
FIELD OFFENCES & FAST TRACK**SECTION A****DISCIPLINARY PROCEDURES CONCERNING FIELD OFFENCES
in First Team Competitive Matches (FTCM)
FOR PLAYERS AND OFFICIALS OF CLUBS OF THE****FA Premier League, Football League and the Football Conference National Division****SEASON 2008/2009**

Note: FTFCM are matches in the following competitions: FA Challenge Cup, FA Challenge Trophy, FA Premier League, Football League, Football League Cup, Football League Trophy and the Football Conference.

1. MATCH OFFICIALS' REPORTING OF OFFENCES**(a) Caution Offences**

Referees must submit a report to The Association by 12 noon on the day following a match stating the offence and giving a description of the incident.

(b) Sending Off Offences

Referees and Assistant Referees must submit a report to The Association by 12 noon on the day following a match stating the offence(s) and giving a description of the incident(s).

(c) If a referee omits to show the appropriate card when taking action against a player, this does not nullify the caution or sending off offence. However, the attention of the Referee should be drawn to the correct procedure.**2. CAUTION OFFENCES - Administration**

A Player who has been cautioned in a FTFCM, will be notified through his Club by The Association of:

- (a) the offence reported by the Referee;
 - (b) the total number of cautions recorded against the Player under these procedures during the current Season; and
 - (c) any punishment resulting from the accumulation of these cautions.
- An administration fee of £8.00 will be charged to the Player through the Club for the cost of processing each report.

3. SENDING OFF OFFENCES - Administration

A Player who has been sent off in a FTFCM under the provisions of Law 12 will be notified through his Club by The Association of:

- (a) the offence reported by the Referee;
- (b) that he will be subject to the standard punishment (see Section 7).

An administration fee of £8.00 will be charged for the cost of processing each report.

4. MISTAKEN IDENTITY

- (a) If a Player who has been cautioned or sent off in a FTFCM claims that he was the victim of mistaken identity in relation to the imposition of such sanction, he may appeal to The Association. The Club on behalf of the Player must, by 1pm of the next working day following their game, notify The Association in writing (by fax or e-mail - Fax 020 7745 5777 or e-mail Disciplinary@TheFA.com) of their intention to submit a claim.
- (b) By 1pm on the second working day following the incident, the Players and Club must submit in writing to The Association the evidence upon which the claim is founded, together with the relevant fee. Where possible, a written statement from the Player

responsible for the offence should be supplied. The details must, however, include:

- (i) a signed statement by the Player reported by the Referee that he was not responsible for the offence reported and identifying specifically the name of the person responsible; and
- (ii) a video and/or DVD of the incident.

The relevant fee, to be paid by cheque to The Football Association Limited, for Clubs in each League is as follows:

FA Premier League	£1,500
Football League Championship	£750
Football League 1	£500
Football League 2	£350
Football Conference National Division	£300

- (c) The Claim will be determined based on video and/or DVD and written evidence only. None of the Match Officials nor the Club or Player are entitled to be present or represented at the Regulatory Commission established for such purpose.
- (d) The Players and Club should note that the time limits set out above are strict. Only complete claims submitted before the relevant deadlines will be considered by The Association.
- (e) The Association will empanel a Regulatory Commission to examine the claim, that will consider the matter prior to any suspension being served. The following procedures will be used at a Regulatory Commission unless the Regulatory Commission thinks it appropriate to amend them:
 - I. The Secretary of each Regulatory Commission will produce:
 - (i) The Referee's report, reports from any other Match Official and any other evidence supporting the Referee's action.
 - (ii) All statements and video and/or DVD and other evidence provided in support of the claim, including details of the Player;
 - II. After considering the evidence, the Commission will decide whether the claim should be rejected or successful.
 - III. (i) If the Commission's decision is to reject the claim, it will, in every case, go on to consider whether or not the player's punishment should be increased.
If the Commission considers that the rejected claim had no prospect of success and / or amounts to an abuse of process, the Commission shall have the discretion to increase the penalty up to twice the standard punishment set out in this Memorandum.
In all other cases, the Player reported by the Referee shall serve the standard punishment set out in this Memorandum.
 - (ii) If the Commission's decision is that the claim is successful, the standard punishment set out in this Memorandum is transferred from the record of the Player reported by the Referee to the appropriate identified offender, who will serve the standard punishment transferred by the Regulatory Commission.
 - IV. The decision will be conveyed to the Secretary of each Regulatory Commission, who will prepare Minutes of the decision of the Regulatory Commission and communicate the decision to the Club that day.
- (f) Should a Club have two FTCMs with no, or insufficient, working days in between for the claim for mistaken identity to be notified, lodged and heard by a Regulatory Commission, the following will apply:
 - I. Where there are no working days between two matches and a Club wishes to make a claim for mistaken identity, the Club shall notify The Association by fax and e-mail (using the contact details as set out in (a) hereabove) within 24 hours

of the dismissal. If, and only if, this notification is appropriately submitted, the Player will be eligible to play in the second match. Submission of evidence and the fee will still be required by 1pm on the second working day as set out in (b) hereabove.

- II. Where there are insufficient working days between two matches for a Regulatory Commission to decide on a claim for mistaken identity, the timetable for notification and submission as set out in (a) hereabove will still apply. However, a Player will be eligible to play in matches prior to the decision of the Regulatory Commission, provided the claim for mistaken identity has been appropriately notified.

In respect of these specific circumstances, particular attention should be paid to III. (i) hereabove, in respect of claims brought which had no prospect of success or amounted to an abuse of process.

Should a Player play in a match without the appropriate notification having been lodged as set out hereabove, this shall constitute Misconduct (as defined in the Rules of The Association).

- (g) If, despite the fact that evidence clearly shows that there is a case of mistaken identity, a Club does not lodge a claim within the specified time limits, The Association reserves the right within seven days of the alleged misconduct to request a Disciplinary Commission to review the matter.
- (h) A Club failing to lodge a claim for mistaken identity may be charged with Misconduct by The Association if there is evidence that the Club sought to gain an advantage by remaining silent on the matter.
- (i) The decision of the Regulatory Commission in relation to claims for mistaken identity is final and binding on all parties and not subject to appeal.
- (j) In the event that a claim is submitted for mistaken identity and wrongful dismissal for the same incident, the matter of mistaken identity will be considered first.

5. CLAIMS OF WRONGFUL DISMISSAL

- (a) A Player and his Club may seek to limit the disciplinary consequences of the dismissal of a Player from the Field of Play by demonstrating to The Association that the dismissal was wrongful.
- (b) A claim of wrongful dismissal may be lodged only for on-field offences which result in a sending off, except for two cautions leading to a dismissal.
- (c) The Regulatory Commission that considers a claim of wrongful dismissal is concerned with only the question of whether any sanction of a suspension from play is one which should be imposed in view of the facts of the case. This role is not to usurp the role of the Referee and the dismissal from the Field of Play will remain on the record of the Club and the Player, will remain the subject of the administration fee and will accrue the appropriate number of penalty points for a first team sending off.
- (d) The Club on behalf of the Player must, by 1pm on the next working day following the game, notify The Association in writing (by fax or e-mail - Fax 020 7745 5777 or e-mail Disciplinary@TheFA.com) of their intention to submit a claim. The claim will NOT proceed if this deadline is not met. The evidence upon which the claim is founded (which must include a video and/or DVD recording showing the incident from all available angles), must be submitted by the Player concerned or his Club, together with the relevant fee, by 1pm on the second working day following the incident. The relevant fee, to be paid by cheque to The Football Association Limited, for clubs in each league is as follows:

FA Premier League	£1,500
Football League Championship	£750
Football League 1	£500
Football League 2	£350
Football Conference National Division	£300

Important - forfeiture of fee for late withdrawal of a claim. It should be noted that where a claim is withdrawn after 5.00pm on the next working day following the game, any fee that has been submitted to The Association in respect of the claim WILL NOT be refunded. If the relevant fee has yet to be paid, the claimant will still be required to pay it to The Association. Failure to pay the fee in these circumstances will result in disciplinary action against the claimant.

Where a claim is withdrawn before the 5.00pm deadline, if any fee has been submitted, it will be refunded. If the relevant fee has yet to be paid to The Association the claimant will not be required to pay it.

- (e) The Claim will be determined based on video and/or DVD and written evidence only. None of the Match Officials nor the Club or Player are entitled to be present or represented at the Regulatory Commission.
- (f) Players and Clubs should note that the time limits set out above are strict. Only complete claims submitted before the relevant deadlines will be considered by The Association.
- (g) Once the claim is lodged with The Association it will confirm that the video and/or DVD shows the incident as reported by the Referee / Assistant Referee and the claim has conformed with the criteria.
- (h) Prior to the commencement of the suspension, a Disciplinary Commission will be convened to decide the matter on any relevant documentary and video and/or DVD evidence submitted. The following procedures will be used at a Commission unless the Commission thinks it appropriate to amend them:

The Commission Secretary will produce:

- I. (i) The Referee's report, reports from any other Match Official and any other evidence supporting the Referee's action.
- (ii) All statements and video and other evidence provided in support of the claim, including details of the Player ;
- II. After considering the evidence, the Commission will decide whether the claim should be rejected or successful.
- III. If the Commission's decision is to reject the claim, it will, in every case, go on to consider whether or not the player's punishment should be increased.
If the Commission considers that the rejected claim had no prospect of success and / or amounts to an abuse of process, the Commission shall have the discretion to increase the penalty up to twice the standard punishment set out in this Memorandum.
In all other cases, the Player reported by the Referee shall serve the standard punishment as set out in this Memorandum. In all cases where a claim is rejected the fee shall be retained.
- IV. If the Commission's decision is that the claim is successful, the standard punishment set out in the Memorandum is withdrawn and the fee returned. The dismissal will not be counted for the purposes of paragraph 6(g) below.
The decision shall be conveyed to the Commission Secretary who shall prepare Minutes of the decision of the Commission and communicate the decision to the Club that day. The Club must provide the Commission with contact details.
- (i) Should a Club have two FTCMs with no, or insufficient, working days in between for the claim for wrongful dismissal to be notified, lodged and heard by a Regulatory Commission, the following will apply:
 - I. Where there are no working days between two matches and a Club wishes to make a claim for wrongful dismissal, the Club shall notify The Association by fax and e-mail (using the contact details as set out in (d) hereabove) within 24 hours

of the dismissal. If, and only if, this notification is appropriately submitted, the Player will be eligible to play in the second match. Submission of evidence and the fee will still be required by 1pm on the second working day as set out in (d) hereabove.

- II. Where there are insufficient working days between two matches for a Regulatory Commission to decide on a claim for wrongful dismissal, the timetable for notification and submission as set out in (d) hereabove will still apply. However, a Player will be eligible to play in matches prior to the decision of the Regulatory Commission, provided the claim for wrongful dismissal has been appropriately notified.

In respect of these specific circumstances, particular attention should be paid to (h) III. here above, in respect of claims brought which had no prospect of success or amounted to an abuse of process.

Should a Player play in a match without the appropriate notification having been lodged as set out hereabove, this shall constitute Misconduct.

- (j) As a general guide, the following schedule will apply:

Match Day	Notice of Claim	Claim Lodged	Commission
Fri/Sat/Sun	Monday	Tuesday	Thursday

- (k) In the event that a Club submits a notification of their intention to claim wrongful dismissal but fails to complete the claim or withdraws a complete claim prior to it being considered by a Disciplinary Commission, and The Association believes that the notification or claim of wrongful dismissal had no prospect of success or amounted to an abuse of process, The Association may issue a charge of misconduct under FA Rule E3.
- (l) The decision of the Disciplinary Commission in relation to a claim of wrongful dismissal is final and binding on all parties and is not subject to appeal.

6. ***PUNISHMENTS – Relating to First Team Competitive Matches***

(a) CAUTIONS ADMINISTERED ON THE FIELD OF PLAY

- (i) If a Player accumulates five recorded cautions in FTCM between the opening day of the Playing Season and the last day in February in the same Season, he will be suspended automatically for a period covering: -

One First Team Match

- (ii) If a Player accumulates five recorded cautions in FTCM between the opening day of the Playing Season and the last day of the same Season, he will be: -

"Warned as to his Future Conduct"

- (iii) A Player who has already been subject to disciplinary action as a result of recording five cautions and then proceeds to record a further five cautions during the same Season, will be subject to the following punishments: -
- (iv) If a Player accumulates ten recorded cautions in FTCM between the opening day of the Playing Season and the second Sunday of April in the same Season, he will be suspended automatically for a period covering:-

Two First Team matches

- (v) If a Player accumulates ten recorded cautions in FTCM between the opening day of the Playing Season and the last day of the same Season, he will be: -

"Severely Censured and Warned as to his future Conduct"

- (vi) If a Player accumulates 15 recorded cautions in FTCM between the opening date of the Playing Season and the last day of the same Season, he will be suspended automatically for a period covering: -

Three First Team matches

- (vii) A Player who has already been subject to disciplinary action as a result of recording five, ten and 15 cautions, and who goes on to record 20 cautions in FTCM in the same Season, shall be required to attend a meeting of a Regulatory Commission, within seven days of the date of the last caution. The Members of a Regulatory Commission will have the power to deal with the Player in such manner as they deem fit. The same procedure will apply for every further five cautions recorded against that Player.
 - (viii) Any period of suspension arising from recording cautions will commence on the seventh day following the date of his last offence. The suspension will cover all approved First Team matches until such time as his Club's First Team has completed the number of matches appropriate to the punishment in approved Competitions during the period covered by its opening league match and ending with the final match in which the Club is playing in an approved domestic Competition.
 - (ix) Any period of suspension or part thereof which remains outstanding at the end of a Season must be served at the commencement of the next following Season.
- (b) **PLAYERS SENT OFF UNDER LAW 12 (7)**
- A Player who is dismissed from the Field of Play for receiving a second caution in the same match will be suspended automatically from FTCM commencing forthwith, until such time as his Club's First Team has completed its next FTCM.
- (c) **PLAYERS SENT OFF UNDER LAW 12 (4) and (5)**
- A Player who is dismissed from the Field of Play for denying a goal or an obvious goal-scoring opportunity by physical means or by handling the ball, will be suspended automatically from FTCM commencing forthwith, until such time as his Club has completed its next FTCM.
- (d) **PLAYERS SENT OFF UNDER LAW 12 (6)**
- A Player who is dismissed from the Field of Play for using offensive or insulting or abusive language/gestures, whether he has previously been cautioned in the match or not, will be suspended automatically from FTCM commencing forthwith, and until such time as his Club's First Team has completed its next two FTCM.
- (e) **PLAYERS SENT OFF UNDER LAW 12 (1), (2) AND (3)**
- A Player who is dismissed from the Field of Play for Violent Conduct, Serious Foul Play or spitting at an opponent or any other person, whether he has previously been cautioned in the match or not, will be suspended automatically from all Club football, including all FTCM and all non-first team domestic competitive matches commencing forthwith and until such time as his Club has completed three FTCM.
- (f) **PLAYERS SENT OFF – COMMENCEMENT AND PERIOD OF SUSPENSION**
- Any period of suspension arising from a dismissal from the Field of Play will commence forthwith, unless a claim has been lodged in accordance with Sections 4 or 5 above.
- (g) **Players dismissed from the Field of Play in a FTCM, having previously in the same season been sent off in a FTCM (or suspended under the Standard Directions set out in Schedule A in these Regulations for an incident in a FTCM), will be suspended for one extra match for each such previous sending off or suspension, in addition to the automatic suspension applicable to the dismissal.**
- For the purposes of this regulation a previous dismissal in a non FTCM will only be taken into account where it was for violent conduct, serious foul play or spitting.

(h) OUTSTANDING SUSPENSIONS

Any suspension or part thereof which remains outstanding at the end of a Season resulting from these Disciplinary Procedures, must be served at the commencement of the next Season within the terms of these Disciplinary Procedures [Section 6 (a) to (g)].

(i) RULE E3 OF THE ASSOCIATION

A charge of Misconduct (as defined in and) pursuant to Rule E3 of the Rules of The Association may be brought against a Player in relation to an incident, notwithstanding that the same incident has been dealt with pursuant to this Memorandum. For example, against a player who has been dismissed from the Field of Play for an incident which The Association is satisfied was sufficiently serious to warrant an additional sanction. A Regulatory Commission considering a charge under Rule E3 in such circumstances shall have regard to any punishment imposed under this Memorandum when considering any punishment under Regulation 8.1 (Penalties) of the Regulations for Football Association Disciplinary Action.

(j) PAYMENT TO PLAYERS UNDER SUSPENSION

Clubs must not pay a Player more than his basic wage as declared to The Association in the contract during the period of a suspension.

(k) CLUBS IMPOSING FINES

Clubs may fine Players for on-field offences under their employment contract. If a Club does impose such a fine it must notify The Association within 14 days of the details. Clubs are required to submit a nil return for any offence under the Field Discipline Guide-Lines issued by the Professional Football Negotiating Consultative Committee (PFNCC) for which a Player was not fined.

