect and common courtesy;
- 1.4.5 Behave in a professional and creditworthy manner at all times;
- 1.4.6 Report any safety related event or hazardous actions accurately and timeously;
- 1.4.7 Instructors have additional responsibilities in introducing new members to the sport and must therefore ensure that they:
  - a. Emphasize safety at all times;
  - b. Only progress students who have comfortably achieved the required skills and knowledge taught in the earlier stages of instruction;
  - c. Ensure that the training curriculum is fully covered as a minimum;
  - d. Maintain their personal training qualifications and strive to advance their own proficiency, knowledge and teaching skills.
  - e. Embody the qualities of an Instructor as outlined in Section 3 of the PASA Standard Operating Procedures.

By becoming a member of PASA, members agree to actively abide by this Code of Conduct. Members accept that they will be held accountable for any deed or action that does not comply and this may result in disciplinary action being taken.

## 2 Discipline

It is the responsibility of every PASA member to adhere to all the rules and regulations as specified in the SA-CAR, SA-CATS, the PASA Manual of Procedures, the PASA Standard Operating Procedures, the PASA Constitution and the PASA Code of Conduct.

### 2.1 Reporting

- 2.1.1 Should any member, as a result of a written complaint by any other member, in the opinion of the Management Council, commit any breach of the Code of Conduct or Rules and Regulations of the Association or commit any act prejudicial to the interests, reputation or good name of the Association, the Management Council, on instruction from the Chairman, shall have the following powers:
- 2.1.1.1 To appoint members to serve on an ad hoc disciplinary committee, should one be required, to investigate the matter.
  - 2.1.1.2 Should the Management Council be convinced by the evidence available that an infringement of the rules and regulations did take place, a written notification of a Formal Disciplinary Hearing shall be sent to the alleged offender via email or registered letter, giving at least 14 days' notice of the time, date, venue of the hearing and the charge. The Management Council and the individual has the power to call any other person as witness to testify for or against. The defendant will be responsible for their own cost to attend the hearing.
  - 2.1.1.3 To expel such member and to terminate their membership after 2.1.1.2.
  - 2.1.1.4 To call upon such member to resign, and if they fail to resign within seven days, to expel such member, after 2.1.1.2.
  - 2.1.1.5 Should the defendant not attend the formal hearing and not offer a valid excuse for his failure to appear, a decision will be handed down by the Chairman of the hearing. After review of the decision by the Management Council, in the absence of the defendant, it will be decided whether or not to make the decision binding on the defendant.
  - 2.1.1.6 For any violation, at the discretion of the PASA Management Council, a verbal warning can be given followed by a written warning, if necessary or, if the infringement warrants, hand them over to the Director in terms of SA-CAR Part 149.
  - 2.1.1.7 Records must be kept of all correspondence relating to hearings and disciplinary actions and meetings and hearings must be minuted.
- 2.1.2 The ADZO or its nominated individuals, or anyone empowered by the PASA Manual of Procedures and Standard Operating Procedures, shall have the right to suspend any members (including both individuals and organisations) from participating in or affording others the opportunity to participate in parachuting activities under the following conditions:
- 2.1.2.1 Said member has contravened the Code of Conduct of PASA.
  - 2.1.2.2 Said member has contravened any rule or Basic Safety Requirement as contained in the Standard Operating Procedures and the PASA Code of Conduct.
- 2.1.3 The ADZO or its nominated individuals have the right to impose such lesser conditions of suspension e.g. verbal or written warnings, as are deemed appropriate at its own discretion. When appropriate, such written warnings are to be issued on PASA Form 6 – Discipline Notification.
- 2.1.4 The Management Council's decision in respect of any matter of discipline shall be final provided that the member's right of appeal to SACAA is not precluded by this provision.

## **2.2 Appeals**

- 2.2.1 In the case of disciplinary decisions by the Management Council of PASA, an appeal may be lodged with SACAA.
- 2.2.2 In the case of disciplinary decisions by the ADZO or its nominated individuals, an appeal may be lodged with the Management Council of PASA in which case:
  - 2.2.2.1 such appeal must be lodged in writing within 21 days after the decision;
  - 2.2.2.2 the Chairman, after consultation with the Management Council, shall determine the meetings, appoint members to serve on an ad hoc disciplinary committee, if required, to investigate the matter or appoint a person to chair the disciplinary hearing;
  - 2.2.2.3 the member has the right of appearance during the hearing of the appeal;
  - 2.2.2.4 the member may be assisted by a representative, legal or otherwise;
  - 2.2.2.5 the member is responsible for their own cost to attend the hearing;
  - 2.2.2.6 records shall be kept of all proceedings;
  - 2.2.2.7 after weighing up all the evidence and considering mitigating factors, the Chairman of the disciplinary hearing shall communicate its findings to the Management Council for ratification and, if the member is found guilty, an appropriate penalty will be applied;
  - 2.2.2.8 the Management Council shall hand its final decision on the matter to the relevant authority should further action of a regulatory nature be required.
- 2.2.3 In the case of point 2.2.2. where the appeal is turned down, point 2.2.1 applies.
- 2.2.4 Once a disciplinary decision has been delivered, that decision is deemed to rule, notwithstanding any appeals that may be lodged, for the duration of the decision or until any appeal is upheld.

## **2.3 Record keeping**

PASA will keep records of all infringements, hearings and rulings for a period of 5 years.