

*North West Sydney Football Ltd*



**GRIEVANCE**

**AND**

**DISCIPLINARY REGULATIONS**

**(Version 1.1 - 11 November 2020)**

# NWSF Grievance and Disciplinary Regulations

## Contents

1.	INTRODUCTION .....	6
2.	OBJECTIVES.....	6
3.	JURISDICTION .....	7
4.	AUTHORITY TO ESTABLISH COMMITTEES AND TRIBUNALS .....	7
5.	MEMBERSHIP OF BODIES .....	7
5.1	Appointment of Body Members .....	7
5.2	Composition of a Body .....	8
5.3	Qualification of Body Members .....	8
5.4	Term.....	8
5.5	Resignation and Removal of Body Members .....	8
5.6	Code of Conduct for Body Members .....	8
6.	CORRESPONDENCE, PRESCRIBED FORMS AND MATCH OFFICIAL REPORTS.....	8
6.1	Correspondence and Prescribed Forms .....	8
6.2	Match Official Reports .....	8
7.	DISCIPLINARY COMMITTEE.....	9
7.1	Jurisdiction .....	9
7.2	Determination .....	9
7.3	Challenging a decision on the basis of Mistaken Identity .....	10
7.4	Challenging a Notice of Suspension - Exceptional Circumstances .....	11
7.5	Appealing a decision of the Disciplinary Committee .....	12
8.	GENERAL PURPOSES TRIBUNAL .....	13
8.1	Jurisdiction .....	13
8.2	Charges of Misconduct and Disrepute.....	13
8.3	Charges of Misconduct or Disrepute .....	14
8.4	Grievances.....	15
8.5	Referral from the Disciplinary Committee .....	15
8.6	Offences disclosed in Match Official Reports.....	15
8.7	Video and Photographic Evidence.....	16
8.8	Decisions of the General Purposes Tribunal .....	16
8.9	Appealing a decision of the GPT .....	17
9.	APPEALS TRIBUNAL.....	17

## NWSF Grievance and Disciplinary Regulations

9.1	Jurisdiction .....	17
9.2	Standing to Appeal.....	18
9.3	Grounds of Appeal .....	18
9.4	Determination of the Appeals Tribunal .....	18
9.5	Appeal from a General Purposes Tribunal in relation to a Grievance.....	19
9.6	Abandoned Appeals .....	19
10.	NO RECOURSE TO COURTS .....	19
11.	MEDIATION .....	20
12.	ADMINISTRATIVE PROCEDURES OF TRIBUNALS .....	20
12.1	Electronic Documents.....	20
12.2	Responsibility of NWSF.....	20
12.3	Submissions by a party .....	20
12.4	Affected Party .....	21
12.5	Legal Representation.....	21
12.6	Parent/Guardian .....	21
12.7	Non-attendance .....	22
12.8	Adjournment .....	22
12.9	Stay of proceedings .....	22
12.10	General conduct of Tribunal hearings.....	22
12.11	Suspension of Implementation of Sanctions.....	23
12.12	Repeat Offences.....	24
12.13	Disclosure of Tribunal members.....	24
12.14	Challenge of jurisdiction or of a Tribunal member .....	24
12.15	Onus of proof.....	24
12.16	Contempt in the face of a Tribunal .....	24
12.17	Tribunal may hear proceedings regardless of related criminal or disciplinary action .....	25
12.18	Immunity .....	25
12.19	Correction of a Determination .....	25
12.20	Publication and Confidentiality.....	25
12.21	Legal advice .....	25
12.22	NWSF staff .....	25
12.23	NWSF Representative.....	26

## NWSF Grievance and Disciplinary Regulations

13.	SUSPENSION ORDERS.....	26
13.1	Interim Suspension Orders .....	26
13.2	Suspension for serious criminal charges and offences.....	26
13.3	Suspension following disqualification from working with children .....	26
14.	SERVING OF SUSPENSIONS .....	26
14.1	Suspensions to be served immediately .....	26
14.2	Club Responsibility on Suspensions.....	26
14.3	Types of Suspensions.....	26
14.4	Time Suspensions .....	27
14.5	Fixture Suspensions .....	27
14.6	Effect of Abandoned Matches.....	29
15.	CONDUCT .....	29
15.1	Insolvent conduct.....	29
15.2	Misconduct and Disrepute.....	30
15.3	Misconduct – Culpability, Attempt and Involvement .....	30
15.4	Misconduct – Club Liability .....	30
15.5	Misconduct – Registration .....	31
16.	ON-FIELD MISCONDUCT .....	31
16.1	Yellow Card.....	31
16.2	Accumulation of Yellow Cards - Premiership .....	32
16.3	Accumulation of Yellow Cards – Championship and Pennant Competitions.....	32
16.4	Red Card Offences.....	32
16.5	Team Misconduct.....	33
16.6	Unregistered Players .....	34
16.7	Ineligible Players .....	34
16.8	Team Officials and Club Officials.....	34
16.9	Refusal to take the field of play and mass walk-offs .....	34
17.	NWSF RESPECT Points .....	34
18.	SOCIAL MEDIA AND DETRIMENTAL PUBLIC COMMENT .....	36
19.	SPECTATORS .....	36
	SCHEDULE 1: DEFINITIONS .....	37
	SCHEDULE 2: EMAIL ADDRESSES FOR CORRESPONDENCE.....	41

**NWSF Grievance and Disciplinary Regulations**

**SCHEDULE 3: TABLE OF OFFENCES ..... 42**

**SCHEDULE 4: TRIBUNAL APPLICATION / APPEAL FEE ..... 52**

**SCHEDULE 5: FFA SPECTATOR CODE OF BEHAVIOUR ..... 53**

**SCHEDULE 6: GDR Transitional Arrangements ..... 54**

## **NWSF Grievance and Disciplinary Regulations**

### **1. INTRODUCTION**

- (a) These Regulations are made under Clause 9.1 of the NWSF Constitution and came into operation on 1<sup>st</sup> October 2019
- (b) Football NSW has granted North West Sydney Football a mandate to be responsible for the organisation, promotion and regulation of football (including Summer Soccer) in the Gladesville-Hornsby Football area.
- (c) These regulations are supplementary to the Football NSW Grievance and Disciplinary Regulations (as amended from time to time).
- (d) For the purposes of these Regulations, a reference to FNSW in the FNSW Code of Conduct will also be a reference to NWSF.
- (e) NWSF reserves the right to deal with any Member in respect of any offence or complaint and other matters not specifically provided for in these Regulations.
- (f) In the case of a Regulation being interpreted in two or more different ways, the Board of NWSF reserves the right to determine which interpretation is valid. Any such determination is final and not subject to appeal.
- (g) NWSF may choose to not enforce a term of these Regulations in some cases, in its absolute discretion, without affecting its right to enforce that term in other cases.
- (h) 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.
- (i) Any capitalised terms used in these Regulations shall have the meaning given to them in Schedule 1.
- (j) In these Regulations:
  - i. any use of the words “includes” or words such as “for example” or “such as” do not limit anything else that is included in general speech;
  - ii. “working day” means a day when the offices of NWSF are ordinarily open for business;
  - iii. any reference to “\$” or “dollars” is to Australian dollars;
  - iv. a reference to a singular includes the plural and vice versa; and
  - v. a reference to any document is to that document as amended, supplemented, varied or replaced from time to time except to the extent expressly prohibited by that document or these Regulations.

### **2. 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 Member.
- (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.

## **NWSF Grievance and Disciplinary Regulations**

### **3. JURISDICTION**

- (a) These Regulations will apply exclusively to facilitate the expeditious and fair resolution of:
  - i. Grievances, incidents, disciplinary, dispute and conduct matters in relation to Competitions;
  - ii. Grievances between Members;
  - iii. any matter the Board determines, in its absolute discretion, is important to the interests of Football in the NWSF district.
- (b) Each Member shall submit exclusively to the jurisdiction of these Regulations and agrees that unless it has exhausted the procedures set out in these Regulations, it will not attempt to resolve any incident, disciplinary, dispute, conduct or Grievance matters by recourse to Football NSW or a court of law.

### **4. AUTHORITY TO ESTABLISH COMMITTEES AND TRIBUNALS**

These Regulations confirm the establishment of the following Bodies:

- i. NWSF Respect Panel (**RP**);
- ii. Disciplinary Committee (**DC**);
- iii. General Purposes Tribunal (**GPT**); and
- iv. Appeals Tribunal (**AT**).

### **5. MEMBERSHIP OF BODIES**

#### **5.1 Appointment of Body Members**

- (a) The GPT Chairperson shall, in whatever manner it sees fit, determine a pool of eligible members to sit on bodies referred to in section 4 above.
  - i. For the purposes of 5.1(a), the pool of eligible members will be taken to be volunteers from the member Clubs of NWSF, except as determined by 5.1(d).
- (b) The GPT Chairperson shall, from time to time, appoint eligible Deputy Chairpersons to chair the GPT or AT.
- (c) The GPT Chairperson shall, from time to time, appoint eligible volunteers from the member Clubs of NWSF to act as GPT or AT Secretary.
- (d) The GPT Chairperson shall, from time to time, appoint members to sit on the GPT or AT.
- (e) In exceptional circumstances the GPT Chairperson may appoint additional person(s) for example, a person not affiliated with NWSF to sit on a GPT or AT hearing who are not Tribunal Members or reserve members if the GPT Chairperson determines that a matter requires special attention or expertise. The GPT Chairperson may delegate this power to the General Manager, either generally, or in respect of the particular case.
- (f) The GPT Chairperson shall not be a member of the GPT or AT, except where pursuant to Clause 12.23, the GPT Chairperson is performing the role of NWSF Representative.
- (g) The General Manager shall not be a member of the DC or the GPT.
- (h) Current members of The Board shall not be a member of the AT or GPT, except where pursuant to Clause 12.23 The Board member is performing the role of NWSF Representative.
- (i) The GPT Chairperson shall, from time to time, appoint eligible persons to sit on the RP.

## **NWSF Grievance and Disciplinary Regulations**

### **5.2 Composition of a Body**

- (a) The NWSF Respect Panel shall comprise of the GPT Chairperson, one (1) Deputy Chairperson, and one Tribunal member.
- (b) 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.
- (c) A Tribunal shall comprise a minimum of three (3) and maximum of five (5) Tribunal members (including the Deputy-Chairperson) in order to make a valid Determination under sections 8 and 9 of these regulations.

### **5.3 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 and FNSW Rules and Regulations, and NWSF Rules and Regulations, appropriate for membership of the relevant Body.

### **5.4 Term**

Tribunal members shall be appointed for a period commencing from the 1<sup>st</sup> of January through to the 31<sup>st</sup> of December.

### **5.5 Resignation and Removal of Body Members**

- (a) A Member of a Body may resign by providing notice in writing to the General Manager, who shall report the correspondence to the Board.
- (b) The Board may remove any person from a Body at any time provided, it has either received a written recommendation from the General Manager which outlines the reason or reasons for the removal, or the Management Committee recommends the removal of the person, and the person has had an opportunity to respond to the Board in writing to such recommendation.
- (c) The Board may replace a Member of a Body who resigns or is removed with a person from the pool of eligible members determined under section 5.1(a)

### **5.6 Code of Conduct for Body Members**

- (a) The Board shall create and maintain a Code of Conduct for Body Members.
- (b) The Code of Conduct for Body Members shall be made publicly available via the NWSF website or any other means the Board deems fit.
- (c) Upon appointment by the Board a member of a Body agrees to be bound by and to comply with the Code of Conduct for Body Members.

## **6. CORRESPONDENCE, PRESCRIBED FORMS AND MATCH OFFICIAL REPORTS**

### **6.1 Correspondence and Prescribed Forms**

All correspondence in relation to any matter under these Regulations must be made electronically and directed to the email address set out in Schedule 4.

### **6.2 Match Official Reports**

- (a) In order to ensure the efficiency of disciplinary and conduct matters, a Match Official must send to North Western Sydney Football Referee's Association (NWSFRA) Match Official Reports in the manner and within the time prescribed by NWSFRA. NWSFRA will then provide those reports to NWSF by mid-day on the Tuesday following the weekend's games setting out the following:



## **NWSF Grievance and Disciplinary Regulations**

- i. any Yellow Card and Red Card Offences issued during the Match (including the categorisation of Offences) and
  - ii. any serious incident that took place including the expulsion of a team official from the Technical Area.
- (b) All Match Official Reports must be sent to the email addresses supplied by NWSF.
- (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 unless proven otherwise.
- (e) A copy of a Match Official Incident Report which has resulted in a matter being referred to a Body shall be provided by the General Manager to each relevant Participant or Club who has been identified in a Match Official Incident Report and is the subject of such referral.
- (f) For the avoidance of doubt, a body is not bound by the categorisation of any offence by a match official.
- (g) In order to ensure that NWSF provides a fair and transparent system to Members under these Regulations and to assist Bodies in arriving at their decisions, in completing Match Official Reports, Match Officials must:
  - i. complete their Match Official reports independent of any other Match Official involved in the match and of any potential witnesses;
  - ii. as far as reasonably possible, clearly state what they actually saw and/or heard in relation to the incident(s) and clearly distinguish that from what others have told them;
  - iii. as far as is reasonably possible in respect of words spoken by a Participant, record those using the words actually spoken enclosed in quotation marks; and
  - iv. as far as is reasonably possible state how they identified the Participant
- (h) A Match Official may seek assistance from a member of a Referees Body in completing a Match Official Report provided that member was not a Match Official involved in the match and is not otherwise a witness to the incident(s) the subject of the Match Official Report
- (i) No determination of a Body will be quashed or held invalid by reason only of the failure of a Match Official to comply with the above sections 6.2 (a) or 6.2 (b)

## **7. DISCIPLINARY COMMITTEE**

### **7.1 Jurisdiction**

- (a) Subject to section 7.1(b), the Disciplinary Committee has jurisdiction to:
  - i. issue Suspensions in respect of Red Card offences (section 7.2);
  - ii. determine any challenge relating to mistaken identity pursuant to section 7.3
  - iii. issue penalties for Team Misconduct pursuant to section 16.5 (b) i and 16.5 (b) ii
- (b) The DC shall only have jurisdiction to issue a suspension that is no greater than one (1) calendar year. A suspension that is greater than one (1) calendar year may only be issued by a Tribunal. The DC shall refer a matter to the GPT if it determines that the matter warrants consideration of a suspension greater than one (1) calendar year.