(l) RE-ARRANGED MATCHES

A Regulatory Commission has discretionary power to rule that a match shall not count towards the completion of a suspension if it is satisfied that the game has been arranged by the Club with a view to enabling a Player to complete his suspension.

(m) COLLECTION OF ADMINISTRATION FEES

It will be the responsibility of the Club Secretary to collect the £8.00 administration fees from the Players concerned and forward them to The Association when requested so to do.

(n) DEFINITION

References to "video" material shall include not just video tape but all and any other audio visual material requested by, or used by, a Regulatory Commission.

7. DISCIPLINARY ACTION AGAINST CLUBS FOR MISCONDUCT BY THEIR PLAYERS

- (a) Any Club that has six or more individual Players cautioned or dismissed from the Field of Play in the same match will be automatically fined according to the following table for the first occasion occurring during the Season:

LEAGUE/DIVISION	FINE
FA Premier League	£25,000
Football League Championship	£5,000
Football League 1	£2,500
Football League 2	£1,000
Football Conference National Division	£750

- (b) For each successive occasion this happens in the same Season, the Standard Punishment will be a fine that is double and then treble etc. the above amount.

On such successive occasions all clubs will be offered this Standard Punishment which they may either accept or request the opportunity to mitigate at a personal hearing before the Regulatory Commission. Following such mitigation the Regulatory Commission may impose, decrease or increase the Standard Punishment as it thinks fit.

- (c) Any Club whose players accumulate a total number of Penalty Points in First Team matches during a Season which is appreciably above the average number of points in the same League, may be required to appear before the Regulatory Commission. If the Club cannot provide a reasonable explanation for such occurrence, the Club will be liable to be warned and/or fined up to £100,000 (FA Premier League clubs), £50,000 (Football League Championship clubs), £30,000 (Football League 1 clubs), £20,000 (Football League 2 clubs) or £10,000 (Football Conference National Division clubs) for having permitted its Players to violate, or not having prevented its Players from violating, the Laws of the Game in contravention of Rule E1(a) of The Association. In addition, the Regulatory Commission shall be entitled to order the Club to pay the cost of the Hearing to The Association. Any action taken by the Club to discipline its Players under Section 7(k) will be taken into consideration by the Regulatory Commission in its findings.
- (d) In calculating the number of points accumulated in a Season, for the purposes of this Memorandum, the following scale will apply for each:
- | | | |
|--|---|-----------|
| Recorded cautions | - | 4 Points |
| Sending off under Law 12 (4)(5) & (7) | - | 10 Points |
| Sending off under Law 12 (1)(2)(3) & (6) | - | 12 Points |
- (e) Proceeds of fines imposed under this Section of the Disciplinary Procedures shall be disbursed as decided by The Association.
- (f) A Club required to appear before a Regulatory Commission under this provision of the Memorandum shall be represented by at least one of its Directors and the Manager.
- (g) The Association may prefer a Charge against a Club at any time during the Season arising from Field Offences committed by players of the Club. All records will also be subject to interim review as at the 31st October annually. Clubs may be ordered to attend a Regulatory Commission to discuss a record that is deemed to be poor at that stage of the Season.

THE FOOTBALL ASSOCIATION

SECTION B

DISCIPLINARY PROCEDURES CONCERNING FIELD OFFENCES
in Non-First Team Matches (NFTM)

As set out in the Schedule hereto for Players associated with FA Premier League, Football League and Football Conference (National) Clubs

SEASON 2008/2009

1. **REPORTING OF OFFENCES BY MATCH OFFICIALS** in all matches apart from those played in the FA Premier League, Football League, Football Conference (National), Football League Cup, FA Challenge Cup, FA Challenge Trophy, Football League Trophy and Play – offs (NFTM)
 - (a) *Caution Offences*

Referees must submit to The Association within two days of the match (Sundays not included) a Report stating the offence and giving a description of the incident.
 - (b) *Sending Off Offences*

Referees and Assistant Referees must submit to The Association within two days of the match (Sundays not included) a Report stating the offence(s) and giving a description of the incident(s).
 - (c) If a referee omits to show the appropriate card when taking action against a player, this does not nullify the caution or sending off offence. However, the attention of the Referee should be drawn to the correct procedure.
2. **CAUTION OFFENCES**

A player who has been cautioned in a NFTM, will be notified through his Club by The Association of the offence reported by the Referee, the total number of cautions recorded against the player under these procedures during the current Season and at the same time, will be advised of any punishment resulting from the accumulation of these cautions. An administration fee of £8.00 will be charged for the processing of each report.
3. **SENDING OFF OFFENCES**

A player who has been sent off in a NFTM under the provisions of Law 12 will be notified through his Club by The Association of the offence reported by the Referee, and at the same time advised that he will be subject to the agreed standard punishment (see Section 7). An administration fee of £8.00 will be charged for the processing of each report.
4. **CLAIMS OF MISTAKEN IDENTITY**

In the case of a claim of alleged mistaken identity concerning a player cautioned or sent off in a NFTM, the PLAYERS concerned and the CLUB must within three **working** days of the match submit in writing to The Football Regulatory Authority particulars upon which the claim is founded, including the right to claim Wrongful Dismissal. If The Football Regulatory Authority is satisfied that the claim warrants further investigation, a Regulatory Commission shall be convened and will meet within the 14 days before any automatic penalty is due to take effect. If the members of the appointed Regulatory Commission are satisfied that mistaken identity has been proved in a case, the record of the offence will be transferred to the appropriate offender, who will be subject to disciplinary action in accordance with the provisions of the current Procedures.

The relevant fee which **MUST** be included with the evidence is **£1,500 for FA Premier League Clubs, £750 for Football League Championship Clubs, £500 for Football League 1 Clubs, £350 for Football League 2 Clubs and £300 for Football Conference (National) Clubs**, which may be retained if the claim is deemed to be unfounded and be

used in full or in part to cover any costs incurred by a Regulatory Commission. In the event of the fee not covering the amount of costs charged, an additional amount may be charged by the Regulatory Commission.

5. **CLAIMS OF WRONGFUL DISMISSAL.**

In the case of a claim of wrongful dismissal for offences with a penalty imposed under the Laws of the Game of an immediate dismissal (this excludes Law S6, the use of offensive or insulting or abusive language / gestures as well as Law S7 – receiving a second caution in the same match), evidence upon which the claim is founded, which must include a video and/or DVD recording showing the incident, must be submitted by the player concerned and his Club, together with the relevant fee and **MUST** be received by The Football Association by the close of business of the third **working** day following the match (as below). An indication by fax (0207 287 5182) or e-mail (disciplinary@thefa.com) on the first working day following the game is required to alert The Football Regulatory Authority that a claim is to be submitted.

Saturday - Wednesday

Sunday - Wednesday

Monday - Thursday

Tuesday - Friday

Wednesday - Monday

Thursday - Tuesday

Friday - Wednesday

(If Bank Holidays fall within the period, the appropriate number of extra days will be made available.)

Once the claim is lodged with The Football Association it will confirm that the video and/or DVD shows the incident as reported by the Referee / Assistant Referee and the claim has conformed with the criteria. The Club will then be advised whether the claim has been accepted or not.

An accepted claim is placed before a Regulatory Commission, to which the Club, player and Match Officials will NOT be invited to attend. They will be dealing only with the level of punishment, the dismissal from the Field of Play will always remain on the record of the Club and the player and be the subject of the administration fee.

The only decisions available to the members of the Regulatory Commission are:-

- (i) The punishment will remain with the fee be retained;
- (ii) The punishment will be withdrawn, the fee returned and that Section 7(f) of the procedure will not be invoked if the player is sent off again following the offence.

The relevant fees for players associated with **FA Premier League Clubs is £1,500, Football League Championship Clubs is £750, Football League 1 Clubs is £500, Football League 2 Clubs is £350 and Football Conference (National) Clubs is £300** and will be retained if the case is deemed to be unfounded and returned if any alterations are made to the offence or punishment.

6. **PUNISHMENTS – Relating to Non-First Team Matches.**

(a) CAUTIONS ADMINISTERED ON THE FIELD OF PLAY

- (i) If a player accumulates five recorded cautions in NFTM between the opening day of the Playing Season and the last day in February in the same Season, he will be suspended automatically for a period covering: -

One Match

- (ii) If a player accumulates five recorded cautions in NFTM between the opening day of the Playing Season and the last day of the same Season, he will be: -

"Warned as to his Future Conduct"

- (iii) A player who has already been subject to disciplinary action as a result of recording five cautions and then goes on to record a further five cautions during the same Season, will be subject to the following punishments: -
- (iv) If a player accumulates ten recorded cautions in NFTM between the opening day of the Playing Season and the second Sunday of April in the same Season, he will be suspended automatically for a period covering: -

Two Matches

- (v) If a player accumulates ten recorded cautions in NFTM between the opening day of the Playing Season and the last day of the same Season, he will be: -

"Severely Censured and Warned as to his future Conduct"

- (vi) If a player accumulates 15 recorded cautions in NFTM between the opening date of the Playing Season and the last day of the same Season, he will be suspended automatically for a period covering: -

Three Matches

- (vii) A player who has already been subject to disciplinary action as a result of recording five, ten and 15 cautions, and who goes on to record 20 cautions in NFTM in the same Season, shall be required to attend a meeting of a Regulatory Commission, within 14 days of the date of the last caution. The members of a Regulatory Commission shall have the power to deal with the player in such manner as they deem fit. The same procedure will apply for every further five cautions recorded against a player.
 - (viii) Any period of suspension arising from the recording of cautions shall commence on the 14th day following the date of his last offence. The suspension will cover all matches (excluding The FA Premier League, The Football League, The Football Conference (National), Football League Cup, FA Challenge Cup, FA Challenge Trophy, Football League Trophy and Play – offs) until such time as THE CLUB has completed the number of matches appropriate to the punishment in the competition as decided by The Football Association during the period covered by the date of the opening match in The FA Premier League or The Football League or The Football Conference (National) and ending with the final match in which THE CLUB is playing in a competition sanctioned by The Football Association or an affiliated County Association.
 - (ix) Any period of suspension or part thereof which remains outstanding at the end of a Season must be served at the commencement of the next following Season.
- (b) **PLAYERS SENT OFF UNDER LAW 12 (7)**
- A player who is dismissed from the Field of Play for receiving a second caution in the same match will be suspended automatically from all Non-First Team Matches commencing on the 14th day following the match in which he was sent off, until such time as THE CLUB has completed one match in the competition as decided by The Football Association.
- (c) **PLAYERS SENT OFF UNDER LAW 12 (4) and (5)**
- A player who is dismissed from the Field of Play for denying a goal or an obvious goal-scoring opportunity by physical means or by handling the ball, will be suspended automatically from all Non-First Team Matches commencing on the 14th day following the match in which he was sent off, until such time as THE CLUB has completed one match in the competition as decided by The Football Association.
- (d) **PLAYERS SENT OFF UNDER LAW 12 (6)**
- A player who is dismissed from the Field of Play for using offensive or insulting or abusive language/gestures whether he has previously been cautioned in the match or not, will be suspended automatically from all Non-First Team Matches commencing on the 14th day

following the match in which he was sent off, until such time as THE CLUB has completed two matches in the competition as decided by The Football Association.

- (e) PLAYERS SENT OFF UNDER LAW 12 (4), (5) (6) and (7) above.

The terms of the suspension will be from all Non-First Team matches (excluding The FA Premier League, The Football League, The Football Conference, Football League Cup, FA Challenge Cup, FA Challenge Trophy, Football League Trophy and Play-offs) during the period covered by the opening date in The FA Premier League, The Football League and The Football Conference (National) and ending with the final match in which THE CLUB is playing in a competition sanctioned by The Football Association or an affiliated County Association.

- (f) PLAYERS SENT OFF UNDER LAW 12(1), (2) AND (3)

A player who is dismissed from the Field of Play for Violent Conduct, Serious Foul Play or spitting at an opponent or any other person whether he has previously been cautioned in the match or not, will be suspended automatically from all domestic League, League Cup, FA Challenge Cup, FA Challenge Trophy, Football League Trophy, Play - off matches and all Non First Team Matches commencing on the 14th day following the match in which he was sent off and until such time as his Club's recognised First Team has completed three matches in approved Competitions during the period covered by its opening match in The FA Premier League, The Football League and The Football Conference (National) and ending with the final match in which the Club is playing in a domestic Competition organised by The Football Association, The FA Premier League, The Football League or The Football Conference (National).

- (g) ADDITIONAL SENDINGS OFF

Players dismissed from the Field of Play for a second time in the same Season, in addition to the automatic suspension applicable to the offence, will be suspended for one extra match.

A player dismissed for a third time in the same Season will be suspended for an extra two matches, and so on. A Regulatory Commission when dealing with a Claim of Wrongful Dismissal (Section 5) has the power not to invoke a future one match suspension if it so decides.

For the purposes of this regulation a previous dismissal in a first team competitive match or suspension under Schedule A to these Regulations arising out of a first team competitive match will only be taken into account where it was for violent conduct, serious foul play or spitting.

- (h) OUTSTANDING SUSPENSIONS

Any suspension or part thereof which remains outstanding at the end of a Season resulting from these Disciplinary Procedures, must be served at the commencement of the next following Season within the terms of these Disciplinary Procedures [Section 7 (a) to (g)], subject to age restrictions.

- (i) RULE E3 OF THE ASSOCIATION

A charge of Misconduct pursuant to Rule E3 of the Rules of The Association may be brought against a player in relation to an incident, notwithstanding that the same incident has been dealt with pursuant to this Memorandum. A Regulatory Commission considering a charge under Rule E3 of The Association in such circumstances, shall have regard to any punishment imposed under this Memorandum when considering any punishment under regulation 7.1 of the regulations for Football Association Disciplinary Action.

- (j) PAYMENT TO PLAYERS UNDER SUSPENSION

Clubs must not pay a player more than his basic wage during the period of a suspension.

(k) CLUBS IMPOSING FINES

The responsibility for fining players for field offences is left with the Club, who must notify The Football Association, without delay, the details of the fine in each case. Clubs are required to submit a nil return for any offence under the Field Discipline Guide-Lines issued by the Professional Football Negotiating Consultative Committee. (PFNCC) for which a player was not fined.

(l) RE-ARRANGED MATCHES

A Regulatory Commission shall have discretionary power to rule that a match shall not count towards the completion of a suspension if it is satisfied that the game has been arranged by the Club with a view to enabling the player to complete his suspension and thus qualify him to play in a specific match.

(m) COLLECTION OF ADMINISTRATION FEES

It will be the responsibility of the Club Secretary to collect the £8.00 administration fees from the players concerned and forward them to The Football Association when requested so to do.

7. ASSAULTS ON MATCH OFFICIALS

1. In addition to assisting a Match Official who has reported an assault against him, The Football Association or appropriate Affiliated Association shall without delay investigate the Official's report and if, after such investigation, the Chairman and the Secretary of the Association or their nominees are satisfied that a prima facie case can be made out against the alleged offender shall take such steps as are necessary to ensure that a charge is preferred and that a Regulatory Commission appointed from Senior Members meet to consider the charge within 28 days of the date of the charge letter. The alleged offender shall not participate in any football activity from the date he is notified of the charge, until a Regulatory Commission has heard and adjudicated on the matter.
2. There shall be three categories of assault:-
 - (a) COMMON ASSAULTS - for instance, jostling, holding, pushing
 - (b) ASSAULTS CAUSING BODILY HARM - for instance, more forceful degrees of the above
 - (c) ASSAULTS CAUSING SERIOUS BODILY HARM - for instance, where serious harm is caused, such as severe bruising or a broken nose
3. All assaults on Match Officials in the above three categories must be reported to The Football Association within 14 days of the completion of a case that has been proved, along with the decision of the Regulatory Commission.

8. DISPUTES AND CLAIMS

Any dispute or claim arising from the application of a suspension affecting Non-First Team matches will only be dealt with on correspondence by members of a Regulatory Commission and must be received by The Football Association within three days of the suspension notice being received by the Club. The direct fax line to the Disciplinary Department is 020 7745 5777. At no time will a suspension start date be deferred. The level in which a player enters the procedures following a transfer from a league outside the procedure will be decided by The Football Association.

THE FOOTBALL ASSOCIATION**DISCIPLINARY PROCEDURES CONCERNING FIELD OFFENCES**

As set out in the Schedule hereto for Players associated with Clubs competing in the Football Conference (North and South Divisions), the Isthmian League, the Northern Premier League and the Southern League.

SEASON 2008/2009**1. REPORTING OF OFFENCES BY MATCH OFFICIALS**

- (a) **Caution Offences**
Referees must submit to The Association within two days of the match (Sundays not included) a Report stating the offence and giving a description of the incident.
- (b) **Sending Off Offences**
Referees and Assistant Referees must submit to The Association within two days of the match (Sundays not included) a Report stating the offence(s) and giving a description of the incident(s).
- (c) If a referee omits to show the appropriate card when taking action against a player, this does not nullify the caution or sending off offence. However, the attention of the Referee should be drawn to the correct procedure.

