Football NSW
Grievance and Disciplinary Regulations 2014

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1. INTRODUCTION

(a) These Regulations are made under clause 3 of the Football NSW By-Laws and came into operation on 21 February 2013. The Executive has the power under the Football NSW By-Laws to amend, delete or add to these Regulations from time to time.

(b) FFA has granted Football NSW a mandate to be responsible for the organisation, promotion and regulation of football (including futsal) in the State.

(c) These Regulations are supplementary to the FFA National Disciplinary Regulations (adopted on 12 February 2009) and the FFA Grievance Resolution Regulations (adopted on 15 August 2008) as amended from time to time.

(d) If any part of these Regulations is void that part shall be severable and shall not affect the enforceability of the remaining sections of these Regulations.

(e) Any capitalised terms used in these Regulations shall have the meaning given to them in Schedule 1.

2. CORRESPONDENCE, PRESCRIBED FORMS AND MATCH OFFICIAL REPORTS

2.1 Correspondence and Prescribed Forms

(a) All correspondence in relation to any matter under these Regulations must be made electronically and directed to the relevant email addresses set out in Schedule 2.

(b) All prescribed forms can be located on the Football NSW website by clicking here.

2.2 Match Official Reports

(a) In order to ensure Football NSW provides an efficient and transparent service to Members under these Regulations, a Match Official must send to Football NSW Match Official Reports **immediately** after a Match, setting out the following:

i. any Red Card Offences issued during the Match including the categorisation of Offences (set out in a **Match Official Send Off Report**) (**Prescribed Form 02 -** click here); and

ii. any serious incidents which took place (set out in a **Match Official Incident Report**) (**Prescribed Form 03 -** click here);

(b) All Match Official Reports must be sent to matchreports@footballnsw.com.au.

(c) Match Official Incident Reports should include details concerning any Spectator behaviour.

(d) For the avoidance of doubt, facts contained in Match Official Reports are presumed to be true and accurate.

(e) A copy of a Match Official Incident Report which has resulted in a matter being referred to a Body shall be provided by Football NSW to the relevant Club who has been identified in a Match Official Incident Report and is the subject of such referral.

3. OBJECTIVES

(a) To ensure that the game of football is played in accordance with the Laws of the Game.

(b) To ensure that the game of football is played competitively and fairly in accordance with the principles of true sportsmanship.

(c) To provide an independent, fair and effective system that sets out procedures for the administration and determination of all Grievances, incidents, disciplinary, dispute and conduct matters involving Members.

(d) To ensure consistency and transparency of approach are evident and present in all aspects of handling all Grievances, incidents, disciplinary, dispute and conduct matters involving Members under these Regulations.

4. JURISDICTION

(a) These Regulations shall apply exclusively to facilitate the expeditious and fair resolution of:

i. Grievances, incidents, disciplinary, dispute and conduct matters in relation to Football NSW Competitions;

ii. Grievances involving Members within the State; and

iii. Appeals from an Association Member.

(b) Each Member shall submit exclusively to the jurisdiction of these Regulations and agrees that until it has exhausted the procedures set out in these Regulations, it will not attempt to resolve any Grievances, incidents, disciplinary, dispute and conduct matters by recourse to FFA or a court of law.

5. AUTHORITY TO ESTABLISH COMMITTEES AND TRIBUNALS

(a) The authority to establish committees and tribunals is vested in the Board of Football NSW pursuant to clause 15 of Football NSW's Constitution.

(b) These Regulations confirm the establishment of the following Bodies:

i. Disciplinary Committee (**DC**);

ii. General Purposes Tribunal (**GPT**); and

iii. Appeals Tribunal (**AT**).

6. MEMBERSHIP OF BODIES

6.1 Appointment of Body Members

(a) The Board shall appoint the Chairperson and Vice-Chairperson of a Tribunal.

(b) The Executive may, from time to time, appoint members (other than the Chairperson and vice-Chairperson) to sit on a Tribunal.

(c) The Executive may appoint person(s) to sit on a Tribunal hearing who are not Tribunal Members appointed under section 6.1(b) if in its opinion, the Executive believes a matter requires special attention or expertise.

(d) The Executive shall appoint the Disciplinary Committee consisting of at least three (3) Disciplinary Committee members.

6.2 Composition of a Body

(a) The DC shall comprise of a minimum of two (2) and maximum of three (3) members in order to make valid decisions under section 7 (Disciplinary Committee).

(b) A Tribunal shall comprise a minimum of three (3) and maximum of five (5) Tribunal members (including the Chairperson or vice-Chairperson) in order to make a valid Determination under sections 8 (General Purposes Tribunal) and 9 (Appeals Tribunal).

6.3 Qualification of Body Members

(a) Each member of a Body shall have:

i. the ability to exercise independent judgment; and

ii. the requisite knowledge and/or experience of football, FFA Rules and Regulations and the Football NSW Rules and Regulations which is appropriate for membership of the relevant Body.

(b) The Chairperson and vice Chairperson of the Appeals Tribunal shall be either:

i. a currently admitted or retired legal practitioner who has practiced continuously in NSW for at least 5 years; or

ii. a current or retired judicial officer of a New South Wales court or tribunal.

(c) Except where the Executive otherwise determines, a person shall not be appointed to a Body if that person has served in the previous twelve (12) months or is currently:

i. a member of the Board of Football NSW;

ii. a member of the executive committee or board of an Association Member or Club;

iii. a president or vice-president of an Association Member or Club;

iv. a coach of a Club;

v. an operator of a Centre; or

vi. a general manager (or equivalent thereof) of an Association Member or Club.

6.4 Term

Tribunal members shall be appointed for a term of twelve (12) months unless he or she has resigned or been removed pursuant to section 6.5 (Resignation and Removal of Body Members).

6.5 Resignation and Removal of Body Members

(a) A member of a Body may resign by providing notice in writing to the Executive.

(b) The Executive may remove a member of a Body (but not a Chairperson) at any time in its absolute discretion.

(c) The Board may remove a Chairperson of a Tribunal at any time provided it has received a written recommendation from the Executive which outlines the reason or reasons for the removal and the relevant Chairperson has had an opportunity to respond in writing to such a recommendation.

6.6 Code of Conduct for Body Members

Upon appointment by Football NSW, a member of a Body agrees to be bound by and to comply with the Football NSW Code of Conduct applicable to members of a Body.

7. DISCIPLINARY COMMITTEE

7.1 Jurisdiction

(a) Subject to section 7.1(b), the Disciplinary Committee has jurisdiction to:

i. issue Suspensions pursuant to section 7.2; and

ii. rectify a disciplinary decision made by a Match Official pursuant to section 7.3 (Challenging a decision on the basis of mistaken identity in a Match Official Send-Off or Incident Report) and section 7.4 (Challenging a Notice of Suspension – Exceptional Circumstances).

(b) The Disciplinary Committee shall only have jurisdiction to issue a Suspension that is no longer than one (1) calendar year. A Suspension which is longer than one (1) calendar year may only be issued by a Tribunal.

7.2 Determination

(a) The Executive shall, within a reasonable time following the completion of any Match, refer any Match Official Report to the Disciplinary Committee for its consideration.

(b) The Disciplinary Committee must determine Suspensions based on Match Official Reports and apply the Table of Offences (Schedule 3).

(c) The Disciplinary Committee must take into consideration a Participant's disciplinary history (to be supplied by Football NSW) when determining a Suspension. For the avoidance of doubt, a Participant's disciplinary history is that as held by FFA, Football NSW, another member federation of FFA or an Association Member.

(d) The Disciplinary Committee must set out any Suspension in a Notice of Suspension which shall be issued by the Executive to a Participant's Club as soon as is practicable, namely within one (1) day of receipt from the DC.

(e) The Suspension issued by the Disciplinary Committee must only be applied to the Football Activity to which the Suspension relates.

(f) A Participant is not eligible to challenge a Suspension where the Disciplinary Committee has issued the minimum Suspension.

(g) Notwithstanding this section 7.2 (Determination), the Disciplinary Committee may, in its absolute discretion, refer any matter to the GPT pursuant to section 8.4 (Referral from the Disciplinary Committee) if it considers a matter requires consideration by a Tribunal.

(h) Unless a Participant has been successful in a claim or appeal of mistaken identity or exceptional circumstances, he or she must continue to serve that Suspension under this section 7.

7.3 Challenging a decision on the basis of mistaken identity in a Match Official Send-Off or Incident Report

(a) If a Participant claims that he or she was mistakenly identified in a Match Official Send-off or Incident Report, he or she (or the Participant's Club on the Participant's behalf) must notify the Disciplinary Committee by submitting the following:

i. **Match Official Send-Off Report**:

WHAT:

COMPULSORY: a signed written statement by the Participant who was reported by the Match Official in a Match Official Send Off Report that he or she was not responsible for the Offence and identifying to the best of their knowledge the name of the Participant responsible (**Prescribed Form 04 -** click here); AND

OPTION 1: a signed written statement by the Participant who was responsible for the Offence (**Prescribed Form 05 -** click here); OR

OPTION 2: a signed written statement from the Club identifying to the best of its knowledge the name of the Participant who was responsible for the Offence (**Prescribed Form 06 -** click here).