### **7.2 Determination**

- (a) The General Manager shall, within three (3) working days of any match, refer any Match Official report to the DC for consideration and the issue of any Suspension unless the General Manager or GPT Chairperson determines that the matter requires the investigative resources of a Tribunal in which case the GPT Chairperson shall refer the Match Official reports to the GPT.

## **NWSF Grievance and Disciplinary Regulations**

- (b) The DC must issue Suspensions based on Match Official Reports and apply the Table of Offences.
- (c) Where a Member has been found guilty of an Offence and then commits the same Offence on a second or subsequent occasion within two (2) years of the expiration of the Suspension issued in respect of the previous Offence, the second or subsequent Offence will be considered a Second or subsequent Offence for the purposes of sanctioning under Schedule 3: Table of Offences and the DC must impose no less than the applicable Minimum Suspension and should only impose more than the applicable Minimum Suspension if appropriate in all of the circumstances.
- (d) For the purposes of 7.2(c), where a second or subsequent Minimum Suspension is greater than 1 year, the DC will refer the offence to the GPT.
- (e) In the case of Red Card Offences, section 7.2(c) will apply only where the second or subsequent Offence is the same Send Off Code as the previous Red Card Offence but will apply irrespective of the grading.
- (f) The DC must take into consideration a Participant's disciplinary history when determining a Suspension.
- (g) The DC must set out any Suspension in a Notice of Suspension which shall be issued by the General Manager to a Participant's Club as soon as is practicable, namely within one (1) day of receipt from the DC and no more than six (6) days of the relevant Match if that is practically possible.
- (h) In any Notice of Suspension, the DC may determine, in its absolute discretion, the type of Football Activity to which the Suspension relates.
- (i) Notwithstanding this section 7.2, the DC may, in its absolute discretion, refer any matter to the GPT pursuant to section 8.4 if it considers the matter requires consideration by a Tribunal.
- (j) Where the DC issues a suspension that is greater than the minimum stipulated for the offence in Schedule 3, a participant, via their club, may appeal that sentence and such an appeal shall be referred to a GPT for determination. A participant is not eligible to appeal a suspension where the DC has issued the minimum suspension, unless the participant seeks, by credible evidence, to challenge the presumption specified in section 6.2(d).
- (k) Subject to any legal requirements, any suspension issued by the Disciplinary Committee may be published via the NWSF's website and/or other NWSF operated media including any newsletter and/or any equivalent publishing media operated by NWSF. Such publication may identify a Club and/or a team, but shall not identify individual persons by name.
- (l) Offences are punishable regardless of whether they have been committed deliberately, recklessly or negligently.
- (m) Acts amounting to attempt are also punishable. A Body may, however, reduce the sanction envisaged for the actual Offence and determine any extent of mitigation as it sees fit.

### **7.3 Challenging a decision on the basis of Mistaken Identity**

- (a) At the end of a match, the relevant Team Official must sign the team sheet confirming that all details on the team sheet, including the attribution of Yellow Cards and Red Cards are correct.
- (b) If the Team Official believes that a participant has been mistakenly identified on the team sheet by a Match Official as having been shown a Yellow Card or Red Card, the Team Official must indicate this by endorsing the back of the team sheet.

## **NWSF Grievance and Disciplinary Regulations**

- (c) Where the requirements set out in section 7.3 (b) were not complied with, a member wishing to challenge any disciplinary consequences arising from the attribution of a Yellow Card or Red Card from the team sheet must show reasonable cause as to why such challenge should be permitted.
- (d) Provided the requirements of section 7.3 (b) or 7.3 (c) are met, if a participant claims that they were mistakenly identified in a Match Official Send-off Report, the Participant's Club on the Participant's behalf must notify the DC by submitting a notification letter by e-mail for Mistaken Identity in a Match Official Send-Off Report to the relevant address shown in Schedule 2 within three (3) days of the completion of the match.
- (e) If NWSF does not receive notification by the time specified in section 7.3(a), the Participant is deemed to have been responsible for the Offence and will, subject to the DC's consideration of the incident, be issued with a Notice of Suspension.
- (f) The DC may, at its discretion, alter or rescind any Suspension issued, subject to evidence submitted at a later date.
- (g) The Participants Club must submit evidence upon which the claim of mistaken identity is founded. The details of the submission must include:
  - i. a signed and dated written statement by the Participant that they were not responsible for the Offence and identifying to the best of their knowledge the name of the Participant responsible
  - ii. any other evidence which may support the claim for mistaken identity.
- (h) If NWSF does not receive properly completed written statements within three (3) days of the Match, the Participant may, subject to the DC's consideration of the incident, be issued with a Notice of Suspension.
- (i) After considering the evidence, the DC will decide whether the claim for mistaken identity should be rejected or upheld.
- (j) If the DC rejects a claim for mistaken identity, it will consider the matter on the basis of the Match Official Report provided.
- (k) If the DC considers that a rejected claim for mistaken identity had no prospect of success and amounted to an abuse of process, it shall refer the matter to the GPT Chairperson, who may charge the Participant and/or the Club with Misconduct pursuant to section 8.2.
- (l) If the DC upholds the mistaken identity claim, a Notice of Suspension shall be issued to the appropriate identified Participant, who shall serve the Suspension immediately.
- (m) The decision made by the DC will be conveyed to the Participant and/or the Club via email at the earliest practical opportunity.

### **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.
- (b) A Participant's Club on the Participant's behalf may, in the very limited circumstances set out in sub-sections (c) and (i) below, seek to limit the disciplinary consequences of a Suspension by demonstrating to the DC that the circumstances of a particular Suspension were exceptional, such that the Suspension which has been notified would be clearly and demonstrably excessive.

## **NWSF Grievance and Disciplinary Regulations**

- (c) Exceptional circumstances mean circumstances operating at the time of the Offence and relating to the commission of the Offence and not the impact which a sanction may have. The following do not constitute exceptional circumstances:
- i. the significance or importance to the Participant or their 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 within the range in the Table of Offences;
  - 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 DC is concerned with only the question of whether the Suspension should be altered in view of the circumstances of the case. The DC 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 DC
- (f) If a Participant wishes to lodge a challenge to a Suspension based on exceptional circumstances, the Participant's Club must, by 10.00am on the Monday following receipt of the Notice of Suspension, submit a notification to the appropriate email address as listed in Schedule 4.
- (g) If the DC does not receive notification as prescribed and by the time specified, the Participant is deemed to have accepted the Suspension.
- (h) After considering the evidence, the DC will decide whether the challenge is to be rejected or is successful.
- (i) A challenge will only be successful under this section 7.4 where the club making the challenge satisfies the DC 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.
- (j) If the DC considers that the rejected challenge had no prospect of success and amounts to an abuse of process, it shall refer the matter to the Competition Secretary, who may charge the Participant and/or the Participant's Club with Misconduct pursuant to section 8.2.
- (k) If the DC 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.
- (l) The decision made by the DC will be conveyed to the Participant and/or the Participant's Club via email.
- (m) No fee will apply to challenges made by Clubs under this section 7.4, but Clubs should note that the DC may increase a sentence in the case of an unsatisfactory challenge where the DC deems it appropriate.

### **7.5 Appealing a decision of the Disciplinary Committee**

- (a) Subject to sections 7.4(k) and 9.2, the decision of the Disciplinary Committee in relation to claims of mistaken identity in a Match Official Report (section 7.3) and Exceptional Circumstances

## NWSF Grievance and Disciplinary Regulations

(section 7.4) may be appealed by the Participant's Club to the General Purposes Tribunal pursuant to section 9.

- (b) A Participant's Club wishing to appeal a decision to the General Purposes Tribunal must submit a Letter of Appeal of the relevant decision within seven (7) working days of receiving the decision and pay the relevant Application Fee (see Schedule 4).
- (c) The Participant's Club should note that, other than in exceptional circumstances, the time limits set out above are strict. Only a Letter of Appeal of a decision submitted before the relevant deadlines will be considered by the GPT. The GPT Chairperson, in their absolute discretion, shall rule with respect to whether any given circumstance is exceptional in this context.

### 8. GENERAL PURPOSES TRIBUNAL

#### 8.1 Jurisdiction

- (a) The General Purposes Tribunal has jurisdiction to hear and determine:
  - i. charges of Misconduct and Disrepute (section 8.2);
  - ii. grievances between Members (section 8.3);
  - iii. any appeal to a Suspension decision of the DC and which has been received within the time prescribed in 7.4;
  - iv. any matter referred to it by the General Manager pursuant to section 7.2 (a)
  - v. any matter referred to it by the DC pursuant to 7.2 (f)
  - vi. offences disclosed in Match Official Reports (section 8.5); and
  - vii. any other matter the Board considers important to the interests of football in the North West Sydney Football assigned football region. Such reference is to be at the absolute discretion of the Board.

#### 8.2 Charges of Misconduct and Disrepute

- (a) The GPT Chairperson 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 report of a Member, a complaint by a Member or on the basis of any other evidence which in the opinion of GPT Chairperson is credible.
- (b) Such investigation may be carried out by the GPT Chairperson as it sees fit and Members are required to cooperate fully with NWSF in the conduct of that investigation and must do so within the timeframe specified in any correspondence issued by NWSF. A Member agrees that any information provided to NWSF may be used as evidence in bringing a charge under this section 8.2 and may be provided to any party so charged.
- (c) At any time, the GPT Chairperson 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 the GPT Chairperson deems appropriate,and such determination shall be at the absolute discretion of the GPT Chairperson.
- (d) If the GPT Chairperson determines that a charge of Misconduct or Disrepute is appropriate, the General Manager will issue a Notice of Charge against the Member. The Notice of Charge will set out, amongst other things, details of the charge and, if necessary, the requirement for the Member to stand down (see section 13.1 (Interim Suspension Order)). A Member so charged must submit a Notice of Response to the General Manager by e-mail via the address listed in Schedule 2 by the date specified in the Notice of Charge.
- (e) A Notice of Response enables the Member or Participant to, amongst other things:

## NWSF Grievance and Disciplinary Regulations

- i. indicate whether the Member is pleading guilty or not guilty to the charge(s);
  - ii. indicate whether the Member accept the reports attached to the Notice of Charge;
  - iii. provide written statements or other such evidence as the Member wishes to rely on;
  - iv. provide written submissions; and
  - v. advise whether the Member will be represented by a lawyer and/or accompanied by a support person.
- (f) A Member who pleads guilty in a 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 GPT Chairperson in its absolute discretion) if the General Manager does not receive a properly completed Notice of Response (section 8.2), together with any supporting evidence and written submissions upon which the member intends to rely, by the time specified in the Notice of Charge, then the Member will be deemed:
  - i. to have pleaded guilty to the charge(s) set out in the Notice of Charge;
  - ii. to have accepted the reports set out in the Notice of Charge; and
  - iii. to be in contempt of a Tribunal and may be sanctioned pursuant to section 12.13 (Contempt against a Tribunal).

### 8.3 Charges of Misconduct or Disrepute

- (a) A Member must not bring FFA, FNSW, NWSF or the game of football into Disrepute.
- (b) Without limiting the generality of clause 8.3(a), a Member will be taken as having brought football into Disrepute if any of the following occurs:
  - i. discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of an attribute;
  - ii. harassment, including sexual harassment or any unwelcome sexual conduct which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
  - iii. offensive behaviour, including offensive, obscene, provocative or insulting gestures, language or chanting;
  - iv. provocation or incitement of hatred or violence;
  - v. spectator or crowd violence;
  - vi. intimidation of Match Officials, which may take the form of (but is not restricted to) derogatory or abusive words or gestures toward a Match Official or the use of violence or threats to pressure a Match Official to take or omit to take certain action regardless of where such action is taken;
  - vii. forgery and falsification, including creation of a false document, forgery of a document or signature, the making of a false claim or providing inaccurate or false information on a prescribed form;
  - viii. corruption, including offering a Benefit or an advantage to a Player or an Official in an attempt to incite him or her to violate FIFA Statutes, FFA, FNSW or NWSF Statutes;
  - ix. abuse of position to obtain personal benefit;
  - x. commission or charge of a criminal offence; or
  - xi. any other conduct, behaviour or statement that materially injures the reputation and goodwill of FFA, FNSW, NWSF or football generally.
- (c) A Club is deemed to have committed an offence under this section where its crowd or its spectators have engaged in any of the conduct outlined in section 8.3(b).

## **NWSF Grievance and Disciplinary Regulations**

- (d) Players and Officials are entitled to have their privacy respected and this Code is not intended to apply to private activities engaged in by a Player or an Official that are not in the public domain.

