



**FOOTBALL**  
**SOUTH**  
**AUSTRALIA**

# **GRIEVANCE AND DISCIPLINARY REGULATIONS**

**Updated and implemented February 2020**

## **CONTENT**

<b>1. INTRODUCTION AND OBJECTIVES</b>	<b>4</b>
1.1 Application	4
1.2 Definitions	4
1.3 Scope	6
1.4 Objectives	6
<b>2. AUTHORITY TO ESTABLISH COMMITTEES</b>	<b>6</b>
<b>3. MEMBERSHIP AND COMPOSITION OF COMMITTEES</b>	<b>7</b>
<b>4. QUALIFICATION OF DISCIPLINARY AND APPEAL COMMITTEE</b>	<b>7</b>
<b>5. TERM</b>	<b>7</b>
<b>6. RESIGNATION AND REMOVAL OF DISCIPLINARY AND APPEAL COMMITTEE MEMBERS</b>	<b>7</b>
<b>7. CODE OF CONDUCT FOR DISCIPLINARY AND APPEAL COMMITTEE MEMBERS</b>	<b>8</b>
<b>8. COMPETITION DISCIPLINARY COMMITTEE</b>	<b>8</b>
8.1 Jurisdiction	8
8.2 Determination	8
8.3 Contesting a Decision Based on Mistaken Identity	9
8.4 Appealing a Decision of the Competition Disciplinary Committee	10
<b>9. DISCIPLINARY AND APPEAL COMMITTEE</b>	<b>10</b>
9.1 Jurisdiction	10
9.2 Matters Referred by Competition Disciplinary Committee or FFSA	10
9.3 Disciplinary Committee Process	11
9.4 Attendance at a Hearing	12
9.5 Witnesses	12
9.6 Evidence	13
9.7 Completion of Evidence	13
<b>10. APPEAL COMMITTEE</b>	<b>13</b>
10.1 Jurisdiction	13
10.2 Grounds of Appeal	14
10.3 Composition for Appeal Hearing	14
10.4 Notice of Appeal by Person	14
10.5 Lodgment of Notice of Appeal	14
10.6 Time for Hearing of Appeal	14
10.7 Attendance	14
10.8 Procedure and Evidence	15
10.9 Obligations of Appeal Committee	15
10.10 Adjournment and Stay of Sanction	15
10.11 Representation	15
10.12 Decision of the Appeal Committee	16
<b>11. GRIEVANCE</b>	<b>13</b>
<b>12. NO RECOURSE TO COURTS</b>	<b>14</b>

<b>13. ADMINISTRATIVE PROCEDURES</b>	<b>17</b>
13.1 Dissemination of Documents Electronically	17
13.2 Submissions by a Party	17
13.3 Affected Party	17
13.4 Attendance of a Parent/Carer	18
13.5 General Conduct of Disciplinary and Appeal Hearings	18
13.6 Disclosure of Disciplinary and Appeal Committee	18
13.7 Standard of Proof	18
13.8 Costs	18
13.9 Contempt of Disciplinary and Appeal Committee	19
13.10 Hearing of a Proceeding Pending Criminal or Disciplinary Action	19
13.11 Publication and Confidentiality	19
<b>14. SOCIAL MEDIA AND PUBLIC COMMENT</b>	<b>20</b>
<b>15. SPECTATORS</b>	<b>20</b>
<b>16. MANDATORY MATCH SUSPENSIONS FOR YELLOW CARD OFFENCES</b>	<b>20</b>
<b>17. EXPULSION OF TEAM OFFICIALS</b>	<b>22</b>
<b>18. MANDATORY MATCH SUSPENSIONS FOR RED CARD OFFENCES</b>	<b>23</b>
<b>SCHEDULE 2: TABLE OF SANCTIONS - RED CARD OFFENCES</b>	<b>24</b>

## 1. INTRODUCTION AND OBJECTIVES

### 1.1 Application

These Grievance and Disciplinary Regulations (GDR) are to be implemented in conjunction with the Football Federation Australia (FFA) Statutes and Regulations and Football South Australia (Football SA) Competition Rules and Regulations.

In the event of inconsistency between these Regulations and any other FFA or Football SA Regulations, the interpretation will prevail in the following order:

- i. FFA Statutes
- ii. National Registration Regulations
- iii. National Disciplinary Regulations
- iv. Football SA Competition Rules and Regulations
- v. These Regulations

### 1.2 Definitions

**“Affected Party”** means a party (including Football SA) who may be affected by a decision based on the relief sought by a party submitting a Notice of Appeal under these Regulations.

**“Affiliated Association”** means those associations that are affiliated with Football SA and are required to adhere to the rules and regulations and statutes of FFA and Football SA.

**“Appeals Committee”** means the Body responsible for hearing and determining appeals.

**“Chairperson”** means a chairperson or vice-chairperson of the Disciplinary and Appeal Committee.

**“Competition Disciplinary Committee”** or CDC is the disciplinary committee appointed by Football SA to review and action reports received from games, including but not limited to, red and yellow card offences.

**“Club”** means an entity that is affiliated with Football SA 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 (whether paid or unpaid) including employees, contractors, directors, representatives and volunteers.

**“Competitions”** means any or all the football matches or competitions conducted and/or sanctioned by Football SA.

**“Disciplinary and Appeal Committee”** or DAC is the independent body established by Football SA to hear any appeals from a CDC decision, or any matter that is referred by the CDC or Football SA.

**“Disciplinary History”** is the history of a participant as held by FFA, Football SA, another member federation of FFA or an Affiliated Association.

**“Disciplinary Infringement Notice”** a notice provided by Football SA to a person, Club or entity that is being charged.

**“Notice of Disciplinary Hearing”** a notice provided by Football SA notifying a person, Club or entity that is charged the date, time and place for the Disciplinary Hearing.