WHEN:

By 4pm the next working day following the completion of the Match.

HOW:

Email a signed **Prescribed Form 04** (compulsory) and **Prescribed 05** or **Prescribed Form 06** to dc@footballnsw.com.au.

ii. **Match Official Incident Report:**

WHAT:

COMPULSORY: a signed written statement by the Participant who was reported by the Match Official in a Match Official Incident Report that he or she was not responsible for the Offence and identifying to the best of their knowledge the name of the Participant responsible (**Prescribed Form 07** - click here); AND

OPTION 1: a signed written statement by the Participant responsible for the Offence (**Prescribed Form 08** - click here); OR

OPTION 2: a signed written statement from the Club identifying to the best of its knowledge the name of the Participant responsible for the Offence (**Prescribed Form 09** - click here).

WHEN:

By 4pm the next working day following the issuance of the Match Incident Report by Football NSW to the Club.

HOW:

Email a signed **Prescribed Form 07** (compulsory) and **Prescribed 08** or **Prescribed Form 09** to dc@footballnsw.com.au.

iii. any other evidence which may support the claim for mistaken identity including but not limited to any video or photo evidence.

(b) If Football NSW does not receive properly completed written statements by the time specified in section 7.3(a)(i) or (ii), the Participant is deemed to have been responsible for the Offence and may, subject to the Disciplinary Committee's consideration of the send-off/incident, be issued with a Notice of Suspension.

(c) After considering the evidence, the Disciplinary Committee will decide whether the claim for mistaken identity should be rejected or upheld.

(d) If the Disciplinary Committee rejects a claim for mistaken identity, the original decision set out in the Notice of Suspension applies.

(e) If the Disciplinary Committee considers that a rejected claim for mistaken identity had no prospects of success and amounted to an abuse of process, it shall refer the matter to Football NSW who may charge the Participant and/or the Club for Misconduct pursuant to section 8.2 (Charges of Misconduct and Disrepute).

(f) If the Disciplinary Committee upholds the mistaken identity claim, a Notice of Suspension shall be issued to the appropriate identified Participant, who shall serve the Suspension immediately. The Notice of Suspension issued to the original Participant will be rescinded.

(g) The decision made by the Disciplinary Committee will be conveyed to the Club.

(h) Participants should note that the time limits set out above are strict.

7.4 Challenging a Notice of Suspension - Exceptional Circumstances

(a) This section 7.4 is intended to apply only in exceptional circumstances. It is envisaged that, in the vast majority of matters, any Suspension set out in a Notice of Suspension will be appropriate and will be applied. The provisions set out in this section are not intended to encourage or lead to the systematic or regular review of standard Suspensions and are reserved for exceptional cases only.

(b) A Participant (or the Participant's Club on the Participant's behalf) may in very limited circumstances seek to limit the disciplinary consequences of a Suspension by demonstrating to the Disciplinary Committee that the circumstances of an incident leading to a Suspension were exceptional, such that the Suspension that has been notified would be clearly and demonstrably excessive.

(c) Exceptional circumstances means circumstances operating at the time of the Offence and relating to the commission of the Offence and not to the impact which a sanction may have.

The following **may** constitute exceptional circumstances:

i. a Participant may have an intellectual or physical disability;

ii. a Participant has experienced a recent trauma within the family; and

iii. any other personal circumstance that may have contributed towards a Participant's actions which lead to the Offence being committed.

The following **do not** constitute exceptional circumstances:

i. the significance or importance to the Participant or his or her Club of the Match in which the Offence was committed;

ii. the significance or importance of any Match, Fixture or tournament in which the Participant will be ineligible to participate because of the imposition of a Suspension given within the range in the Table of Offences (Schedule 3);

iii. the point in the Match at which the Offence was committed;

iv. the conduct, including actions, words or gestures of any Participant during or related to the Match; and

v. any disciplinary decision taken or failure to take a disciplinary decision by a Match Official during the Match.

(d) Any Participant bringing a challenge under this section may not challenge the Offence via mistaken identity under section 7.3.

(e) In considering a claim of this type, the Disciplinary Committee is concerned with only the question of whether the Suspension should be altered in view of the circumstances of the case. The Disciplinary Committee is not to usurp the role of the Match Official and the correctness of any decision to issue a Red Card shall not be subject to any scrutiny by the Disciplinary Committee. As stated in section 7.2(f), a Participant is not eligible to challenge a Suspension where the Disciplinary Committee has issued the minimum Suspension.

(f) If a Participant wishes to lodge a challenge to a Suspension based on exceptional circumstances under this section 7.4, the Participant must submit the following:

WHAT:

COMPULSORY: A signed written statement (**Prescribed Form 10** - click here) by the Participant setting out the grounds upon which he or she believes the Suspension set out in the Notice of Suspension should not be applied; AND

OPTION 1: video or photo evidence; AND/OR

OPTION 2: signed written statements by other Members.

WHEN:

By 4pm on the next working day after the issuance of a Notice of Suspension by Football NSW.

HOW:

Email a signed **Prescribed Form 10** to dc@footballnsw.com.au

(g) If Football NSW does not receive a properly completed and signed written statement and any other evidence prescribed under section 7.4(f) by the time specified in section 7.4(f), the Participant is deemed to have accepted the Suspension and has waived his or her right to challenge the Suspension under this section 7.4.

(h) The Disciplinary Committee may in its absolute discretion request for further additional information from Football NSW or the Participant prior to making a decision.

(i) After considering the evidence, the Disciplinary Committee will decide whether the challenge is to be rejected or is successful.

(j) A challenge will only be successful under this section 7.4 where it satisfies the Disciplinary Committee that:

i. the circumstances of the Suspension under review are exceptional; and

ii. as a result of the exceptional circumstances the Suspension would be clearly excessive.

(k) If the Disciplinary Committee considers that the rejected challenge had no prospect of success and amounts to an abuse of process, it shall refer the matter to Football NSW who may charge the Participant and/or the Participant's Club for Misconduct pursuant to section 8.2 (Charges of Misconduct and Disrepute).

(l) If the Disciplinary Committee upholds the challenge, it shall impose such Suspension, if any, as it deems to be appropriate taking into consideration the circumstances of the subject incident, which revised Suspension shall not be subject to any further challenge or appeal.

(m) The decision made by the Disciplinary Committee will be conveyed to the Club.

(n) Participants should note that the time limits set out above are strict.

7.5 Appealing a decision of the Disciplinary Committee

(a) Subject to section 9.2 (Grounds of Appeal), the decision of the Disciplinary Committee in relation to claims of mistaken identity in a Match Official Report (section 7.3) and exceptional circumstances (section 7.4) may be appealed to the Appeals Tribunal pursuant to section 9 (Appeals Tribunal).

(b) A Participant wishing to appeal a decision to the Appeals Tribunal must submit a Notice of Appeal of a decision of a DC (**Prescribed Form 11** - click here) to tribunal@footballnsw.com.au within seven (7) working days of the issuance of the decision of the Disciplinary Committee to the Club by Football NSW **and** pay the relevant Application Fee, as per Schedule 4

(c) Unless there are exceptional circumstances (to be determined by the Executive), the Participant should note that the time limits set out above are strict. If Football NSW does not receive a Notice of Appeal of a decision of DC **and** an Application Fee by the time specified in section 7.5(b) then the Participant has waived his or her right to appeal the decision of the Disciplinary Committee under this section 7.5.

8. GENERAL PURPOSES TRIBUNAL

8.1 Jurisdiction

(a) The GPT will be responsible for hearing and determining:

i. charges of Misconduct and Disrepute (section 8.2);

ii. Grievances between Members (section 8.3);

iii. any other matter the Executive considers important to the interests of football in the State. Such a decision is to be at the absolute discretion of Football NSW;

iv. any other matter referred by the DC to the GPT (section 8.4).

(b) Where applicable, the relevant Application Fees for matters set out in section 8.1(a) are set out in Schedule 4.

8.2 Charges of Misconduct and Disrepute

(a) The Board or the Executive may investigate any matter which in its opinion is relevant to whether or not a charge of Misconduct or Disrepute ought to be laid. Such investigation may be initiated on the basis of a written report or complaint of a Member or on the basis of any other evidence which in the opinion of Football NSW is credible.

(b) Such investigation may be carried out by the Board or the Executive as it sees fit and Members are required to cooperate fully with Football NSW in the conduct of that investigation within the timeframe specified in any correspondence issued by Football NSW. A Member consents that any information provided may be used as evidence in bringing a charge under this section 8.2.

(c) At any time, the Board or the Executive may determine whether any charge of Misconduct or Disrepute is to be laid and in relation to such charge whether:

i. it is to be referred to the GPT; or

ii. it is to be dealt with in any other manner which Football NSW deems appropriate,

and such determination shall be at the absolute discretion of the Board or the Executive and not be capable of review by any party.

(d) If a charge has been laid by Football NSW, it will issue a Notice of Charge against the Member. The Notice of Charge will set out, amongst other things, details of the charge and the requirement for the Member to stand down (see section 13.1 (Interim Suspension Order)). A Member charged must submit a completed and signed Notice of Response and any other supporting evidence (**Prescribed Form 12** - click here) to tribunal@footballnsw.com.au by the time specified in the Notice of Charge.