### **8.4 Grievances**

- (a) A Grievance will only be accepted by the GPT if sections 8.4(c) to 8.4(d) have been satisfied.
- (b) The GPT Chairperson 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 the GPT Chairperson, any Member making a Claim (**Claimant**) or a Complaint (**Complainant**) must write to any 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) business 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) business days of the notice from the Claimant or Complainant referred to in section 8.4(c) or the Claim or Complaint is not otherwise resolved, the Claimant or Complainant may in writing refer the Grievance to the GPT in accordance with section 8.3(e).
- (e) In the first instance, a Grievance will be dealt with by mediation pursuant to section 11 unless, in its absolute discretion, The GPT Chairperson believes that a Grievance should be referred to the GPT immediately.

### **8.5 Referral from the Disciplinary Committee**

- (a) Pursuant to section 7.2(f), the DC 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 DC, the General Manager will issue the Participant with a Notice of Charge within three (3) working days of the referral and the Participant is required to submit a Response to the email address listed in Schedule 4 by the date specified in the Notice of Charge.

### **8.6 Offences disclosed in Match Official Reports**

- (a) Unless the Board, in its absolute discretion, determines otherwise, the General Purposes Tribunal may determine Offences disclosed in Match Official Send-Off and/or Incident reports in accordance with this section 8.6.
- (b) NWSF will, within a reasonable time following receipt of any Match Official Send-Off and/or Incident report referred to in section 8.6 (a), refer the report(s), the Participant's disciplinary history and any other material that NWSF determines, in its absolute discretion, is relevant to the matter to the General Purposes Tribunal.
- (c) NWSF will convene a General Purposes Tribunal to hear the matter and will use its reasonable endeavours to ensure the matter is heard within seven (7) working days of receipt of such report.
- (d) Where a participant, the subject of a Match Official Incident Report, is also the subject of a Match Official Send-Off Report arising out of the same Match, the General Purposes Tribunal will deal with both sets of matters in the same hearing and the Match Official Send-Off Report will not be referred to the Disciplinary Committee.



## NWSF Grievance and Disciplinary Regulations

### 8.7 Video and Photographic Evidence

- (a) Video/Photographic evidence may be considered by a General Purpose Tribunal at the discretion of the Judiciary Chairperson. Where the Judiciary Chairperson finds the evidence submitted meets the criteria of Section 8.7, such evidence shall be made available to the Deputy Chairperson with all other hearing material.
- i. Video and Photographic evidence is not eligible to be submitted or considered by the Disciplinary Committee under any circumstance.
  - ii. Where the Judiciary Chairperson advises the Deputy Chairperson that there is Video/Photographic evidence is available, the final decision on such evidence being admitted is at the sole discretion of the Deputy Chairperson presiding on the hearing.
- (b) The decision to admit or reject video/photographic evidence is in itself is not sufficient grounds for appeal.
- (c) All video/photographic material submitted for a hearing of the General Purpose Tribunal must satisfy specific criteria, including but not limited to:
- i. Original footage (in the case of video) including all raw footage available of the incident under investigation. Footage that has been edited in any form will automatically rejected by the Judiciary Chairperson.
  - ii. Video/Photographic material that has been found to have been uploaded/distributed to any form of Social Media, including but not limited to YouTube, Facebook, Instagram, Pinterest, will not be eligible for submission as evidence.
    - a. Notwithstanding 8.7 (c) i, distribution of any such video is only to be distributed to the affected party/parties and relevant members of the Club's Committee in preparation of submission to the NWSF Judiciary. Distribution of such footage amongst all team members, other teams or Club members shall be deemed to have been shared inappropriately and will not be eligible for submission as evidence
  - iii. Photographs submitted as evidence in digital format are to be original format images with all RAW meta data intact on the file. Photographs received that are found to have been edited and/or manipulated in any form will not be admissible.
  - iv. Photographs submitted as printed media (eg 35mm prints) must be submitted with the negative of photographs.
  - v. Parties submitting video and/or photographic images to the General Purposes Tribunal are to provide an appropriate Statutory Declaration stating that such evidence being submitted is original un-edited footage and has not been distributed beyond the parties submitting such evidence.
  - vi. For the purposes of Section 8.7 (c) iii through v inclusive, failure to provide RAW data, Negatives and/or Statutory Declaration will be cause for submission to be rejected for consideration.

### 8.8 Decisions of the General Purposes Tribunal

- (a) A General Purposes Tribunal Determination will be in accordance with the majority opinion of the General Purposes Tribunal members hearing the matter.



## **NWSF Grievance and Disciplinary Regulations**

- (b) The types of decision that a General Purposes Tribunal may issue are set out in Schedule 3: Table of Offences and may include (but are not limited to) a finding, reprimand, directive, suspension, ban, fine, bond or such other action as is reasonably determined by the General Purposes Tribunal.
- (c) Any decision issued under this section 8.8 may be combined. However, the serving of a Time Suspension issued to a Participant must precede the serving of a Fixture Suspension issued to that Participant.
- (d) Any failure to comply with a Determination of the General Purposes Tribunal is deemed to be contempt of a Tribunal and may be sanctioned pursuant to section 12.16 (Contempt against a Tribunal).
- (e) Any sanction imposed by the General Purposes Tribunal in respect of an Offence must not be below the applicable Minimum Sanction or Suspension unless the Tribunal determines that exceptional circumstances apply and may not exceed the applicable Maximum Suspension.
- (f) Subject to 8.8 (g), The General Purposes Tribunal will use its reasonable endeavours to issue a short-written summary of its determination (Preliminary Determination) within three (3) working days of the completion of any hearing.
- (g) General Purposes Tribunal may, in its absolute discretion, issue a full written Determination, with reasons for decision (Final Determination) in place of a Preliminary Determination. In either case, the General Purposes Tribunal will issue a Final Determination if requested in writing by an Affected Party. Where a Final Determination is issued, the General Purposes Tribunal will use its reasonable endeavours to issue that Final Determination within fourteen (14) Working Days of the completion of the hearing.
- (h) Unless otherwise specified in these Regulations or by the General Purposes Tribunal in a Determination, the imposition of a sanction has immediate effect.
- (i) All Determinations of the General Purposes Tribunal remain in force unless and until reversed by the Appeals Tribunal.

### **8.9 Appealing a decision of the GPT**

- (a) The decision of the GPT in relation to charges of Misconduct and Disrepute (section 8.2 & 8.3), Grievances (section 8.4) subject to section 9.4, and referrals from the DC (section 7.2(f)) may be appealed to the Appeals Tribunal pursuant to section 9.
- (b) A Member wishing to appeal a decision of the GPT to the AT must submit a Letter of Appeal of a GPT to NWSF within seven (7) working days of the decision of the GPT being sent to the club together with the relevant Application Fee (see Schedule 4). This Application Fee is not refundable except as may be determined under section 9.4(f) or 9.5 (e).
- (c) Other than in exceptional circumstances, the time limits set out above are strict and only a Letter of Appeal that is received by NWSF before the expiry of the relevant time limits will be considered by the AT. The GPT Chairperson, in its absolute discretion, shall rule with respect to whether any given circumstance is exceptional in this context.

## **9. APPEALS TRIBUNAL**

### **9.1 Jurisdiction**

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

- i. The RP pursuant to section 17(n); and
- ii. The GPT pursuant to sections 8.5 and 15.2 but subject to sections 9.2 and 9.4.

## **NWSF Grievance and Disciplinary Regulations**

### **9.2 Standing to Appeal**

Despite anything to the contrary contained in these regulations and for the avoidance of doubt, only parties set out in this section 9.2 (subject to section 9.3 (Grounds of Appeal) and NWSF have standing to appeal matters to the Appeals Tribunal:

- i. The Member Club of a Participant who suffers a penalty imposed by the GPT as a consequence of a disciplinary or misconduct matter disclosed in a Match Official Report, but only in respect of the charge(s) against that Participant
- ii. The Claimant or Respondent in a Grievance matter
- iii. If applicable, with respect to a disciplinary or Misconduct matter where a Match Official was the victim, the Referee Body of which that Match Official is a member, but only where the Board, in its absolute discretion, determines that it is in the interests of football for the appeal to be heard by the Appeals Tribunal.
- iv. Any affected party.

### **9.3 Grounds of Appeal**

The sole grounds of 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;
- (c) The decision of the Body was affected by actual bias;
- (d) The decision was one that was not reasonably open to a Body having regard to the evidence before the Body;
- (e) Severity, but only where a Body imposed one or more of the following sanctions:
  - i. a fixture suspension of six (6) or more fixtures; or
  - ii. a time suspension of three (3) months or more; or
  - iii. a fine of two thousand dollars (\$2000) or more; or
  - iv. a bond to be of good behaviour of two thousand dollars (\$2000) or more; or
  - v. a deduction, loss or ban accruing six (6) or more competition points; or
  - vi. exclusion, suspension or expulsion of a Club or Team from a competition; or
  - vii. relegation to a lower division; or
- (f) Leniency, but only in the case of an appeal brought by NWSF or an appeal allowed by the GPT Chairperson pursuant to section 9.2 iii (appeal from a referee body)

### **9.4 Determination of the Appeals Tribunal**

- (k) An Appeals Tribunal Determination will be in accordance with the majority opinion of the Appeals Tribunal members
- (l) The Appeals Tribunal has the powers to:
  - i. dismiss, allow in whole or in part an appeal, or vary (whether by way of reduction or increase) a Determination, including any sanction or penalty made by a Body subject to any applicable Minimum Suspension, impose any sanction, measure or make any order it thinks fit or that a Body could have imposed under these regulations
  - ii. conduct a fresh hearing of the matter; or
  - iii. remit the matter to the Body that dealt with the matter at first instance for rehearing and issue any directions or orders in relation to the rehearing of the matter that the Appeals Tribunal deems appropriate.

## **NWSF Grievance and Disciplinary Regulations**

- (m) No Determination of the General Purposes Tribunal will be quashed or held invalid by the Appeals Tribunal by reason only of any defect, irregularity, omission or other technicality, provided the Appeals Tribunal is satisfied there has not been a miscarriage of justice.
- (n) Any failure to comply with a Determination of the Appeals Tribunal is deemed to be contempt of a Tribunal and may be sanctioned pursuant to section 12.13 (Contempt against a Tribunal).
- (o) The Appeals Tribunal will use its reasonable endeavours to issue a short oral or written summary of its Determination (Preliminary Determination) within five (5) working days of the completion of any hearing. The Appeals Tribunal will use its reasonable endeavours to issue a full written Determination, with reasons for decisions (Final Determination) within twenty-one (21) working days of the completion of any hearing.
- (p) Where an appeal is upheld in whole or in part, the Appeals Tribunal shall, in its absolute discretion, determine what portion, if any, of the Appeal Fee is to be refunded to the appellant. In determining such portion, the AT shall have regard to the portion of the Appeal that was upheld and the portion that was not upheld.

### **9.5 Appeal from a General Purposes Tribunal in relation to a Grievance**

- (a) No appeal can be brought from the GPT determination in relation to a Grievance (section 8.3) except with leave of the Appeals Tribunal granted in accordance with this section 9.5.
- (b) Any Notice of Appeal of a GPT decision in relation to a Grievance received by NWSF must be referred, within seven (7) working days of receipt, to the Chairperson of the AT (or if they are not available to the Vice Chairperson of the AT) for the determination as to whether leave should be granted for the Appeal to proceed.
- (c) The Chairperson of the AT shall determine whether leave to appeal should be granted and the outcome of such determination will be communicated in writing to the party lodging the appeal within fourteen (14) working days of receipt of a Notice of Appeal referred under section 9.5(b),
- (d) In determining whether leave to appeal should be granted, 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 Chairperson of the AT decides that leave to appeal should not be granted, they may, in their 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.

### **9.6 Abandoned Appeals**

An appellant may abandon an appeal prior to any hearing by giving written notice to NWSF in which case the Application Fee may, in the Board's absolute discretion, be refunded.

## **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 any right of appeal to Football NSW pursuant to the Football NSW Grievance and Disciplinary Regulations).

## NWSF Grievance and Disciplinary Regulations

### 11. MEDIATION

- (a) In relation to a Grievance between Members pursuant to section 8.3, NWSF will require Members to attend a meeting with a representative of NWSF and an independent person who shall act as a mediator for the purpose of attempting to reach agreement for the resolution of the Grievance.
- (b) Unless otherwise determined by NWSF, any costs involved in the mediation, including the costs of the Mediator, shall be borne equally by the parties to the Grievance.
- (c) The mediation shall commence within fourteen (14) days after the submission of a Grievance Form.
- (d) 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.
- (e) Mediation shall continue for a period no longer than thirty (30) days.
- (f) Unless agreement has been reached within thirty (30) days of the start of the mediation, NWSF will, refer the matter to the GPT in accordance with these Regulations.
- (g) Any failure by a Member to attend mediation convened in accordance with this section when reasonably requested by NWSF to do and without reasonable excuse shall amount to Misconduct. The Board may refer such matters to the GPT for determination pursuant to section 8.2.

### 12. ADMINISTRATIVE 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 appropriate email address as listed in Schedule 2.