**“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 disseminated 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, disseminated and implemented by FFA.

**“FIFA”** means Federation Internationale de Football Association.

**“Friendly”** means any Match participated in by a Club as sanctioned by Football SA or any other Member Federation, which is not part of a Competition.

**“Football SA”** the governing body for football (soccer) in South Australia.

**“Football SA Rules and Regulations”** mean any rules, regulations, policies, procedures, directives, codes of conduct and guidelines developed, disseminated and implemented by Football SA.

**“Laws of the Game”** means the official Laws of the Game and the Futsal Laws of the Game as drafted by the International Football Association Board and adopted by FIFA from time to time.

**“Match”** means any match played and sanctioned by Football SA.

**“Match Official”** means a referee, assistant referee, fourth official, assessor, match commissioner, or any other person appointed by FFA, Football SA or an affiliated body to assume responsibility in connection with a Match.

**“Match Official Report”** means either a Match Official Send Off Report or Incident Report completed and submitted by a Match Official to Football SA.

**“Notice of Appeal”** means the relevant prescribed form submitted by a party to Football SA wishing to appeal a decision of the CDC or DAC.

**“Notice of Response”** is a form submitted by a party in response to being issued with a Disciplinary Infringement Notice.

**“Notice of Suspension”** means a notice submitted to a party 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 is registered with Football SA or affiliated association whether he or she is registered as a junior or senior or an amateur or professional.

**“Red Card Offence”** means one of the sending-off offences set out in the Table of Offences.

**“Spectator”** means a person who attends a Match.

**“Suspensions”** means a suspension issued by a body appointed by Football SA.

**“Table of Offences”** mean the Offences as set out at Schedule 3 to these Regulations.

**“Team Official”** means any person involved with 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 or an Affiliated Association.

**“Yellow Cards”** means a caution issued to a Player by a Match Official for an infringement set out in section 16.1.

## **1.2 Scope**

These Regulations:

- a) Apply to all players, club officials and match officials that participate in Football SA Competitions.
- b) Apply to all players, club officials and match officials that participate in affiliated associations.
- c) Apply to spectators that attend Football SA sanctioned games or events.

## **1.3 Objectives of these Regulations are to:**

- a) Ensure that all Club Associates and Match Officials observe the Laws of the Game, FFA Statutes and Regulations, Football SA Constitution, Competition Rules and Regulations and policies.
- b) Ensure that Football is played competitively and in the spirit of fair play in accordance with the Laws of the Game.
- c) Encourage participation in Football and to improve and advance Football as a spectator sport, and to provide a safe and secure playing and spectating environment.
- d) 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.
- e) To ensure consistency and transparency in the handling of all grievances, incidents, disciplinary, dispute and conduct matters involving Members under these Regulations.

## **2. AUTHORITY TO ESTABLISH COMMITTEES**

- a) The authority to establish committees and tribunals is vested in the Board of Football SA.
- b) These Regulations confirm the establishment of the following Bodies:
  - i. Competition Disciplinary Committee (**CDC**);
  - ii. Disciplinary and Appeals Committee (**DAC**)

### **3. MEMBERSHIP AND COMPOSITION OF COMMITTEES**

- a) Competition Disciplinary Committee (CDC) will comprise of Football SA Competition Staff.
- b) To determine a matter, the CDC must consist of a minimum of three (3) Competition Staff.
- c) Members of the Disciplinary and Appeals Committee (DAC) will be appointed by Football SA. The Chair of the DAC is appointed by Football SA. The Chair of the DAC must have legal qualifications.
- d) To hear and determine a matter, the DAC must consist of a minimum of two (2) Committee members.
- e) A Chair for each hearing will be appointed from within the sitting Committee.
- f) Each member of the DAC has and must exercise a single vote. Where the Committee comprises of two sitting members, the Chair of the sitting Committee will have a casting vote (if required).

### **4. QUALIFICATION OF DISCIPLINARY AND APPEAL COMMITTEE**

- a) Each member must:
  - i. Exercise independent judgment.
  - ii. Be independent of Football SA.
  - iii. Have the requisite knowledge, and/or experience, of football, FFA Rules and Regulations, and Football SA Rules and Regulations; and
  - iv. Have the ability to make decisions that take into account the best interests of the game.
- b) Except where Football SA otherwise determines, a person shall not be appointed to DAC if that person has served in the previous twelve (12) months or is currently:
  - i. A member of the Board of Football SA.
  - ii. A member of the Board of an Affiliated Association or Club.
  - iii. A player or coach of a Club.
  - iv. A Match Official
  - v. A General Manager or administrator of an Affiliated Association or Club.

### **5. TERM**

DAC members shall be appointed for a term of two (2) years unless he or she has resigned or been removed pursuant to section 6 (Resignation and Removal of Body Members). Football SA has the sole and absolute discretion to extend the term of a committee member.

### **6. RESIGNATION AND REMOVAL OF DISCIPLINARY AND APPEAL COMMITTEE MEMBERS**

- a) A member of DAC may resign by providing notice in writing to Football SA.

- b) Football SA may remove a member of DAC provided it outlines the reason/s for the removal in writing and that the relevant person has had an opportunity to respond to the stated reasons in writing.

## **7. CODE OF CONDUCT OF COMMITTEE**

- a) Upon his or her appointment by Football SA, each member of the DAC agrees to be bound by, and comply with, the Football SA Code of Conduct as applicable to members of this Committee.
- b) Members are required to declare perceived or real conflicts of interests at the commencement of hearings. This may relate to the matter at hand or circumstances that may be impacted by that hearing's decision.