2. CAUTION OFFENCES

A player who has been cautioned in any match, will be notified through his Club by The Association of the offence reported by the Referee, the total number of cautions recorded against the player during the current Season and at the same time, will be advised of any punishment resulting from the accumulation of cautions. An administration fee of £8.00 will be charged for the processing of each report.

3. SENDING OFF OFFENCES

A player who has been sent off in a match under the provisions of Law 12 will be notified through his Club by The Association of the offence reported by the Referee, and at the same time advised that he will be subject to the agreed standard punishment (see Section 8). An administration fee of £8.00 will be charged for the processing of each report.

4. CLAIMS OF MISTAKEN IDENTITY

In the case of a claim of alleged mistaken identity concerning a player cautioned or sent off in a match, the PLAYERS concerned and the CLUB must within three **working** days of the match submit in writing to The Football Regulatory Authority particulars upon which the claim is founded, including the right to claim Wrongful Dismissal. If The Football Regulatory Authority is satisfied that the claim warrants further investigation, a Regulatory Commission shall be convened and will meet within the 14 days before any automatic penalty is due to take effect. If the members of the appointed Regulatory Commission are satisfied that mistaken identity has been proved in a case, the record of the offence will be transferred to the appropriate offender, who will be subject to disciplinary action in accordance with the provisions of the current Procedures.

The relevant fee which **MUST** be included with the evidence is **£125** which may be retained if the claim is deemed to be unfounded and be used in full or in part to cover any costs incurred by a Regulatory Commission. In the event of the fee not covering the amount of costs charged, an additional amount may be charged by the Regulatory Commission.

5. CLAIMS OF WRONGFUL DISMISSAL

In the case of a claim of wrongful dismissal for offences with a penalty imposed under the Laws of the Game of an immediate dismissal (this excludes Law S6, the use of offensive or insulting or abusive language / gestures and Law S7 - receiving a second caution in the

same match), evidence upon which the claim is founded, which must include a video and/or DVD recording showing the incident, must be submitted by the player concerned and his Club, together with the relevant fee and **MUST** be received by The Football Association by the close of business of the third **working** day following the match (as below). An indication by fax (**020 7745 5777**) or e-mail (disciplinary@thefa.com) on the first working day following the game is required to alert The Football Regulatory Authority that a claim is to be submitted.

Saturday - Wednesday

Sunday - Wednesday

Monday - Thursday

Tuesday - Friday

Wednesday - Monday

Thursday - Tuesday

Friday - Wednesday

(If Bank Holidays fall within the period, the appropriate number of extra days will be made available.)

Once the claim is lodged with The Football Association and it is confirmed that the video and/or DVD shows the incident as reported by the Referee / Assistant Referee and the claim has conformed with the criteria, the Club will then be advised whether the claim has been accepted or not.

An accepted claim will be placed before a Regulatory Commission to which the Club, player and Match Officials will NOT be invited to attend. They will be dealing with the level of punishment only. The dismissal from the Field of Play will always remain on the record of the Club and the player and be the subject of the administration fee and the appropriate number of penalty points for a sending off.

The only decisions available to the members of the Regulatory Commission are:-

- (i) The punishment will remain with the fee being retained;
- (ii) The punishment will be withdrawn, the fee returned and that Section 8(f) of the procedure will not be invoked if the player is sent off again following the offence.

The relevant fee is £125 and will be retained if the case is deemed to be unfounded and returned if any alterations are made to the offence or punishment.

6. **NON-FIRST TEAM MATCHES**

All misconduct reported from matches not deemed to be a FTCM (First Team Competitive Match) will be dealt with by the County Association to which the Club is affiliated. The player will have the right to request an Appeal against decisions of County Associations in accordance with The Rules and Regulations of The Football Association.

7. **PUNISHMENTS**

(a) CAUTIONS ADMINISTERED ON THE FIELD OF PLAY

- (i) If a player accumulates five recorded cautions in any Competition between the opening day of the Playing Season and the last day in February in the same Season, he will be suspended automatically for a period covering: -

One First Team Match plus a fine of £20

- (ii) If a player accumulates five recorded cautions in any Competition between the opening day of the Playing Season and the last day of the same Season, he will be: -

"Warned as to his Future Conduct"

- (iii) A player who has already been subject to disciplinary action as a result of recording five cautions and then goes on to record a further five cautions during the same Season, will be subject to the following punishments: -

- (iv) If a player accumulates ten recorded cautions in any Competition between the opening day of the Playing Season and the second Sunday of April in the same Season, he will be suspended automatically for a period covering: -

Two First Team matches plus a fine of £20

- (v) If a player accumulates ten recorded cautions in any Competition between the opening day of the Playing Season and the last day of the same Season, he will be: -

"Severely Censured and Warned as to his future Conduct"

- (vi) If a player accumulates fifteen recorded cautions in any Competition between the opening date of the Playing Season and the last day of the same Season, he will be suspended automatically for a period covering: -

Three First Team matches plus a fine of £20

- (vii) A player who has already been subject to disciplinary action as a result of recording five, ten and fifteen cautions, and who goes on to record 20 cautions in the same Season, shall be required to attend a meeting of a Regulatory Commission, within 14 days of the date of the last caution. The members of a Regulatory Commission shall have the power to deal with the player in such manner as they deem fit. The same procedure will apply for every further five cautions recorded against a player.
- (viii) Any period of suspension arising from the recording of cautions shall commence on the 14th day following the date of his last offence. The suspension shall cover all domestic League, League Cup, FA Challenge Cup and Trophy matches and Friendly matches until such time as his Club's recognised Senior Team has completed the number of matches appropriate to the punishment in approved Competitions during the period covered by its opening match in the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League and ending with the final match in which the Club is playing in a domestic Competition organised by The Football Association, the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League or matches concerning a Club's nominated County Senior Cup Competition.
- (ix) Any period of suspension or part thereof which remains outstanding at the end of a Season must be served at the commencement of the next following Season.
- (b) **PLAYERS SENT OFF UNDER LAW 12 (7)**
- A player who is dismissed from the Field of Play for receiving a second caution in the same match will be suspended automatically from all domestic League, League Cup, FA Challenge Cup and Trophy matches and Friendly matches commencing on the 14th day following the match in which he was sent off, until such time as his Club's recognised Senior Team has completed **one match** in an approved Competition during the period covered by its opening match in the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League and ending with the final match in which the Club is playing in a domestic Competition organised by The Football Association, the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League or matches concerning a Club's nominated County Senior Cup Competition **plus a fine of £20**
- (c) **PLAYERS SENT OFF UNDER LAW 12 (4) and (5)**
- A player who is dismissed from the Field of Play for denying a goal or an obvious goal-scoring opportunity by physical means or by handling the ball, will be suspended automatically from all domestic League, League Cup and FA Challenge Cup and Trophy matches and Friendly matches commencing on the 14th day following the match in which he was sent off, until such time as his Club's recognised Senior Team has completed **one match** in an approved Competition during the period covered by its opening match in the Football Conference (North and South Divisions) / Isthmian

/ Northern Premier / Southern League and ending with the final match in which the Club is playing in a domestic Competition organised by The Football Association, the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League or matches concerning a Club's nominated County Senior Cup Competition **plus a fine of £20**

(d) PLAYERS SENT OFF UNDER LAW 12 (6)

A player who is dismissed from the Field of Play for using offensive or insulting or abusive language/gestures whether he has previously been cautioned in the match or not, will be suspended automatically from all domestic League, League Cup, FA Challenge Cup and Trophy matches and Friendly matches commencing on the 14th day following the match in which he was sent off, and until such time as his Club's recognised Senior Team has completed **two matches** in approved Competitions during the period covered by its opening match in the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League and ending with the final match in which the Club is playing in a domestic Competition organised by The Football Association, the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League or matches concerning a Club's nominated County Senior Cup Competition **plus a fine of £30**

(e) PLAYERS SENT OFF UNDER LAW 12 (1), (2) and (3)

A player who is dismissed from the Field of Play for Violent Conduct, Serious Foul Play or spitting at an opponent or any other person whether he has previously been cautioned in the match or not, will be suspended automatically from all domestic League, League Cup, FA Challenge Cup and Trophy matches and Friendly matches commencing on the 14th day following the match in which he was sent off and until such time as his Club's recognised Senior Team has completed **three matches** in approved Competitions during the period covered by its opening match in the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League and ending with the final match in which the Club is playing in a domestic Competition organised by The Football Association, the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern League or matches concerning a Club's nominated County Senior Cup Competition **plus a fine of £40**

(f) ADDITIONAL SENDINGS OFF

Players dismissed from the Field of Play for a second time in the same Season, in addition to the automatic suspension applicable to the offence, will be suspended for one extra match.

A player dismissed for a third time in the same Season will be suspended for an extra two matches, and so on. A Regulatory Commission, when dealing with a Claim of Wrongful Dismissal (section 5) has the power not to invoke a further one match suspension if it so desires.

(g) OUTSTANDING SUSPENSIONS

Any suspension or part thereof which remains outstanding at the end of a Season, must be served at the commencement of the next following Season.

(h) RULE E3 OF THE ASSOCIATION

A charge of Misconduct pursuant to Rule E3 of the Rules of the Association may be brought against a player in relation to an incident, notwithstanding that the same incident has been dealt with pursuant to this Memorandum. A Regulatory Commission considering a charge under Rule E3 of The Association in such circumstances, shall have regard to any punishment imposed under this Memorandum when considering any punishment under regulation 7.1 of the regulations for Football Association Disciplinary Action.

- (i) **PAYMENT TO PLAYERS UNDER SUSPENSION**
Clubs must not pay a player more than his basic wage during the period of a suspension.
- (j) **CLUBS IMPOSING FINES**
The responsibility for fining players for field offences is left with the Club, who must notify The Football Association, without delay, the details of the fine in each case.
- (k) **RE-ARRANGED MATCHES**
A Regulatory Commission shall have discretionary power to rule that a match shall not count towards the completion of a suspension if it is satisfied that the game has been arranged by the Club with a view to enabling the player to complete his suspension and thus qualify him to play in a specific match.
- (l) **COLLECTION OF ADMINISTRATION FEES AND FINES**
 - (i) It will be the responsibility of the Club Secretary to collect the £8.00 administration fees from the players concerned and forward them to The Football Association when requested so to do.
 - (ii) Fines levied on players must be collected by the Club Secretary from the player concerned and forwarded to The Football Association when requested to do so.

8. **DISCIPLINARY ACTION ON CLUBS FOR MISCONDUCT BY THEIR PLAYERS**

- (a) Any Club who has six or more individual Players cautioned or Dismissed from the Field of Play in the same match will be automatically fined. The sum of **£500 will be imposed on Clubs in the Football Conference (North & South), and the Premier Divisions of the Isthmian, Northern Premier and Southern Leagues, a fine of £250 will be imposed on all other divisions** for the first occasion during the Season. For a second / third / fourth etc. occasion in the same Season, the Standard Punishment on the Club will be a fine of £1000 / £500, £1500 / £750, £2000 / £1000 etc.

On such successive occasions all clubs offered this Standard Punishment may either accept it or request the opportunity to mitigate at a personal hearing before the Regulatory Commission. Following such mitigation, the Regulatory Commission may impose, decrease or increase the Standard Punishment as it thinks fit.

- (b) Any Club whose players accumulate a total number of Penalty Points in First Team matches during a Season, and that total is considered to be appreciably above the average number of points in the same League, may be required to appear before a Regulatory Commission and shall be liable to be warned and/or fined up to £1,000 for the Football Conference (North and South) and £500 for all other Divisions for having permitted its players to violate the Laws of the Game in contravention of Rule E1 of The Association. In addition, the Regulatory Commission shall be entitled to order the Club to pay the cost of the Hearing to The Association. Any action taken by the Club to discipline its players under Section 8(j) will be taken into consideration by the Regulatory Commission in its findings.

In so far as this Regulation shall apply, the following Points will be recorded against a Club for First Team offences: -

For all recorded First team cautions	-	4 Points
For Sending off under Law 12 (4)(5) & (7)	-	10 Points
For Sending off under Law 12 (1)(2)(3) & (6)	-	12 Points
For First Team players found guilty of Charges		
Under Rule E3 of The Association	-	12 Points

- (c) Proceeds of fines imposed under this section of the Disciplinary Procedures shall be disbursed as decided by The Football Association.

- (d) A Club required to appear before a Regulatory Commission shall be represented by at least one of its Directors and the Manager.
- (e) The Football Association reserves the right to prefer a Charge against a Club at any time during the Season arising from Field Offences committed by players of the Club, all records will be reviewed to the 31st December annually and Clubs may be ordered to attend a Regulatory Commission to discuss a record that is deemed to be poor at that stage of the Season.

9. ASSAULTS ON MATCH OFFICIALS

Assaults on Match Officials are always regarded by The Association as serious and invariably attract substantial periods of suspension.

Where a Match Official has reported an assault against him by a player or official associated with a club in the FA Premier League, Football League or Football Conference National Division, The Association may use the powers set out at Rule E18 of The Association to impose an interim suspension order.

There are three categories of assault for the purposes of the results: -

- (i) MINOR ASSAULTS - for instance, jostling, holding, pushing
- (ii) ASSAULTS CAUSING BODILY HARM - for instance, more forceful degrees of (a) above
- (iii) SERIOUS ASSAULTS - for instance, where serious harm is caused, such as severe bruising or a broken nose

10. SUSPENSION PENDING MISCONDUCT HEARING

The Football Association shall have the power to order that a Club Official or Player associated with the Football Conference (North and South Divisions) / Isthmian / Northern Premier / Southern Leagues shall be suspended from all or any specific football activity for such period and on such terms and conditions as The Association considers fit (an "Interim Suspension Order").

The Interim Suspension Order shall apply when the Club Official or Player has been charged by The Association in relation to an alleged act of serious Misconduct or with a criminal offence or by the League in connection with serious disciplinary action pursuant to relevant Regulations of the Leagues.

As soon as reasonably practicable, notification of an Interim Suspension Order shall be advised to the Club Official or Player and / or the Club and will be lifted when the charge of Misconduct is dealt with by a Regulatory Commission or the criminal charges are withdrawn or found not to be proved.

GUIDANCE NOTE**ASSAULTS ON OFFICIALS****1. INTRODUCTION**

This note addresses the range of potential criminal offences to which Officials may be subject on the Field of Play and the issue of compensation. The note is not exhaustive and is intended to provide general guidance only. It should not be relied upon in place of specific legal advice which should always be sought where appropriate on particular incidents as they arise.

Relevant criminal offences are:

- Common Assault, contrary to Section 39 Criminal Justice Act 1991;
- Threatening Behaviour, contrary to Section 4 Public Order Act 1986;
- Assault occasioning Actual Bodily Harm, contrary to Section 47 Offences Against Person Act (OAPA) 1861;
- Unlawful Wounding, contrary to Section 20 OAPA 1861;
- Assault occasioning Grievous Bodily Harm, contrary to Section 20 OAPA 1861;
- Unlawful Wounding or Assault occasioning Grievous Bodily Harm with Intent, contrary to Section 18 OAPA 1861;
- Racially aggravated Assaults contrary to Section 29 Crime and Disorder Act 1998.

2. THE OFFENCES**2.1 Common Assault**

The term 'Common Assault' embraces both an 'assault' and a 'battery'. Strictly speaking an assault is committed when a person intentionally or recklessly causes the victim to apprehend the immediate infliction of unlawful force. A battery is committed when a person actually inflicts unlawful force either intentionally or recklessly (i.e. contact is made).

Examples of acts which would constitute common assault on the Field of Play would be a Player pushing or barging an Official, or kicking a ball at or spitting at an Official. Any form of accidental contact as regularly occurs would not amount to an offence.

Common assault is typically charged in cases where the unlawful force is of a relatively trivial nature and has left no physical mark. The offence is triable only in the Magistrates Court and the maximum penalties are six months' imprisonment, a fine not exceeding £5,000, or both.

Compensation is dealt with as a matter of course as part of the sentencing process. The prosecuting lawyer will usually invite the Court to make such an order but the Court should consider it in any event.

In most cases modest compensation of up to £500 will be ordered by the Court in the victim's favour. The maximum order of a Magistrates Court is £5,000.

2.2 Threatening Behaviour

It is unclear whether words alone are sufficient for an offence of Common Assault. However, an alternative offence within the same bracket of seriousness is 'Threatening Behaviour'. This offence is committed if a person uses towards another person threatening, abusive or insulting words or behaviour, with the intention of causing the person to believe that immediate unlawful violence will be used against him. Verbal threats alone, or such threats accompanied by gestures, are sufficient to commit the offence.

The critical element in this offence is the immediacy of the threat. The threatened violence must be imminent or at least the intention must be to cause the victim to believe such violence is imminent. Empty words or gestures, where it is understood

that no real threat exists, would not constitute an offence however unpleasant the language.