#### 12.2 Responsibility of NWSF

Where a Tribunal is required to convene a hearing pursuant to sections 8 or 9, NWSF shall:

- (a) set a date for the hearing;
- (b) issue a Notice of Charge or Notice to Attend; 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 NWSF 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. For an Appeals Tribunal hearing, a party must provide to NWSF 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.
- (b) All written submissions, materials, documents or other evidence supplied to NWSF must be sent to [nwsf@nwsf.com.au](mailto:nwsf@nwsf.com.au)
- (c) All written submissions, materials, documents or other evidence supplied to NWSF will be provided to the other parties (including an Affected Party) involved in the hearing.
- (d) Unless there are exceptional circumstances (to be determined by the GPT Chairperson and/or Tribunal Chairperson, in their absolute discretion), NWSF will not accept any written submissions, statements, materials, documents or other evidence submitted after the

## **NWSF Grievance and Disciplinary Regulations**

submission of a Notice of Response, Notice of Charge, Notice of Appeal or after any other due date specified by NWSF.

- (e) In the case of a Grievance between members pursuant to section 8.3 and in the case of an Appeals Tribunal hearing pursuant to section 9, all written submissions, statements, materials, documents or other evidence supplied to NWSF will be provided to the other parties (including an Affected Party) involved in the matter.
- (f) In the case of a General Purposes Tribunal hearing in relation to charges of Misconduct and Disrepute pursuant to section 8.2, all evidence supplied to NWSF in relation to an accused that the GPT Chairperson determines, in its absolute discretion, is relevant to the hearing, will be provided to that accused.

### **12.4 Affected Party**

- (a) For the purposes of these regulations, an Affected Party means:
  - i. a member who may be affected by a determination of a Body or by the outcome of a mediation based upon the relief sought by the member who has submitted a Notice of Appeal or Grievance under these Regulations but subject to section 12.4(d); and
  - ii. NWSF, if the GPT Chairperson considers, in its absolute discretion, that the determination of a Body or the outcome of a mediation may affect the interests of football in the NWSF region or it may bring the game into disrepute or damage the reputation or goodwill of the game.
- (b) Despite anything to the contrary in section 12.4(a), the victim of an incident giving rise to disciplinary charges or proceedings is not an Affected Party for the purposes of these Regulations,
- (c) A member submitting a Notice of Appeal or Grievance must state whether, in its opinion, any other Member may be an Affected Party.
- (d) The GPT Chairperson, a Mediator and/or a Tribunal only may determine, in their absolute discretion, whether a Member is an Affected Party and must notify that Member accordingly.
- (e) An Affected Party provided with notice under this section 12.4 may participate in the hearing and/or Mediation as an Affected Party and may make submissions and call evidence. An Affected Party is bound by any decision.
- (f) If an Affected Party provided with notice under this section 12.4 elects to not participate in a hearing and/or Mediation, that Affected Party cannot subsequently initiate a Grievance or lodge an appeal under the 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 upon giving 48 hours' notice in writing of such intention and on lodgement of \$1,000 to offset possible costs to the Association. This is additional to the Appeal Fee.

### **12.6 Parent/Guardian**

- (a) A party or witness who is under the age of eighteen (18) years at the date of the Tribunal hearing must be accompanied at the hearing by a parent or legal guardian.
- (b) In the case where 12.6 (a) cannot be complied with, the Club's Member Protection Information Officer (MPIO) or the NWSF MPIO shall be required to attend in order to act in loco parentis for the Member or Witness.

## NWSF Grievance and Disciplinary Regulations

- (c) In the case of a Match Official, section 12.6(a) is taken to have been complied with if the Match Official is accompanied by a representative of Match Official's Referees Body.

### 12.7 Non-attendance

If any Member who has been properly notified of a Tribunal hearing fails to attend a Tribunal hearing without establishing exceptional circumstances for such failure, to the satisfaction of the Tribunal, in its absolute discretion,

- (a) the hearing can proceed *ex parte*, and the Tribunal can determine the matter 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 reasonable excuse or sufficient cause is a Member, that Member may, at the discretion of the Tribunal, be deemed to have committed Misconduct and shall be subject to sanction under section 8.2.

### 12.8 Adjournment

A party may apply in writing to a Tribunal at least two (2) business 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 Member (including an Affected Party) or NWSF, 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) A Tribunal may have regard to, but will not be bound by, its previous Determinations. The GPT will be bound by Determinations of the Appeals Tribunal
- (c) All hearings must be conducted in accordance with the principles of natural justice.
- (d) A Tribunal may conduct the hearing in any manner it sees fit provided that:
- i. the questioning of all parties is to be through the Chairperson of the tribunal;
  - ii. unless section 12.7 (Non-attendance) applies, an accused party must be present while a Tribunal receives any oral evidence against that accused;
  - iii. all parties are given a reasonable opportunity to be heard; and
  - iv. the hearing is conducted with as little formality and technicality and with as much expedition as proper consideration of the matters before it permits
- (e) A Tribunal is empowered to:
- i. take evidence. 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 or Participant to give evidence;
  - iii. require the production of any document, information or other material 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.

## NWSF Grievance and Disciplinary Regulations

- (f) If a Tribunal is not satisfied to the required standard that a charge(s) before it has been proved, but is satisfied that a different charge(s) has been proved, then provided the Participant has been given an opportunity to address the Tribunal in relation to the different charge(s), the Tribunal must find the Participant guilty of the different charge(s) and apply the appropriate sanction. A Tribunal may, in its absolute discretion, grant a Participant an adjournment for the purposes of answering the different charge(s).
- (g) Prior to a hearing, the General Manager will provide to a Tribunal a copy of the Participant's disciplinary history. A Tribunal must take into account the Participant's disciplinary history in determining any appropriate sanction. A Tribunal must not refer to a Participant's disciplinary history until after it has made a determination in respect of guilt.
- (h) Unless there are exceptional circumstances (to be determined by the Appeals Tribunal in its absolute discretion), in determining any appeal from a decision of the GPT, the Appeals Tribunal must not consider any evidence that was not before the body whose decision is being appealed.
- (i) In exercising its discretion pursuant to 12.9 (h), the Appeals Tribunal shall give due consideration to the possibility that a miscarriage of justice may eventuate if such new evidence is not considered by the Appeals Tribunal.
- (j) A Tribunal may, in the case where a Participant or Member has been found guilty of multiple offences, impose entirely cumulative or partly or wholly concurrent Suspensions. However, the overall suspension must not be less than the Minimum Suspension applicable to the most serious offence but may be greater than the Maximum Suspension applicable to that offence.
- (k) All hearings will be recorded electronically and, if requested, a transcript of the recording will be provided to an appellant at the appellant's cost.
- (l) 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 Suspension of Implementation of Sanctions

- (a) In respect of a Time Suspension of less than six (6) months or a Fixture Suspension of less than 6 Fixtures only, the Tribunal may order that part of the Suspension:
  - i. comes into immediate effect; and
  - ii. the other part does not come into effect unless and until an additional Offence (excluding an indirect red card) is committed during a specified probationary period (i.e. the sanction is suspended). The Offences (excluding an indirect red card) bringing this suspended portion of the Suspension into effect should be outlined by the Tribunal in accordance with section 12.11(c)i.
- (b) If the Tribunal imposes a Suspension where part is suspended, the part of the Suspension that comes into immediate effect must be at least one half of the total Suspension to be imposed.
- (c) If, in accordance with section 12.11(a), a Suspension partly takes immediate effect and is partly suspended for a probationary period, the Suspension must specify:
  - i. the types of Offences (excluding indirect red cards) which, if committed, activate the suspended part of the Suspension; and
  - ii. the length of the probationary period which must be a period between 6 months and 24 months.
- (d) Where the Tribunal imposes a Suspension where part is suspended, if the Participant within the specified probationary period commits an Offence (excluding an indirect red card) that triggers



## **NWSF Grievance and Disciplinary Regulations**

the suspended part, that suspended part is then to be served in addition to any sanction that is imposed for the new Offence.

- (e) Where the Tribunal imposes any Time Suspension or Fixture Suspension, the Suspension must:
- i. impose a continuous suspension; and
  - ii. not be structured in more than one (1) part or in any way that allows the Participant to serve the Suspension in a fragmented way by participating in a certain Match(es) or Fixture(s) and then resuming the Suspension.

### **12.12 Repeat Offences**

- (a) Recidivism is an aggravating circumstance and, subject to section 12.12(b), the Tribunal may increase a sanction as it sees fit in the case of repeat offenders.
- (b) Where a Member has been found guilty of an Offence and then commits the same Offence on a second or subsequent occasion within two (2) years of the expiration of the Suspension issued in respect of the previous Offence, the second or subsequent Offence will be considered a Second or subsequent Offence for the purposes of sanctioning under Schedule 3: Table of Offences and the Tribunal must impose no less than the applicable Minimum Suspension and should only impose more than the applicable Minimum Suspension if appropriate in all of the circumstances.
- (c) In the case of Red Card Offences, section 12.12(b) will apply only where the second or subsequent Offence is the same Send Off Code as the previous Red Card Offence but will apply irrespective of the grading.

### **12.13 Disclosure of Tribunal members**

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

### **12.14 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 their 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.

### **12.15 Onus of proof**

A Body shall make Determinations on the balance of probabilities. The onus or proof of an assertion lies with the person making the assertion.

### **12.16 Contempt in the face of a Tribunal**

- (a) A person before a Tribunal or subject to a direction of a Tribunal must not:
- i. insult a member of a 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 or direction of the Tribunal;



## **NWSF Grievance and Disciplinary Regulations**

- v. deliberately mislead a Tribunal; or
  - vi. do any other act or thing that would, if a Tribunal were a court of record, constitute a contempt of such a court.
- (b) If a Tribunal considers that a person has breached this section 12.16, then it may impose sanctions as it sees fit in accordance with these Regulations.

### **12.17 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.

### **12.18 Immunity**

The parties to any proceedings brought under these Regulations, and their respective witnesses and any other witnesses, agree not to institute or maintain any proceedings, or bring any claim against NWSF, 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 Determination or findings made.

### **12.19 Correction of a Determination**

Within five (5) business days of receipt of a Determination, either party (including an Affected Party) to a hearing may submit to the General Manager a request to correct in the Determination any errors in computation, any clerical or typographical errors or any other error of a similar nature. The General Manager must forward the request forthwith to the chairperson of the Tribunal that made the Determination. If the Tribunal considers the request to be justified, it must make the correction and reissue the Determination to the parties.

### **12.20 Publication and Confidentiality**

- (a) 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.
- (b) All evidence and information provided in proceedings of a Tribunal must be treated in the strictest confidence. Parties, their representatives and all witnesses must not use or disclose to any third party any confidential information obtained during the course of any investigations or proceedings.
- (c) A breach of section 12.20(b) is deemed to be contempt against a Tribunal and the offender may be sanctioned pursuant to section 12.16 (Contempt against a Tribunal).

### **12.21 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.

### **12.22 NWSF staff**

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

## **NWSF Grievance and Disciplinary Regulations**

### **12.23 NWSF Representative**

The Board reserves the right to appoint a representative to any Tribunal hearing. The representative may argue the case on behalf of NWSF and may be a NWSF staff member.

## **13. SUSPENSION ORDERS**

### **13.1 Interim Suspension Orders**

- (a) Where a Member has been charged by NWSF in relation to an alleged act of Misconduct (see section 8.2) or with a criminal offence in connection with disciplinary action pursuant to these Regulations, the GPT Chairperson 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 GPT Chairperson 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 GPT Chairperson 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 physical 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 GPT Chairperson 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 Suspensions to be served immediately**

- (a) Subject to this section 14, any Suspension imposed by a Body shall be served immediately and apply in respect of those Football Activities listed in the Notice of Suspension or a Determination.
- (b) Members who have been charged for an Offence that carries more than the Minimum Match Suspension (MMS) shall remain ineligible for selection for any NWSF Match until a Body has decided on the Suspension.
- (c) A Member does not need to be registered to serve any Time Suspension but does need to be registered to serve a Fixture Suspension.

### **14.2 Club Responsibility on Suspensions**

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

### **14.3 Types of Suspensions**

- (a) A Body may issue a Suspension either in terms of the number of fixtures for which a Participant will be suspended (Fixture Suspension) or the period of time for which a Participant will be suspended (Time Suspension)

## **NWSF Grievance and Disciplinary Regulations**

- (b) A Member does not need to be registered to serve a Time Suspension. Subject to section 14.3(c) or unless The GPT Chairperson has determined otherwise in its absolute discretion, a Member must be registered to serve a Fixture Suspension
- (c) A Participant subject to a Fixture Suspension as a Spectator only does not need to be registered to serve a Fixture Suspension.