(e) A Notice of Response enables the Member charged to select, amongst other things, whether it wishes to:

i. plead guilty or not guilty to the charge(s);

ii. accept the reports attached to the Notice of Charge;

iii. provide written statements or other such evidence; and

iv. be represented by a lawyer or support person.

(f) A Member who pleads guilty in a Notice of Response may be eligible for leniency by a Tribunal in respect of a sanction.

(g) Unless there are exceptional circumstances (to be determined by the Executive), if Football NSW does not receive a properly completed and signed Notice of Response together with supporting evidence by the time specified in the Notice of Charge then the Member has:

i. deemed to have pleaded guilty to the charge(s) set out in the Notice of Charge; and

ii. accepted the reports set out in the Notice of Charge.

8.3 Grievances

(a) Football NSW will only accept a Grievance if sections 8.3(c) and 8.3(d) have been satisfied. In addition to this, a Member cannot refer a Grievance to Football NSW if the subject matter has been dealt by Football NSW with under section 8.2 (Charges of Misconduct and Disrepute) or section 9.5 (Appeals against a decision of an Associations Appeals Committee), including where Football NSW declines to hear the matter due to jurisdictional issues.

(b) Football NSW may in its unfettered discretion decide not to refer to the GPT or to dismiss any Grievance which it determines is a Vexatious Claim.

(c) Before referring any Grievance to Football NSW, any Member making a Claim (**Claimant**) or a Complaint (**Complainant**) must write to the other Member involved in the subject matter of the Grievance (**Respondent**) with details of the Claim or Complaint (as the case may require) allowing the Respondent at least seven (7) working days to respond. The Respondent's reply must include reasons for any disagreement with the details of the Claim or Complaint (as the case may require).

(d) If a response is not received within seven (7) working days of the notice from the Claimant or Complainant referred to in section 8.3(c) or the Claim or Complaint is not otherwise resolved, the Claimant or Complainant may in writing refer the Grievance to Football NSW in accordance with section 8.3(e).

(e) Except in the case of a contractual dispute arising from a Player's professional contract under the FFA Grievance Regulations, in order to refer a Grievance to Football NSW a Claimant or Complainant must submit a Grievance Form (**Prescribed Form 14** - click here) to tribunal@footballnsw.com.au together with the Application Fee (as per Schedule 4) within fourteen (14) working days after the dispatch of the notice referred to in section 8.3(c).

(f) In the first instance, a Grievance will be dealt with by mediation pursuant to section 11 (Mediation) unless, in its absolute discretion, Football NSW believes that a Grievance should be referred to a GPT immediately.

(g) Members should note that the time limits set out above are strict. Unless there are exceptional circumstances (to be determined by the Executive), if Football NSW does not receive a completed

and signed Grievance Form by the time specified in section 8.3(e) then the Member has waived his or her right to file a Grievance with Football NSW.

8.4 Referral from the Disciplinary Committee

(a) Pursuant to section 7.2(g), the Disciplinary Committee may, in its absolute discretion, refer any matter to the GPT if it considers the matter requires consideration by a Tribunal.

(b) If a referral is made by the Disciplinary Committee, Football NSW may conduct a further investigation in accordance with section 8.2 (Charges of Misconduct and Disrepute) and subject to any findings Football NSW may issue the Participant with a Notice of Charge.

8.5 Decisions of the GPT

(a) The GPT Determination will be in accordance with majority opinion of the GPT members.

(b) The types of decisions that the GPT may issue are set out in the Table of Offences (Schedule 3) and may include (but not limited to) a finding, directive, Suspension, banning, fine or such other action as reasonably determined by the GPT.

(c) If a fine is imposed, the GPT shall determine the terms of payment.

(d) Any decision issued under this section 8.5 may be combined.

(e) Any failure to comply with a Determination of the GPT is itself a breach of these Regulations and may be considered in contempt of a Tribunal pursuant to section 12.15 (Contempt in the face of a Tribunal).

(f) A short oral or written indication of the outcome of the hearing by the GPT shall be provided to the parties within two (2) working days of the completion of the hearing. A full written Determination, with reasons given for the decision, will be provided within fourteen (14) working days, if requested by a party in writing.

8.6 Appealing a decision of the GPT

(a) The decision of the GPT in relation to charges of Misconduct and Disrepute (section 8.2), Grievances (section 8.3) subject to section 9.4 (Appeal from a GPT in relation to a Grievance), and referrals from the Disciplinary Committee (section 8.4) may be appealed to the Appeals Tribunal pursuant to section 9.

(b) A Member wishing to appeal a decision of the GPT to the Appeals Tribunal must submit the following:

i. a completed and signed Notice of Appeal of a decision of a GPT (**Prescribed Form 13** - click here) to tribunal@footballnsw.com.au;

ii. any supporting material; and

iii. the Application Fee, as per Schedule 4.

within seven (7) working days of being issued the decision by the GPT.

(c) Members should note that the time limits set out above are strict. Unless there are exceptional circumstances (to be determined by the Executive), if Football NSW does not receive the documentation and Application Fee prescribed under section 8.6(b)(iii) by the time specified in section 8.6(b) then the Member has waived his or her right to appeal the decision to the Appeals Tribunal.

9. APPEALS TRIBUNAL

9.1 Jurisdiction

The Appeals Tribunal will be responsible for hearing and determining appeals from the:

i. Disciplinary Committee pursuant to section 7.5 (Appealing a decision of the Disciplinary Committee) but subject to section 9.2 (Grounds of Appeal);

ii. General Purposes Tribunal pursuant to sections 8.6 (Appealing a decision of a GPT) and 15.3 (Misconduct) but subject to section 9.2 (Grounds of Appeal) and section 9.4 (Appeal from a GPT in relation to a Grievance); and

iii. Association Appeals Committee but subject to section 9.2 (Grounds of Appeal) and section 9.5 (Appeals against a decision of an Association Appeals Committee).

9.2 Grounds of Appeal

The sole grounds of an appeal to the Appeals Tribunal are:

(a) a party was not afforded a reasonable opportunity to present its case;

(b) lack or excess of jurisdiction of a Body or an Association Appeals Committee;

(c) the decision of the Body or an Association Appeals Committee was affected by actual bias;

(d) the decision was one that was not reasonably open to the Body or an Association Appeals Committee having regard to the evidence before the Body or an Association Appeals Committee; or

(e) severity, only where the decision of the Body or an Association Appeals Committee imposed a sanction of at least:

i. a Fixture Suspension of six (6) or more Fixtures; or

ii. a Time Suspension of three (3) or more months; or

iii. a fine of three thousand dollars ($3,000) or more; or

iv. a loss of six (6) or more Competition points; or

v. expulsion from a competition.

9.3 Decisions of the Appeals Tribunal (AT)

(a) The AT Determination will be in accordance with majority opinion of the AT members.

(b) The AT has the power to:

i. dismiss, allow in whole or part, or vary (whether by way of reduction or increase) a decision including any sanction or penalty imposed by the Body;

ii. impose any sanction, measure or make any order the AT thinks fit or a decision that the Body could have imposed under these Regulations.

(c) A failure to comply with a Determination of the AT is itself a breach of these Regulations and may be considered in contempt of a Tribunal pursuant to section 12.15 (Contempt in the face of a Tribunal).

(d) A short oral or written indication of the outcome of the hearing shall be provided to the parties within five (5) working days of the completion of the hearing with a full written Determination, with reasons given for the decision, to be provided within twenty one (21) working days, if requested by a party in writing.

9.4 Appeal from a GPT in relation to a Grievance

(a) No appeal can be brought from a decision of the GPT in relation to a Grievance except with leave from the Appeals Tribunal granted in accordance with this section 9.

(b) Any Notice of Appeal of a decision of a GPT (**Prescribed Form 13** - click here) in relation to a Grievance received by Football NSW must be referred, within three (3) working days of receipt, to the Chairperson of the AT (or if he or she is not available to the Vice Chairperson of the AT) for determination as to whether leave should be granted for the Appeal to proceed.

(c) The Chairperson of the AT shall determine, within seven (7) working days of receipt of a Notice of Appeal referred under section 9.4(b), whether leave to appeal should be granted and the outcome of such determination shall be communicated in writing to the party lodging the appeal within ten (10) working days of the lodging of the Notice of Appeal.

(d) In determining whether leave to Appeal should be granted (in whole or in part), the Chairperson of the AT shall have regard to:

i. the grounds of appeal set out in the Notice of Appeal;

ii. whether any obvious error on the part of the GPT has been identified;

iii. the prospects of success of the appeal; and

iv. the nature and significance of the Grievance and the subject of the decision being appealed.

(e) If the AT decides that leave to appeal should not be granted, it may, in its absolute discretion recommend that all or part of the Appeal Fee should be refunded.

(f) If leave to appeal is granted, an appeal lodged pursuant to this section shall proceed and be determined in the same manner as all other appeals determined by the AT.