This is triable only in the Magistrates Court with the same maximum penalties and compensation provisions as for common assault.

2.3 Assault Occasioning Actual Bodily Harm ('A.B.H.')

This offence is committed when an assault takes place (see definition at 2.1) but with the additional element that the victim suffers some physical harm. This goes beyond mere touching. Physical harm such as a bruise, a graze, a broken tooth or a broken finger, is required.

This offence embraces a wide band of factual situations. Examples might include a punch, kick or a knee to the groin, minor injuries resulting from a head butt, etc. It can be tried in the Magistrates Court or the Crown Court. The Crown Court will hear the case if a defendant pleads the right to trial by Judge and jury, or if the Magistrates take the view that the case is too serious to be dealt by them. Upon conviction or a guilty plea in the Magistrates Court, the same sentences apply as for Common Assault. In the Crown Court this offence carries a maximum sentence of five years' imprisonment and an unlimited fine. For compensation, the same considerations as set out in 2.1 apply, except that in the Crown Court there is no theoretical maximum and awards are significantly higher.

2.4 Assault Occasioning Grievous Bodily Harm ('G.B.H.')

Whilst this is considered a more serious offence than A.B.H., the elements of the offence and the penalties are the same. The difference is in the nature of the injury caused.

2.5 Unlawful Wounding

A 'wound' for these purposes involves the breaking of the continuity of the skin, most obviously a cut or laceration. Unlawful Wounding requires an unlawful (i.e. not in self defence) and malicious intention to do the act which would result in the wound, foreseeing that some harm would result from the act. The approach to compensation is the same as applies in cases of A.B.H.

2.6 Assault Occasioning Grievous Bodily Harm or Wounding with Intent

This is the most serious type of assault and can only be tried in the Crown Court. It carries a maximum penalty of life imprisonment. This offence is committed if really serious harm or a wound is caused and the offender intended that really serious harm or the wound be caused. Use of a knife or broken glass or bottle would normally indicate intent. Substantial prison sentence follows conviction. Compensation is unlimited and will usually be ordered where the offender has financial means available.

2.7 Racially Aggravated Assault

An offence of racially-aggravated assault is committed if at the time of committing an offence of Common Assault or S.47 (A.B.H.) or S.20 (G.B.H. or wounding) or immediately before or after the offender demonstrates towards the victim hostility based on (presumed) membership of a racial group or the offence is motivated by such hostility.

The offence carries the same penalties in the Magistrates Court but carries seven years imprisonment in the Crown Court.

3. POLICE/ CROWN PROSECUTION SERVICE PRACTICE

Generally there is a reluctance on the part of the police to become involved in what they would consider to be minor infringements of the criminal law on the Field of Play. For reasons of policy (time, cost, public interest and likely outcome), the police will not be interested in investigating every incident of a technical Common Assault or Threatening Behaviour. The general view is that in the absence of any injury, such incidents are more appropriately dealt with by the football authorities applying their own disciplinary rules.

The Crown Prosecution Service ('C.P.S.') will only allow a case to proceed if there is a realistic prospect of conviction. This acts as a second filter on the decision to prosecute. Nevertheless, the police and the C.P.S. will not hesitate to become involved in appropriate cases – particularly where an injury has been caused and clear, consistent accounts of the incident are available from witnesses. As a general rule, the Courts take an extremely serious view of assaults on Officials. Any incident of sufficient seriousness should be reported to the police in person as soon as possible.

4. PRIVATE PROSECUTION

Whilst in theory it is open to any victim of a criminal offence to bring a private prosecution by applying to the local Magistrates Court to issue a summons, it hardly ever happens. It is rarely advisable as the outcome is likely to be uncertain and the proceedings time consuming and very expensive. Legal Aid is not available and if the action is unsuccessful, the private prosecutor may be liable for the defendant's costs. The police/ C.P.S. are the public body charged with the function of prosecuting criminal offences. Even if a private prosecution is embarked upon, once it reaches Crown Court, the Director of Public Prosecutions (the head of the C.P.S.) has the legal power to intervene, take the prosecution over and discontinue it. Furthermore, a defendant may often be able to exploit in court a police/ C.P.S. decision not to prosecute.

5. CRIMINAL INJURIES COMPENSATION BOARD PRACTICE AND PROCEDURE

Any official who sustains personal injury directly attributable to a crime of violence on the field of play can apply to the Criminal Injuries Compensation Board (C.I.C.B.) for compensation (as can any victims of violence).

6. CIVIL ACTION

A civil action for damages for personal injury suffered as a result of an assault may be brought in addition to any criminal proceedings. If a civil action for damages is contemplated, specific legal advice should always be sought.

Schedule A

Standard Directions for Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (serious foul play, violent conduct, spitting at an opponent or any other person, offensive, insulting or abusive language or gestures)

For Players of Clubs of the FA Premier League, Football League and Football Conference National Division

(a) General Principles

These Standard Directions are subject to the terms of the Regulations of The Association and the relevant Memorandum. In the case of any conflict, first the Regulations and then the relevant Memorandum will apply.

These are Standard Directions; they may be deviated from at the discretion of the Regulatory Commission dealing with any given case, if the circumstances of that case so dictate.

Under these Standard Directions, The Association may charge a Player with Misconduct under the Rules of The Association for incidents on or around the Field of Play, excluding the tunnel area, that are caught on camera but not seen and dealt with by the Match Officials at the time. The Charge will be accompanied by an offer of the automatic penalty that would apply to the offence had it been seen and reported by the Match Official(s) during the match.

Where the player charged has been suspended due to a dismissal or under these Standard Directions earlier in the same season, the penalty offered shall be increased to include, in addition to the applicable automatic penalty, one game for each occasion that the player has been so suspended.

For these purposes a dismissal earlier in the same season in a non first team competitive match will only be taken into account where it is for violent conduct, serious foul play or spitting.

A written statement by Match Officials that they did not witness a particular incident shall be conclusive evidence of that fact.

(b) Timings**(i) The Charge**

A Charge under these provisions may only be issued within the period of two working days of the incident (i.e. for a Saturday/Sunday game, a Charge will usually have to be issued prior to 6pm on the Tuesday). The Charge will be accompanied by all evidence, documents and written submissions upon which The Association intends to rely.

(ii) The Reply

The Player is required to respond to the Charge in writing by 6pm on the first working day following receipt of the Charge (either by fax 020 7745 5777 or by e-mail Disciplinary@TheFA.com). In the absence of a Reply, the matter will be dealt with directly at the next available Regulatory Commission, and submissions from the Player may not be admitted.

The Player may accept the Charge and penalty offered or deny the Charge. In the event that the offered punishment is accepted, the suspension will commence forthwith upon receipt by The Association of the consent of the chairman of the Judicial Panel (or his nominee).

(iii) Submissions

Along with the Reply, by 6pm on the first working day following the Charge, the Club or Player must provide The Association and the Regulatory Commission with copies of

all evidence, documents and written submissions upon which the Club or the Player intends to rely. If the evidence, documents and written submissions are not submitted within this time limit, they may not be considered by the Regulatory Commission.

As a guide the following schedule will apply:

Incident	Charge	Reply	Submissions	Commission
Sat/ Sun	Tuesday	Wednesday	Wednesday	Thursday

(c) Regulatory Commission Procedures

The following procedures shall be followed at the Regulatory Commission unless the Regulatory Commission thinks it appropriate to amend them:

- (i) Reports along with any other evidence, including video evidence, in support of the Charge, shall be put before the Regulatory Commission by the Secretary of the Regulatory Commission;
- (ii) All statements and video or other evidence in defence of the Charge shall be put before the Regulatory Commission by the Secretary of the Regulatory Commission.

For offences alleged to have been committed in the same match, where there is common Association or defence evidence the Regulatory Commission shall hear all evidence at the same hearing. Evidence adduced in the defence of a Player shall be capable of constituting evidence against another Player. The Regulatory Commission shall give appropriate weight to such evidence. The Regulatory Commission will generally hear evidence in chronological order of the alleged events but shall have complete discretion to take matters out of order for timely, efficient and appropriate disposal of the proceedings.

(d) Decisions

The Regulatory Commission will decide whether the Charge is proved or not proved. In the event that the Charge is proved, the Regulatory Commission will have the power to impose the original penalty offered or to increase the penalty if it believes a denial to have been an abuse of process or frivolous.

In the event that the Charge is not proved, the Charge will be dismissed.

The decision of the Regulatory Commission will be communicated verbally to the Player/Club on the same day as the decision is reached, and in writing by the end of the following working day.

(e) Right of Appeal

The Player will have a right of appeal only in the event that a penalty is ordered in excess of a three-match suspension. The Player may only appeal against the level of penalty imposed and only in respect of that part of the suspension in excess of three matches. No other appeal (for instance, against the decision that the Charge was pursued) is allowed.

Information regarding the appeals process is set out in the Standard Directions for Appeals against decisions of Regulatory Commissions (see Schedule C).

(f) Written Reasons

A request for written reasons in respect of the decision of the Regulatory Commission may be lodged with the Regulatory Commission, in which case the request must be made at the time of verbal notification of the decision (i.e. on the same day as the Regulatory Commission). If requested, written reasons will be supplied to parties by 6pm on the first working day following the Regulatory Commission.

(g) Representation

A Player does not have the right to be present or represented at a hearing of a Regulatory Commission in respect of incidents covered by this Standard Direction. The matter will be dealt with on video and written evidence only.

Schedule B**Standard Directions for Incidents outside the jurisdiction of Match Officials but reported to The Football Association****For Players of Clubs of the FA Premier League, Football League and Football Conference National Division****(a) General Principles**

These Standard Directions are subject to the terms of the Regulations of The Association and the relevant Memorandum. In the case of any conflict, first the Regulations and then the relevant Memorandum will apply.

These are Standard Directions; they may be deviated from at the discretion of the Regulatory Commission dealing with any given case, if the circumstances of that case so dictate.

Under these Standard Directions, The Association may charge a Player with Misconduct under the Rules of The Association for incidents before, during, or after a game, on or around the Field of Play (excluding the tunnel area) that fall outside the jurisdiction of the Match Officials, but which have been brought to the attention of The Association.

A written statement by Match Officials that they did not witness a particular incident shall be conclusive evidence of that fact.

(b) Timings**(i) The Charge**

A Charge may only be issued within the period of two working days of the incident (i.e. for a Saturday/Sunday game, a Charge will usually have to be issued prior to 6pm on the Tuesday)

(ii) The Reply

The Player is required to respond to the Charge in writing by 6pm on the first working day following receipt of the Charge (either by fax to 020 7745 5777 or e-mail Disciplinary@TheFA.com). In the absence of a Reply, the matter will be dealt with directly at the next available Regulatory Commission, and submissions from the Player may not be admitted. The Player may accept or deny the Charge. The Player may also request a personal hearing, should he so wish.

(iii) Submissions

By 6pm on the first working day following the Reply (i.e. the second working day following receipt of the Charge), the Club or Player must provide The Association and the Regulatory Commission with copies of all evidence and documents upon which it intends to rely, along with the appropriate hearing fee of £100 where relevant. If the evidence and documents (and fee where appropriate) are not submitted within this time limit, they may not be considered by the Regulatory Commission.

(iv) Responses

The Association will have two working days to provide its responses, if any, to the submissions provided by the Club or Player. The Association's responses must be provided to the Club/Player and the Regulatory Commission. Evidence and documents not submitted within this time limit may not be considered by the Commission.

The Regulatory Commission will hear the matter at the earliest available opportunity, but, in the event that The Association provides responses, no earlier than on the second working day after provision of those responses.

As a guide the following schedule will apply:

Incident	Charge	Reply	Submissions	Responses	Commission
Sat/ Sun	Tuesday	Wednesday	Thursday	Monday	Wednesday

(c) Regulatory Commission Procedures

The following procedures shall be followed at the Regulatory Commission unless the Regulatory Commission thinks it appropriate to amend them:

- (i) The part of the Charge(s) stating the nature of the alleged Misconduct, and identifying the provisions breached or not complied with, will be read out to the Alleged Offender by the chairman of the Regulatory Commission and the Alleged Offender asked if he admits or denies each Charge, to which the Alleged Offender shall respond;
- (ii) The Association may then address the Regulatory Commission, summarise the case against the Alleged Offender, and then call its evidence;
- (iii) After the conclusion of the evidence of The Association, the Alleged Offender may call evidence of any matter of which notice has been given in the Answer;
- (iv) Each party in turn may question witnesses as they give evidence and the Regulatory Commission may question parties and witnesses at any time;
- (v) After the conclusion of the evidence of the Alleged Offender, The Association and the Alleged Offender in turn may make closing submissions;
- (vi) Where the Alleged Offender admits a Charge, the Regulatory Commission may dispense with evidence and hear submissions from The Association and the Alleged Offender in turn. Where the Alleged Offender admits some Charges and denies others, the panel will deal with denied Charges first.

For offences alleged to have been committed in the same match, where there is common Association or defence evidence the Regulatory Commission shall hear all parties at the same hearing. Evidence adduced in the defence of a Player shall be capable of constituting evidence against another Player. The Regulatory Commission shall give appropriate weight to such evidence. Players or their representatives shall be entitled to cross-examine other Players and their witnesses. The Regulatory Commission will generally hear defence cases in chronological order of the alleged events but shall have complete discretion to take parties and witnesses out of order for timely, efficient and appropriate disposal of the proceedings.

(d) Decisions

The Regulatory Commission will decide whether the Charge is proved or not proved. In the event that the Charge is proved, the Regulatory Commission will have the power to impose any one or more of the following penalties on the alleged offender:

- (i) A reprimand or warning as to future conduct;
- (ii) A fine;
- (iii) A suspension from all or any specified football activity permanently or for a stated period;
- (iv) Such further or other penalty as it considers appropriate.

In the event that the Charge is not proved, the Charge will be dismissed.

The decision of the Regulatory Commission will be communicated verbally to the Player/Club on the same day as the decision is reached, and in writing by the end of the following working day.

(e) **Right of Appeal**

The Player will have a right of appeal in respect of the decision of the Regulatory Commission (against the decision and/or penalty ordered). Information regarding the appeals process is set out in the Standard Directions for Appeals against decisions of Regulatory Commissions (see Schedule C).

(f) **Written Reasons**

A request for written reasons in respect of the decision of the Regulatory Commission may be lodged with the Regulatory Commission, in which case the request must be made at the time of verbal notification of the decision (i.e. on the same day as the Regulatory Commission). If requested, written reasons will be supplied to parties by 6pm on the first working day following the Regulatory Commission.

(g) **Representation**

A Player has the right to be present and represented at a hearing of a Regulatory Commission in respect of incidents covered by this Standard Direction. In the event that a Player wishes to be represented, this fact, together with the identity of any representative, shall be submitted at the same time as the Reply, as set out in (b) hereabove. Failure to submit this information within the specified time limit will result in the right to representation being forfeited.

A hearing of a Regulatory Commission may also be heard on the basis of written submissions only, should the alleged offender not wish to be present or represented.

(h) **Costs**

Any costs incurred in bringing, or responding to a Charge shall be borne by the party incurring the costs. Any costs incurred in relation to the convening of the Regulatory Commission may be ordered by the Regulatory Commission to be paid by either party.

Schedule C

Standard Directions for Appeals against decisions of Regulatory Commissions in relation to:

- (a) Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (serious foul play, violent conduct, spitting at an opponent or any other person, offensive, insulting or abusive language or gestures); or
- (b) Incidents outside the jurisdiction of Match Officials but reported to The Football Association

For Players of Clubs of the FA Premier League, Football League and Football Conference National Division

(a) **General Principles**

These Standard Directions are subject to the terms of the Regulations of The Association and the relevant Memorandum. In the case of any conflict, first the Regulations and then the relevant Memorandum will apply.

These are Standard Directions; they may be deviated from at the discretion of the Regulatory Commission dealing with any given case, if the circumstances of that case so dictate.

(b) **Criteria**

A Player may lodge an appeal against the decision of a Regulatory Commission subject to the following criteria:

- (i) For Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (serious foul play, violent conduct, spitting at an opponent or any other person, offensive, insulting or abusive language or gestures) – an appeal may be lodged only in the event that a penalty is ordered in excess of three matches. The appeal may only be against the level of penalty imposed and only in respect of that part of the suspension in excess of three matches, not accounting for any matches included in the penalty as a result of a Player having served a suspension earlier in the same season.
- (ii) For incidents outside the jurisdiction of Match Officials but reported to The Football Association – an appeal may be lodged against the decision reached by the Regulatory Commission and/or the penalty ordered.

(c) **Written Reasons**

A request for written reasons in respect of the decision of the Regulatory Commission may be lodged with the Regulatory Commission, in which case the request must be made at the time of verbal notification of the decision. Written reasons will be supplied to parties by 6pm on the third working day following the Regulatory Commission.