### **14.4 Time Suspensions**

- (a) A Time Suspension affects a Participants participation in eleven-a-side football (Winter Football) and six-a-side football (Summer Football), regardless of whether the infringement was committed in eleven-a-side football or six-a-side football.
- (b) Upon issuing a Time Suspension, the Tribunal must provide a start date for the Suspension.
- (c) If, in the case of a Time suspension, some or all of the suspension coincides with any non-playing period(s), then such non-playing period(s) must not be counted towards the satisfaction of that suspension, unless the Tribunal determines otherwise
- (d) Unless the Tribunal determines otherwise, but subject always to section 14.4(a), a Participant issued with a Time Suspension is ineligible to participate in all Football Related Activities for the duration of the Suspension.
- (e) Football Related Activities include, but are not limited to:
  - i. Taking to the Field of Play as a Player or Match Official in any match or competition sanctioned or administered by Football NSW, Clubs, Centres, Association Members, Branches, Regional Associations or their clubs;
  - ii. Taking a position or acting as a coach, Team Official or Club Official in any match or competition sanctioned or administered by Football NSW, Clubs, Centres, Association Members, Branches, Regional Associations or their clubs (in the case of a coach, this includes providing or attempting to provide coaching instructions or engaging or attempting to engage a third party to relay coaching instructions);
  - iii. entering the Field of Play, its surrounds, the Technical Area, players race, dressing rooms or any other place within a venue on a match day where players, coaches or Officials are likely to assemble to prepare for a match;
  - iv. taking part as a player, coach, Team Official or Club Official in any training session conducted by or for a team or club participating in any matches or competitions sanctioned or administered by Football NSW, Clubs, Centres, Association Members, Branches, Regional Associations or their clubs;
  - v. acting in any way as a Team Official, Club Official or Association Member Official, including, but not limited to, participating in or carrying on any function as a member of a committee, sub-committee or board of directors (whether paid, voluntary or honorary) at any level (to the extent such a restraint is permissible by law);
  - vi. attending any function or event coordinated, conducted or sanctioned by Football NSW; and/or
  - vii. entering a stadium, venue, ground or Centre during any match, competition or training session sanctioned or administered by Football NSW, Clubs, Centres, Association Members, Branches, Regional Associations or their clubs.

### **14.5 Fixture Suspensions**

- (a) A Fixture Suspension imposed on a Player participating in:
  - i. Eleven-a-side football (Winter Football), only affects that Player's participation in eleven-a-side football; or
  - ii. Six-a-side football (Summer Football), only affects that Player's participation in six-a-side football.

## **NWSF Grievance and Disciplinary Regulations**

- (aa) Notwithstanding anything to the contrary in this section 14.5, a Participant subject to a Suspension for the accumulation of Yellow Cards in accordance with sections 16.2 to 16.5 below:
  - i. must serve that Suspension exclusively in the Competition (and age-grade) in which the Yellow Card giving rise to the relevant Mandatory Match Suspension was received; and
  - ii. is eligible to play in any other competition (except the NWSF Competition where the Yellow Card giving rise to the relevant Mandatory Match Suspension was received in), event or tournament while serving that Suspension.
- (b) A Participant issued with a Time Suspension shall be ineligible to participate in any Football Activity as directed in their 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 NWSF Competition or FNSW Competition.
- (c) 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.
- (d) For the purposes of section 14.5(c), a Participant must serve the Suspension in their registered team's next match and shall not be eligible to participate in any Fixture during that round until that Suspension is served in full.
- (e) For the purposes of section 14.5(c), any Suspension received during a Pre-Season Competition or Trial Match (sanctioned and administered by NWSF) are 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.
- (f) If a Participant is currently subject to a Suspension, that Participant may participate in a Trial Match.
- (g) Should a Participant receive a Suspension in a FNSW State Cup or Champion of Champions Match that Suspension shall be served in the next consecutive Fixture, (be that a NWSF or FNSW State Cup or Champion of Champions) which that Participant's team played in, until the Suspension is served in full.
- (h) Only those Matches actually played count towards the completion of any Fixture Suspension.
- (i) Notwithstanding section 14.5(h), if a Match is abandoned or forfeited pursuant to NWSF 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.
- (j) The Competition Director or a member of the Board appointed by the Board shall have the final decision on whether a Suspension or part thereof may be served in an abandoned or forfeited Match.
- (k) While serving a Fixture Suspension, a Participant must not, on the day of a Fixture, act in any manner or role for which they have been suspended.
- (l) For the purposes of section 14.5(k), a Participant subject to a Fixture Suspension as a Player or Official must not:
  - i. enter the field of play (or court), its surrounds, the Technical Area, players race, dressing rooms or any other place within a stadium, venue, ground or Centre where players and/or officials are likely to assemble to prepare for a match;

## NWSF Grievance and Disciplinary Regulations

- ii. be seated in an area in a stadium, venue, ground or Centre normally reserved for players and/or officials;
  - iii. in the case of a coach, must not provide or attempt to provide coaching instructions and must not engage or attempt to engage a third party to relay coaching instructions.
- (m) For the purposes of section 14.5(k), a Participant subject to a Fixture Suspension as a Spectator must not enter a stadium, venue, ground or Centre during a Fixture until that Suspension is served in full. Unless a Body determines otherwise, a Fixture Suspension imposed on a Participant as a Spectator will be served in accordance with this section 14.5.
- (n) Where a Participant the subject of a Fixture Suspension is unable to register with a Club participating in a Competition such that they would be otherwise able to serve the Fixture Suspension in accordance with these Regulations, that Participant may register with a club in another competition and NWSF may, in its absolute discretion, allow that Participant to serve the Fixture Suspension in that other competition.
- (o) Where a Fixture Suspension extends over one (1) or more Seasons and the Participant does not return to participate in a Competition in the following Season(s), that Participant must serve that Suspension in whichever competition they subsequently participates in, if any. If Football NSW determines, in its absolute discretion, that the Participant joined that competition for the purpose (in whole or in part) of enabling the Participant to serve that Suspension in that other competition, any suspension served in that other competition may not be permitted to count towards the serving of the Suspension.

### 14.6 Effect of Abandoned Matches

- (a) Only those Matches actually played count towards the serving of any Fixture Suspension.
- (b) Subject to section 14.6(c), if a Match is abandoned, cancelled or forfeited pursuant to Football NSW Rules and Regulations, a Suspension is only considered to be served if the Participant's Team is not responsible for the events that led to the abandonment, cancellation or forfeiture of the Match.
- (c) NWSF may decide, in its absolute discretion, whether a Suspension or part thereof may be served in an abandoned, cancelled or forfeited Match and any such decision is final and not subject to any appeal.
- (d) A Yellow Card issued during an abandoned Match will be annulled if that Match is replayed and upheld if that Match is not replayed.
- (e) Any Red Card issued during an abandoned Match will be upheld, regardless of whether the Match is replayed or not.

## 15. CONDUCT

### 15.1 Insolvent conduct

- (a) Where any Member suffers an Insolvency Event, it shall be referred to the Board who may:
  - i. in the case of a Club during the playing season, deduct any or all points it has accumulated in the relevant Competition in which it participates;
  - ii. in the case of a Club during the off-season, deduct points prior to the commencement of the next Competition in which it participates;
  - iii. in the case of a Member, suspend or expel the Member from membership in accordance with the NWSF Rules and Regulations; or
  - iv. take such action it considers reasonable to protect the interests of NWSF and the game of football.

## **NWSF Grievance and Disciplinary Regulations**

- (b) A decision made by the Board under section 15.1(a) is final and not subject to appeal.

### **15.2 Misconduct and Disrepute**

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 these Regulations including the Offences set out in Schedule 3: Table of Offences;
- (e) constitutes a breach of a NWSF Rules and Regulations unless a document contains a provision or provisions for dealing with any breach thereof;
- (f) brings or, in The GPT Chairperson's opinion may bring, the Member, NWSF or the game of football into Disrepute or adversely affect the image, reputation and goodwill of the Member, NWSF or the game of football; or
- (g) in the opinion of the GPT Chairperson, is or may be prejudicial to the image, interests or reputation of the game of football, NWSF or any of its sponsors.

### **15.3 Misconduct – Culpability, Attempt and Involvement**

- (a) Offences are punishable regardless of whether they have been committed deliberately, recklessly or negligently.
- (b) Acts amounting to attempt are also punishable. A Body may, however, reduce the sanction envisaged for the actual Offence and determine any extent of mitigation as it sees fit.
- (c) Any Participant who knowingly takes part in committing an Offence, either as instigator or accomplice, is also punishable. A Body may take account of the degree of guilt of the party involved by reducing the sanction as it sees fit.

### **15.4 Misconduct – Club Liability**

- (a) A Club is deemed to have committed an offence(s) under section 15.2 (Misconduct and Disrepute) where one of its Participants has allegedly committed any Offence(s) outlined in section 15.4 (Misconduct and Disrepute) and The GPT Chairperson may, in its absolute discretion, take any relevant action against the Club pursuant to section 8.2 (Charges of Misconduct and Disrepute).
- (b) For the avoidance of doubt, a Club may be sanctioned in accordance with section 15.4(a) notwithstanding the offender(s) have not been identified.
- (c) Notwithstanding sections 15.4(a), The GPT Chairperson may, in its absolute discretion, elect not to proceed against a Club for the conduct of one of its Participants where:
  - i. the Club is (for the relevant Match or event) compliant with Match day standards and/or protocols as published by NWSF from time to time;
  - ii. the Club cooperates with any investigation by NWSF into the alleged conduct, including, without limitation, naming or identifying, upon request by NWSF, the Club's Participants or individuals known to the Club in relation to the alleged conduct; and
  - iii. NWSF, on review of the information available to it, forms the view that to proceed against the Club for the actions of its Participants is unduly harsh or unfair in the circumstances.
- (d) Matters that NWSF may consider in forming its view under section 15.4(c)(iii) include but are not limited to:
  - i. the Club or individual's Disciplinary History;

## NWSF Grievance and Disciplinary Regulations

- ii. the co-operation of the Club;
  - iii. the significance of the nature of the conduct;
  - iv. whether the Club acted swiftly to counter the conduct and denounce the incident at the relevant time;
  - v. whether the Club has taken any relevant action of its own regarding the conduct; and
  - vi. whether the Club has taken any steps to minimise the risk of repetition of such conduct by those individuals involved and its other Participants.
- (e) Where a Club complies with all these matters, NWSF nevertheless retains a discretion to proceed against the Club for the conduct where NWSF is of the view that the relevant conduct is of a particularly egregious or significant nature. Where NWSF does so proceed against the Club, NWSF or the Tribunal (as the case may be) may consider these factors in penalty mitigation.

### 15.5 Misconduct – Registration

- (a) In the event of a Player signing registration forms for more than one Club, priority of registration will be accorded to the Club who earliest in time, all things being equal, obtained the Player’s signature to a valid registration form.
- (b) If a Player has self-registered through the National Online Registration System, the registration which earliest in time is recorded in that system will be granted priority.
- (c) A Player must not intentionally or recklessly register with, or sign registration forms for, more than one (1) Club.
- (d) A Club (**the second Club**) must not intentionally or recklessly induce or attempt to induce, whether directly or indirectly, a Player who is registered with, or has signed a registration form to register with, another Club (**the current Club**), to:
  - i. register with the second Club;
  - ii. sign a registration form with the second Club; or
  - iii. de-register from the current Club.
- (e) A Player or Club in breach of sections 16.7(c) or 16.7(d), will be deemed to have committed Misconduct (section 15.4) and The GPT Chairperson may, in its absolute discretion, take any relevant action against the Member pursuant to section 8.2 (Charges of Misconduct and Disrepute).

## 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 at 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



## NWSF Grievance and Disciplinary Regulations

- (b) A Temporary Dismissal is when a player commits a cautionable (YC) offence and is punished by an immediate 'suspension' from participating in the next part of that match, in accordance with Law 5 of the Laws of the Game. A Temporary Dismissal Yellow Card is issued by a Match Official to a Player on the field only and for the cautionable offences defined by the NWSF Regulations only.
- (c) A Temporary Dismissal Yellow Card shall be considered the same as a Yellow Card for the purpose of accumulating cautions pursuant to sections 16.2, 16.3 and 16.5.
- (d) For the avoidance of doubt, if a Player is sent from the field for an R7 (receives two (2) Yellow Cards in a Match), then neither of the two cautions leading to the Send-off (R7) shall be considered when accumulating cautions pursuant to sections 16.2, 16.3 and 16.5.

### 16.2 Accumulation of Yellow Cards - Premiership

- (a) A player who accumulates four (4) yellow cards in the Premiership shall serve a mandatory one (1) Fixture Suspension and any player receiving six (6) yellow cards in the Premiership shall serve a mandatory two (2) Fixture Suspension. Notification shall be given to the player's Club as soon as possible after the fourth and sixth caution is received by NWSF.
- (b) A player who accumulates eight (8) or more yellow cards in the Premiership shall be referred by the General Manager to the GPT.

### 16.3 Accumulation of Yellow Cards – Championship and Pennant Competitions

A Player who accumulates two (2) Yellow Cards in the Championship and/or Pennant rounds shall serve a mandatory one (1) Fixture Suspension. Notification shall be given to the player's Club as soon as possible after the second caution is received by NWSF.

### 16.4 Red Card Offences

- (a) Subject to section 7, a Participant who receives a Red Card must serve a mandatory Minimum Match Suspension (MMS).
  - i. For the purposes of 16.4 (a) a Minimum Match Suspension constitutes a suspension of 1 fixture or match.
- (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:
- (c) Suspensions shall be served immediately and in accordance with section 14 of these Regulations.
- (d) Red Cards issued during an abandoned Match will be upheld regardless of whether the Match is replayed or not.