## **8. COMPETITION DISCIPLINARY COMMITTEE (CDC)**

### **8.1 Jurisdiction**

- a) The Competition Disciplinary Committee (CDC) has jurisdiction to:
  - i. issue suspensions based on red and yellow cards issued by Match Officials.
  - ii. implement suspensions in accordance with the Table of Offences sanctions.
  - iii. rectify a disciplinary decision made by a Match Official (Challenging a decision on the basis of mistaken identity in a Match Official Send-Off or Incident Report).
  - iv Investigate and make findings relating to a breach of any Football SA rules, regulations or policies.
- b) The CDC shall only have jurisdiction to issue a Suspension that is no longer than six (6) months unless the penalty invokes a suspended suspension in which case the CDC can implement the penalty. A suspension which is longer than six (6) months may only be issued by DAC.
- c) The application of red and yellow cards will be implemented in accordance with the FFA National Disciplinary Regulations, Football SA Disciplinary and Grievance Regulations, Competition Rules and Regulations and the relevant Competition Operating Regulations.

### **8.2 Determination**

- a) The CDC is responsible for reviewing and actioning all Match Official's reports and club reports that have been submitted to Football SA.
- b) The CDC can make the determination to take no action, to implement a sanction in accordance with the Table of Offences (Schedule 2) or refer the matter to the DAC.
- c) Where the CDC determines that a sanction is to be imposed, that is greater than the mandatory minimum for the offence, the CDC will provide the club with an opportunity to submit evidence in relation to the incident. Evidence may consist of:
  - i. Video footage
  - ii. Photographs
  - iii. Written reports



- d) Where video evidence is provided, the CDC may, in its absolute discretion, refer any incident identified in the footage to the DAC. Where video evidence is not provided at the time of the CDC reviewing the report and issuing a sanction, if the matter is referred to the DAC, the DAC may, in its absolute discretion, not permit the introduction of video evidence.
- e) For the CDC to take evidence into consideration it must be provided to Football SA within 48 hours of the request.
- f) The CDC may take into consideration a participant's disciplinary history (as held by Football SA) and any prior suspensions that have been applied in respect to similar offences. For the avoidance of doubt, a participant's disciplinary history is that as held by FFA, Football SA, another member federation of FFA or an Affiliated Association.
- g) Once the CDC has made a determination on a penalty, a Notice of Suspension will be sent out to the club by the relevant Football SA Competition Coordinator. Notification will be provided to the club within three (3) business days, where possible, following receipt of the report.
- h) A participant is not eligible to contest a suspension where the CDC has issued the minimum suspension, unless the participant contests the suspension on the grounds of mistaken identity in accordance with regulation (8.3) below.
- i) The CDC may, in its absolute discretion, refer any matter to the DAC.

### **8.3 Contesting a decision based on 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, the participant and the Club must submit the following forms to the relevant Competition Coordinator within 48 hours of the game being played:
  - i. Written Statement by a participant regarding mistaken identity - [here](#)
  - ii. Written Statement by a Club regarding mistaken identity - [here](#)
  - iii. Any other evidence which may support the claim for mistaken identity including but not limited to any video or photo evidence.
  - iv. Identification of the participant that the send-off or incident report relates to.
- b) If Football SA does not receive the completed written statements within the time specified in 8.3(a), the participant is deemed to have been responsible for the Offence and may, subject to the CDC consideration of the send-off/incident, be issued with a Notice of Suspension.
- c) After considering the evidence, the CDC will decide whether the claim for mistaken identity should be rejected or upheld.
- d) If the CDC rejects a claim for mistaken identity, the CDC will make a determination on the report submitted by the Match Official.
- e) If the CDC upholds the mistaken identity claim, a Notice of Suspension shall be issued to the appropriate identified participant, who shall serve the Suspension immediately. If a Notice of Suspension was issued to the original participant, it will be rescinded.

- f) The decision made by the CDC will be conveyed to the Club.

#### **8.4 Appealing a Decision of the Competition Disciplinary Committee (CDC)**

- a) A Club may only appeal a decision of the CDC to the Disciplinary and Appeal Committee (DAC) based on section 10.2 Grounds of Appeal.
- b) A Club wishing to appeal a decision of the CDC must complete and submit a Notice of Appeal Form. The Notice of Appeal can be obtained from the Football SA website or contacting Football SA Competition Department.
- c) The Notice of Appeal must be submitted to Football SA within seven (7) days of the decision by the CDC being notified to the Club **and** pay the relevant Appeal Fee, as outlined in the relevant Competition Operating Regulations.
- d) Where Football SA does not receive a Notice of Appeal **and** Appeal Fee within the specified timeframe as outlined in section 8.4(c), it will be deemed that the Club/participant has waived their right to appeal.
- e) Once the Notice of Appeal **and** Appeal Fee have been approved by Football SA, the appeal will be referred to the DAC to be determined. This is to be heard as an appeal and not as a new hearing. The appeal decision made by the DAC is considered the final decision relating to the matter and there are no further appeal opportunities through Football SA.

### **9. DISCIPLINARY AND APPEAL COMMITTEE (DAC)**

#### **9.1 Jurisdiction**

- a) The Disciplinary and Appeal Committee (DAC) will be responsible for hearing and determining:
  - i. Any matter referred to it by the CDC or Football SA; and
  - ii. Appeals against decisions of the CDC
  - iii. Appeal of a DAC decision.
- b) Disciplinary Committees and Appeal Committees will be constituted on an ad hoc basis from members of the DAC to hear individual matters as outlined below.

#### **9.2 Matters referred by Competition Disciplinary Committee (CDC) or Football SA**

- a) The Competition Disciplinary Committee (CDC) or Football SA may refer any matter to the Disciplinary and Appeal Committee for investigation. These matters include but are not limited to:
  - i. any report, charge or matter referred to under the FFA National Disciplinary Regulations.
  - ii. any report, charge or matter referred to under FFA Registration Regulations.
  - iii. any report, charge or matter referred to under the Football SA Competition Rules, Operating Regulations, Code of Conducts.
  - iv. an appeal against a decision made by the CDC or DAC.
  - v. a grievance referred by Football SA; and/or
  - vi. any report or matter referred by Football SA.