(d) **Timings**

(i) **Notification**

If the Player intends to lodge an appeal, The Association must be notified in writing (either by fax 020 7745 5777 or by e-mail Disciplinary@TheFA.com)

- (a) by 12 noon on the first working day following the Regulatory Commission; or
- (b) in cases where written reasons are requested, by 12 noon on the first working day following receipt of the written reasons, i.e. the fourth working day after the Regulatory Commission.

(ii) **Submissions**

By 6pm on the first working day following notification of intention to appeal, the Club or Player must provide The Association and the chairman of the Judicial Panel (or his nominee) with copies of all evidence and documents upon which it intends to rely, along with the appropriate appeal fee of £100. If the evidence and documents are not submitted within this time limit, they may not be considered by the Appeal Board.

An appeal shall be by way of a review of documents and oral submissions only. However, new evidence may be admitted with the leave of the chairman of the Appeal Board.

The Football Regulatory Authority will ensure that all documents relating to the original Regulatory Commission hearing are provided to the Appeal Board.

(iii) Responses

The Association will have two working days to provide its responses to the appeal submissions provided by the Club or Player. The Association's responses must be provided to the Club/Player and the Appeal Board. Evidence and documents not submitted within this time limit may not be considered by the Appeal Board.

The Appeal Board will hear the appeal at the earliest available opportunity, but, in any case, no earlier than on the second day after submission of The Association's responses.

(e) **Appeal Board Procedures**

The following procedures shall be followed at the Appeal Board unless the Appeal Board thinks it appropriate to amend them:

- (i) A summary of the matter appealed will be put forward by the Appellant. The Association will then put forward a summary of the points to be raised on its behalf;
- (ii) All evidence, of which notice will have been given, to be presented on behalf of the Appellant;
- (iii) All evidence, of which notice will have been given, to be presented on behalf of The Association;
- (iv) Each party shall have the opportunity to put questions in respect of the evidence presented by the other party, and the Appeal Board may question parties at any time;
- (v) After the conclusion of the evidence, the Appellant and The Association in turn may make closing submissions;
- (vi) The Appeal Board will decide whether the appeal is to be upheld or dismissed.

(f) **Decisions**

A decision of the Appeal Board shall be final and binding and there shall be no right of further challenge.

The Appeal Board shall have power to:

- (i) Allow or dismiss the appeal;
- (ii) Increase or decrease the penalty, award or sanction originally imposed;
- (iii) Make such further or other order as it considers appropriate.

(g) **Representation**

A Player has the right to be present at a hearing of an Appeal Board. A Player may also be represented at a hearing of an Appeal Board. In the event that a Player wishes to be represented, this fact, together with the identity of any representative, shall be submitted at the same time as the notification, as set out in (d) hereabove. Failure to submit this information within the specified time limit will result in the right to representation being forfeited.

A hearing of an Appeal Board may also be heard on the basis of written submissions only, should the Appellant not wish to be present or represented.

(h) **Costs**

Any costs incurred in bringing, or responding, to an appeal shall be borne by the party incurring the costs. Any costs incurred in relation to the convening of the Appeal Board may be ordered by the Appeal Board to be paid by either party.

GENERAL PROVISIONS RELATING TO INQUIRIES, COMMISSIONS OF INQUIRY, REGULATORY COMMISSIONS OF THE ASSOCIATION, OTHER DISCIPLINARY COMMISSIONS AND APPEAL BOARDS

Evidence

- 1.1 A Commission of Inquiry, Regulatory Commission, a Disciplinary Commission and an Appeal Board shall not be bound by any enactment or rule of law relating to the admissibility of evidence in proceedings before a court of law.
- 1.2 A Commission of Inquiry, a Regulatory Commission, a Disciplinary Commission and an Appeal Board may draw such inference from the failure of a Participant or an Alleged Offender or a witness to give evidence or answer a question as it considers appropriate.

Representation

- 2.1 A Participant may be represented by one individual. (For instance, a Player may be represented by a Club Official of a Club with which he is associated or by a representative of the Professional Footballers' Association, and a Referee may be represented by a representative of the Referees' Association).
- 2.2 An Alleged Offender appearing before a Regulatory Commission or an Appellant before an Appeal Board, and any individual or body assisting in any way an inquiry of The Association or a Commission of Inquiry, may be legally represented only with the prior consent of such Commission or Appeal Board, The Association or Commission of Inquiry respectively. Request for consent must be made with at least 7 days' notice.
- 2.3 An individual acting as representative for an Alleged Offender shall not be allowed to give evidence.

Confidentiality/Publication of Proceedings

- 3.1 The proceedings of a Commission of Inquiry, a Regulatory Commission, a Disciplinary Commission and an Appeal Board shall take place in private.
- 3.2 Subject to Rule 3.3 below, all oral or written representations and documents created in the course of any proceedings are confidential between The Association and the individual or body concerned. All evidence and representations shall be privileged.
- 3.3 The Association shall have the power to publish in the public press, on a web site or in any other manner considered appropriate, reports of any hearing, order, requirement, instruction, decision, proceedings, acts, resolution, finding and penalty and any transcript or document prepared in the course of proceedings, or evidence, whether or not this reflects on the character or conduct of a Participant. Each Participant shall be deemed to have consented to any inquiry or Commission of Inquiry, a Regulatory Commission, a Disciplinary Commission or an Appeal Board and to the publication of any report.

Service of Documents

- 4.1 A document may be served by giving it to the person to whom it is addressed or by leaving it at, or sending it by first class post, e-mail or by fax to, the last known address of the addressee or, in the case of an individual, the Club with which he is associated.

Days

- 5.1 Any reference to a day or days in the Regulations shall mean a calendar day or days. Bank Holidays shall not be counted.

Fees

- 6.1 An Appeal fee of £100 is required when a participant requests an appeal against a decision of a Regulatory Commission and £50 for an appeal against a decision of a Disciplinary Commission of an Affiliated Association.

Concurrent Hearings

- 7.1 For offences alleged to have been committed in the same match, where there is common Association or defence evidence, the relevant Commission shall hear all parties at the same hearing. Evidence adduced in the defence of a participant shall be capable of constituting evidence against another participant. The relevant Commission shall give appropriate weight to such evidence. Participants or their representatives shall be entitled to cross-examine other participants and their witnesses.

The relevant Commission shall generally hear defence cases in chronological order of the alleged events but shall have complete discretion to take parties and witnesses out of order for timely, efficient and appropriate disposal of the proceedings.

REGULATIONS FOR FOOTBALL ASSOCIATION DISCIPLINARY ACTION**1 Introduction**

- 1.1 These Regulations set out the way in which proceedings under Rules E and G of the Rules of The Association shall be conducted.
- 1.2 More guidance as to the specific disciplinary procedures and sanctions that are to apply to specific competitions may be found in the Memoranda entitled "Disciplinary Procedures Concerning Field Offences" attached to these Regulations.

2 The Collection of Evidence

- 2.1 All Participants must take all reasonable measures to assist The Association in the collection of evidence. Where The Association requests the production of evidence from any Participant, that Participant shall (subject to considerations of legal professional privilege) be under an obligation to provide it.
- 2.2 Where on-field offences are concerned, The Association may request that a Club deliver or procure the delivery of video and/or DVD evidence to it to assist it in investigating possible Misconduct (as defined in the Rules of The Association). Clubs must deliver such video and/or DVD evidence to The Association as soon as reasonably practicable and in any event no later than by 12 noon on the next working day following The Association's request. Failure to provide such evidence within this deadline may result in The Association bringing a charge of Misconduct against the Club.

3 The Charge

- 3.1 The decision that facts or matters may give rise to Misconduct and that a Charge be brought will be made by the Chief Regulatory Officer (or his nominee) on behalf of The Association.
- 3.2 Where any facts or matters give rise to alleged Misconduct by a Participant under Rule E1 (b)-(f) of the Rules of The Association, The Association will serve on the Participant concerned (the "Alleged Offender") a written Charge ("the Charge") which shall:
 - (a) State briefly the nature of the alleged Misconduct;
 - (b) Identify the provision(s) alleged to have been breached;
 - (c) Give a statement of facts relied upon;
 - (d) Provide copies of documents or other material referred to in the Charge.The Charge may include a request for the provision of a summary of the current terms and conditions of employment of a Participant.
- 3.3 A copy of the Charge shall be forwarded to the chairman of the Judicial Panel (or his nominee) who shall appoint a Regulatory Commission in accordance with, and subject to, the terms of reference of the Judicial Panel (as defined in the Articles of Association from time to time).

Where a Participant is charged under Rule E1 (b) - (f) the Secretary of the Regulatory Commission shall forward to both parties a copy of the Regulatory Commission's Standard Directions and / or the date of the proposed Directions Hearing convened in accordance with Regulation 4 below.
- 3.4 A single Charge may be issued against the Alleged Offender in respect of more than one instance of Misconduct, but the Charge shall state separately the nature of each alleged Misconduct and the provision(s) alleged to have been breached and shall have effect as separate Charges.

4 Directions

Introduction

- 4.1 This Regulation gives effect to the general principle that it is in the interest of the timely and efficient disposal of disciplinary proceedings that directions be given whenever a Charge is brought against a Participant. In the case of complex and serious matters, these directions may, at the discretion of the Regulatory Commission, be the subject of a Directions Hearing in the form and manner set out in regulation 4.6 below. Where less complex and less serious matters are concerned, these may be the subject of Standard Directions. The applicable Standard Directions are to be found at Schedules A – C to these Regulations.

General Procedures

- 4.2 In all cases other than those referred to in 4.10 and 4.12, the procedure shall be as set out below.
- 4.3 The Alleged Offender must within 14 days of the service of the Charge serve on The Association a written answer (the "Answer") which admits or denies each alleged misconduct and states whether the matter is to be dealt with:
- (a) on written submissions alone under Regulation 5 below, in which case full details of any defence must be included in the Answer; or
 - (b) at a hearing under Regulation 6 below, in which case full details of any matter relied upon in defence of the Charge must be included in the Answer and a fee submitted of £100. (Fee to be submitted by cheque made payable to The Football Association Ltd).

The Answer will also include a summary of the current terms and conditions of employment of a Participant who is a Player or Manager or where otherwise requested in the Charge.

- 4.4 Where the Alleged Offender:
- (a) Fails within 14 days of the service of the Charge to serve an Answer on The Association and the Regulatory Commission is satisfied that the Charge was served; or
 - (b) Fails to indicate in the Answer whether he wishes the matter to be dealt with at a Hearing or on written submissions; or
 - (c) Fails to set out written submissions under 4.3 (a) above; the Regulatory Commission will determine the Charge in such manner and upon such evidence as it considers appropriate.
- 4.5 Any party who is to go before a Regulatory Commission for a hearing under Regulation 6 below only (this provision does not apply to matters falling within Regulations 4.11 to 4.16 below, which are dealt with under the Standard Directions set out at Schedules A - C to these Regulations), may make an application to the Judicial Panel Chairman, within 14 days of the charge being issued and upon notice to all other parties, for an order that the chairman of that Regulatory Commission shall be a Specialist Panel Member who is a Solicitor or Barrister of seven or more years' standing.
- Approval by the Judicial Panel Chairman of such application shall not be unreasonably withheld or delayed and any additional costs incurred in respect of having such a Specialist Panel Member as the chairman of that Regulatory Commission (whether or not the applicant be successful in the relevant hearing before such Regulatory Commission), shall be borne by the party who made the application.
- 4.6 The Regulatory Commission may give any directions considered necessary for the proper conduct of the proceedings, including but not limited to:
- (a) Establishing the date, time and place of the Hearing;
 - (b) Extending or abridging any time limit;

- (c) Amending or dispensing with any of the procedural steps set out in these Regulations;
 - (d) Instructing that a transcript be made of the proceedings;
 - (e) Determining that issues be dealt with as preliminary issues, or at a preliminary hearing;
 - (f) Requiring that the parties make written submissions, or submit skeleton arguments in advance of the Regulatory Commission's Hearing;
 - (g) Requiring that the disclosure be made of any documents in the possession of the Association, the Participants or any third party Participant which are considered by the Regulatory Commission as relevant to the Charge.
 - (h) Determining who shall attend a Hearing.
- 4.7 Both parties shall provide to each other and the Regulatory Commission
- copies of all documents (of whatever nature) to be referred to at a hearing
 - a list of witnesses
 - a summary of their evidence.

The above must be provided at the earliest opportunity, and in any event no later than 7 days before the hearing. Documents not provided within time may not be relied upon at the hearing unless the Regulatory Commission thinks it appropriate.

- 4.8 The Regulatory Commission may order for there to be a Directions Hearing which may take the form of an oral hearing or may be conducted by telephone conference, video link or by written submissions at the direction of the Regulatory Commission. If satisfied that all matters are agreed prior to the time set for the Directions Hearing, the Regulatory Commission may direct that no hearing take place and that the agreed directions shall stand as the decision of the Regulatory Commission.
- 4.9 The decision of the Regulatory Commission on matters referred to in this Regulation 4 is final and not subject to appeal.
- 4.10 The Regulatory Commission will circulate a note of its directions within three working days after the Directions Hearing.

Application

- 4.11 The following Regulations 4.11 to 4.15 apply only to the Players of Clubs of the FA Premier League, the Football League and the Football Conference National Division, competing in First Team Competitive Matches in the following competitions: FA Challenge Cup, FA Challenge Trophy, FA Premier League, Football League, Football League Cup, Football League Trophy and the Football Conference.

Incidents concerning Players on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (violent conduct, spitting at an opponent or any other person, offensive, insulting or serious foul play, abusive language or gestures).

- 4.12 Where a Player is charged with Misconduct contrary to Rule E3 of The Association, for a matter on the Field of Play (which falls under Law 12 but was not seen by Match Officials during the period of the game), the proceedings shall follow the specific procedures and time limits set out in the relevant directions concerning such matters as determined by Council from time to time (the "Standard Directions – Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (violent conduct, spitting at an opponent or any other person, offensive, insulting or serious foul play, abusive language or gestures)" – see Schedule A). If the Regulatory Commission finds the case proved, an appeal will be allowed only against the level of sanction, and then only if the suspension given is greater than three matches. The procedures set out in Schedule C – "Standard Directions for Appeals against decisions of Regulatory Commissions in relation to: Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (serious foul play, violent conduct, spitting at an opponent or any

other person, offensive, insulting or abusive language or gestures)" will then apply.

- 4.13 Where a Player is charged with Misconduct contrary to Rule E3 of The Association, for a matter on the Field of Play (which falls under Law 12 but was not seen by Match Officials during the period of the game), which the Chief Regulatory Officer (or his nominee) considers would not have resulted in the dismissal of the Player from the Field of Play, disciplinary proceedings shall not follow the course set out in Regulation 4.11 above. Rather, these will be dealt with in accordance with the general disciplinary procedures (see Regulations 4.2 to 4.9).

Incidents outside the jurisdiction of Match Officials but reported to The Football Association

- 4.14 In all cases involving Charges brought under Rule E1 (b) – (f) for a matter which has been brought to the attention of The Association relating to facts or matters on or around the Field of Play, but falling outside the Laws of the Game, the proceedings and the time limits shall be as set out in the "Standard Directions – Incidents outside the jurisdiction of Match Officials but reported to The Football Association" as determined by Council from time to time (see Schedule B). If the Regulatory Commission finds the case proved an appeal may be allowed against the finding and/or the sanction imposed. In event of an appeal the procedures set out in Schedule C - "Standard Directions for Appeals against decisions of Regulatory Commissions in relation to: incidents outside the jurisdiction of Match Officials but reported to The Football Association" will apply.

Exceptional Circumstances

- 4.15 Where the circumstances of a case are such that the Chief Regulatory Officer (or his nominee) or a Participant considers that it would be impractical or unfair for a Charge to be processed in the time limits set out in these Regulations, the Disciplinary Procedures Concerning Field Offences or in any Standard Directions, the Chief Regulatory Officer (or his nominee) or a Participant may apply to the Judicial Panel Chairman (or his nominee) for an order that the relevant time limits be amended, suspended, abridged or dispensed with.
- 4.16 Examples of circumstances in which the processing of a charge would be impractical or unfair within the time limits set out in these Regulations, Disciplinary Procedures Concerning Field Offences or in any Standard Directions are where:
- (a) there is a pending police investigation; or
 - (b) the seriousness or complexity of the matter necessitates a longer period of investigation; or
 - (c) substantial evidence needs to be obtained from non-Participants.

5 Determination on Written Submissions

- 5.1 Where the Alleged Offender states in the Answer that he wishes the matter to be dealt with on written submissions, the Regulatory Commission may dispense with an oral hearing and determine the Charge in the absence of the Alleged Offender and make whatever order it thinks appropriate.
- 5.2 Where the Alleged Offender admits Misconduct in the Answer and wishes it to be dealt with under this Regulation 5, he may set out in the Answer submissions in mitigation.

6 Determination at a Hearing

- 6.1 Where the Alleged Offender states in the Answer that the matter is to be dealt with at a Hearing, the Regulatory Commission will proceed as set out in this Regulation 6, except where cases falling within Regulations 4.11 and 4.13 are concerned. Cases falling within Regulations 4.11 and 4.13 will be determined by the procedure set out in the relevant Standard Directions attached as a Schedule to these Regulations.
- 6.2 References to a party or parties mean The Association and the Alleged Offender.