Code	Description
R1	Serious foul play
R2	Violent conduct
R3	Spitting at an opponent or any other person



## NWSF Grievance and Disciplinary Regulations

<b>R4</b>	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 their own penalty area)
<b>R5</b>	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
<b>R6</b>	using offensive, insulting or abusive language and/or gestures
<b>R7</b>	receiving a second caution in the same match

### 16.5 Team Misconduct

- (a) Each Club must ensure that its Participants do not engage in Team Misconduct.
- (b) A team is deemed to have committed Team Misconduct when:
  - i. Five (5) or more players are shown the Yellow Card or the Red Card in one match; or
  - ii. Three (3) or more players are shown the Red Card in one match; or
  - iii. It's Participants knowingly or wilfully engages in the "ring-in" 1 of a player, or players in any match or plays in any match while suspended or knowingly plays a suspended player in any match.
    - a) In addition to any sanction imposed under Schedule F for teams found guilty of this offence, the General Purposes Tribunal will additionally apply penalties as set out in Table G of Schedule 3 of these Regulations (Table of Offences) where teams have been deemed guilty of section 16.5(b) iii.
  - iv. Its Participants collectively show dissent towards a Match Official or collectively seek to intimidate, threaten or exert pressure on a Match Official to make or alter a decision in a Match; or
  - v. Its Participants engage in a melee or brawl in a Match (regardless of whether or not it is possible to identify the instigators).
- (c) For the avoidance of doubt, jurisdiction to deal with Team Misconduct as defined at 16.5 (b) i and 16.5 (b) ii lies with the Disciplinary Committee (see 7.1 (a) iii ) and sanctions for a first (1st) offence in one season and a second (2nd) offence in one season are specified in Table F of Schedule 3 of these Regulations (Table of Offences). A third (3rd) or subsequent offence by one team in the same season shall be referred by the Disciplinary Committee to the General Purposes Tribunal for determination. This section 16.5 (e) shall not prevent the DC from referring a first (1st) or a second (2nd) offence to the GPT where the DC, in its absolute discretion, considers such referral appropriate.
- (d) Any Team that engages in Team Misconduct as defined at sections 16.5 (b) iii through 16.5 (b) v will be deemed to have committed Misconduct (section 15.2) and the GPT Chairperson may, in its absolute discretion, charge the Team accordingly and refer the matter to the General Purposes Tribunal for determination pursuant to section 8.2 (Charges of Misconduct and Disrepute)
- (e) In determining whether to sanction a team or club pursuant to sections 16.5 (b) iii through 16.5 (d) v, the General Purposes Tribunal may consider any exceptional circumstances which it deems apply.
- (f) The relevant sanctions for Team Misconduct as defined at sections 16.5 (b) iii through 16.5 (b) v are set out at Table D of Schedule 3 of these Regulations (Table of Offences).

## **NWSF Grievance and Disciplinary Regulations**

### **16.6 Unregistered Players**

- (a) Clubs must not field or list in team sheets unregistered Players, including individuals playing under false or assumed identities, in any Match. Unregistered Players includes those Players who are not registered with FFA, Football NSW and/or NWSF.
- (b) Any Club which fields or lists unregistered players shall be deemed to have committed Misconduct (section 15.2) and as a result the GPT Chairperson may, in its absolute discretion, take any relevant action against the Club pursuant to section 8.2 (Charges of Misconduct and Disrepute)

### **16.7 Ineligible Players**

- (a) Clubs must not field or list in team sheets Ineligible Players in any Match. Ineligible players are individuals whom while being registered with FFA, Football NSW and/or NWSF, play, or attempt to play, in a competition or grade where they do not qualify or breaches the NWSF Regulations.
- (b) Any Club which fields or lists Ineligible Players shall be deemed to have committed Misconduct (section 15.2) and as a result the GPT Chairperson may, in its absolute discretion, take any relevant action against the Club pursuant to section 8.2 (Charges of Misconduct and Disrepute)

### **16.8 Team Officials and Club Officials**

- (a) The DC and Tribunals have jurisdiction to issue Suspensions based on the Match Official Reports and Match Official Incident Reports against Team Officials and Club Officials in accordance with Schedule 3: Table of Offences.
- (b) A Team Official or Club Official who has been expelled from the field of play by a Match Official must immediately serve a Mandatory Match Suspension of one (1) Fixture, and which may be taken as being included in any additional suspension issued by the DC or a Tribunal and which may apply across all Football Related Activities depending on the severity of the offence.

### **16.9 Refusal to take the field of play and mass walk-offs**

Any Club which by the conduct of its Players, Team Officials, Club Officials or Spectators causes a Match to be terminated or abandoned as a result of refusing to take the field or as a result of a mass walk-off will be deemed to have committed Misconduct (section 15.2) and as a result The GPT Chairperson may, in its absolute discretion, charge a Participant or the Club itself and refer the matter to the GPT for Determination.

## **17. NWSF RESPECT Points**

- (a) For each team in the NWSF, disciplinary points will be applied for offences by players, team officials, spectators and accumulated over the season.
- (b) Nominated Offences carry a number of demerit points which are accumulated to the team. The list of all offences and the associated penalties are listed in the Schedules of Offences.
- (c) Allocation of points will be issued by the DC and/or GPT when issuing suspensions, and the GPT Chairperson and/or General Manager may allocate points as deemed appropriate for off field incidents not requiring referral to the GPT.
- (d) As a team accumulates points over the season, sanctions are applied against the team according to the number of RESPECT points accumulated.
- (e) The three levels of the NWSF RESPECT Points tier is as follows:
  - Level 1 – Warning

## NWSF Grievance and Disciplinary Regulations

Where a team accumulates a given number of disciplinary points the team is given a warning including what further action may occur for continued accumulation of RESPECT Points.

- Level 2 – Loss of Competition Points / Cup and Trophy Ineligibility

Any team accumulating enough RESPECT points to trigger this level will automatically have 3 match points deducted from their competition table.

- Level 3 – Team Withdrawal/ Cup and Trophy Ineligibility

When a team accumulates the maximum allowed number of RESPECT points the team is withdrawn from the competition for the rest of the season. Team withdrawal will only occur after the team and its Club have appeared before the RP, convened by the Board. In the case where the team is withdrawn, all players from the team will not be permitted to play for another team for the rest of the season.

- (f) The table below shows accumulated NWSF RESPECT point limits for reaching the applicable level:

	<b>First Warning</b>	<b>Loss of Competition Points</b>	<b>Team Withdrawal</b>
<b>Super League / Premiere League</b>	20	40	60
<b>O35/45 teams</b>	15	30	50
<b>U15 - AA</b>	15	30	50
<b>U10-U15</b>	10	25	35
<b>U6-U9</b>	5	15	25

- (g) If the RP is convinced that corrective actions taken by a team, which has accumulated the maximum number of RESPECT points, will result in a significant improvement in team discipline the RP may allow the team to continue to play but assign a new number of RESPECT points. An example is that a team may remove a player with a persistent discipline problem etc.
- (h) Notwithstanding any previously listed penalties the RP may determine that RESPECT points will be applied to team(s) that are involved in on-field melees or post-match fights between players, officials or spectators.
- (i) If a Club has a significant number of teams that accumulate significant numbers of RESPECT points the GPT Chairperson may cite the Club, if in its opinion, the Club is not performing its role of applying discipline to teams.
- (j) This clause does not supersede other rules in which the penalty may be the withdrawal of a team.
- (k) The RESPECT points to be applied for offences under the jurisdiction of the DC and Tribunals are listed in Schedule 3.
- (l) The GPT Chairperson can impose additional NWSF RESPECT points at its discretion, including recommendations of a Tribunal, or based on its own findings. In these circumstances the Club

## **NWSF Grievance and Disciplinary Regulations**

will be notified of the additional penalty and the reasons for imposing such a penalty on the team.

- (m) Notification of the allocation of NWSF RESPECT points shall be made in writing to the offending Club within fourteen (14) days of either the alleged offence occurring, or the GPT Chairperson becoming aware of an offence.
- (n) Clubs wishing to appeal against such penalty imposed in line with the imposition of NWSF RESPECT points shall do so in writing to the RP.
  - i. For the purposes of 17(n), a Club is not eligible to appeal an allocation of RESPECT points where the points allocated is as prescribed in Schedule 3.
- (o) The General Manager will notify the Club in writing of the time, date and location of the Respect Panel convening.

### **18. SOCIAL MEDIA AND DETRIMENTAL PUBLIC COMMENT**

- (a) Members must not make public or media comment (including via publicly-accessible social media) which unreasonably criticizes or is detrimental to the interests of the game.
- (b) The GPT Chairperson may, in its absolute discretion, investigate such matters and in serious cases charge Members under these Regulations and refer the matter to the GPT for Determination.

### **19. SPECTATORS**

- (a) The FFA Spectator Code of Behaviour applies to all Spectators attending any Match. The FFA Spectator Code of Behaviour is set out in Schedule 5 and forms part of these Regulations.
- (b) The GPT has jurisdiction to issue Suspensions against Spectators.
- (c) In the event of a breach of the Code, the GPT Chairperson may refer the matter to the GPT and seek an appropriate sanction including but not limited to excluding Spectators from all Matches within NWSF's jurisdiction.
- (d) Any ban imposed by FFA or Football NSW under its applicable rules and regulations against a person may be endorsed and applied by the GPT across all NWSF Matches.
- (e) Any ban imposed by a Club under its applicable rules and regulations may be endorsed and applied by the GPT across all NWSF Matches.

\*\*\*\*\*

## NWSF Grievance and Disciplinary Regulations

### SCHEDULE 1: DEFINITIONS

- “**Additional Suspension**” means any Suspension in addition to a Mandatory Match Suspension;
- “**Affected Party**” has the meaning given to it in section 12.4 of 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 Fee or Appeal Fee**” means the fee set out in Schedule 3 for appeals to the Appeals Tribunal;
- “**Board**” mean the directors of NWSF appointed or elected from time to time;
- “**Body**” means a body established under section 4 of these Regulations;
- “**Business Days**” see “Working days”;
- “**Centre**” means an affiliated entity formed for the purpose of playing Summer Soccer in the Competitions;
- “**Championship**” means the final series conducted at the completion of the Premiership in accordance with the NWSF’s Rules and Regulations;
- “**Chairperson**” means the GPT Chairperson or Deputy-Chairperson of a Tribunal appointed under Section 5;
- “**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 under the jurisdiction of NWSF;
- “**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 NWSF;
- “**Complaint**” means an allegation that a Member’s conduct is unethical and/or in breach of FFA Rules and Regulations, FNSW Rules and Regulations or NWSF’s rules and regulations;
- “**Cup**” means a tournament or event conducted by NWSF other than the Premiership or Championship competitions;
- “**Days**” see “Working days”;
- “**Determination**” means a decision made by a Tribunal in accordance with these Regulations;
- “**Disciplinary Committee or DC**” means the Body responsible to make decisions under section 7;
- “**Disciplinary History**” means a Member’s disciplinary/tribunal record as held by FFA, Football NSW or NWSF;
- “**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 NWSF;
- “**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 two (2) clubs as scheduled in all grades applicable;

## NWSF Grievance and Disciplinary Regulations

**“Football Activity”** means any activity of a football nature including playing in any form of the game, taking part in organised club or team training activities, being in the Technical Area during a match, holding a team official role, holding a club official role, holding office in a Club or Association or any other activity relating or incidental to the objects of NWSF;

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

**“General Manager”** means that person appointed by the Board to oversee the day to day operations of NWSF;

**“GPT Chairperson”** means the person elected under the Section 23 of the NWSF Constitution that is responsible for the management of the NWSF Judiciary.

**“NWSF Representative Match”** means any match played by a Participant for a representative side controlled or administered by NWSF

**“NWSF Competitions”** means any or all of the football matches, tournaments, events or competitions owned or conducted by NWSF;

**“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;

**“NWSF”** means Gladesville-Hornsby Football Association Incorporated, and where the context permits, includes the Board and/or the General Manager

**“Grievance”** means either a Claim or Complaint as the case requires;

**“Grievance Form”** means the prescribed form for raising a Grievance with NWSF;

**“Ineligible Players”** means Players who have been issued with Suspensions by FFA, FNSW, NWSF, a Club, Centre or an Association;

**“Insolvency Event”** any of the following:

- (a) is unable to pay from the person’s own money all the person’s debts as and when they become due and payable;
- (b) is taken or must be presumed to be insolvent or unable to pay its debts under any applicable legislation;
- (c) an application or order is made for the winding up or dissolution or a resolution is passed or any steps are taken to pass a resolution for the winding up or dissolution of a Member;
- (d) an administrator, provisional liquidator, liquidator or person having a similar or analogous function under the laws of any relevant jurisdiction is appointed or any action is taken to appoint any such person and the action is not stayed, withdrawn or dismissed within seven days;
- (e) a receiver or receiver and manager is appointed in respect of any property of a Member;
- (f) a corporation is deregistered under the *Corporations Act 2001(Cth)* or notice of its proposed deregistration is given to the corporation;
- (g) a distress, attachment or execution is levied or becomes enforceable against any property of a Club;
- (h) a Club enters into or takes any action to enter into an arrangement (including a scheme of arrangement or deed of company arrangement), composition or compromise with, or assignment for the benefit of, all or any class of the person’s creditors or members or a moratorium involving any of them;
- (i) a Club presents a declaration of intention under section 54A of the *Bankruptcy Act 1966 (Cth)*; or

## NWSF Grievance and Disciplinary Regulations

- (j) anything analogous to or of a similar effect to anything described above under the law of any relevant jurisdiction occurs in respect of a Club;

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

“**Mandatory Match Suspension or MMS**” means the automatic suspension from participating in a Match that must be served in accordance with these Regulations.