- b) Prior to the matter being referred to the DAC, Football SA shall notify the individual, Club or entity that should the individual, Club or entity wish to provide an explanation or information in relation to the infringement or grievance, such explanation or information may be provided in writing to the Football SA within 48 hours of the request. Football SA will consider the information provided.
- c) If it is determined that the matter will be referred to the DAC, a Disciplinary Infringement Notice will be issued by Football SA to the club notifying them of the details of the hearing.
- d) The Disciplinary Infringement Notice shall outline the following information:
  - i. the name of the individual, Club or entity.
  - ii. the date, time and place of hearing.
  - iii. reasonable details of the alleged infringement or grievance.
  - iv. video evidence or materials that are being presented; and
  - v. notice of possible sanctions in accordance with National Disciplinary Regulations and Football SA Disciplinary Regulations where a Disciplinary Infringement Notice is issued.
- e) Football SA will, where possible, will schedule a Disciplinary Hearing before the next applicable match, or within five (5) business days of the alleged infringement.
- f) All hearings will proceed at the date and time specified in the hearing notice provided by Football SA. Any adjournment will be at the discretion of the Disciplinary Committee.
- g) On receipt of a Disciplinary Infringement Notice, the Club must submit a completed and signed [Notice of Response](#) within 48 hours of receipt. If the matter goes to a Disciplinary Hearing, any other supporting documentation must be provided by 9.00am of the day of the hearing.
- h) A party who pleads guilty in a Notice of Response may be eligible for leniency by the Disciplinary Committee in respect to any sanction imposed.
- i) Where a Notice of Response is not received by Football SA within the timeframe specified, it will be deemed that the charged party has pleaded guilty to all charges outlined in the Disciplinary Infringement Notice and accepts the information outlined in the reports provided.

### **9.3 Disciplinary Committee Proceedings**

- a) The Disciplinary Committee may conduct the hearing in any manner it sees fit including, but not limited to, conducting it via video or teleconference and may, if it considers it appropriate, amend the charges and/or adjourn the hearing, provided that:
  - i. all parties affected are given a reasonable opportunity to be heard; and
  - ii. the hearing is conducted with as little formality, and with as much expedition, as proper consideration of the matters permit.
- b) The Disciplinary Committee is not bound by the rules of evidence or by practices or procedures applicable to courts of record however the Committee is required to adhere to the principles of natural justice. The following is applicable to Disciplinary Committee Proceedings:

- i. at the commencement of a hearing, the Chair of the sitting Disciplinary Committee will read out each charge.
  - ii. the person or Club charged, if present, will be asked whether they plead guilty or not guilty in accordance with the Notice of Response they have submitted.
  - iii. in some cases, DAC, at their discretion, may allow a party to be represented by a person with legal qualification. This must be applied for in the Notice of Response.
- c) The Disciplinary Committee may either on its own motion, or on application by a party, adjourn the hearing of any matter on such terms as it sees fit.
- d) Football SA may make such submissions to the Disciplinary Committee as it sees fit, either on the question of penalty or sanction.

### **9.3 Attendance at a Hearing**

- a) By a Club Associate:
  - i. Attendance at the hearing of the Disciplinary Committee by person(s) or Club(s) who have been charged is mandatory.
  - ii. If a charged person or club does not attend the hearing, the Disciplinary Committee may at its sole and absolute discretion:
    - (A) hear the matter without the charged person or club being in attendance; or
    - (B) adjourn the matter, in exceptional circumstances as determined by the DAC.
- (b) By Referee:
  - i. Any written Send-Off, Incident Report or other such report submitted by an appointed Match Official in relation to any matter before the Disciplinary Committee will be taken as a factual account of the incident in accordance with clause 10.4 of the National Grievance Resolution Regulations. As such, a Match Official will not be required to attend the hearing however the Disciplinary Committee may at its sole and absolute discretion request further information from a Match Official, this may include via the telephone.

### **9.4 Witnesses**

- a) The hearing of witnesses is at the sole and absolute discretion of the Disciplinary Committee. All witnesses that are to attend a hearing of the Disciplinary Committee must notify Football SA no later than 9.00am of the day of the hearing.
- b) The Club or individual may provide witness statements as they see fit. Witnesses may be called to the hearing however it is at the sole and absolute discretion of the Disciplinary Committee as to whether witnesses will be heard. The Chair of the sitting Disciplinary Committee will make the determination on the night of the hearing on whether witnesses will be heard and communicate it to the party.
- c) If a witness has provided a written statement and is not present to be questioned about that statement, the Committee may attach such weight to the document as it deems appropriate.
- d) The parties may call evidence from such witnesses as are permitted by the Committee and all such witnesses can be subject to questioning by the other party or members of the Disciplinary Committee.

- e) The Disciplinary Committee may permit a witness to give evidence via the telephone or by such means as the Disciplinary Committee deems appropriate.

#### **9.6 Evidence**

- a) Parties who wish to rely upon documents or other evidence (video recordings, witness statements, CCTV, photos, and so forth), must provide copies or confirm their intended use of such material to Football SA no later than 9.00am of the day of the hearing.
- b) If the evidence is not provided or notified within this timeframe, it will be at the sole and absolute discretion of the Disciplinary Committee as to whether the evidence will be permitted.