9.5 Appeals against a decision of an Association Appeals Committee

(a) In addition to the limitations set out under section 9.2 (Grounds of Appeal), the Appeals Tribunal will only hear and determine a matter involving an appeal from an Association Appeals Committee where the matter has proceeded in accordance with and exhausted the Association Member's own disciplinary rules and regulations. A party wishing to appeal a decision of an Association Appeals Committee to the Appeals Tribunal must provide sufficient documentation to Football NSW to demonstrate that the matter has proceeded in accordance with and exhausted the Association Member's own disciplinary rules and regulations before it can be appealed to the Appeals Tribunal.

(b) If a party wishes to appeal a decision of an Association Appeals Committee, it must, within seven (7) working days of being issued the decision, submit the following to Football NSW:

COMPULSORY: a completed and signed Notice of Appeal of a decision of an Associations Appeals Committee (**Prescribed Form 15** - click here) to tribunal@footballnsw.com.au;

OPTIONAL: any supporting material; and

COMPULSORY: the Application Fee, as per Schedule 4.

(c) Members should note that the time limits set out above are strict. Unless there are exceptional circumstances (to be determined by the Executive), if Football NSW does not receive the Notice of Appeal and Application Fee prescribed under section 9.5(b) by the time specified in section 9.5(b) then the Member has waived their right to appeal the decision to Football NSW.

(d) A decision made by the Appeals Tribunal under this section 9.5 is final.

10. NO RECOURSE TO COURTS

Any Determination by the AT will be final and binding on the parties to the appeal and no person may institute or maintain proceedings in any court of law or tribunal in relation to such Determination (other than the limited right of appeal to the FFA subject to the FFA Statutes).

11. MEDIATION

(a) In relation to a Grievance between Members pursuant to section 8.3 (Grievances), Football NSW will require Members to attend a meeting with a representative of Football NSW and/or an independent person who shall act as a mediator for the purpose of attempting to reach agreement for the resolution of the Grievance.

(b) The mediator shall be a person who, in the opinion of Football NSW, is appropriately qualified to conduct the mediation, and may include a member of the Institute of Arbitrators & Mediators Australia or other similar body, or a legal practitioner.

(c) Unless otherwise determined by Football NSW, any costs involved in the mediation, including the costs of the Mediator, shall be borne equally by the parties to the Grievance.

(d) The mediation shall commence within fourteen (14) working days after the submission of a Grievance Form.

(e) The mediation shall be conducted on a "*without prejudice basis*" and the mediator shall have no power to impose any Suspension, decision or sanction on any of the parties.

(f) Mediation shall continue for a period no longer than thirty (30) working days.

(g) Unless agreement has been reached within fourteen (14) working days of the start of the mediation, Football NSW will refer the matter to the GPT in accordance with these Regulations.

(h) Any failure by a Member to attend mediation convened in accordance with this section when reasonably requested by Football NSW to do so and without reasonable excuse shall amount to Misconduct. Football NSW may refer such matters to the GPT for determination in accordance with section 8.2 (Charges of Misconduct and Disrepute).

12. ADMINSTRATIVE PROCEDURES OF TRIBUNALS

12.1 Electronic Documents

In order to ensure the efficiency of disciplinary and conduct matters, all documents referred to in these Regulations shall be sent by email to the respective addresses set out in Schedule 2 (Prescribed Forms and Email Addresses).

12.2 Responsibility of Football NSW

Where a Tribunal is required to convene a hearing pursuant to sections 8 (General Purposes Tribunal) or 9 (Appeals Tribunal), Football NSW shall:

(a) set a date for the hearing;

(b) issue a Notice of Proceedings; and

(c) convene a Tribunal in accordance with these Regulations.

12.3 Submissions by a party

(a) For a GPT hearing, a party must provide to Football NSW a copy of any written submissions, materials, documents or other evidence it intends to rely on in the hearing at the time of submitting a Notice of Response (**Prescribed Form 12** - click here) or by the due date specified in the Notice of Charge.

(b) For an Appeals Tribunal hearing, a party must provide to Football NSW a copy of any written submissions, materials, documents or other evidence it intends to rely on in the hearing at the time of submitting a Notice of Appeal.

(c) All written submissions, materials, documents or other evidence supplied to Football NSW must be sent to tribunal@footballnsw.com.au.

(d) Unless there is are exceptional circumstances (to be determined by the Executive), Football NSW will not accept any late written submissions, materials, documents or other evidence submitted after the time of submitting a Notice of Response or Notice of Appeal.

(e) All written submissions, materials, documents or other evidence supplied to Football NSW will be provided to the other parties (including an Affected Party) involved in the hearing.

12.4 Affected Party

(a) A Member submitting a Notice of Appeal or Grievance Form must state whether there is any other Member who may be affected by the decision based on the relief sought.

(b) If a Member has not identified an Affected Party, a Tribunal may require that any relevant document be given to a Member if it is of the view that the outcome of the hearing may affect the interests of that Member.

(c) Football NSW may, in its absolute discretion, consider itself an Affected Party for the purposes of this section 12.4 if it considers that the determination of a matter may affect the interests of Football NSW, FFA or may bring the game into Disrepute or damage the reputation and goodwill of the game.

(d) An Affected Party provided with notice under this section 12.4 may participate in the hearing as an Affected Party and may make submissions. The Affected Party is bound by any decision.

(e) If an Affected Party provided with notice elects to not participate in a hearing, that Affected Party cannot subsequently initiate a Grievance under these Regulations in relation to the same subject matter.

12.5 Legal Representation

A party (including an Affected Party) shall have the right to be represented by a lawyer at a Tribunal hearing. Details of legal representation must be set out in the Notice of Appeal or Notice of Response.

12.6 Parent/Guardian

A party must be accompanied at a hearing before a Tribunal by a parent or legal guardian if he or she is under the age of eighteen (18) years.

12.7 Non-attendance

(a) If any party or witness who has been properly notified of a hearing fails to attend a Tribunal hearing without showing sufficient cause for such failure, the hearing can proceed ex parte and determined in that party's absence, including as to Determination on the merits and/or sanction. An ex parte Determination of a Tribunal has the same force and effect as if it was made after a full hearing before that Tribunal.

(b) If any party or witness that fails to attend a Tribunal hearing without exceptional circumstances or sufficient cause, that Member shall be deemed to have committed Misconduct and may be subject to sanction under section 8.2 (Charges of Misconduct and Disrepute).

12.8 Adjournment

A party may apply in writing to a Tribunal at least two (2) working days before the start of any Tribunal hearing to have the hearing adjourned provided there are compelling circumstances which may warrant an adjournment, including avoiding significant costs, hardship or inconvenience to the party. Any decision to adjourn a hearing will be at the absolute discretion of the Tribunal.

12.9 Stay of proceedings

On application by a party (including an Affected Party) or Football NSW, a Tribunal may order a stay of proceedings (with or without conditions).

12.10 General conduct of Tribunal hearings

(a) A Tribunal will not be bound by the rules of evidence usually applicable to proceedings in courts of law.

(b) All hearings must be conducted in accordance with the principles of natural justice.

(c) A Tribunal may conduct the hearing in any matter as it sees fit provided that:

i. all parties are given a reasonable opportunity to be heard;

ii. the hearing is conducted with as little formality and technicality and with as much expedition as proper consideration of the matters before it permits.

(d) A Tribunal is empowered to:

i. take evidence subject to section 12.10(e). The admissibility and weight to be given to any evidence in a hearing shall be at the discretion of a Tribunal;

ii. require the attendance of any Member to give evidence;

iii. require the production of any document, information or other evidence in whatever form held by any Member;

iv. inform itself on any matter or thing in order to properly carry out its function in accordance with these Regulations.

(e) Unless there are exceptional circumstances (to be determined by the Appeals Tribunal), in determining any appeal under section 9.2(d) or (e) or section 9.4, the Appeals Tribunal shall not consider new evidence to that which was before the body whose decision is being appealed.

(f) To the extent that a matter relating to the procedures of a Tribunal is not provided for by these Regulations, the Chairperson of a Tribunal may issue appropriate directions for the conduct of any matter or hearing.

12.11 Disclosure of Tribunal members

In the interests of ensuring independence, Football NSW shall not disclose the identity of those Tribunal members prior to a hearing to any party.

12.12 Challenge of jurisdiction or of a Tribunal member

(a) If a Member wishes to allege that a Tribunal does not have jurisdiction, it must raise this objection in its Notice of Response or Notice of Appeal. A Tribunal has the power to rule on any objection that it has no jurisdiction. In general, a Tribunal should determine any challenge concerning its jurisdiction as a preliminary question. However, a Tribunal may proceed with the hearing and rule on such an objection in its final Determination.

(b) A Tribunal member may be challenged if circumstances exist that give rise to justifiable doubts as to his or her impartiality or independence. Such a plea must be raised in oral submissions as a preliminary question at the hearing. The Tribunal has the power to rule on this objection and, if the challenge fails, reasons must be provided in the final Determination.

12.13 Standard of proof

A Body shall make Determinations on the balance of probabilities.

12.14 Costs generally

(a) The parties to a Tribunal hearing shall pay their own costs unless the Tribunal determines otherwise.

