



FOOTBALL FEDERATION SA INC. (FFSA)

DISCIPLINARY AND APPEAL HEARING PROCEDURES

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 and Regulations and Operating Guidelines.

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, in a court of law.

3. Establishment of the Disciplinary Committee

3.1 The Disciplinary Committee Panel shall be established by FFSA that is independent and impartial.

3.2 The Disciplinary Committee that sits on each occasion 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, Operating Guidelines, Code of Conducts and/or
- iii) any other report or matter referred to it under this Procedure.

4.2 A member of the Disciplinary Committee shall not hear or determine any matter 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 sitting Chairperson shall have the casting vote.

5. Timeframes

5.1 All reports relating to FFSA Competitions will be reviewed by the Competition Administrators. The report shall detail any contravention of any rule or regulation which is observed. The Competition Administrators will determine if a sanction is to be implemented in accordance with the recommended FFA sanctions for major infringements or if it should be referred to the

Disciplinary Committee. A report shall be submitted by post, e-mail or fax or in person within 48 hours of the alleged infringement.

- 5.2 If it is determined that the matter will be referred to the Disciplinary Committee, the Competition Administrator shall send a Disciplinary Infringement Notice to the club or entity notifying them of a disciplinary hearing within 48 hours, where possible, following receipt of the written report.
- 5.3 The Disciplinary Infringement Notice shall provide:
- i) the name of the individual or club or entity to appear at the hearing
 - ii) reasonable and sufficient detail of the alleged infringement
 - iii) notice of possible sanctions as outlined in the rules and regulations and
 - iv) date, time and place of the disciplinary hearing
- 5.4 The Competition Administrator, where possible, will set a disciplinary hearing before the next applicable match, or within five (5) business days of the alleged infringement.
- 5.5 The Disciplinary Hearing/Appeal Hearing will proceed at the date and time specified on the Disciplinary Infringement Notice/Appeal Notice as provided by the FFSA. Any adjournment will be at the discretion of the Disciplinary Committee.

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 and regulations, including the FFA National Disciplinary Regulations, FFA National Registration Regulations, FFA Grievance Resolution Regulations, and FFSA Competition Rules and Regulations and Operating Guidelines.
- 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
 - 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;
 - (iv) the culpability of the offender;
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- (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 may impose penalties in accordance with the FFA National Disciplinary Regulations and the FFSA Competition Rules and Regulations.

8. Disciplinary Committee Determination

8.1 The Disciplinary Committee shall present their findings in person at the conclusion of the hearing. The Competition Administrator will provide a written determination of these findings including any sanctions against an entity and/or an individual within two (2) business days to the club or entity, 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 will be determined by the FFSA on a yearly basis. 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.

Disciplinary Procedure Flow-Chart