#### **9.7 Completion of evidence**

- a) At the completion of the evidence:
  - i. the parties shall leave the hearing room as requested by the Disciplinary Committee.
  - ii. the Committee will consider all the evidence and submissions made during the hearing and decide on the balance of probabilities with respect to whether or not the charge(s) or matter has been proven.
  - iii. prior to making a final determination the Disciplinary Committee may call for submissions from the charged party.
  - iv. the Disciplinary Committee may give an oral decision at the conclusion of the hearing or provide its decision at a later time. The Committee is not required to give reasons for its decision but may do so in its sole discretion.
- b) The determination of the Committee will be decided by majority opinion. Where the Committee consists of only two persons, the Chair shall have a casting vote, if required.
- c) Football SA will send written notification of the findings to the Club following the hearing. The findings of all hearings shall be published on Football SA's website, unless otherwise directed by the Disciplinary Committee or if it relates to an underage player.

#### **9.8 Duration of hearing**

DAC Hearings are scheduled for one (1) hour, or one and a half (1.5) hours in more complex cases, at the discretion of the Committee. In exceptional circumstances, as deemed necessary by the Committee, a hearing may extend beyond this timeframe.

### **10. APPEALS COMMITTEE**

#### **10.1 Jurisdiction**

An Appeals Committee will be constituted on an ad hoc basis from the membership of the DAC to hear and determine appeals as referred to it by Football SA.

#### **10.2 Grounds of Appeal**

An appeal to the Appeals Committee may only be made on the following grounds:

- a) A party was not afforded a reasonable opportunity to present its case.

- b) That the decision was so unreasonable that no Disciplinary Committee acting reasonably could have come to that decision having regard to the evidence before it; or
- c) That the sanction imposed was manifestly excessive.

### **10.3 Composition for Appeal Hearing**

The Appeal Committee shall comprise of a minimum of two people with it comprising of:

- a) Two DAC Members, one of whom shall be appointed as Chair of the sitting Appeal Committee. The Chair shall be appointed between the sitting members; and
- b) At least one member of the Appeal Committee shall have legal qualifications.
- c) A DAC Member who participated in the hearing that is being appealed, is ineligible to be a member of the Appeals Committee.

### **10.4 Notice of Appeal by Person**

An appeal shall only be accepted by Football SA if the Notice for Appeal Form is completed and submitted to Football SA accompanied by the specified Appeal Fee. The Notice of Appeal can be obtained from the Football SA website or contacting Football SA Competition Department. The Notice of Appeal shall specify the grounds upon which the appeal is brought, including particulars relating to such ground(s).

### **10.5 Lodgment of Notice of Appeal**

A Notice of Appeal shall be lodged by:

- a) delivering; or
- b) transmitting,

to Football SA within seven (7) days of receiving the initial findings.

### **10.6 Time for Hearing of Appeal**

- a) Upon receipt of a Notice of Appeal, Football SA shall:
  - i. Fix the date, time and place for the hearing of the appeal as soon as practicable.
  - ii. Advise all parties involved in the appeal in writing of the particulars.
  - iii. Organise representatives from the DAC to sit on the Appeal Hearing.
  - iv. Provide all required documentation relating to the hearing to the Appeal committee, the Club concerned, and where notified, to Counsel.
- b) The Appeal Committee or Football SA may vary the date, time or place specified in the Appeal Notice. Where this occurs, Football SA shall as soon as practicable, provide all parties interested in the appeal with written notice of any such variation.

### **10.7 Attendance**

- a) An appellant shall attend and appear before the Appeal Committee at the date, time and place outlined in the Appeal Notice. Where an appellant fails to attend before the Appeal Committee, the Appeal Committee may hear and determine the appeal in the

appellant's absence or adjourn the hearing. Any such decision is at the sole and absolute discretion of the Appeal Committee.

- b) Counsel may attend and appear before the Appeal Committee at the date, time and place outlined in the Appeal Notice. Where Counsel fails to attend before the Appeal Committee, the Appeal Committee may hear and determine the appeal in the absence of Counsel or adjourn the hearing. Any such decision is at the sole and absolute discretion of the Appeal Committee.

#### **10.8 Procedure and Evidence of the Appeal Committee**

- a) The Appeal Committee may regulate the Appeal proceedings in any such manner as the Chairperson of the Appeal Committee thinks fit.
- b) The Appeal Committee is not bound by the rules of evidence or by practices and procedures applicable to Courts but may inform itself as to any matter in such manner as it thinks fit. The Appeals Committee is however required to observe the principles of natural justice in conducting its hearings.

#### **10.9 Obligations of Appeal Committee**

The Appeal Committee shall:

- a) Provide any person whose interest will be directly and adversely affected by its decision a reasonable opportunity to be heard.
- b) Hear and determine the matter before it in an unbiased manner and
- c) Act with honesty and integrity.

#### **10.10 Adjournment and Stay of Sanction**

- a) Unless determined otherwise by the Chair of the Appeals Committee, where the Disciplinary Committee imposes a sanction that prevents the appellant from participating in a match, the appellant shall serve that sanction pending the determination of the Appeal.
- b) The Appeal Committee may of its own decision or upon application by the party, determine:
  - i. That an Appeal be adjourned.
  - ii. A sanction imposed by the Disciplinary Committee be deferred pending the determination of the Appeal.

#### **10.11 Representation**

- a) At an Appeal Hearing a person may:
  - i. Appear in person; or
  - ii. Subject to leave of the Appeal Committee, be represented.
- b) At any hearing before the Appeal Committee, Counsel shall be entitled to appear until or unless excused by the Chairperson of the Appeal Committee.

## **10.12 Decisions of the Appeal Committee**

- a) The Appeals Committee determination will be in accordance with majority opinion of the members.
- b) The Appeals Committee has the power to:
  - i. Confirm, reduce, rescind, vary or increase any penalty appealed against.
  - ii. Confirm or alter the decision made by Football SA in applying the Competition Rules and Regulations only where that decision complies with the Competition Regulations (i.e. correcting a misapplication of the Competition Rules and Regulations).
  - iii. Impose any sanction, measure or make any order the Appeal Committee thinks fit or a decision that could have been imposed under these Regulations.
- c) A failure to comply with a determination of the Appeal Committee is itself a breach of these Regulations and may result in the person or club being sanctioned.
- d) A short oral indication of the outcome of the hearing shall be provided to the parties at the conclusion of the hearing unless otherwise specified by the Chair. A written determination will be provided within five (5) business days of the completion of the hearing, where possible.