“**Match**” means any match played in a NWSF Competition, Cup, Premiership, other event or tournament under NWSF’s control;

“**Match Official**” means a referee, assistant referee, fourth official, referee assessor, match commissioner, any person in charge of safety. It does not include a team or club official except where that team or club official is required to perform the role of center referee in a match due to unavailability of a NWSFRA official;

“**Match Official Report**” means either a Match Official Send Off Report or a Match Official Incident Report prepared and submitted by Match Officials to NWSFRA and by NWSFRA to NWSF;

“**Match Official Incident Report**” means a report prepared and submitted by a Match Official to NWSFRA and sent by NWSFRA to NWSF which sets out any incidents which occurred prior to, during or after a Match;

“**Match Official Send Off Report**” means a report prepared and submitted by a Match Official to NWSFRA and sent by NWSFRA to NWSF which sets out any Red Card Offences that occurred during a Match;

“**Member**” means for the purposes of these Regulations a Club, a Participant or anyone else deemed a Member in accordance with the Constitution;

“**Misconduct**” has its meaning given to it under section 15.2 of these Regulations;

“**Notice of Proceedings**” means a Notice submitted by NWSF to parties subject to a hearing;

“**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;

“**Notice of Suspension Served**” means a Notice submitted by a Club to notify NWSF that a Member’s suspension has been fully served;

“**Notice of Appeal**” means a Notice submitted by a party to NWSF wishing to appeal a decision of a Body;

“**Notice of Charge**” means a Notice submitted by NWSF charging a Member with Misconduct;

“**Notice of Response**” means the prescribed form submitted by a Member having being charged with Misconduct pursuant to these Regulations;

“**Notification Form**” means the prescribed form notifying NWSF of a Participant’s intention to not accept a Suspension issued by the DC;

“**Offences**” includes those offences committed by a Member set out in the Table of Offences;

“**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 they are registered with FFA or NWSF, or whether they are junior or senior);

“**Pre-Season Competition**” means Fixtures or matches played prior to the commencement of a NWSF Competition;

“**Premiership**” means the round robin Matches (both home and away) that a team competes in during a Season in accordance with the NWSF Rules and Regulations;

“**Red Card Offence**” means one of the sending-off offences set out in section 16.4;

“**Regulations**” means these NWSF Grievance and Disciplinary Regulations;

“**Season**” means from the commencement of a NWSF Competition to the conclusion of a NWSF Competition unless otherwise directed by NWSF;

## NWSF Grievance and Disciplinary Regulations

“**Shall**” pertains to an action which must take place or is mandatory

“**Should**” pertains to an action which is recommended but is not mandatory;

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

“**State**” means the state of New South Wales

“**Suspensions**” means the prohibition of a participant from a defined range of football activities 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;

“**Trial Match**” means any Match played by two Clubs which does not form part of a NWSF Competition, Cup, Premiership, other event or tournament but has been sanctioned by NWSF;

“**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;

“**Working Days**” means a day when the NWSF office is normally open for business;

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



## NWSF Grievance and Disciplinary Regulations

### SCHEDULE 2: EMAIL ADDRESSES FOR CORRESPONDENCE

Nature of matter	Email address
Notice of Mistaken Identity	nwsf@nwsf.com.au
Challenge of Suspension	nwsf@nwsf.com.au
Response to Notice of Charge	nwsf@nwsf.com.au
Response to a referral from the DC to the GPT	nwsf@nwsf.com.au
All other matters	nwsf@nwsf.com.au

## NWSF Grievance and Disciplinary Regulations

### SCHEDULE 3: TABLE OF OFFENCES

**Second or subsequent Offences:** Where a Member has been found guilty of an offence and then commits the same offence on a second or subsequent occasion within two (2) years of the expiration of the Suspension issued in respect to the previous Offence, the second or subsequent Offence will be considered a Second or subsequent Offence for the purposes of sanctioning under Schedule 3

**Table A: OFFENCES BY PLAYERS AGAINST PARTICIPANTS OTHER THAN MATCH OFFICIALS<sup>1</sup>**

OFFENCE CODE		OFFENCE DESCRIPTION	GRADING GUIDELINES	INCIDENCE	PARTICIPANT SANCTION <sup>2</sup>		Team Disciplinary Points
Red Card	GRADING				SUSPENSION (Min)	SUSPENSION (Max)	
R1	<b>Serious Foul Play</b>						
	R1	(Typically, but not limited to, serious foul play when the ball is in play)	Serious foul play tackle	First	MMS	12 Fixtures	2
				Second & Subsequent	MMS + 1 Fixture		
	R1(A1)		Attempting to gain possession of the ball using excessive force	First	MMS +1 Fixture	8 Fixtures	2
				Second & Subsequent	MMS +2 Fixtures		
	R1(A2)		Conduct that endangers the safety of an opponent in a contest for the ball or has the potential to cause injury	First	MMS +2 Fixtures	8 Fixtures	3
				Second & Subsequent	MMS + 3 Fixtures		
	R1(A3)		Conduct causing minor injury	First	MMS +2 Fixtures	8 Fixtures	3
				Second & Subsequent	MMS +3 Fixtures	1 Year	
	R1(A4)		Conduct causing serious injury	First	MMS +4 Fixtures	12 Fixtures	5
	Second & Subsequent			MMS +6 Fixtures	2 Years		
R2	<b>Violent Conduct</b>						
	R2	(Typically, but not limited to, serious foul play when the ball is not in play, and/or pre-meditated violent conduct)	Excessive conduct when the ball is not in play or playing distance	First	MMS +1 Fixture	2 Years	2
				Second & Subsequent	MMS +2 Fixtures	2 Years	3
	R2(A1)		Violent conduct when the ball is not in play or playing distance	First	MMS +2 Fixtures	2 Years	3
				Second & Subsequent	MMS +3 Fixtures	2 Years	4
	R2(A2)		Violent conduct comprising head butting	First	MMS +4 Fixtures	2 Years	5
				Second & Subsequent	MMS +6 Fixtures	5 Years	
	R2(A3)		Violent conduct comprising physical contact, including but not limited to punching / striking / kicking / stomping / or elbowing.	First	MMS +4 Fixtures	2 Years	5
				Second & Subsequent	MMS +6 Fixtures	2 Years	
	R2(A4)		Serious violent conduct comprising any blow/strike/punch/elbow to the back of victim's head (i.e. 'Cowards Punch')	First	MMS +10 Fixtures	10 Years	10
				Second & Subsequent	MMS +15 Fixtures	10 years	
	R2(A5)		Violent conduct comprising choking, holding and/or blocking of the neck/throat with one hand or other part of body	First	MMS +4 Fixtures	10 Years	5
				Second & Subsequent	MMS +7 Fixtures	10 Years	
R2(A6)	Violent conduct comprising strangulation, both hands around the neck/throat		First	MMS +5 Fixtures	10 Years	5	
		Second & Subsequent	MMS +10 Fixtures	10 years			
R2(A7)	Serious violent conduct that has caused bodily harm or responsibility for a violent melee	First	MMS +5 Fixtures	10 Years	5		
		Second & Subsequent	MMS +10 Fixtures	10 years			
OFFENCE CODE		OFFENCE DESCRIPTION	GRADING GUIDELINES	INCIDENCE	PARTICIPANT SANCTION <sup>2</sup>		

## NWSF Grievance and Disciplinary Regulations

Red Card	GRADING				SUSPENSION (Min)	SUSPENSION (Max)	Team Disciplinary Points
R3	<b>Spitting at an opponent or any other person</b>						
	R3		Spitting at or towards an opponent or any other person	<i>First</i>	MMS +1 Fixtures	2 Years	2
				<i>Second &amp; Subsequent</i>	MMS +3 Fixtures	2 Years	4
	R3(A1)		Spitting at an opponent or any other person with the intention of spitting on that person	<i>First</i>	MMS +7 Fixtures	2 Years	8
				<i>Second &amp; Subsequent</i>	MMS +10 Fixtures	2 Years	10
	R3(A2)		Spitting on an opponent or any other person	<i>First</i>	1 Year	2 Years	10
<i>Second &amp; Subsequent</i>				1 Year	5 Years	10	
R4	<b>Denying goal scoring opportunity (DOGSO)</b>						
	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 their own penalty area)	<i>First</i>	MMS	MMS	1
				<i>Second &amp; Subsequent</i>	MMS	MMS	
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		<i>First</i>	MMS	MMS	1	
		<i>Second &amp; Subsequent</i>	MMS	MMS			
R6	<b>Offensive, insulting, abusive or intimidating language and/or gestures</b>						
	R6(A1)		Using language and/or gestures in frustration	<i>First</i>	MMS	2 Years	2
				<i>Second &amp; Subsequent</i>	MMS +1 Fixture		
	R6(A2)		Using language and/or gestures directed at another person	<i>First</i>	MMS +1 Fixtures	2 Years	2
				<i>Second &amp; Subsequent</i>	MMS +3 Fixtures		
	R6(A3)		Incitement to violence, or repeated use of offensive language and/or gestures, to another person	<i>First</i>	MMS +4 Fixtures	2 Years	4
				<i>Second &amp; Subsequent</i>	MMS +8 Fixtures		
	R6(A4)		Use of discriminatory, homophobic, racist, religious, ethnic or sexist language and/or gestures	<i>First</i>	MMS +8 Fixtures	2 Years	8
				<i>Second &amp; Subsequent</i>	MMS +12 Fixtures		
	R6(A5)		Use of threats of violence/death or any other harm at another person or persons	<i>First</i>	MMS +8 Fixtures	2 Years	8
<i>Second &amp; Subsequent</i>				MMS +12 Fixtures			
R7	<b>Second Caution</b>						
			Second caution in the same match	<i>First</i>	MMS	MMS	1
				<i>Second &amp; Subsequent</i>	MMS		

<sup>1</sup> Where the Offence giving rise to the Red Card was committed against a Match Official, the applicable Minimum and Maximum Suspensions are those set out in Table B

<sup>2</sup> A suspension greater than the applicable Maximum Suspension, up to a maximum of 30 Years, may be imposed by the Tribunal only in Exceptional Circumstances that must be detailed in the Determination.

**Table B: OFFENCES BY PARTICIPANTS AGAINST MATCH OFFICIALS**

## NWSF Grievance and Disciplinary Regulations

OFFENCE CODE		OFFENCE DESCRIPTION	GRADING GUIDELINES	INCIDENCE	PARTICIPANT SANCTION <sup>1</sup>		NWSF RESPECT POINTS
Red Card	GRADING				SUSPENSION (Min)	SUSPENSION (Max)	
R2	<b>Violent Conduct</b>						
	R2(B1)	(Typically, but not limited to, serious foul play when the ball is not in play, and/or pre-meditated violent conduct towards a Match Official)	Offence not covered below	<i>First</i>	6 Months	10 Years	10
				<i>Second &amp; Subsequent</i>	1 Year	15 Years	10
	R2(B2)		Inappropriate contact with a Match Official	<i>First</i>	MMS + 1 Fixtures	Life	10
				<i>Second &amp; Subsequent</i>	MMS +2 Fixtures	Life	10
	R2(B3)		Threatening or intimidating a Match Official by word or action	<i>First</i>	6 Months	2 Years	10
				<i>Second &amp; Subsequent</i>	1 Year	4 Years	10
	R2(B4)		Pushing a Match Official	<i>First</i>	1 Year	Life	10
				<i>Second &amp; Subsequent</i>	2 Years	Life	10
	R2(B5)		Tripping a Match Official	<i>First</i>	1 Year	Life	10
				<i>Second &amp; Subsequent</i>	2 Years	Life	10
	R2(B6)		Striking a Match Official with a ball or other object	<i>First</i>	1 Year	Life	10
				<i>Second &amp; Subsequent</i>	2 Years	Life	10
	R2(B7)		Punching, kicking, elbowing or striking a Match Official	<i>First</i>	1 Year	Life	10
			<i>Second &amp; Subsequent</i>	2 Years	Life	10	
R3	<b>Spitting at an opponent or any other person</b>						
	R3(B1)		Spitting at or towards a Match Official	<i>First</i>	1 Year	Life	10
				<i>Second &amp; Subsequent</i>	2 Years	Life	10
	R3(B2)		Spitting on a Match Official	<i>First</i>	2 Year	Life	10
			<i>Second &amp; Subsequent</i>	4 Years	Life	10	

## NWSF Grievance and Disciplinary Regulations

OFFENCE CODE		OFFENCE DESCRIPTION	GRADING GUIDELINES	INCIDENCE	PARTICIPANT SANCTION <sup>1</sup>		NWSF RESPECT POINTS
Red Card	GRADING				SUSPENSION (Min)	SUSPENSION (Max)	
<b>R6</b>	<b>Offensive, insulting, abusive or intimidating language and/or gestures</b>						
	<b>R6(B1)</b>		Fail to abide or comply with a direction of a Match Official, or disputing a decision of a Match Official	<i>First</i>	MMS	2 Years	2
				<i>Second &amp; Subsequent</i>	MMS +1 Fixture		2
	<b>R6(B2)</b>		Using language or gestures in frustration	<i>First</i>	MMS +1 Fixtures	2 Years	2
				<i>Second &amp; Subsequent</i>	MMS +2 Fixtures		
	<b>R6(B3)</b>		Use offensive, insulting or abusive language and/or gestures (isolated incident)	<i>First</i>	MMS +2 Fixtures	2 Years	3
				<i>Second &amp; Subsequent</i>	MMS +4 Fixtures		
	<b>R6(B4)</b>		Use offensive, insulting or abusive language and/or gestures (repeated and/or excessive conduct)	<i>First</i>	MMS +4 Fixtures	2 Years	5
				<i>Second &amp; Subsequent</i>	MMS +8 Fixtures		
	<b>R6(B5)</b>		Use of indecent gestures	<i>First</i>	MMS +2 Fixtures	2 Years	3
				<i>Second &amp; Subsequent</i>	MMS +4 Fixtures		
	<b>R6(B6)</b>		Provocation or incitement of hatred or violence	<i>First</i>	MMS +2 Fixtures	2 Years	3
				<i>Second &amp; Subsequent</i>	MMS +4 Fixtures		
	<b>R6(B7)</b>		Use of discriminatory, homophobic, racist, religious, ethnic or sexist language and/or gestures	<i>First</i>	MMS +5 Fixtures	2 Years	6
				<i>Second &amp; Subsequent</i>	MMS +10 Fixtures		
	<b>R6(B8)</b>		Threatening or intimidating language or conduct towards a Match Official	<i>First</i>	MMS +10 Fixtures	2 Years	10
				<i>Second &amp; Subsequent</i>	MMS +12 Fixtures		
	<b>R6(B9)</b>		Threat of physical violence towards a Match Official or their family or property	<i>First</i>	1 Year	Life	10
				<i>Second &amp; Subsequent</i>	2 Years		