- 6.3 The Alleged Offender must, if an individual, attend a Hearing of the Regulatory Commission in person. If the Alleged Offender is not an individual, it shall attend through an Officer or Club Official as appropriate, unless otherwise ordered by the Regulatory Commission.
- 6.4 The Association, through the Chief Regulatory Officer, shall nominate an individual or individuals to present the Charge to the Regulatory Commission and call evidence and make submissions in support of the Charge.
- 6.5 The Regulatory Commission may adjourn a hearing for such period and upon such terms (including as to costs of the Regulatory Commission) as it thinks appropriate.
- 6.6 The Regulatory Commission has the power on the application of a party or otherwise to require a Participant to attend before the Regulatory Commission to provide information (in which case questions may be put by the Regulatory Commission and the parties) or to produce documents or records to the Regulatory Commission either before or during a Hearing.
- 6.7 Any Participant appearing before the Regulatory Commission has the right to choose to be represented by any person who may speak on his or its behalf, including a legal representative. In the event that a party is to be represented, the Regulatory Commission must be notified at least seven days in advance of the Hearing of that fact and the identity of the representative.
- 6.8 In any proceedings before a Regulatory Commission, the Regulatory Commission shall not be obliged to follow the strict rules of evidence, may admit such evidence as it thinks fit and accord such evidence such weight as it thinks appropriate in all the circumstances. Where the subject matter of a complaint or matter before the Regulatory Commission has been the subject of previous civil or criminal proceedings, the result of such proceedings and the facts and matters upon which such result is based shall be presumed to be correct and the facts presumed to be true unless it is shown, by clear and convincing evidence, that this is not the case.
- 6.9 The Regulatory Commission may proceed at a Hearing in the absence of the Alleged Offender where it is satisfied that there are no reasonable grounds for the failure to attend and will do so in such manner as it considers appropriate.
- 6.10 In the event of a party failing to comply with an order, requirement, direction or instruction of the Regulatory Commission, it may take any action it considers appropriate in relation to such misconduct and may make an award of costs against the offending party.

7 Decisions

- 7.1 The Regulatory Commission will consider its decision in private, and first consider whether or not the Charge of Misconduct is proved. If it is so proved, then the Regulatory Commission shall inform the person or Club subject to the Charge of this decision and invite them to raise matters in mitigation. However, if the Charge is admitted the Regulatory Commission shall deem it proved and move straight to considering submissions as to mitigation. Having heard such submissions as to mitigation, the Regulatory Commission shall retire to consider the appropriate sanction.
- 7.2 A decision of the Regulatory Commission will (save where stated in these regulations as to be exercised by the chairman of the Regulatory Commission alone) be determined by a majority. Each member of the Regulatory Commission shall have one vote, save that the chairman of the Regulatory Commission shall have a second and casting vote in the event of a deadlock.
- 7.3 The applicable standard of proof shall be the flexible civil standard of the balance of probability. The more serious the allegation, taking into account the nature of the Misconduct alleged and the context of the case, the greater the burden of evidence required to prove the matter.

Announcement of Decision

7.4 The Regulatory Commission shall announce its decision as to whether Misconduct is proved or not as soon as reasonably practicable in such manner as it considers appropriate. Where the decision is reached at a Hearing at which the Alleged Offender is present it should be announced immediately, save where the Regulatory Commission considers it appropriate to act otherwise.

Announcement of Penalty

7.5 After considering any mitigation and the disciplinary record of the Alleged Offender, the Regulatory Commission will announce its decision as to any penalty or order to be imposed as soon as is reasonably practicable and in such manner as it considers appropriate. Where such decision is reached at a Hearing at which the Alleged Offender is present it should be announced immediately, save where the Regulatory Commission considers it appropriate to act otherwise.

8 Penalties

8.1 The Regulatory Commission shall have the power to impose any one or more of the following penalties on the Alleged Offender:

- (a) a reprimand and/or warning as to future conduct;
- (b) a fine;
- (c) suspension from all or any specified football activity from a date that the Regulatory Commission shall order, permanently or for a stated period or number of matches;
- (d) the closure of a ground permanently or for a stated period;
- (e) any order which may be made under the rules and regulations of a Competition in which the Alleged Offender participates or is associated, which shall be deemed to include the deduction of points and removal from a Competition at any stage of any Playing Season;
- (f) expulsion from a Competition;
- (g) expulsion from membership of The Association or an Affiliated Association;
- (h) such further or other penalty or order as it considers appropriate.

8.2 While the Memoranda dealing with disciplinary procedures concerning field offences and offences on or around the Field of Play set out standard sanctions, these sanctions may be increased by the Regulatory Commission where the facts of an individual case so dictate, where a particular act of Misconduct is sufficiently serious that the guideline sanction would not constitute a sufficient penalty for the Misconduct that has taken place.

Suspended Penalty

8.3 The Regulatory Commission may order that a penalty imposed is suspended for a specified period or until a specified event and on such terms and conditions as it considers appropriate.

Drug Rehabilitation and Counselling

8.4 Where a Participant has breached the provisions of any doping control regulations ("a Doping Offence") a Regulatory Commission may order a compulsory period of target testing, rehabilitation and counselling, and attach such conditions as it considers appropriate.

Compensation Orders

8.5 The Regulatory Commission may, where it considers it appropriate, order the Alleged Offender to pay compensation to any Participant ("the Claimant"), instead of or in addition to any penalty or other order.

- 8.6 An order to pay compensation to a Claimant may be for such amount as the Regulatory Commission considers appropriate.
- 8.7 The Regulatory Commission may order compensation only:
- (a) on receipt in advance of its determination of whether or not a Charge has been proved of a written claim by or on behalf of the Claimant setting out the amount claimed and detailed reasons for the claim; and
 - (b) where it is satisfied that the Claimant has suffered loss as a consequence of the Misconduct of the Alleged Offender; and
 - (c) where the Alleged Offender has had an opportunity of seeing the claim in advance and of making submissions to the Regulatory Commission on it.

Costs Orders

- 8.8 (a) Any costs incurred in bringing or defending a Charge will be borne by the party incurring the costs.
- (b) Any costs incurred in relation to the holding of a Regulatory Commission considered by the chairman of the Regulatory Commission to be appropriate (including but not limited to the travel and accommodation of members appointed and any individual carrying out the secretariat functions and the provision of meeting rooms, ancillary rooms, facilities, services and security) may be ordered to be paid in full or part by either party.
- (c) A notice of appeal against a decision of a Regulatory Commission of The Association shall be deemed not to have been lodged unless:
- (i) Either all financial orders, including costs orders, relating to the Participant in question have been paid in full, or
 - (ii) The chairman of the Regulatory Commission has made an order to set aside the relevant financial orders pending the outcome of the Appeal.
- In the event of an appeal being lodged, payments of costs made will be held in escrow by The Association.
- (d) Any appeal against only the quantum of costs awarded shall be heard and determined by a single person appointed by the Sports Dispute Resolution Panel (SDRP) (or similar independent body as determined by The Association from time to time). Such appointed person shall sit alone.

Compliance with Penalties/Orders Imposed

- 8.9 Unless the Regulatory Commission determines otherwise, a penalty or order shall come into effect immediately at the date of the announcement of the decision.
- 8.10 A Regulatory Commission may issue such further order, requirement or instructions as it considers appropriate for the purpose of giving effect to its decision. Where a Regulatory Commission is satisfied that an Alleged Offender has failed to observe or comply with a penalty or order imposed by the Regulatory Commission, it shall have the power to order that the Alleged Offender be suspended immediately from all or any football activity for such period and on such conditions as it considers appropriate. The Regulatory Commission shall consider any such matter in accordance with Regulation 4 (Directions).
- 8.11 A Regulatory Commission shall have the power on application by the Offender to suspend the effectiveness of any order pending the outcome of an appeal made pursuant to the Rules of The Association.
- The obligation of the Alleged Offender to comply with a penalty or order of the Regulatory Commission may be stayed where:
- (a) the Alleged Offender has made a written application to the Regulatory Commission; and

- (b) the Alleged Offender has made an appeal under the Rules against the decision of the Regulatory Commission; and
- (c) the Regulatory Commission had in its absolute discretion allowed a stay.

Payment of Fines and Compensation Orders

8.12 Payment of any fine or compensation shall be made to The Association within 14 days of the date of the written decision unless otherwise ordered. Compensation shall be forwarded by The Association to the person in whose favour the order was made within seven days of receipt by it.

9. Written Statement of Decision

- 9.1 The Regulatory Commission shall as soon as practicable send to the Alleged Offender and the Chief Regulatory Officer (or his nominee), a written statement of its decision, which shall state:
 - (a) the Charge(s) considered and whether admitted or denied;
 - (b) the decision as to whether Misconduct has been proved or not; and
 - (c) any penalty or other order imposed.
- 9.2 The written statement shall be signed and dated by the chairman of the Regulatory Commission and be the conclusive record of the Regulatory Commission's decision. A copy of the written decision shall be forwarded to The Association.
- 9.3 The Regulatory Commission shall, upon the written request of a Senior Compliance Officer (or his nominee) or Alleged Offender lodged with the Secretary of the Regulatory Commission within seven days of the date of the written statement of its decision, state in writing:
 - (a) the findings of fact made by it; and
 - (b) the reasons for its decision finding the Charge(s) proved; and
 - (c) the reasons for any penalty or order.
- 9.4 Participants and The Football Association shall have the right to appeal a decision of a Regulatory Commission to an Appeal Board. Such appeals shall be conducted in accordance with the Regulations for Football Association Appeals. There shall be no further right of challenge in respect of decisions of the Regulatory Commission, which are otherwise final and binding.

10. Waiver of Minor Procedural Irregularities

10.1 Without limitation to the authority of the Regulatory Commission to regulate its own procedure, where at any time in the course of any proceedings, there has been a breach of procedure or failure to follow any direction given, this shall not invalidate the proceedings or its outcome unless the breach has been such as to seriously and irretrievably prejudice the position of the Alleged Offender.

11. Other Proceedings

11.1 The fact that the Participant is liable to face or has pending any other criminal, civil or disciplinary proceedings in relation to the same matter shall not prevent or fetter The Association conducting proceedings under the Rules of The Association.

GUIDANCE NOTES

APPLICATIONS MADE TO REGULATORY COMMISSIONS FOR PRE-HEARING DIRECTIONS

a) General Principles

These are Guidance Notes; they may be deviated from at the discretion of the Regulatory Commission dealing with any given case, if the circumstances of that case so dictate. These Guidance Notes have been prepared in order to facilitate the management of pre-hearing applications and provide a framework within which these matters can be dealt with efficiently and effectively.

It should be noted that applications in respect of "fast-track" cases will be dealt with according to discretionary timescales (as decided by the Regulatory Commission) in order to expedite the process.

b) Applications

Any party to a Football Association charge (or the representative thereof) may apply for a pre-hearing where directions may be sought from the Regulatory Commission in relation to specific aspects of a case (e.g. the admissibility of evidence, the need to co-opt witnesses etc).

An application for a pre-hearing must be sent in writing to the Judicial Panel Chairman (or his nominee), by fax or post. This shall set out a summary of the basis of the application.

An application for a pre-hearing may be made at any time during the conduct of a matter (i.e. after a charge has been preferred by The Football Association), subject to the proviso that it must be made as soon as practicable, and in any case no later than 10 working days prior to the full hearing date.

c) Submissions

Following the application for a pre-hearing, the party making the application (the Applicant) must provide written submissions in support of the application, which will be put before a Regulatory Commission. These submissions must be made within 3 working days of the application, and must be sent in writing to the Judicial Panel Chairman (or his nominee) (by fax or post).

d) Responses

The other party to proceedings (the Respondent) will have the right to respond to any matters raised in the submissions put forward by the Applicant. The Respondent shall have at least 2 working days to provide responses prior to the pre-hearing itself. These responses must be submitted in writing to the Judicial Panel Chairman (or his nominee).

e) Pre-hearing

Upon receipt of an application for a pre-hearing, the Judicial Panel Chairman (or his nominee) shall, without delay:

- (i) Confirm with the chairman of the Regulatory Commission (if such a Commission is appointed) that the matter(s) upon which the application is based is/are valid and eligible to be put before a Regulatory Commission for pre-hearing directions;
- (ii) It shall be at the discretion of the chairman of the Regulatory Commission or the Judicial Panel Chairman (or his nominee) as the case may be to decide whether the application should be dismissed summarily, dealt with at the main Regulatory Commission hearing or placed before a Commission for pre-hearing directions;
- (iii) Make arrangements for the hearing location etc and provide details of the arrangements to all parties concerned;
- (iv) Circulate the documentation submitted by both sides to all concerned.

The following procedures shall be followed at the pre-hearing Regulatory Commission unless the Commission thinks it appropriate to amend them:

- (i) A summary of the matter submitted for pre-hearing directions will be put forward by the Applicant. The Respondent will then put forward a summary of the points to be raised on its behalf;
- (ii) All relevant information, of which notice will have been given, to be presented on behalf of the Applicant;
- (iii) All relevant information, of which notice will have been given, to be presented on behalf of the Respondent;
- (iv) Each party shall have the opportunity to put questions in respect of the matters presented by the other party, and the Regulatory Commission may question parties at any time;
- (v) In conclusion, the Applicant and the Respondent in that order may make closing submissions;
- (vi) The Regulatory Commission will decide how best to deal with the matters raised and make their decision known to both parties.

Note that, in general, live evidence will not be admissible at pre-hearings.

f) Decisions

A decision of a pre-hearing Regulatory Commission shall be final and binding and there shall be no right of further challenge.

The pre-hearing Regulatory Commission shall have power to:

- (i) Allow or dismiss the application in full or in part;
- (ii) Make such further or other order as it considers appropriate.

g) Representation

Parties have the right to be present and/or represented at a pre-hearing Regulatory Commission. In the event that either party wishes to be represented, this fact, together with the identity of any representative, shall be submitted at the same time as the application or response (as relevant), as set out in (b) and (d) above.

A pre-hearing Regulatory Commission may also be heard on the basis of written submissions only, should the Applicant and Respondent not wish to be present or represented. However, the decision to be present at a pre-hearing rests with each party individually.

h) Regulatory Commissions

Subject to the Terms of Reference of the Judicial Panel in force from time to time, the Judicial Panel Chairman has absolute discretion over the selection of members for the pre-hearing Regulatory Commission. For the avoidance of doubt, it shall be acceptable for a pre-hearing Regulatory Commission to comprise any of the same members as the full hearing (indeed in certain cases it may be expressly recommended). Neither the Applicant nor Respondent (nor their representative(s)) shall have the right to apply to the Judicial Panel Chairman in this regard.

i) Costs

Any costs incurred in bringing, or responding, to a pre-hearing application shall be borne by the party incurring the costs. Any costs incurred in relation to the convening and conduct of the pre-hearing Regulatory Commission may be ordered by the Regulatory Commission to be paid by either party.

REGULATIONS FOR FOOTBALL ASSOCIATION APPEALS**Commencement of Appeal**

- 1.1 An appeal shall be commenced by lodging a notice of appeal ("the Notice of Appeal") with The Association.
- 1.2 The Notice of Appeal shall be lodged within 14 days of the date of notification of the decision appealed against. In the case of an appeal from a decision of a Regulatory Commission, the date of notification of the decision shall be the date of the written decision or, if applicable, the date of the written reasons for the decision. In relation to any other decision, the relevant date shall be the date on which it was first announced.
- 1.3 The Notice of Appeal must:
 - (1) identify the specific decision(s) being appealed;
 - (2) set out the ground(s) of appeal and the reasons why it would be substantially unfair not to alter the original decision;
 - (3) set out a statement of the facts upon which the appeal is based;
 - (4) save for where the Appellant is The Football Association, in which case no deposit will be payable, be accompanied by any deposit prescribed by the relevant Rules of The Association or Regulations. Where an appeal is lodged by fax, the deposit must be received not later than the third day following the day of despatch of the fax (including both the day of despatch and receipt);
 - (5) where appropriate, apply for leave to present new evidence under 2.6 below.
- 1.4 The grounds of appeal, available to Participants and The Association, shall be that the body whose decision is appealed against:
 - (1) misinterpreted or failed to comply with the rules or regulations relevant to its decision; and/or
 - (2) came to a decision to which no reasonable such body could have come.
- 1.5 In addition:
 - (1) Participants only, may appeal on the grounds that the penalty, award, order or sanction imposed is excessive;
 - (2) The Association only, may appeal on the grounds that the penalty, award, order or sanction imposed was so unduly lenient as to be unreasonable.
- 1.6 Once an appeal has been commenced, it shall not be withdrawn except by leave of the Appeal Board, with such order for costs as the Appeal Board may consider appropriate.

Appeal Proceedings

A deposit of £100 is required for appeals against decisions of Regulatory Commissions of The Association and the Safeguarding Review Panel, and £50 for appeals against decisions of Disciplinary Commissions of Affiliated Associations.