## **11. GRIEVANCE**

- a) Football SA may refer a grievance to DAC if, in the opinion of Football SA, the complainant has provided the respondent with an opportunity to address the matter prior to it being referred to the Football SA.
- b) The complainant must have submitted their grievance to the respondent in writing providing the respondent within seven (7) days in which to respond. If the respondent does not respond within this period of time or the grievance is not resolved, the complainant may refer the matter to Football SA.
- c) If the grievance is referred to Football SA, a Notice of Grievance Hearing must be completed and submitted to Football SA. The Notice of Grievance Hearing can be obtained from the Football SA website or by contacting the Football SA Competition Department.
- d) With regards to the Grievance Hearing, Football SA shall:
  - i. Fix the date, time and place for the hearing as soon as practicable.
  - ii. Advise all parties involved in the grievance in writing of those particulars.
  - iii. Organise representatives from the DAC to sit on the Grievance Hearing; and
  - iv. Provide all required documentation relating to the hearing to the Grievance Committee and parties to the grievance.
- e) The Grievance Committee will be constituted on an ad hoc basis from members of the DAC. A minimum of two (2) DAC Committee Members are required to sit on a Grievance Hearing. The Chair of the hearing will be appointed from the sitting members of the Grievance Hearing.
- f) All affected parties of the Grievance Hearing are required to attend. Should an affected party not attend, the Grievance Committee may decide in their absence or may reschedule



the hearing. Any determination is at the sole and absolute discretion of the Grievance Committee.

- g) The role of the Grievance Committee is to:
- i. Provide any person whose interest will be directly and adversely affected by its decision a reasonable opportunity to be heard.
  - ii. Hear and determine the matter before it in an unbiased manner; and
  - iii. Act with honesty and integrity.

## **12. NO RECOURSE TO COURTS**

Any Determination by the DAC 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).

## **13 ADMINISTRATIVE PROCEDURES FOR ALL HEARINGS**

### **13.1 Dissemination of Documents Electronically**

To ensure that information is provided in an efficient and timely manner, all documents relating to any hearing will be sent by Football SA via email.

### **13.2 Submissions by a Party**

- a) Unless there are exceptional circumstances (to be determined at the sole discretion of Football SA), documentation will not be accepted by Football SA outside of the specified timeframe.
- b) All written submissions, materials, documents or other evidence supplied to Football SA will be provided to the other parties (including an Affected Party) involved in the hearing.

### **13.3 Affected Party**

- a) A party submitting a Notice of Appeal Form must state whether there is any other party who may be affected by the decision.
- b) Any Committee hearing a matter may require that any relevant document be given to a party if it is of the view that the outcome of the hearing may affect the interests of that party.
- c) Football SA may, in its absolute discretion, consider itself an Affected Party for the purposes of this section 13.3 if it considers that the determination of a matter may affect the interests of Football SA, 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 13.3 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 not to participate in a hearing, that Affected Party cannot subsequently initiate a Grievance under these Regulations in relation to the same subject matter.

#### **13.4 Attendance of an Adult**

If a person is under eighteen (18) years of age, they must be accompanied by an adult at a hearing.

#### **13.5 General conduct of Hearings**

- a) A hearing will not be bound by the rules of evidence usually applicable to proceedings in a court of law.
- b) All hearings must be conducted in accordance with the principles of natural justice.
- c) A Committee 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 Committee is empowered to:
  - i. Take evidence subject to section 9.6. The admissibility and weight to be given to any evidence in a hearing shall be at the discretion of the Committee.
  - ii. Require the attendance of any party to give evidence. The hearing of any witness is at the sole and absolute discretion of the Committee hearing the matter.
  - iii. Require the production of any document, information or other evidence in whatever form held by any party.
  - 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 Committee), in determining any appeal under section 10.2, the Appeals Committee shall not consider new evidence to that which was before the body whose decision is being appealed.
- f) The Chairperson of a Committee may issue appropriate directions for the conduct of any matter or hearing.

#### **13.6 Disclosure of DAC Members**

In the interests of ensuring independence, Football SA will not disclose the names of the DAC members prior to a hearing to any party.

#### **13.7 Standard of proof**

A Committee shall decide on the balance of probabilities.

#### **13.8 Costs**

- a) The parties attending a Disciplinary or Appeal Hearing shall pay their own costs unless the Committee determines otherwise.

- b) In a hearing, the Committee may award the costs it considers appropriate on:
  - i. the application of a party; or
  - ii. the Committee's determination
- c) In deciding whether to award costs, and the amount of the costs, the Committee may take the following into consideration:
  - i. The outcome of the hearing.
  - ii. The relative strengths of the claims made by each of the parties to the hearing.
  - iii. Any legal costs incurred by a party (including an Affected Party), a committee or FFSA.
  - iv. Any contravention of the FFA or Football SA Rules and Regulations by a party to the proceeding and
  - v. Anything else the committee considers relevant.

### **13.9 Contempt of DAC Committee**

- a) A person appearing before a hearing must not:
  - i. Insult a member of a Committee during the course of their duties.
  - ii. Repeatedly interrupt the proceedings of a Committee.
  - iii. Create a disturbance or take part in a disturbance in or near a place where the hearing is being conducted.
  - iv. Fail to comply with a direction of the Committee or
  - v. Do any other act or thing that contravenes the FFA or Football SA Code of Conduct or brings the game into disrepute.
- b) If a Committee deems that a person has breached section 13.10, then it may impose sanctions as it sees fit in accordance with these Regulations or make recommendations to Football SA.