<sup>1</sup> A suspension greater than the applicable Maximum Suspension, up to a maximum of 30 Years, may be imposed by the Tribunal only in Exceptional Circumstances that must be detailed in the Determination

## NWSF Grievance and Disciplinary Regulations

MISCONDUCT (See also Table F)

Table C: OTHER OFFENCES BY MEMBERS

Offence Number	Description	Incidence	Minimum Sanction	Maximum Sanction	NWSF RESPECT Points
M1	Unsportsmanlike or unprofessional conduct	First	1 Fixtures	30 Years	2
		Second & Subsequent	4 Fixtures		4
M2	Bringing the game into Disrepute (section 15.2(f) and/or 15.2(g))	First	1 Month	30 Years	2
		Second & Subsequent	2 Months		4
M3	Engages in violent behaviour or actions	First	1 Month	30 Years	4
		Second & Subsequent	2 Months		8
M4	Is improper, threatening, abusive, indecent, insulting or discriminatory, whether by word or behaviour, regarding a person's ethnic origin, colour, race, nationality, religion, sex, sexual orientation, disability or any other reason	First	1 Month	30 Years	5
		Second & Subsequent	2 Months		10
M5	Knowingly or wilfully engages in the "ring-in" <sup>1</sup> of a player, or players in any match or plays in any match while suspended or knowingly plays a suspended player in any match	First	2 Months	30 Years	5
		Second & Subsequent	4 Months		10
M6	Is disrespectful or abusive of Match Officials or of their decisions	First	1 Month	30 Years	10
		Second & Subsequent	2 Months		
M7	Takes or makes action (physical or by word) against a player or team official	First	1 Month	30 Years	10
		Second & Subsequent	2 Months		
M8	Contempt against a Body, and/or hinders the proceedings of the DC or Tribunal	First	1 Month	30 Years	N/A
		Second & Subsequent	1 Year		
M9	Breaches any of the obligations imposed by NWSF or FNSW By-Laws	First	1 Month	30 Years	2
		Second & Subsequent	2 Months		5
M10	Breaches NWSF's or FFA's Code of Conduct	First	1 Month	30 Years	2
		Second & Subsequent	2 Months		5
M11	Unauthorised entry onto the Field of Play	First	1	8 Fixtures / 2 Months	
		Second & Subsequent	2		

## NWSF Grievance and Disciplinary Regulations

Offence Number	Description	Incidence	Minimum Sanction	Maximum Sanction	NWSF RESPECT Points
<b>M12</b>	Fail to abide or comply with a reasonable direction of an Official (other than a Match Official) or NWSF employee or representative in relation to conduct and/or behaviour at a Match	<i>First</i>	1	12 Fixtures / 3 Months	1
		<i>Second &amp; Subsequent</i>	2		
<b>M13</b>	Use offensive, insulting or abusive language and/or gestures (isolated incident)	<i>First</i>	2 Fixtures	2 Years	4
		<i>Second &amp; Subsequent</i>	4 Fixtures / 1 Month		
<b>M14</b>	Use offensive, insulting or abusive language and/or gestures (repeated and/or excessive conduct)	<i>First</i>	4 Fixtures / 1 Month	2 Years	4
		<i>Second &amp; Subsequent</i>	8 Fixtures / 2 Months		
<b>M15</b>	Provocation or incitement of hatred or violence	<i>First</i>	8 Fixtures / 2 Months	2 Years	8
		<i>Second &amp; Subsequent</i>	12 Fixtures / 3 Months		
<b>M16</b>	Use of discriminatory, homophobic, racist, religious, ethnic or sexist language and/or gestures	<i>First</i>	8 Fixtures / 2 Months	2 Years	8
		<i>Second &amp; Subsequent</i>	12 Fixtures / 3 Months		
<b>M17</b>	Participating in a melee (non-violent)	<i>First</i>	4 Fixtures / 1 Month	2 Years	4
		<i>Second &amp; Subsequent</i>	12 Fixtures / 3 Months		
<b>M18</b>	Instigator of a melee (non-violent)	<i>First</i>	8 Fixtures / 2 Months	2 Years	8
		<i>Second &amp; Subsequent</i>	16 Fixtures / 4 Months		
<b>M19</b>	Participating in a violent melee	<i>First</i>	12 Fixtures / 3 Months	30 Years	12
		<i>Second &amp; Subsequent</i>	20 Fixtures / 5 Months		

## NWSF Grievance and Disciplinary Regulations

Offence Number	Description	Incidence	Minimum Sanction	Maximum Sanction	NWSF RESPECT Points
<b>M20</b>	Instigator of a violent melee	<i>First</i>	16 Fixtures / 4 Months	30 Years	16
		<i>Second &amp; Subsequent</i>	32 Fixtures / 8 Months		
<b>M21</b>	Assault/striking	<i>First</i>	8 Fixtures / 2 Months	30 Years	8
		<i>Second &amp; Subsequent</i>	16 Fixtures / 4 Months		
<b>M22</b>	Violent conduct	<i>First</i>	12 Fixtures / 3 Months	30 Years	10
		<i>Second &amp; Subsequent</i>	24 Fixtures / 6 Months	30 Years	
<b>M23</b>	Serious violent conduct (including but not limited to, spitting at or on a player, Club Official, Team Official or NWSF employee or representative)	<i>First</i>	1 Year	30 Years	10
		<i>Second &amp; Subsequent</i>	2 years		
<b>M24</b>	Damaging property/equipment	<i>First</i>	2 Fixtures	30 Years	2
		<i>Second &amp; Subsequent</i>	8 Fixtures / 2 Months		
<b>M25</b>	Throwing missiles including, but not limited to, on to the Field of Play or at other spectators	<i>First</i>	2 Years	30 Years	10
		<i>Second &amp; Subsequent</i>	5 Years		
<b>M26</b>	Letting off incendiary device(s) or fire(s)	<i>First</i>	2 Years	30 Years	
		<i>Second &amp; Subsequent</i>	5 Years		
<b>M27</b>	Breach of a Suspension, Notice of Suspension or Determination	<i>First</i>	Such penalty as NWSF or the Tribunal determines.		
		<i>Second &amp; Subsequent</i>			
<b>M28</b>	Other action or behaviour in breach of the FFA Code of Conduct, the FFA National Registration Regulations, the FFA Spectator Code of Behaviour and/or the FFA National Member Protection Policy not identified elsewhere in this Table	<i>First</i>	Such penalty as NWSF or the Tribunal determines		
		<i>Second &amp; Subsequent</i>			
<b>M29</b>	Threatening or intimidating language or conduct towards and individual	<i>First</i>	8 Fixtures / 2 Months	2 Years	8
		<i>Second &amp; Subsequent</i>	12 Fixtures / 3 Months		



## NWSF Grievance and Disciplinary Regulations

Offence Number	Description	Incidence	Minimum Sanction	Maximum Sanction	NWSF RESPECT Points
M30	Threat of physical violence towards an individual or their family or property	First	6 Months	2 Years	
		Second & Subsequent	12 Months		
M31	Detrimental Public Comment (including Media and Social Media) Including but not limited to, comments that: <ol style="list-style-type: none"> <li>i. denigrate or criticise NWSF (including any of its staff and Board), FNSW, FFA or any of their commercial partners;</li> <li>ii. denigrate or criticise another Member, whether in relation to incidents that have occurred in a Match/Fixture or otherwise;</li> <li>iii. denigrate or criticise a Participant by inappropriately commenting on any aspect of their performance, abilities or characteristics;</li> <li>iv. refer to the likely outcome of a matter being investigated by NWSF or a matter or hearing before a Body;</li> <li>v. criticise the outcome of a NWSF investigation;</li> <li>vi. criticise the decision of a Body;</li> <li>vii. criticise a Body or any of its members; or</li> <li>viii. criticise any evidence, submission or other comment made by any person at or in relation to a matter or hearing before a Body.</li> </ol>	First	1 Months	30 Years	5
		Second & Subsequent	2 Months		10

<sup>1</sup>A 'Ring-in' applies to any unregistered (section 16.6) or ineligible player (section 16.7).

## NWSF Grievance and Disciplinary Regulations

**Table D: SANCTIONS IMPOSED BY A BODY AGAINST A CLUB or TEAM (See also Table F)**

Number	Type of sanction, order or measure
1	a warning, caution or reprimand
2	A suspended sanction but subject to section 12.11
3	a fine, bond or costs
4	Allocation of NWSF RESPECT points
5	a deduction or loss of competition points or a ban on accruing competition points for a specified period of time or number of Matches or Fixtures
6	a ban on the registration or transfer of any Players for a specified period of time
7	annulment of registration of a Participant
8	suspension from participation in a Match, Fixture, Event, Tournament or Competition
9	exclusion, suspension or expulsion from a Competition
10	a ban on playing in a particular stadium, venue, ground or centre
11	Order to play a Match on a neutral territory
12	annulment of the result of any Match or forfeiture of any Match
13	relegation to a lower division
14	the return of an award
15	A ban from the dressing rooms and/or substitutes' bench
16	A ban from entering any stadium, venue, ground or centre
17	A ban on taking part in any or all Football Related Activity
18	the successful completion of a referee's course and/or the requirement to officiate a number of matches
19	the compulsory attendance at a course(s) of education or rehabilitation (for example, an anger management course)
20	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 NWSF Rules and Regulations.

## NWSF Grievance and Disciplinary Regulations

Table F: SANCTIONS IMPOSED BY A BODY AGAINST A TEAM PURSUANT TO SECTION 16.5 (a) i and 16.5 (a) ii

	Type of sanction, order or measure
<b>First offence in the season</b>	A reprimand
<b>Second offence in the season</b>	Deduction of 2 competition points
<b>Subsequent offence in the season</b>	To be referred to the General Purposes Tribunal for Determination

Table G: SANCTIONS IMPOSED BY A BODY AGAINST A TEAM PURSUANT TO SECTION 16.5 (b) iii

	Type of sanction, order or measure
<b>First offence in the season</b>	Forfeit applied for the Fixture in which the offence occurred
<b>Second offence in the season</b>	Deduction of 9 competition points
<b>Subsequent offence in the season</b>	Removal and disqualification from all competitions for the remainder of the calendar year, includes ineligibility to enter any further competition eg. FFA Cup, Champions of Champions etc

## NWSF Grievance and Disciplinary Regulations

### SCHEDULE 4: TRIBUNAL APPLICATION / APPEAL FEE

#### General Purpose Tribunal

Nature of matter	Fee
Guilty verdict administration fee	\$250 per case (Paid upon determination release)
Appeal Fee from a final decision of the DC	\$100 (not refundable)

#### Appeals Tribunal (Section 9)

Nature of matter	Fee
Appeal Fee from a final decision of the DC or GPT	\$250 (\$100 of which is not refundable)

**SCHEDULE 5: FFA SPECTATOR CODE OF BEHAVIOUR**

SEE NWSF WEBSITE - <http://www.nwsf.com.au/policies.html>

### SCHEDULE 6: GDR Transitional Arrangements

---

#### Contents

1. Commencement
  2. Penalties and Determinations from GHFA and NWSWF
  3. Transitional Arrangement Expiry
- 

#### Commencement

These regulations will come into operation on the 1<sup>st</sup> October 2019, or such date that NWSF becomes operational.

#### 1. Penalties and Determinations from GHFA and NWSWF

The following provisions will apply in connection with the operation of the NWSF GDR:

- (a) Any existing sanction issued, and historical records of sanctions from Gladesville Hornsby Football Association (GHFA) and North Western Sydney Womens Football (NWSWF) will be recognised and imposed by NWSF.
- (b) Any suspension, suspended sentence, bond (monetary or behavioural), or other determination rulings will remain in place during the transitional period until such time as they expire in accordance with the instrument from the issuing body until complete.
- (c) All historical Club and participant history will be transferred to NWSF and shall be recognised when determining history for the purposes of determinations for judicial bodies within NWSF.
  - i. For the purposes of 2(c), the use of historical participation history from GHFA and/or NWSWF will not in itself be able to be appealed or contested in any form. The use of such participant history is transferred to NWSF as the successor-in-title to both entities.

#### 2. Transitional Arrangement Expiry

Except where previously covered within this Schedule, the Transitional Arrangements will cease 3 years from the date of commencement of operations of NWSF and this Regulation.

- (a) Notwithstanding Section 3, and pursuant to 2(b) and (c), any determination that exceeds the Transitional Period will remain in force in accordance with the instrument from the issuing body until complete.