- 2.1 An Appeal Board shall proceed as set out below.
- 2.2 Reference to a party or parties means:
 - (1) the appellant (the "Appellant"); and
 - (2) the respondent (the "Respondent"), which shall be either the Participant or The Association in the case of an appeal against a decision of the Regulatory Commission, or the Affiliated Association or Competition whose decision is appealed against (the "Respondent").
- 2.3 The Association, whether acting as Appellant or Respondent, shall nominate an individual or individuals to represent it before the Appeal Board.
- 2.4 The Respondent shall serve a written reply to the Notice of Appeal (the "Reply") on an Appellant and the Appeal Board within 21 days of the lodging of the Notice of Appeal. Where appropriate, the Reply must include any application for leave to present new evidence under 2.6 below.

- 2.5 The parties shall be entitled to make oral submissions to the Appeal Board but an appeal shall be by way of a review on documents only, without oral evidence, except where the Appeal Board gives leave to present new evidence under 2.6 below.
- 2.6 The Appeal Board shall hear new evidence only where it has given leave that it may be presented. An application for leave to present new evidence must be made in the Notice of Appeal or the Reply, setting out the nature and the relevance of the new evidence, and why it was not presented at the original hearing. Save in exceptional circumstances, the Appeal Board shall not grant leave to present new evidence unless satisfied with the reason given as to why it was not, or could not have been, presented at the original hearing and that such evidence is relevant. The Appeal Board's decision shall be final.
- 2.7 The chairman of an Appeal Board may upon the application of a party or otherwise, give any instructions considered necessary for the proper conduct of the proceedings, including but not limited to:
- (1) extending or abridging any time limit;
 - (2) amending or dispensing with any procedural steps set out in these Regulations;
 - (3) instructing that a transcript be made of the proceedings;
 - (4) ordering parties to attend a preliminary hearing;
 - (5) ordering a party to provide written submissions. The decision of the chairman of the Appeal Board shall be final.
- 2.8 The Appeal Board may adjourn a hearing for such period and upon such terms (including an order as to costs) as it considers appropriate.
- 2.9 The Appellant shall prepare a set of documents which shall be provided to the Appeal Board and Respondent at least seven days before the hearing and which shall comprise the following (or their equivalent):
- (1) the Charge;
 - (2) the Answer;
 - (3) any documents or other evidence referred to at the original hearing relevant to the appeal;
 - (4) any transcript of the original hearing;
 - (5) the notification of decision appealed against and where they have been given the reasons for the decision;
 - (6) any new evidence;
 - (7) The Notice of Appeal;
 - (8) The Reply.
- Where the Regulatory Commission or other body appealed against has not stated the reasons for its decision, either
- (i) the Appellant shall request written reasons from that body which shall be provided to the Appeal Board; or
 - (ii) the Appeal Board shall require that a member of the body that made the decision shall attend (in which case, questions may be put by the Appeal Board at a hearing to satisfy itself as to the reasons for the decision. Cross-examination by the Appellant or Respondent shall not be permitted. Representations may be made by the parties to the Appeal Board who may then put questions to the member of the body that made the decision).
- 2.10 Appeal hearings shall be conducted how, when and where the Appeal Board considers appropriate. Reasonable notice shall be given by the Appeal Board of the date, time and venue of the appeal.
- Where an application to present new evidence has been made, the party making the application shall address the Appeal Board in support of the application and the other party may respond; the Appeal Board shall then determine whether or not it will receive the new evidence. The following procedures shall be followed at an appeal hearing unless the Appeal Board thinks it appropriate to amend them:

- (1) The Appellant to address the Appeal Board, summarising its case;
 - (2) Any new evidence to be presented by the Appellant;
 - (3) The Respondent to address the Appeal Board, summarising its case;
 - (4) Any new evidence to be presented by the Respondent;
 - (5) Each party to be able to put questions to any witness giving new evidence;
 - (6) The Appeal Board may put questions to the parties and any witness giving new evidence at any stage;
 - (7) The Respondent to make closing submissions;
 - (8) The Appellant to make closing submissions.
- 2.11 The Appeal Board shall proceed in the absence of any party, unless it is satisfied that there are reasonable grounds for the failure of the party to attend, and shall do so in such manner as it considers appropriate.
- 2.12 The Appeal Board may, in the event of a party failing to comply with an order, requirement or instruction of the Appeal Board, take any action it considers appropriate, including an award of costs against the offending party.

Appeal Board Decisions

- 3.1 A decision, order, requirement or instruction of the Appeal Board shall (save where to be made under the Rules of The Association by the chairman of the Appeal Board alone) be determined by a majority. Each member of the Appeal Board shall have one vote, save that the chairman shall have a second and casting vote in the event of deadlock.
- 3.2 A decision of the Appeal Board shall be final and binding and there shall be no right of further challenge.
- 3.3 The Appeal Board shall have power to:
- (1) allow or dismiss the appeal;
 - (2) exercise any power which the body against whose decision the appeal was made could have exercised, whether the effect is to increase or decrease any penalty, award, order or sanction originally imposed;
 - (3) remit the matter for re-hearing;
 - (4) order that any deposit be forfeited or returned as it considers appropriate;
 - (5) make such further or other order as it considers appropriate, generally or for the purpose of giving effect to its decision.

Costs

- 3.4 Any costs incurred in bringing, or responding to, an appeal shall be borne by the party incurring the costs. Any costs incurred in relation to the Appeal Board, including travel, accommodation and room hire, may be ordered by the Appeal Board to be paid by either party.

Announcement of Decision

- 3.5 The Appeal Board shall announce its decision to the parties as soon as practicable in such a manner as it considers appropriate; and unless it directs otherwise, its decision shall come into effect immediately.

Written Decision

- 3.6 As soon as practicable after the hearing, the Appeal Board shall publish a written statement of its decision, which shall state:
- (1) the names of the parties, the decision(s) appealed against and the grounds of appeal;
 - (2) whether or not the appeal is allowed; and
 - (3) the order(s) of the Appeal Board.
- The written statement shall be signed and dated by the chairman of the Appeal Board and be the conclusive record of the decision.
- 3.7 The Appeal Board shall, upon the request of the Appellant or the Respondent (such request to be received at The Association within five days of the date of the announcement of the decision), give written reasons for the decision.

MEMORANDUM OF PROCEDURES**FOR DEALING WITH MISCONDUCT OCCURRING BEFORE, DURING OR AFTER MATCHES
AND COMMITTED BY PLAYERS OF CLUBS DEALT WITH BY COUNTY AND OTHER
AFFILIATED ASSOCIATIONS BUT NOT BY THE FOOTBALL ASSOCIATION
(Except for Teams playing at Step 5 & 6 of the National League System and The FA Women's
Premier League)**

This Memorandum cites procedures as they apply exclusively to Participants who are acting as Players when reported. For offered Standard Punishments, accepted allegations or for Personal Hearings found proved, the outcome will normally entail a Fine and a total or conditional suspension from playing.

Save for serious or repeated proved misconduct, Participants offending in a capacity other than as Players in a match should not be suspended but be subject to any of a reprimand, a warning as to future conduct, a written undertaking not to repeat, a touch-line ban for a period of time, and a Fine (active or suspended for a given period), together with costs in proved guilty cases.

PART I**1. Definitions**

- 1.1 In this Memorandum the words "the Association" refer to the appropriate County or other Affiliated Association, the words "the Association Secretary" mean and include any person nominated to discharge a part of the regulatory and disciplinary administration of the Association as well as its actual secretary and Disciplinary Commission means a commission established by the appropriate Affiliated Association.
- 1.2 Wherever gender is referred to in this Memorandum, either shall be inferred, as relevant.
- 1.3 All written communications from a player to the Association Secretary must be sent by the secretary of the player's club unless the player is no longer registered with the club.
- 1.4 Every Association must set out in its rules or regulations a copy of these procedures, which are to be followed after a player has been cautioned or dismissed from the Field of Play while playing in a match for a club or a particular team of a club not dealt with by The Football Association.
- 1.5 (a) A "child" means a person who at the date of the relevant match was under the statutory school-leaving age and throughout these regulations full-time education refers to a child who is of compulsory school age or who is over the school-leaving age but is under the age of 18 and is for the time being attending a school or in full-time education in an establishment of further education.
- 1.5 (b) Financial penalties for misconduct must not be imposed on a child (Sections 5.2, 6.3 & 7.2 and 13.3). Where a Standard Punishment or Regulatory Commission decision includes any financial element then the player's club is liable for the sum imposed.
- 1.6 Wherever "written" or "letter" is referred to in this Memorandum this is deemed to include communication by fax or e-mail. Where an Association chooses to communicate by fax or e-mail it must take all reasonable steps to ensure that the address or fax number used is current.
- 1.7 This Memorandum supersedes all previous versions and is effective from 1st July 2004 until further notice.

1.8 The term "suspension" in this Memorandum means the suspension is from playing football ONLY and any other sanction required for the period of suspension must be specified in the decision letter forwarded to the Participant.

1.9 Permanent Suspension means no review to be considered under a period of 10 years.

2. Timing

Disciplinary procedures shall commence no later than 90 days, and the outcome determined no later than 180 days from receipt of the report of alleged misconduct, or otherwise be void. If deemed reasonable, any period of delay requested or caused by the Participant will not count towards the 90/180 days. The Association must use due diligence to charge and/or finalise cases within that period of time and must conform with the requirements set out in Part I of this Memorandum, subject to the effects of the adoption by the Association of any of the alternative and optional powers set out in Part II.

3. Administrative Procedures

An Association may reserve the right not to process a caution if the report is deemed to be invalid for any reason.

4. General

4.1 Without prejudice to the foregoing provisions of Part I of this Memorandum, an Association shall have the power to delegate to The Football Association or to another Affiliated Association its powers and duties to investigate and/or adjudicate in cases where it may be advantageous so to do.

4.2 If a referee omits to show the appropriate card when taking action against a player, this does not nullify the caution or sending-off offence. However, the attention of the referee should be drawn to the correct procedure.

4.3 A Participant consents to abide by the Laws of the Game, the Rules and Regulations of The Football Association or an affiliated Association and to reasonable proportionate disciplinary action when playing the game. The issue of a caution is a decision based on a question of fact on the Field of Play upon which the Referee's decision is final. The recording of the caution and the consequences that flow are both reasonable and proportionate. Cautions not being the subject of appeal do not breach the Human Rights Act 1998.

4.4 Recommended punishments are to be used in Sections (5 and 6) below when offering a punishment and as a guide only when dealing with cases under Section 7. When a player is dealt with by a Disciplinary Commission cases must be dealt with on their merits and a punishment awarded consistent with the overall nature and effect of the offence(s); also the player's record of misconduct over the current and previous five seasons.

4.5 Associations may, at their discretion, offer suspension periods that are split to avoid suspending players over the summer months. The start and end dates of the time period where players will not be suspended will be determined by the Association. However the start date for the period must fall on a Monday and the end date for the period must be a Sunday. This clause shall not apply to *sine die* suspensions.

5. Caution Offences

5.1 Subject to the provisions of Part I Section 3, upon receiving a report from a referee that he has cautioned a player for a violation of the Laws of the Game, the Association Secretary must:-

5.2 Send an acknowledgement to the referee and send to the secretary of the club for which the player was playing at the time a written notification that the caution has been recorded. An order must be made for the player or his club to pay an administration charge of £8 within 14 days of the date on the written notification. Where a child is concerned the club for which he is playing at the time of the offence must pay the £8 charge.

5.3 It is the duty of the club secretary and the player, within 14 days of the date stated on the notification, to ensure that the Association Secretary receives the completed player reply form with such information that includes: -

- (a) The full name and address of the player.
- (b) His date of birth (and other personal identification data requested).
- (c) The name of each club for which he is currently registered and was registered in the previous two seasons.
- (d) The signature of the player concerned.
- (e) The names of any school, college or other educational establishment currently attended.

If the player is not available to sign the pro-forma document, the club should complete and return it indicating the reason for the non-completion together with the administration fee and confirmation as to whether or not the player has been made aware of the contents. Any suspension order resulting from failure to comply with 5.3 (a)–(e) above shall be on the club and the individual player, subject to Section 11 below.

5.4 A player will not be permitted to request a "Review" in respect of an individual caution except in the case of a claim of mistaken identity. Any such claim must be lodged in writing with the Association Secretary within 14 days of the match - by both the club and the player alleging mistaken identity - giving particulars upon which the Claim is founded. The player admitting the offence must agree to the club submitting the claim. If the chairman of the Disciplinary Committee and/or the Association Secretary are satisfied that the claim warrants further investigation, a Disciplinary Commission of not less than three nor more than five members must be appointed to deal with the matter. If the members of the Disciplinary Commission are satisfied that mistaken identity has been proved, the record of the offence will be transferred to the appropriate offender, who may be subject to disciplinary action in accordance with the provisions of the current procedures, if applicable. If the Disciplinary Commission is not satisfied that mistaken identity has been proved the caution will be recorded on the original player's record.

5.5 Recommended Punishments (*Law 12 Caution Offences*)

	<i>Penalty Points</i>
Unsporting behaviour	1
Dissent by word or action	1
Persistently infringe the Laws of the Game	1
Delay the restart of play	1
Fail to respect the required distance when play is restarted with a corner kick or free kick or throw in	1
Enter or re-enter the field of play without the permission of the Referee	1
Deliberately leave the field of play without the permission of the referee	1

6. **Sending Off Offences**

- 6.1 Subject as provided by Part I Section 3 of this Memorandum, upon receiving a report from the referee that he has dismissed a player from the Field of Play for misconduct, the Association Secretary must: -
- 6.2 Send an acknowledgement to the referee and send to the secretary of the player's club a copy of the referee's report together with a letter offering a punishment in accordance with section 6.6 (below) and the appropriate fine and the suspension period. Copies of assistant referees' reports need not be sent unless either was a direct witness of the incident concerned.

- 6.3 An order must be made for the player or his club to pay an administration charge of £8, within 14 days of the date on the letter informing him of the offered punishment. Where a child is concerned the club for which he is playing at the time of the offence must pay the £8 charge.
- 6.4 Upon receiving from the Association Secretary a notification that a player of his club has been offered a punishment for an alleged offence the club secretary must convey it with the referee's report to the player concerned. It is the duty of the club secretary and the player to acknowledge receipt of the notification within 14 days of the date stated on it, and to ensure that the Association Secretary receives the acknowledgement form fully completed with such information (that includes):
- The full name and address of the player;
 - His date of birth (and other personal identification data);
 - The name of each club for which he is currently registered and was registered in the previous two seasons;
 - The signature of the player concerned;
 - The names of any school, college or other educational establishment currently attended.
- 6.5 In the event that a player does not accept the offer of the recommended punishment, as determined from time to time by The Football Association, he can:-
- Request a Personal Hearing to rebut the charge. An application for a personal hearing must include written reasons for the personal hearing together with the estimated number of witnesses to attend the hearing for time management purposes. A personal hearing cannot be declined because of the reasons submitted in this instance (see Section 13).
 - Submit a written plea for leniency, setting out any mitigating factors that the player wishes to be considered.
- Option (b) entails acceptance of the report(s) on which the charge is based, and a Commission of not less than three nor more than five members will be appointed to consider the plea for leniency made by the player.

6.6 Recommended Punishments

	<i>Suspension (days)</i>	<i>Fine (£)</i>	<i>Penalty Points</i>
(a) Serious foul play	21	15	3
(b) Violent Conduct	35	25	4
(c) Attempting to kick or strike another player	21	15	3
(d) Kicking or striking another player	35	25	4
(e) Violent head to head butting	112	75	7
(f) Attempting to head butt	21	15	3
(g) Head to head contact	42	30	4
(h) Spitting or similar unseemly behaviour directed at an opponent or any other person (not at a match official)	112	50	4
(i) Denying a goal or an obvious goal scoring opportunity by physical means or by deliberately handling the ball	7	15	2
(j) Use of offensive or insulting or abusive language or gestures	14	15	2
(k) Use of offensive or insulting or abusive language or gestures directed at match officials	35	25	4
(l) Receiving a second caution in the same match	7	15	2

7. Breaches of Rules E3 or E4 of The Rules of The Football Association

- 7.1 Upon receiving a referee's report that he has dismissed a player from the Field of Play for misconduct (that is outside the scope of Sections 6.6) for which no recommended punishment is available or is misconduct deemed by the Association to be of a serious nature, and committed before, during or after a match, the Association Secretary must:-
- 7.2 Send an acknowledgement to the referee and send to the secretary of the club for which the player was playing at the time, a copy of the referee's report accompanied by a written notification detailing the offence(s) that the player is alleged to have committed. Copies of assistant referees' reports need not be sent unless either official was a direct witness of the incident concerned. An order must be made for the player or his club to pay an administration charge of £8 within 14 days of the date on the written notification of a charge. Where a child is concerned the club for which he is playing at the time of the offence must pay the £8 charge. *(The administration charge is not applicable in cases of misconduct that have been raised in addition to a standard offer of punishment from a single Referee report.)*
- 7.3 Upon receiving the notification from the Association Secretary that one of the players of his club has been charged with misconduct for an alleged offence the club secretary must convey it with the referee's report to the player concerned. It is the duty of the club secretary and the player to acknowledge receipt of the notification within 14 days of the date stated on it and to ensure that the Association Secretary receives the acknowledgement form fully completed with such information (that includes):
- (a) The full name and address of the player;
 - (b) His date of birth (and other personal identification data);
 - (c) The name of each club for which he is currently registered and was registered in the previous two seasons;
 - (d) The signature of the player concerned;
 - (e) The names of any school, college or other educational establishment currently attended.
- 7.4 In the event that a player does not accept his guilt of an offence as charged by the Association, he can:-
- (a) Request a Personal Hearing to rebut the charge. An application for a personal hearing must include written reasons for the personal hearing together with the estimated number of witnesses to attend the hearing for time management purposes. A personal hearing cannot be declined because of the reasons submitted in this instance (see Section 13).
 - (b) Submit a written plea for leniency, setting out any mitigating factors the player wishes to be considered.
- Option (b) entails acceptance of the report(s) on which the charge is based, and (in either case) a Disciplinary Commission of not less than three nor more than five members will be appointed to consider the plea for leniency made by the player.*
- 7.5 **Recommended Punishments**
- Guide to other recommended punishments for further same game offences following charges under Rules E3 and/or E4 of The Rules of The Football Association.