(b) In a hearing, the Tribunal may award the costs it considers appropriate on:

i. the application of a party to the proceeding; or

ii. its own initiative.

(c) In deciding whether to award costs, and the amount of the costs, the Tribunal may have regard to the following:

i. the outcome of the hearing;

ii. the conduct of the parties to the proceeding before and during the hearing;

iii. the nature and complexity of the hearing;

iv. any legal costs incurred by a party (including an Affected Party), a Tribunal or Football NSW;

v. the relative strengths of the claims made by each of the parties to the hearing;

vi. any contravention of the FFA Rules and Regulations or Football NSW Rules and Regulations by a party to the proceeding; and

vii. anything else the Tribunal considers relevant.

(d) A party to a proceeding is not entitled to costs only because the Tribunal made an order or orders in a party's favour.

(e) The power of the Tribunal to award costs under these Regulations is in addition to the Tribunal's power to award costs under any other provision of the FFA Rules and Regulations and Football NSW Rules and Regulations.

12.15 Contempt in the face of a Tribunal

(a) A person appearing before a Tribunal must not:

i. insult a member of a Tribunal in relation to the exercise of the powers or functions of the Tribunal;

ii. repeatedly interrupt the proceedings of a Tribunal;

iii. create a disturbance or take part in creating or continuing a disturbance in or near a place where Tribunal is sitting;

iv. fail to comply in full with an order of the Tribunal; or

v. do any other act or thing that would, if a Tribunal were a court of record, constitute a contempt of a Tribunal.

(b) If a Tribunal considers that a person has breached this section 12.15, then it may impose sanctions as it sees fit in accordance with these Regulations or make recommendations to the Executive to issue a Notice of Charge pursuant to section 8.2 (Charges of Misconduct and Disrepute).

12.16 Tribunal may hear proceedings regardless of related criminal or disciplinary action

A Body may issue Suspensions or make a Determination whether or not a Member:

(a) has been charged with, convicted of or sentenced for an offence arising out of the contravention;

(b) is the subject of a pending disciplinary proceedings relating to the contravention; or

(c) may be, or has been, subject to disciplinary action in relation to the contravention.

12.17 Immunity

The parties to any charges or proceedings brought under these Regulations, and their respective witnesses, agree not to institute or maintain any proceedings, or bring any claim against Football NSW, a Body or member of a Body, in respect of any act or omission during the course of a hearing or arising out of any charge, Determination or findings made.

12.18 Correction of a Determination

Within five (5) working days of the issuance of a Determination, either party (including an Affected Party) to a hearing may submit to tribunal@footballnsw.com.au a request to correct in the Determination any errors in computation, any clerical or typographical errors or any other error of a similar nature. If the Tribunal considers the request to be justified, it will make the correction and reissue the Determination to the parties.

12.19 Publication and Confidentiality

(a) Subject to any term of a Determination imposing confidentiality or any other legal requirements, any Determination or Suspensions may be disclosed on the Football NSW website**.**

(b) All evidence and information provided in proceedings of a Tribunal must be treated in the strictest confidence. Parties and their representatives and witnesses must not use or disclose to any third party any confidential information obtained during the course of a hearing.

12.20 Legal advice

A Tribunal may, in its absolute discretion, seek legal advice prior to or during any hearing and as such is entitled to adjourn the hearing and/or prior to giving its Determination.

12.21 Football NSW staff

Football NSW staff shall not be required to provide evidence at a hearing (whether oral or written) unless Football NSW is an Affected Party to a hearing or a Tribunal considers otherwise.

13. SUSPENSION ORDERS

13.1 Interim Suspension Orders

(a) Where a Member has been charged by Football NSW in relation to an alleged act of Misconduct (see section 8.2 (Charges of Misconduct or Disrepute)) or with a criminal offence in connection with disciplinary action pursuant to these Regulations, the Executive shall have the power to order that a Member be suspended, pending determination of such a matter, from all or any specific Football Activity for such period and on such terms and conditions as the Executive considers fit (an "**Interim Suspension Order**").

(b) The period of an Interim Suspension Order shall not be capable of lasting beyond the date upon which any charge of Misconduct or criminal offence or other disciplinary proceedings referred to in section 13.1(a) above is decided or brought to an end.

13.2 Suspension for serious criminal charges and offences

The Executive shall have the power to order that a Member be suspended from all or any specific Football Activity for such period and on such terms and conditions as it considers fit where the Member has been charged or convicted of a criminal offence and where the Executive considers there is a risk of harm to another Member.

13.3 Suspension following disqualification from working with children

Where a Member is prohibited under child protection legislation from regulated activity relating to children, the Executive shall have the power to order that the individual be suspended immediately from all or any specific Football Activity for such a period and on such terms and conditions as it sees fit.

14. SERVING OF SUSPENSIONS

14.1 Application of Suspensions and Determinations

Upon the issuance of a Suspension or Determination by a Body, the Executive has the obligation to ensure that the Suspension or Determination is applied correctly in accordance with this section 14 and any other directive imposed by the Executive from time to time. Such decision shall be final and not subject to appeal.

14.2 Suspensions to be served immediately

(a) Subject to this section 14, any Suspension or Interim Suspension Order imposed by Football NSW or a Body shall be served immediately. In serving a Suspension or Interim Suspension Order, a Member must take into consideration any fixtures or time already served whilst awaiting the issuance of the Notice of Suspension or Determination and shall apply in respect of those Football Activities listed in the Notice of Suspension or a Determination.

(b) A Member does not need to be registered to serve any Time Suspension but does need to be registered to serve a Fixture Suspension.

(c) Team Officials being sent-off or expelled from the technical area during a Match are eligible to play as a Player in a Match scheduled in the same round unless otherwise determined by Football NSW or a Body.

(d) A Player being sent-off or expelled from the technical area during a Match are eligible to be a Team Official in the technical area in a Match scheduled in the same round unless otherwise determined by Football NSW or a Body.

14.3 Club Responsibility on Suspensions and Team Sheets

(a) The relevant Club shall be responsible for ensuring a Member is suspended in accordance with any Notice of Suspension or Determination.

(b) Clubs must list in an appropriate place on any team sheet any Player or Official who is registered with or by that Club and who is serving a Suspension at the time the team sheet is completed.

14.4 Fixture Suspensions and Time Suspensions

(a) A Body may issue Suspensions either in terms of the number of Fixtures for which a Participant shall be suspended (**Fixture Suspension**) or the amount of time for which a Participant shall be suspended (**Time Suspension**).

(b) Unless otherwise specified in these Regulations, Notice of Suspension or Determination, a Suspension imposed in terms of Fixtures (i.e. a Fixture Suspension) on a Participant in:

i. eleven-a-side football only affects that Participant's participation in eleven-a-side football; or

ii. Futsal only affects that Participant's participation in futsal.

(c) A Time Suspension affects a Participant's participation for both that Participant's eleven-a-side and futsal Club, regardless of whether the infringement was committed in an eleven-a-side football or futsal Match.

(d) Upon issuing a Time Suspension, a Body must provide a start date and end date of the Suspension.

(e) A Participant issued with a Time Suspension shall be ineligible to participate in any Football Activity as directed in his or her Notice of Suspension or Determination and until such time as the Suspension has been served. For the avoidance of doubt, this includes participating in any Football NSW Competition or Association competition.

(f) A Participant who has been sent-off in any Premiership, Championship or Cup Fixture shall be suspended from participating in the next Premiership, Championship or Cup Fixture, whichever occurs first. However, a Participant shall not serve this Suspension in a Pre-Season Competition or Trial Match.

(g) For the purposes of section 14.4(f), a Participant must serve the Suspension in the same age-grade for which he or she received that Suspension and shall not be eligible to participate in any Fixture until that Suspension is served in full.

(h) For the purposes of section 14.4(f), any Suspension received during a Pre-Season Competition or Trial Match (sanctioned and administered by Football NSW) is required to be served in that Pre-Season Competition or Trial Match in that Participant's team's next consecutive Trial Match, Pre-

Season Competition Match, Premiership, Cup or Championship Fixture whichever occurs first until the Suspension is served in full.

(i) If a Participant is currently subject to a Suspension, that Participant may participate in the Futsal State Championships or in a Trial Match if, and only if, the Participant's Club has obtained written approval from Football NSW for the Participant to participate in that Trial Match.

(j) Premiership, Championship and Cup Suspensions cannot be served in any Football NSW Representative Matches. For example, a Participant cannot serve any Suspension in a FFA national titles or Football NSW state titles or championships.

(k) Should a Participant receive a Suspension in a Football NSW Representative Match (for example Football NSW state titles) that Suspension shall be served in the next consecutive Fixture, (be that a Football NSW Representative Match, Premiership, Championship or Cup Match) which that Participant's team or Club played in, until the Suspension is served in full.

(l) Only those Matches actually played count towards the completion of any Fixture Suspension.

(m) Notwithstanding section 14.4(l), if a Match is abandoned or forfeited pursuant to Football NSW Rules and Regulations then that Match can be considered in relation to serving a Suspension but only if the suspended Player's team did not contribute to the facts that led to the abandonment or forfeiture of a Match.

