



FOOTBALL FEDERATION SA INC. (FFSA)

DISCIPLINARY PROCEDURE

1. Rationale

1.1 As per the Football Federation Australia (FFA) National Disciplinary Regulations, and FFA Grievance Resolution Regulations, the Football Federation South Australia (FFSA) has the right to impose disciplinary sanctions to enforce and encourage compliance with the FFA National Registration Regulation and the FFSA Competition Rules.

2. FFSA's Jurisdiction

2.1 This Disciplinary Procedure shall apply exclusively to facilitate the expeditious and fair resolution of disputes that arise between participants within the state of South Australia, including an entity (Association and Club) and/or an individual (including a Player, Official, or Coach).

2.2 Each entity and/or individual shall submit exclusively to the jurisdiction of this Disciplinary Procedure, and agrees that unless this procedure has been exhausted, it will not attempt to resolve the grievance in accordance with the FFA Grievance Resolution Regulations, or in a court of law.

3. Establishment of the Disciplinary Committee

3.1 The Disciplinary Committee shall be established by FFSA that is independent and impartial. At any one hearing the Disciplinary Committee shall comprise of between three (3) and five (5) members and shall include as chairperson a legally qualified person to provide consistency across the entire sport.

3.2 The Disciplinary Tribunal sitting from time to time shall be drawn from the panel.

4. Jurisdiction of the Disciplinary Committee

4.1 The Disciplinary Committee shall hear and determine, and where appropriate impose sanctions against an entity and/or individual in respect of:

- i) any report, charge or matter referred to it under the FFA National Disciplinary Regulations;
- ii) any report, charge or matter referred to it under the FFSA Competition Rules, FFSA Player Code of Conduct, Officials Code of Conduct, or Coaches Code of Conduct; and/or
- iii) any other report charge or matter referred to it under this Procedure.

4.2 A member of the Disciplinary Committee shall not hear or determine any infringement if that member has a conflict of interest, actual or perceived, including if there is any reason where a private or personal interest could influence the way the member performs his or her duties.

4.3 Each member of the Disciplinary Committee shall have a single vote and all decisions of the Disciplinary Committee will be made by majority vote. If there is an equality of votes the Chairperson shall have the casting vote.

5. Timeframes

5.1 An entity and/or an individual shall submit a signed written report to the Competition Administrator. The report shall detail any contravention of any rule or regulation which is

observed and warrants a sanction greater than a mandatory match suspension. The report shall be submitted by post, e-mail or fax or in person within one (1) business day, where possible, following the alleged infringement.

- 5.2 The Competition Administrator shall defer the report to the Disciplinary Committee for determination at a hearing.
- 5.3 The Competition Administrator shall send a Disciplinary Infringement Notice notifying the individual (copied to his or her club) or entity of a disciplinary hearing within one (1) business day, where possible, following receipt of the written report.
- 5.4 The Disciplinary Infringement Notice shall provide:
 - i) reasonable and sufficient detail of the alleged infringement;
 - ii) notice of possible sanctions by including a copy of paragraph 7 of this procedure; and
 - iii) date, time and place of the disciplinary hearing.
- 5.5 The Competition Administrator shall endeavour to set a disciplinary hearing before the next applicable Match, or within five (5) business days of the alleged infringement.
- 5.6 The individual/entity must provide details of who will be present at the hearing, including any representative and any witness, together with the subject matter on which the witness will testify prior to the disciplinary hearing.

6. Procedure at Disciplinary Hearings

- 6.1 Disciplinary hearings shall not be bound by the rules of evidence usually applicable to proceedings in courts of law, but all hearings shall be conducted in accordance with the principles of natural justice.
- 6.2 Alleged infringements shall be determined by reference to relevant FFA statutes and FFSA rules, including the FFA National Disciplinary Regulations, FFA National Registration Regulations, FFA Grievance Resolution Regulations, and FFSA Competition Rules.
- 6.3 The entity representative and/or individual shall have had reasonable and sufficient notice of the alleged infringement, and the opportunity to be heard and to make submissions in relation to the issues of infringement and sanction.
- 6.4 The Disciplinary Committee shall hear additional evidence from the individual/entity and witnesses, prior to making a decision and determining any appropriate sanction.
- 6.5 The Disciplinary Committee may:
 - i) permit individuals and entities to attend the hearing in person or by telephone, with a representative. An entity may be represented by an officer or employee.
 - ii) order the attendance of any person under the jurisdiction of these Procedures as a witness for the purpose of asking questions relevant to the infringement;
 - iii) refuse entry to any person not directly involved in the matter, including the media;
 - iv) admit and request the production of documents, reports from a Match Official, declarations from the parties and witnesses, expert opinion and video or audio recordings;
 - v) grant or order an adjournment to provide parties with additional time or to consider additional information;
 - vi) take into account the contents of the Referee's Report;
 - vii) hear and determine a matter in a party's absence if the individual or entity fails to attend a hearing, including determining an infringement and/or sanction.