### **13.10 Hearing of a Proceeding Pending Criminal or Disciplinary Action**

A Committee may issue suspensions or decide based on whether or not a party:

- 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.

### **13.12 Publication and Confidentiality**

- a) Subject to any term of a determination imposing confidentiality or any other legal requirements, any determination or suspension may be disclosed on the Football SA website except in the case of a minor.
- b) All evidence and information provided in hearings is to 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 hearing.

#### 14. SOCIAL MEDIA AND DETRIMENTAL PUBLIC COMMENT

- a) In accordance with Football SA Social Media Policy, and FFA and Football SA Rules and Regulations, a person must not make a public or media comment, including through the use social media, which is detrimental to FFA, Football SA or the interests of the sport.
- b) Football SA may, in its absolute discretion, investigate such matters and charge a person under these Regulations and/or refer the matter to the Competition Disciplinary Committee or the Disciplinary and Appeal Committee for determination.

#### 15 SPECTATORS

- a) FFA Spectator Code of Conduct, Terms of Admission and venue conditions applies to all Spectators attending any Match under the jurisdiction of Football SA.
- b) The Disciplinary and Appeal Committee has jurisdiction to issue sanctions against Spectators.
- c) Any ban imposed by FFA under its applicable rules and regulations against a person may be endorsed and applied by Football SA across all matches.
- d) Any ban imposed by a Club or Affiliated Association may be endorsed and applied by Football SA across all matches.

#### 16. MANDATORY MATCH SUSPENSIONS FOR YELLOW CARD OFFENCES

**Table of Offences for Yellow Cards**

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

- a) A player must serve a mandatory match suspension when he or she accumulates the following number of yellow card minor infringements during the home and away league season or as determined by the Football SA.

<u>Number of Minor Infringements</u>	<u>Period of Suspension</u>
5 cautions	one match
8 cautions	one match
11 cautions	one match
14 cautions	one match
17 cautions	one match

Fines shall apply to clubs for players that accumulate a number of Yellow Cards Minor Infringements during the season.

A player that receives 17 cautions in the competition will be referred to Football SA Disciplinary Committee.

- b) Minor infringement yellow cards received during the, Football SA Cup Competition, Football SA Finals Series, or any other Football SA sanctioned event shall be recorded separately (refer to the appropriate rules of each event).
- c) Any mandatory match suspension gained due to the accumulation of yellow cards is to be served in the competition in which the accumulation occurred.
- d) A player is eligible to play the day after the suspension has been served.
- e) For the avoidance of doubt if the suspension is being served in the league competition, the player must serve the suspension in the league competition in which they gained the highest number of accumulated yellow cards. If the yellow cards are accumulated evenly across grades, the suspension will be served in the grade that the player gained their last accumulated yellow card.
- f) If a player receives two (2) yellow cards during the same game, a red card will be issued.
- g) If a player receives two (2) yellow cards during the same match and therefore receives a red card, the two (2) yellow cards are expunged from his or her record.
- h) If a player receives a yellow card and then a red card in the same match, the yellow card will not be expunged and will be counted in the player's accumulation of yellow cards.
- i) A player who receives a mandatory suspension in a Friendly, must serve that suspension in the next Friendly. A player who receives a match suspension in addition to a mandatory match suspension for an offence that occurs in a Friendly may be required by the Disciplinary Committee to serve the suspension in the next official match(s) in which his or her club participates rather than the next Friendly.
- j) A match suspension means a ban from taking part in a match or to attend in the area immediately surrounding the field of play.
- k) The accumulation of yellow cards will be reset at the end of the last match of the pre-season, the competition proper and any final series respectively. This means that yellow cards accumulated in the pre-season competition do not carry over to the competition proper and yellow cards accumulated in a competition do not carry over to any Finals Series. Match suspensions incurred as a result of the accumulation of yellow cards will not be cancelled. Any variation on the resetting of yellow cards may be outlined in the relevant Operation Regulations.
- l) Each Club shall keep a record of their players' yellow and red cards. All Clubs are responsible for ensuring a suspended player is not played.
- m) The Competition Administrator shall send a Disciplinary Infringement Notice to the Club stipulating the name of player that has received the mandatory match suspension for minor infringement within two (2) business days, where possible, following the alleged incident.
- n) If the Competition Disciplinary Committee has determined in accordance with the National Disciplinary Regulations that an Offence by a participant was such as to warrant a sanction in addition to the mandatory match suspension, the Competition Administrator will send a

Disciplinary Infringement Notice notifying the Club of the details of the Offence and of the disciplinary sanction imposed.

- o) If a suspension is to be served in terms of matches, only those matches played count towards the suspension being served. If a match is abandoned, cancelled or forfeited, a suspension is only considered to be served if the team to which the suspended player belongs is not responsible for the fact that led to the abandonment, cancellation or forfeiture of the game.
- p) Competition Operating Regulations may stipulate slight variations to the calculation of accumulated yellow cards consistent with the number of yellow card accumulations outlined above.

**17. EXPULSION OF TEAM OFFICIAL**

- a) A Team Official must serve a mandatory match suspension when he or she accumulates the following number of yellow cards during the home and away league season or as determined by Football SA.

<u>Number of Minor Infringements</u>	<u>Period of Suspension</u>
5 cautions	one match
8 cautions	one match
11 cautions	one match
14 cautions	one match
17 cautions	one match

Fines shall apply to clubs for Team Officials that accumulate Yellow Cards Minor Infringements during the season.

**Penalty:** Fine \$25.00 for 5, 8, 11, 14 and 17 Cautions.

A Team Official that receives 17 cautions in the competition will be referred to the Football SA Disciplinary Committee.