(n) The Executive shall have the final decision on whether a Suspension or part thereof may be served in an abandoned or forfeited Match.

14.5 Non-selection of Football NSW representative teams

If a Participant has been selected to represent Football NSW or a region in a representative competition, event or tournament and then subsequently has been issued with a Suspension or Interim Suspension Order (see section 13.1) Football NSW may, in its absolute discretion, decide to suspend the Participant from representing Football NSW or the region at that representative competition, event or tournament. Any decision made by Football NSW under this section 14.5 is final and not subject to any appeal.

15. CONDUCT

15.1 Financial Default and Payment of Interest

(a) In the event that an Association Member, Club, Centre or Referee's Branch fails to make payment of any amount payable to Football NSW by the due date ("**Financial Default**") then they shall be liable to pay interest on the amount outstanding from the date of such Financial Default until the date of actual payment at the existing Reserve Bank interest rate for each month or part of a month during which any such payment shall be overdue.

15.2 Non-Financial Conduct

(a) Where any Member suffers Financial Default, it shall be referred to the Executive (or the Board where the context provides otherwise) who may, in its absolute discretion and in addition to section 15.1, enforce this section 15.2.

Association Member

(b) An Association Member in Financial Default shall have if more than ninety (90) days from the date the payment is due and payable:

i. its voting rights suspended under the Football NSW Constitution until the Financial Default until is rectified; and

ii. such other sanctions or penalties imposed on them as the Board may determine at its absolute discretion.

Club

(c) A Club (or an Association Member or Branch participating in a Football NSW Competition) in Financial Default shall:

i. if more than sixty (60) days from the date the payment is due and payable:

A. in the case of a Club during the playing season, not be entitled to any points from any Premiership Match in which it participates in until the Financial Default is rectified.

B. if the Club is playing in Championship finals or a Cup then it will forfeit any Match it participates in until the Financial Default is rectified; or

ii. if more than ninety (90) days from the date the payment is due and payable:

A. in the case of a Club during the playing season, the Board pursuant to the Football NSW By-Laws, may suspend or expel the Club from participating in any current Football NSW Competition until the Financial Default is rectified; or

B. in the case of a Club during the off-season, the Club will not be entitled to participate in any future Football NSW Competition until the Financial Default is rectified.; or

C. have such other sanctions or penalties imposed on them as the Board may determine at its absolute discretion.

Centre and Referee's Branch

(d) A Centre or Referee's Branch in Financial Default shall if more than ninety (90) days from the date the payment is due and payable:

i. have its affiliation with Football NSW suspended until the Financial Default is rectified; or

ii. have such other sanctions or penalties imposed on them as the Board may determine at its absolute discretion.

(e) Any decision under section 15.2 is final and not subject to appeal.

15.3 Misconduct

Misconduct shall mean any act or omission by a Member which:

(a) constitutes a breach of the FIFA Statutes and Regulations;

(b) constitutes a breach of the FFA Rules and Regulations;

(c) constitutes a breach of the Laws of the Game;

(d) constitutes a breach of a Football NSW Rules and Regulations (including these Regulations) unless a document contains a provision or provisions for dealing with any breach thereof;

(e) is unsportsmanlike or unprofessional;

(f) results in the failure to provide a safe environment for Participants or to maintain public order at a Match;

(g) brings or may bring the game into Disrepute or damage the reputation and goodwill of the game; or

(h) in the opinion of Football NSW, is or may be prejudicial to the interests or reputation of either the game of football in the State, Football NSW or any of its sponsors.

16. ON-FIELD MISCONDUCT

16.1 Yellow Card

(a) A Yellow Card is issued by a Match Official to a Player due to the following cautionable offences specified in Law 12 of the Laws of the Game and shall be given as follows:

Code	Description
Y1	The player is guilty of unsporting conduct
Y2	The player shows dissent by action or word
Y3	The player persistently infringes the Laws of the Game
Y4	The player delays the restart of play
Y5	The player fails to respect the required distance when play is restarted with a corner kick, free kick or throw in
Y6	The player re-enters the field of play without the Referee's permission
Y7	The player deliberately leaves the field of play without the Referee's permission

(b) For the avoidance of doubt, if a Player receives two (2) Yellow Cards in a Match, resulting in a Red Card Offence (R7) then neither caution shall be considered when accumulating cautions pursuant to sections 16.2 to 16.4.

16.2 Accumulation of Yellow Cards - Premiership

(a) A Player who accumulates five (5) Yellow Cards in the Premiership shall serve a mandatory one (1) Fixture Suspension. The Fixture Suspension shall be served immediately.

(b) A Player who accumulates an additional three (3) Yellow Cards (in total eight (8) Yellow Cards) in the Premiership shall serve a mandatory 2 (two) Fixture Suspension. The Fixture Suspension shall be served immediately.

(c) A Player who accumulates an additional two (2) Yellow Cards (in total ten (10) Yellow Cards) in the Premiership shall serve a mandatory three (3) Fixture Suspension. The Fixture Suspension shall be served immediately.

(d) A Player who accumulates his or her eleventh (11th) Yellow Card in total the Premiership shall be required to appear before a GPT and shall not be eligible to participate in any Fixture until he or she has appeared before the GPT and has served the sanction imposed by the GPT.

(e) The accumulation of Yellow Cards in a Premiership season does not carry over into the Championship, Cup or next Premiership Season.

16.3 Accumulation of Yellow Cards - Championship

A Player who accumulates two (2) Yellow Cards in the Championship shall serve a mandatory one (1) Fixture Suspension to be served immediately in the next Championship, Premiership or Cup Fixture to be played by the Club, whichever occurs first. A single Yellow Card during a Championship Fixture does not carry over into the Premiership or the next Cup.

16.4 Accumulation of Yellow Cards - Cup

A Player who accumulates two (2) Yellow Cards in a Cup Match shall serve a mandatory one (1) Fixture Suspension, to be served immediately, in the next Fixture (be that a Cup, Premiership or Championship Fixture) that the Participant's team plays, except in the case of a Pre-Season Competition to which section 14.4(h) applies. A single Yellow Card during a Cup Fixture does not carry over into the Championship, Premiership or the next Cup.

16.5 Red Card Offences

(a) Subject to section 7 (Disciplinary Committee), a Participant who receives a Red Card must serve the mandatory minimum Fixture Suspension as set out in the Table of Offences (Schedule 3).

(b) A Red Card may be issued by a Match Official during a Match against a Participant who engages in any one of the following offences and also listed at the Table of Offences at Schedule 3 to these Regulations:

Code	Description
R1	Serious foul play
R2	Violent conduct
R3	Spitting at an opponent or any other person
R4	Denying the opposing team a goal or an obvious goal-scoring opportunity by deliberately handling the ball (this does not apply to a goal-keeper within his own penalty area)
R5	denying an obvious goal-scoring opportunity to an opponent moving towards the player's goal by an offence punishable by a free kick or a penalty kick
R6	using offensive, intimidating, insulting or abusive language and/or gestures
R7	receiving a second caution in the same match

(c) If a Player receives an R7 (receiving a second caution in the same match), the Participant shall serve the mandatory one (1) Fixture Suspension and the Club shall be responsible in ensuring the Participant is immediately stood down for his or her next Fixture in accordance with section 14 (Serving of Suspensions) or any other directive imposed by the Executive.

(d) Football NSW **is not obliged** issue a Notice of Suspension when a Player receives an R7.

(e) Red Cards issued during an abandoned Match will be upheld regardless of whether the Match is replayed or not.

16.6 Accumulation of Red Cards

Subject to the Table of Offences (Schedule 3), a Participant who accumulates three (3) Red Cards (not including R7s) in Football NSW Competitions in any one (1) Competition Season shall not be eligible to participate in any Match in his or her capacity as a Player after receiving his or her third (3rd) Red Card Offence and until he or she has appeared before the GPT and has served the sanction imposed by the GPT.

16.7 Club responsibility for recording accumulation of Yellow and Red Cards Offences

(a) It is a Club's responsibility to keep accurate records of the Yellow and Red Card Offences received by its Players and Officials regardless of whether a Participant may have accumulated Yellow or Red Card Offences whilst registered with a previous Club.

(b) It is a Club's responsibility to ensure that any Participant who has incurred a Fixture Suspension serves that sanction in full.

16.8 Team Misconduct

(a) A Tribunal may impose additional Suspensions on a Club for the Misconduct of a team, including when:

i. five (5) Players are given Yellow Cards or Red Cards during one (1) Match;

ii. three (3) Players are given Red Cards during one (1) Match;

iii. one or more Participants make threats or show force against a Match Official; or

iv. Players and/or Participants engage in violent conduct.

(b) The relevant sanctions for team misconduct are set out at Schedule 3 to these Regulations.

16.9 Unregistered Players

(a) Clubs must not field or list unregistered Players, including individuals playing under false or assumed identities, in any Match. Unregistered Players means those Players who have not registered with FFA.

(b) Any Club which fields or lists unregistered players shall be deemed to have committed Misconduct (section 15.3) and as a result Football NSW may, in its absolute discretion, charge the Club and refer the matter to the GPT for Determination.

16.10 Ineligible Players

(a) Clubs must not field or list Ineligible Players in any Match.