7. Disciplinary Sanctions

- 7.1 When determining any appropriate sanction against an entity and/or individual, the Disciplinary Committee may consider:
 - (i) Recommended sanctions as contained in the FFA National Disciplinary Regulations;
 - (ii) the nature and severity of the infringement;
 - (iii) the offender's past record and whether or not this is a repeated offence;
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- (iv) the culpability of the offender;
 - (v) any reasons prompting a player to commit an infringement;
 - (vi) any remorse of the offender; and/or
 - (vii) any extenuating circumstances;

7.2 The Disciplinary Committee shall determine the scope and duration of the following disciplinary sanctions which may be imposed against an entity and/or an individual:

- (i) a reprimand;
- (ii) a fine (except against an amateur player);
- (iii) placement of the entity/or individual on a bond;
- (iv) a deduction or loss of competition points;
- (v) ban on the registration or transfer of any player(s) for a specified period of time;
- (vi) annulment of the registration of a player;
- (vii) suspension from participation in a match or matches;
- (viii) exclusion, suspension or expulsion from a Competition;
- (ix) suspension or cancellation of a licence or accreditation;
- (x) termination of Professional Player Contract or Standard Representation Contract;
- (xi) ban on taking part in any football related activity; and/or
- (xii) such other disciplinary sanctions or measures as is appropriate in all the circumstances, including as prescribed in relevant FFA statutes and FFSA rules.

8. Disciplinary Committee Determination

8.1 The Disciplinary Committee shall submit a written determination detailing the decision and sanctions against an entity and/or an individual within two (2) business days to the Competition Administrator where possible. The Competition Administrator shall forward a copy of the determination to the FFSA Board, entity/and or individual, and the FFA within three (3) business days where possible.

9. Appeals of a Disciplinary Committee Determination

9.1 An appeal notice against any determination of the Disciplinary Committee shall be submitted to the Competition Administrator together with the appeal fee within seven (7) business days after the date of which the written determination was received. The appeal notice shall specify the relevant facts and the reason for the dispute. The appeal fee of \$250 shall apply. If a hearing is successful, the appeal fee shall be refunded.

9.2 An appeal of any determination shall only be made by a person who was party to the hearing, unless that person can satisfy that exceptional circumstances exist and that they are affected by the determination and have an interest justifying variation of that determination.

9.3 The Disciplinary Appeals Committee shall hear and determine appeals against any determination, taking into account any information that was put before the Disciplinary Committee, and new or additional evidence.

9.4 The Disciplinary Appeals Committee shall dismiss, allow in whole or part, or vary (reduce or increase) the determination, and impose any appropriate sanctions.

10. Establishment of the Disciplinary Appeals Committee

10.1 The Disciplinary Appeals Committee shall comprise of members from the FFSA Disciplinary Committee panel who did not partake in the hearing of the original matter.

10.2 The Disciplinary Appeals Committee shall follow the same jurisdiction, timeframes, procedure and sanctions as the Disciplinary Committee as contained in this procedure.

11. Appeals of a Disciplinary Appeals Committee Decision

11.1 A decision of the Disciplinary Appeals Committee may be appealed in accordance with the FFA Grievance Resolution Regulations.

12. Definitions

In this Procedure:

Competition Administrator means the FFSA Chief Executive Officer or other person appointed by the Football Federation of South Australia ([FFSA) to conduct and stage FFSA competitions.

Club means any club registered with the FFSA in accordance with these Rules, including all clubs playing football in any competition organised and sanctioned by the FFSA.

Club Official means any person involved with the administration, management or organisation of a club (wether voluntary or paid), including committee members, officers, directors, employees, contractors, consultants, and representatives.

Disciplinary Committee means the FFSA Disciplinary Committee, formed under the Disciplinary Procedure.

Disciplinary Procedure means the FFSA Disciplinary Procedure.

Football Federation South Australia (FFSA) means the governing body of the sport in South Australia.

11. Disciplinary Procedure Flow-Chart