- b) A Match Official may act against Team Officials as per the FFA regulations who fail to conduct themselves in a responsible manner and may expel the Team Official from the field of play and its immediate surroundings, including the technical areas.
- c) If a team official is expelled, the team official must move directly away from the playing field and its surrounds including the technical area. If available, the official should go directly to the teams changing room or grandstand.
- d) A Team official who has been expelled from the field of play by the Match Official must serve a minimum mandatory one (1) match suspension.

**Penalty** Fine \$50.00 per offence.

- e) A Team Official is eligible the day after the suspension has been served.

## 18. MANDATORY MATCH SUSPENSIONS FOR RED CARDS OFFENCES

Table of Offences – Red Cards

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
R6	Using offensive, insulting or abusive language and/or gestures
R7	Receiving a second caution in the same match

- a) A player that receives a direct red card must serve a suspension in accordance with the National Disciplinary Regulations (NDR). For avoidance of doubt any suspension incurred through a direct red card must be served in the next competitive game that the player participates in regardless of the competition it was gained.
- b) A player must serve an additional mandatory match suspension when they accumulate a number of red cards (serious infringements) during the course of the competition.

Fines shall apply to clubs for players that receive Red Cards during the season. Refer to relevant Competition Operating Regulations for fines.

1st occasion	equates to a one (1) match suspension
2nd occasion	equates to a two (2) match suspension
3rd occasion	equates to a three (3) match suspension
4th occasion	equates to a four (4) match suspension

- c) A Club may only appeal a red card that has been issued to a player in accordance with 8.3 and 8.4 of these regulations.
- d) The Competition Administrator shall send a Disciplinary Infringement Notice notifying the relevant club of the player or team officials mandatory match suspension for major infringement within two (2) business days where possible following the alleged incident.
- e) If a suspension is to be served in terms of matches, only those matches actually played count towards the suspension being served. If a match is abandoned, cancelled or forfeited, a suspension is only considered to be served if the team to which the suspended player belongs is not responsible for the fact that led to the abandonment, cancellation or forfeiture of the game.
- f) A player is eligible to play the day after the suspension has been served.

**SCHEDULE 1: TABLE OF OFFENCES**

Send Off Codes	Description	Suspension	
		Minimum	Maximum
<b>R1</b>	Serious Foul Play	1 Fixture	12 Fixtures
<b>R1 Offences (Examples)</b>			
	Violent Tackle from behind that endangers the safety of an opponent	2 Fixtures	8 Fixtures
	Two footed challenge	2 Fixtures	8 Fixtures
	Jumping into a tackle with one or both feet off the ground	2 Fixtures	12 Fixtures
	Violent Charging	1 Fixtures	8 Fixtures
<b>R2</b>	Violent Conduct	2 Fixtures	Life
<b>R2 Offences (Examples)</b>			
	Charging or slapping an opponent	2 Fixtures	8 Fixtures
	Head Butting	2 Fixtures	Life
	Elbowing or Punching not to the head	2 Fixtures	8 Fixtures
	Elbowing or Punching to the head	3 fixtures	Life
	Kicking	2 Fixtures	10 Fixtures
	Stomping	4 Fixtures	Life
	Inciting a Brawl	6 Fixtures	Life



<b>R3</b>	Spitting at an opponent or any other person	6 Fixtures	12 matches
	Spitting on an opponent or any other person	10 Fixtures	1 Year
<b>R6 Offences (Examples)</b>			
<b>R6</b>	Using offensive, insulting or abusive language and/or gestures	1 Fixture	1 Year
	Using threatening or intimidating language or action	2 Fixtures	1 year
	Use of discriminatory language and/or gestures including ethnic, racist, religious or sexist	5 Fixtures	1 Year

#### OFFENCES BY PARTICIPANTS AGAINST MATCH OFFICIALS

Number	Description	Suspension	
		Minimum	Maximum
<b>R6 Offences (Examples)</b>			
	Unsporting conduct towards a match official	1 Fixture	1 Year
	Use of offensive, insulting or abusive language and / or gestures against or about a Match Official	2 Fixtures	1 Year
	Use of discriminatory language and/or gestures including ethnic, racist, religious or sexist	5 Fixtures	1 Year
	Threatening or intimidating a Match Official by word or action	12 Fixtures	Life
	Tripping a Match Official	12 Fixtures	Life
	Pushing with open hand, shoulder or hip	6 Months	Life

	Striking with the ball	4 Fixtures	Life
<b>Number</b>	<b>Description</b>	<b>Suspension</b>	
<b>R6 Offences (Examples)</b>		<b>Minimum</b>	<b>Maximum</b>
	Striking with other object	6 Months	Life
	Punching, kicking or elbowing	1 Year	Life
	Spitting at Spitting on	3 Months 6 Months	Life

#### OTHER OFFENCES BY PARTICIPANTS OR SPECTATORS

	Description	Minimum Sanction	Maximum Sanction
	Inciting the crowd	6 Fixtures	6 Years
	Attacking or fighting with Spectators	3 Months	Life
	Bringing the game into Disrepute	6 Fixtures	Life
	Deliberately misleading any Body	10 Fixtures	2 Years
	Spitting at Spectators Spitting on Spectators	6 Fixtures 10 Fixtures	Life
	Discharging of a flares	6 months	Life
	Entering the Field of Play	2 Fixture	Life
	Use of offensive, insulting or abusive language and / or gestures	2 Fixtures	1 Year

	Use of discriminatory language and/or gestures including ethnic, racist, religious or sexist	5 Fixtures	1 Year
	Removal of a Team Official from the Technical Area	1 Fixture	1 Year

#### 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	Expulsion or suspension from a match or competition
5	Suspension from attending matches
6	Cancellation of Registration
7	Other such disciplinary sanctions as deemed appropriate in accordance to FIFA Statutes, FFA Rules and Regulations and FFSA Rules and Regulations.