(b) Any Club which fields or lists Ineligible Players shall be deemed to have committed Misconduct (section 15.1) and as a result Football NSW may, in its absolute discretion, charge the Club and refer the matter to the GPT for Determination.

16.11 Team Officials and Club Officials

(a) The Disciplinary Committee has jurisdiction to issue Suspensions based on the Match Official Incident Reports and in accordance with the Table of Offences (Schedule 3, Table B) against Team Officials and Club Officials.

(b) A Team Official or Club Official who has been sent-off or expelled from the technical area by a Match Official must immediately serve a mandatory one (1) Fixture Suspension in the next Premiership, Championship or Cup Fixture, whichever occurs first which may be taken as being included in any additional Suspensions issued by a Body which may apply across all Football Activities depending on the severity of the Offence.

16.12 Refusal to take the field of play and mass walk-offs

Any Club which by the conduct of its Players, Team or Club Officials or Spectators caused a Match to be terminated or abandoned as a result of refusing to take the field or mass walk-offs shall be deemed to have brought the game into Disrepute and as a result Football NSW may, in its absolute discretion, charge a Participant or the Club itself and refer the matter to the GPT for Determination.

17. SOCIAL MEDIA AND DETRIMENTAL PUBLIC COMMENT

(a) Without limiting the Football NSW Social Media Policy (adopted on 30 August 2012) or FFA Rules and Regulations, Members must not make public or media comment (including via social media) which is detrimental to Football NSW, a sponsor of Football NSW or to the interests of the game.

(b) Without limitation, Members will breach these Regulations and be deemed to be making comment detrimental to the interests of the game if in making any public or media comment it:

i. denigrates or criticises another Member, whether in relation to incidents that have occurred in a match or otherwise;

ii. denigrates or criticises Football NSW or FFA or any of its commercial partners;

iii. denigrates or criticises a Participant by inappropriately commenting on any aspect of his or her performance, abilities or characteristics;

iv. comments on the likely outcome of hearing;

v. criticises the outcome of a hearing; or

vi. criticises any evidence, submission or other comment made by any person at a hearing.

(c) Football NSW may, in its absolute discretion, investigate such matters and charge Members under these Regulations and refer the matter to the GPT for Determination.

18. SPECTATORS

(a) The Football NSW Terms of Admission Policy (adopted by Football NSW on 30 August 2012) and the FFA Spectator Code of Behaviour applies to all Spectators attending any Match.

(b) The GPT has jurisdiction to issue Suspensions against Spectators.

(c) In the event of a breach of the Football NSW Terms of Admission Policy, Football NSW may refer the matter to the GPT and seek an appropriate sanction including but not limited to excluding Spectators from all Matches within Football NSW's jurisdiction.

(d) Any ban imposed by FFA under its applicable rules and regulations against a person may be endorsed and applied by Football NSW across all Matches.

(e) Any ban imposed by a Club, Centre or Association Member under its applicable rules and regulations may be endorsed and applied by Football NSW across all Matches.

SCHEDULE 1: DEFINITIONS

"**Affected Party**" means a party (including Football NSW) who may be affected by a decision based on the relief sought by a Member submitting a Notice of Appeal or Grievance Form under these Regulations;

"**Appeals Tribunal Determination or AT Determination**" means a decision or Determination made by the AT pursuant to section 9;

"**Appeals Tribunal" or "AT"** means the Body responsible for hearing and determining appeals set out in section 9;

"**Application Fees**" means the applicable fees to appear before a GPT or AT as set out in Schedule 4;

"**Association Appeals Committee**" means the highest disciplinary or judicial body of an Association Member;

"**Association Member**" means those admitted from time to time as association members of Football NSW under the Football NSW Constitution;

"**Board**" mean the directors of Football NSW appointed or elected from time to time in accordance with the Football NSW Constitution;

"**Body**" means a body established under section 5 (Authority to establish Committees and Tribunals) of these Regulations;

"**Branch**" means each of Southern Branch, Western Branch and Riverina Branch;

"**Centre**" means an affiliated entity of Football NSW formed for the purpose of organising futsal competitions;

"**Championship**" means the final series conducted at the completion of the Premiership (whether it be outdoor or futsal) in accordance with the Football NSW Rules and Regulations;

"**Chairperson**" means a chairperson or vice-chairperson of a Tribunal appointed under section 6 (Membership of Bodies);

"**Claim**" means a claim or disagreement by, against or between Members;

"**Club**" means an entity formed for the purpose of playing football or futsal in the Competitions;

"**Club Official**" means any person involved with the administration, management or organisation of a Club or Centre (whether paid or unpaid), including employees, contractors, directors, representatives and volunteers;

"**Competitions**" means any or all of the football matches or competitions conducted by Football NSW including both outdoor and futsal and may include a Championship and Premiership component;

"**Complaint**" means an allegation that a Member's conduct is in breach of FFA Rules and Regulations, Football NSW Rules and Regulations or a Member Association's rules and regulations;

"**Cup**" means a tournament or event conducted by Football NSW which includes, but not limited to, the Waratah Cup played in the State in accordance with the Football NSW Rules and Regulations;

"**Determination**" means a decision made by a Body in accordance with these Regulations;

"**Disciplinary Committee or DC**" means the Body responsible to make decisions under section 7;

"**Disrepute**" has its meaning given to it under the FFA Code of Conduct. For the purposes of these Regulations, a reference to FFA in the FFA Code of Conduct shall also be a reference to Football NSW;

"**Executive**" means the Chief Executive Officer of Football NSW or his or her nominee;

"**FFA**" means Football Federation Australia Limited, the governing body for football (soccer) in Australia;

"**FFA Statutes**" means the statutes and any accompanying standing orders, by-laws and regulations governing football in Australia as promulgated by FFA from time to time;

"**FFA Rules and Regulations**" means the FFA Statutes and any other rules, regulations, policies, procedures, codes of conduct and guidelines developed, promulgated and implemented by FFA;

"**FIFA**" means Federation Internationale de Football Association, its successor or assignee;

"**Fixture**" means a meeting of clubs as scheduled in all grades applicable;

"**Football Activity**" means any activity of a football nature which takes place on the field of play, playing area or within the external surrounds of a ground or venue;

"**Football NSW By-Laws**" means the by-laws of Football NSW adopted on 26 July 2006 and amended from time to time;

"**Football NSW Competitions**" means any or all of the football matches, tournaments, events or competitions owned or conducted by Football NSW including outdoor and futsal;

"**Football NSW Constitution**" means the constitution of Football NSW as amended up to 26 August 2011 and as amended from time to time;

"**Football NSW Representative Match**" means any match played by a Participant for a representative side controlled or administered by Football NSW;

"**Football NSW Rules and Regulations**" mean any rules, regulations, by-laws, policies, procedures, directives, codes of conduct and guidelines developed, promulgated and implemented by Football NSW;

"**Football NSW**" means Football NSW Limited ACN 003 215 923 which is the governing body for football (including Futsal) in the State;

"**General Purposes Tribunal or GPT**" means the Body responsible for hearing and determining matters under section 8;

"**General Purposes Tribunal Determination or GPT Determination**" means a decision made by the GPT pursuant to section 8;

"**Grievance**" means either a Claim or Complaint as the case requires under section 8.3;

"**Grievance Form**" means **Prescribed Form 14**, used for raising a Grievance against a Member under section 8.3;

"**Ineligible Players**" means Players who have been issued with Suspensions by FFA, Football NSW, a Club, Centre or an Association (see section 16.10);

"**Laws of the Game**" means the official laws of the game of football and futsal as promulgated by FIFA;

"**Match**" means any match played in a Football NSW Competition, Cup, Premiership, other event or tournament under Football NSW's control;

"**Match Official**" means a referee, assistant referee, fourth official, assessor, match commissioner, any person in charge of safety or any other person appointed by FFA, Football NSW, a Referee's Body, a Centre, an Association Member or a Club to assume responsibility in connection with a Match;

"**Match Official Report**" means either a Match Official Send Off Report (**Prescribed Form 02**) or a Match Official Incident Report (**Prescribed Form 03**) prepared and submitted by Match Officials to Football NSW;

"**Match Official Incident Report (Prescribed Form 03)**" means a report prepared and submitted by a Match Official to Football NSW which sets out any incidents which occurred prior to, during or after a Match;

"**Match Official Send-Off Report (Prescribed Form 02)**" means a report prepared and submitted by a Match Official to Football NSW which sets out any Red Card Offences that occurred during a Match;

"**Member**" means for the purposes of these Regulations an Association Member, a Branch, a Centre, a Club, a Referee's Body or a Participant;

"**Misconduct**" has its meaning given to it under section 15.3 of these Regulations;

"**Notice of Appeal**" means the relevant prescribed form submitted by a party to Football NSW wishing to appeal a decision of a DC (**Prescribed Form 11**), GPT (**Prescribed Form 13**) or an Association Appeals Committee (**Prescribed Form 15**);

"**Notice of Charge**" means a Notice submitted by Football NSW charging a Member with Misconduct;

"**Notice of Proceedings**" means a notice submitted by Football NSW to parties subject to a hearing;

"**Notice of Response**" means **Prescribed Form 12** submitted by a Member having being charged with Misconduct pursuant to these Regulations;

"**Notice of Suspension**" means a notice submitted to a Member who has breached these Regulations and has been issued with a Suspension pursuant to these Regulations;

"**Offences**" means those offences committed by a Member set out in the Table of Offences (Schedule 3);

"**Official**" means a Club Official, Match Official or Team Official;

"**Participant**" means a Player, Official or Spectator;

"**Player**" means any person who participates in a Match (irrespective of whether he or she is registered with FFA, junior or senior or an amateur or professional;

"**Pre-Season Competition**" means Fixtures or matches played prior to the commencement of a Football NSW Competition, whether it be outdoor or futsal;

"**Premiership**" means the round robin Matches (both home and away, outdoor and futsal) in which a team competes during a Season in accordance with the Football NSW Rules and Regulations;

"**Red Card Offence**" means one of the sending-off offences set out in in the Table of Offences (Schedule 3, Table A);

"**Referees Body**" means a body made up of Match Officials who provide services to Football NSW or an Association Member. For the avoidance of doubt, a Referees Body (whether or not as an entity in its own right) shall be considered a Member of Football NSW together with its members;

"**Regulations**" means these Football NSW Grievance and Disciplinary Regulations as amended from time to time;

"**Season**" means from the commencement of a Football NSW Competition to the conclusion of a Football NSW Competition unless otherwise directed by Football NSW and includes both outdoor and futsal;

"**Spectator**" means a person who attends to view a Match;

"**State**" means the state of New South Wales with the exception of the northern regions of NSW which are identified by FFA as "Northern NSW";

"**Suspensions**" means the suspensions issued by a Body pursuant to these Regulations;

"**Table of Offences**" mean the Offences as set out at Schedule 3 to these Regulations;

"**Team Official**" means any person involved with the management, preparation or participation of a team (whether paid or unpaid), including the coaches, managers, medical staff, other support staff or any other person acting for or on behalf of a Club, Branch, Centre or an Association Member;

"**Trial Match**" means any Match played by two Clubs which does not form part of a Football NSW Competition, Cup, Premiership, other event or tournament but has been sanctioned by Football NSW and includes both outdoor and futsal;

"**Tribunal**" means the General Purposes Tribunal or the Appeals Tribunal;

"**Vexatious Claim**" means a Claim or Complaint instituted without sufficient grounds and serving or designed only to cause annoyance to another Member;

"**Yellow Cards**" means a caution of a Player by a Match Official for an infringement set out in section 16.1.

SCHEDULE 2: PRESCRIBED FORMS AND EMAIL ADDRESSES

Documents	Email Address
Team Sheets (**Prescribed Form 01**)	matchreports@footballnsw.com.au
Match Official Send-Off Report (**Prescribed Form 02**)	matchreports@footballnsw.com.au
Match Official Incident Report (**Prescribed Form 03**)	matchreports@footballnsw.com.au
Written Statement by a Participant challenging a decision on the basis of mistaken identity in a Match Official Send-Off Report (**Prescribed Form 04**) – section 7.3	dc@footballnsw.com.au
Written Statement by actual Participant committing the Red Card Offence - mistaken identity in a Match Official Send-Off Report (**Prescribed Form 05**) – section 7.3	dc@footballnsw.com.au
Written Statement by a Club - mistaken identity in a Match Official Send-Off Report (**Prescribed Form 06**) – section 7.3	dc@footballnsw.com.au
Written Statement by a Participant – challenging a decision on the basis of mistaken identity in a Match Official Incident Report (**Prescribed Form 07**) – section 7.3	dc@footballnsw.com.au
Written Statement by actual Participant committing the Offence - mistaken identity in a Match Official Incident Report (**Prescribed Form 08**) – section 7.3	dc@footballnsw.com.au
Written Statement by a Club - mistaken identity in a Match Official Incident Report (**Prescribed Form 09**) – section 7.3	dc@footballnsw.com.au
Written Statement by Participant – challenging a decision on the basis of Exceptional Circumstances (**Prescribed Form 10**) – section 7.4	dc@footballnsw.com.au
Notice of Appeal of a decision of a DC (**Prescribed Form 11**) – section 7.5	tribunal@footballnsw.com.au
Notice of Response (**Prescribed Form 12**) – section 8.2	tribunal@footballnsw.com.au

Notice of Appeal of a decision of a GPT (**Prescribed Form 13**) – section 8.6	tribunal@footballnsw.com.au
Grievance Form (**Prescribed Form 14**) – section 8.3	tribunal@footballnsw.com.au
Notice of Appeal of a decision of an Association's Appeals Committee (**Prescribed Form 15) –** section 9.5	tribunal@footballnsw.com.au
Any other matter relevant to these Regulations	tribunal@footballnsw.com.au

SCHEDULE 3: TABLE OF OFFENCES

TABLE A: OFFENCES BY PLAYERS

Send Off Codes	Description	Suspension	
		Minimum	**Maximum**
R1	Serious Foul Play	2 Fixtures	12 Fixtures
R1 Expanded			
	Violent Tackle from behind that endangers the safety of an opponent	3 Fixtures	10 Fixtures
	Rugby Tackle	2 Fixtures	8 Fixtures
	Violent Charging	2 Fixtures	8 Fixtures
	Over the Ball Tackle	2 Fixtures	12 Fixtures
R2	Violent Conduct	2 Fixtures	16 Fixtures
R2 Expanded			
	Head Butting	5 Fixtures	24 Fixtures
	Punching/Fighting	2 Fixtures	8 Fixtures
	Kicking	2 Fixtures	12 Fixtures
	Elbowing to the Head	4 Fixtures	16 Fixtures

	Elbowing to the Body	2 Fixtures	10 Fixtures
R3	spitting at an opponent or any other person	8 Fixtures	1 Year
R4	denying the opposing team a goal or an obvious goal-scoring opportunity by deliberately handling the ball (this does not apply to a goal-keeper within his own penalty area)	1 Fixture	4 Fixtures
R5	denying an obvious goal-scoring opportunity to an opponent moving towards the player's goal by an offence punishable by a free kick or a penalty kick	1 Fixture	6 Fixtures
R6	using offensive, intimidating, insulting or abusive language and/or gestures	2 Fixtures	8 Fixtures
R6 Expanded			
	Making offensive, intimidating, insulting or abusive gestures	4 Fixtures	20 Fixtures
	Indecent Actions	4 Fixtures	20 Fixtures
R7	Receiving a second caution in the same Match		1 Fixture

TABLE B: OFFENCES BY PARTICIPANTS AGAINST MATCH OFFICIALS

Number	Description	Suspension	
		Minimum	**Maximum**
1	Threatening or intimidating a Match Official by word or action	12 Fixtures	Life
2	Tripping a Match Official	1 Year	Life
3	Pushing with open hand, shoulder or hip	1 Year	Life
4	Striking with the ball or other object	1 Year	Life
5	Punching, kicking or elbowing	Life	Life
6	Spitting	8 Fixtures	Life
7	Use of offensive, intimidating insulting or abusive language and / or gestures against or about a Match Official	4 Fixtures	20 Fixtures

TABLE C: OTHER OFFENCES BY PARTICIPANTS

Number	Description	Minimum Sanction	Maximum Sanction
1	Inciting the crowd	10 Fixtures	6 Years
2	Attacking or fighting with Spectators	1 year	Life
3	Bringing the game into Disrepute	6 Fixtures	Life
4	Deliberately misleading any Body	10 Fixtures	2 Years
5	Spitting at or onto Spectators	8 Fixtures	Life
6	Failure to provide a safe environment for Participants or to maintain public order at a Match	5 Fixtures	2 Years
7	Other offences by Players and Team officials as specified in Match Official Reports	1 Fixture	1 Year

TABLE D: SANCTIONS IMPOSED BY A TRIBUNAL

Number	Type of sanction, order or measure
1	a reprimand
2	a fine or costs
3	a deduction or loss of competition points
4	a ban on the registration or transfer of any Players for a specified period of time
5	annulment of registration of a Player
6	suspension from participation in a Match, Fixture, event, tournament or Competition
7	exclusion, suspension or expulsion from a Competition
8	a ban on playing in a particular stadium, ground or centre
9	annulment of the result of the Match
10	relegation to a lower division
11	requiring the return of an award
12	a ban from the dressing rooms and/or the substitutes' bench or entering a stadium, ground or centre
13	with the exception of suspended sentences, such other disciplinary sanctions or measures as is appropriate in all the circumstances, including as prescribed in the FIFA Statutes, FFA Rules and Regulations and Football NSW Rules and Regulations.

SCHEDULE 4: APPLICATION FEES

General Purposes Tribunal (Section 8)

Nature of matter	Fee
Application for a Grievance (section 8.3) other than a contractual dispute arising from a Player's professional contract under the FFA Grievance Regulations	$500
Appeal against a decision of an Associations Appeals Committee (section 9.5)	$500

Appeals Tribunal (Section 9)

Nature of matter	Fee
Appeal Fee from a decision of the DC	$250
Appeal Fee from a decision of the GPT	$750