Offences under Rule E3 of The Association	<i>Suspension (days)</i>	<i>Fine (£)</i>	<i>Penalty Points</i>
(a) Refusing to give name or giving a false name to the referee when ordered to do so	21	£30	4
(b) Refusing to leave the Field of Play when ordered to do so	42	£30	4
(c) and/or causing the match to be abandoned	112	£75	5
(d) causing the match to be abandoned (Club Charge)	Minimum	£50	5
(e) Improper or insulting behaviour towards match officials	112	£75	5

7.6 Offences under Rules E3 or E4 of The Rules of The Football Association

Disciplinary Commissions' Guide to recommended ranges of additional punishments following Charges under Rules E3 and E4 of the Rules of The Football Association.

(a) Not acting in the best interests of the game	
(b) Acting in a manner that is deemed to be improper	Punishment at the discretion of a Disciplinary Commission
(c) Bringing the game into disrepute	
(d) Violent conduct or serious foul play – considered to be of a serious nature	Each a minimum of 35 days up to a maximum of 84 days suspension and also £75 fine. <i>Penalty Points to be decided by the Disciplinary Commission</i>
(e) Use of threatening words/gestures	
(f) Threatening and insulting behaviour	
(g) Use of abusive words/gestures – considered to be mid-range	Each a minimum of 21 days up to a maximum of 56 days suspension and also £50 fine. <i>Penalty Points to be decided by the Disciplinary Commission</i>
(h) Abusive behaviour	
(i) Use of indecent words/gestures	
(j) Indecent behaviour	
(k) Use of insulting words/gestures – considered to be less serious	Each a minimum of 7 days up to a maximum of 28 days suspension and also £30 fine. <i>Penalty Points to be decided by the Disciplinary Commission</i>
(l) For any offence under 7.6 where an Aggravating Factor* has been accepted or proved. *An Aggravating Factor is defined in Rule E3(2) as where a breach of Rule E3(1) includes a reference to any one or more of a person's: (a) ethnic origin (b) colour (c) race (d) nationality (e) faith (f) gender (g) sexual orientation (h) disability	For a first offence – the suspension and fine to be doubled, and for a second offence be trebled. Any subsequent offence proved should result in a substantial period of suspension from all football and football activities together with a fine of not less than £200.

7.7 Offences under Rule E4 of The Football Association

Proved guilty of an act of discrimination by reason of:

- (a) ethnic origin
- (b) colour
- (c) race
- (d) nationality
- (e) faith
- (f) gender
- (g) sexual orientation
- (h) disability

Any punishment to be imposed for an action that is proved to be one of discrimination must be at the discretion of the Commission dealing with the matter and based on Section 4.4 above.

8. Continuing (and Club Aggregate) Misconduct**8.1 Continuing Misconduct**

8.2 An Association will bring a charge under Rule E3 of The Football Association if a Participant is not acting in the best interests of the game when he has been disciplined for a sending off offence and/or a breach of Rules E3 and/or E4 of The Rules of The Football Association on more than one occasion in the same season (in different matches). The Participant will receive the automatic punishments applicable for the offence as determined by The Football Association. There is no right of appeal or entitlement to enter a plea for leniency for these charges. When dealing with such cases of continuing misconduct a Disciplinary Commission considering what penalty to impose must take into account the punishments that were imposed for the offences.

8.3 (a) A player who has five or ten cautions recorded against him in the same season will receive the automatic punishment applicable for the offence as determined from time to time by The Football Association. There is no right of appeal or entitlement to enter a plea for leniency for these charges.

(b) A player who has already been the subject of disciplinary action as a result of accumulating five and then ten cautions in the season will be subject to a charge under Rule E3 of The Football Association for every additional five cautions recorded in the season, in that he is not acting in the best interests of the game.

8.4 Prior to any punishment imposed in 8.3(b) above, a player has the right to submit a WRITTEN PLEA for leniency to be presented to a Disciplinary Commission.

8.5 Automatic Punishments

	<i>Suspension (days)</i>	<i>Fine (£)</i>	<i>Penalty Points</i>
(a) 5 Cautions in a season – between the opening and last day of the season	7	10	0
(b) 10 Cautions in a season – between the opening and last day of the season.	7	10	0
(c) After each further 5 Cautions	Charge with Continuing Misconduct		
(d) 2 sending offs and/or breach of FA Rules (E3 and/or E4) in same season in different matches	7	15	0
(e) 3 sending offs and/or breach of FA Rules (E3 and/or E4) in same season in different matches	Charge with Continuing Misconduct and instruct to appear before a commission		
(f) 4 or more sending offs and/or breach of FA Rules (E3 and/or E4) in same season in different matches	Charge with Continuing Misconduct and instruct to appear before a commission		

8.6 Aggregate Misconduct (Clubs)

8.7 Associations may, at their option, use a penalty points based system to punish clubs whose misconduct is deemed excessive. If the Association chooses to punish clubs for Aggregate Misconduct they must use a system that conforms to these Regulations.

8.8 Penalty points for Cautions and Standard Punishments are listed against the relevant offences in these Regulations. Disciplinary Commissions must, if they find the charge proved, allocate an appropriate number of disciplinary points to the case in addition to any fine, costs and suspension.

8.9 These points are effective once the case:

- (a) is reported for Cautions;
- (b) is accepted or out of time to request a hearing for standard punishments (unless a hearing has been requested);
- (c) has had a hearing for cases having hearings (unless an appeal is requested);
- (d) has had an appeal for cases going to appeal;

Penalty points must not be awarded to charges found not proved.

8.10 Penalty points work on a seasonal basis, with points being included in clubs' totals for offences committed between the first and last days of the season, on an inclusive basis. Points must not be carried forward from one season to the next.

8.11 Misconduct dealt with by The Football Association must not be included in the penalty points totals.

8.12 Sanctions should be imposed at three stages, each incurring an Administration Charge, currently set at £10.

8.13 The number of points allowed for each stage (the Threshold), must be related to the number of teams that each club possesses.

8.14 Associations may make allowances in the number of teams that a club is deemed to have for Aggregate Misconduct, to reflect clubs whose disciplinary cases are handled by The Football Association. This is to prevent such clubs gaining an unfair advantage.

8.15 Recommended Points Allowances per Club per Season						Each Additional team
No of teams	1	2	3	4	5	
Stage I	25	48	69	88	105	20
Stage II	50	96	138	176	210	40
Stage III	75	144	207	264	315	60

8.16 Recommended Fines for Exceeding a Threshold

- (a) For exceeding Stage I £25 plus an Administration Fee
- (b) For exceeding Stage II £50 plus an Administration Fee
- (c) For exceeding Stage III £100 plus an Administration Fee

Associations may vary Fines and Thresholds at their Discretion.

8.17 Clubs that significantly exceed Stage III should be subject to further disciplinary action.

8.18 The Disciplinary Commission shall have the power to impose or recommend as appropriate, any one or more of the following penalties on the offending club:

- (a) a reprimand and/or final warning as to future conduct;
- (b) a further fine;
- (c) suspension from all or any specified football activity from a date that the Disciplinary Commission shall order, permanently or for a stated period or number of matches;

- (d) expulsion from a competition of the appropriate Association;
- (e) expulsion from membership of the appropriate Association;
- (f) such further or other penalty or order as the Disciplinary Commission considers appropriate.

9. Assaults on Match Officials

The following Regulations shall apply at all levels of the game (*excluding the 6 designated Leagues*):

- 9.1 In addition to assisting a match official who has reported an assault against him, The Football Association or appropriate Association shall without delay investigate the match official's report and if, after such investigation, the chairman and secretary of the Association or their nominees are satisfied that a prima facie case can be made out against the alleged offender they shall take such steps as are necessary to ensure that a charge is preferred and that a Disciplinary Commission meets to consider the charge within 28 days of (the date of) the charge letter. The alleged offender shall not participate in any football activity from the date when he is notified of the charge, until a Disciplinary Commission has heard and adjudicated on the matter.
- 9.2 There shall be three categories of assaults:
 - (a) COMMON ASSAULT
 - (b) ASSAULT CAUSING BODILY HARM
 - (c) ASSAULT CAUSING SERIOUS BODILY HARM
- 9.3 All assaults on match officials in the above three categories must be reported to The Football Association within 14 days of the completion of a case that has been proved, giving the decision of the Disciplinary Commission together with any reason for variation of the recommended punishments set out in 4 below. (If a match official who has reported a participant for an assault upon his person makes a written request for the decision and punishment awarded such must be made available to him at the earliest opportunity).
- 9.4 Recommended punishments for a person found guilty of an assault upon a match official are as follows (and cover football at all levels of the game):

(a) (i) Common Assault	182 days suspension plus a £150 fine
(ii) Common Assault by way of spitting at or on a Match Official	1 year suspension plus £150 fine
(b) Assault causing or attempting to cause bodily harm	<i>Sine die</i> suspension with no bodily review to be considered under a period of 5 years plus £250 fine
(c) Assault causing serious bodily harm	Permanent suspension (see Section 1.9)

10. Assaults by Participants on other Participants

- 10.1 When a referee's report indicates that a Participant has perpetrated an assault on another Participant causing serious bodily harm before, during or after a match, The Football Association or appropriate Affiliated Association may, as in cases of assaults on match officials, without delay investigate the official's report. If after such investigation, the chairman and secretary of the Association, or their nominees, are satisfied that a prima facie case can be made out against the alleged offender, such steps shall be taken as are necessary to ensure that a charge is preferred and that a Disciplinary Commission meets to consider the charge within 28 days of the date of the charge letter. The alleged offender shall not participate in any football activity from the date when he is notified of the charge until a Disciplinary Commission has heard and adjudicated on the matter.

10.2 The recommended punishments for such offences are set out below: -

Offender	
(a) Player	A suspension for a minimum of 140 days plus £150 fine for a first offence but, depending on severity, <i>sine die</i> with no review for five years.
(b) Club official	As for (a) above but: <ul style="list-style-type: none"> (i) If on a player or other official but not a match official; suspension from all football and football activities (ii) If on a Match Official – section 9 above will apply.
(c) Match official	As for Match Officials assaulted by a Player. But a recommendation will be made to the relevant Referees' Committee that the registration be removed and no request for reinstatement will be allowed until the suspension has been completed or removed.

11. Failure to Comply

11.1 When the provisions above are not complied with, the player's right to a Personal Hearing or to make a plea for leniency is forfeited and the Disciplinary Commission may deal with the reported misconduct on such evidence as is available.

11.2 Failure on the part of the player or his club secretary to discharge any of the requirements set out at clauses in Sections 5, 6 and 7 above may constitute misconduct, which may result in a further charge against the player, his club, or both. (In any case, a late fine, currently £20, will be levied in addition to the original charge and a further 7 days given to respond to the charge. Failure to respond within the 7 days will result in a further Late Fine of £20 and the Club and Player being suspended after a further 7 days until the provisions above have been complied with). Any punishment imposed for failure to comply will be limited to a financial penalty if the fault of the club, but may include suspension of the player where it is the player's fault.

11.3 When dealing with compliance issues the Association must consider the following:-

- (a) whether the player has responded to his club;
- (b) whether the club has failed to pass on his reply;
- (c) whether the club has informed the Association that the player has failed to respond;
- (d) whether the player has left the club.

12. Suspension pending Misconduct Hearing

12.1 The appropriate (Affiliated) Association shall have the power, in consultation with The Football Regulatory Authority, to order that an Official of a Club affiliated to or a Player registered with that Association, and not one associated with the 6 designated Leagues, shall be suspended from all or any specific activity for such period and on such terms and conditions as agreed by The Football Association and the Association considers appropriate (an "Interim Suspension Order").

12.2 The Interim Suspension Order shall apply when the Club Official or Player has been charged by the Affiliated Association in relation to an alleged act of serious misconduct, or with a criminal offence, or by a League sanctioned by the Affiliated Association or The Football Association in connection with disciplinary action pursuant to relevant regulations of the League.

12.3 As soon as reasonably practicable notification of an Interim Suspension Order shall be advised to the Player and/or the Club and will be lifted when the charge of misconduct is dealt with by a Disciplinary Commission or the criminal charges are withdrawn or found not to have been proved.

13. Personal Hearing

(See also: General Provisions relating to Inquiries, Commissions of Inquiry, Regulatory Commissions of The Association and Other Disciplinary Commissions and Appeal Boards; and Disciplinary Procedures to be used at Personal Hearings before Disciplinary Commissions requested by Participants of Clubs and Clubs dealt with by County and Other Affiliated Associations).

- 13.1 The notification indicating a charge must inform the player of the right to request a Personal Hearing in respect of the alleged offence and must also indicate that in the event of the charge being proved there will be a liability to be ordered to pay all or part of the costs of the Personal Hearing, which costs may include a part of the overhead expenses of the Association attributable to the hearing. Similarly, in cases where the rules or regulations of the Association require the deposit of a fee for a Personal Hearing, (as determined by the Council - currently £25) at the time of such request the player must be informed that the fee is liable to be forfeited in full or in part if the charge is proved, in addition to any fine which may be imposed. In an unproved case neither a fee may be retained, nor may Disciplinary Commission costs be levied, either for a Personal Hearing or for any other "non-Personal Hearing" case. (Disciplinary Commission costs cannot be levied in cases where a player has been instructed to appear before a Disciplinary Commission).
- 13.2 Upon receiving a request for a Personal Hearing in respect of an alleged offence, the Association will appoint a Disciplinary Commission of not less than three nor more than five members to hear and adjudicate upon the charge. In the case of a player under the age of 18 years of age on the date fixed for the hearing, it shall take place either in the presence of a parent or guardian of the player or another appropriate adult.
- 13.3 Fines must not be imposed on children (Section 1.5(b)). Any fine and administration charges arising out of misconduct by a child must be levied on the club.
- 13.4 The player, through his club secretary, must be given the date, time and venue fixed for the Personal Hearing and arrangements made for the attendance before the Disciplinary Commission of any witnesses in support of the charge, in particular the match official(s) on whose report the charge has been brought. At a Personal Hearing of a charge a Disciplinary Commission may adopt such procedures as it considers appropriate and expedient for the just determination of the charge brought before it. A Disciplinary Commission shall not be bound by any enactment or rule of law relating to the admissibility of evidence in proceedings before a court of law.
- 13.5 The person charged and the match official(s) concerned should be given a minimum 14 days' notice of details of the Personal Hearing. Any written request to the Disciplinary Commission for a postponement of the hearing should be given consideration. If the reason submitted is considered valid, then a postponement should be granted, and in such circumstances costs may be charged. A request for a second postponement by the same party should not be granted.
- 13.6 If the charge is found not proved, any record of it will be expunged. If the charge is found proved the Disciplinary Commission will decide what punishment, if any, is to be imposed. In so doing, members of the Disciplinary Commission must consider the overall nature and effect of the offence(s) and the player's previous record and any plea for leniency.
- 13.7 Except when an Appeal has been lodged, any fines or costs that are ordered must be paid before the expiry of 14 days from the date of the order. Failure to pay within such period is deemed to be misconduct punishable by censure, a further late fine and/or suspension as determined by a Disciplinary Commission. (This second Disciplinary Commission shall have the power to consider the matter on 48 hours notice and the power to suspend for continuing non-payment.) (In any case, a late fine, currently £20, will be levied in addition to the original charge and a further 7 days given to

respond to the charge. Failure to respond within the 7 days will result in a further late fine of £20 and, after a further 7 days, the Club and Player being suspended until the provisions above have been complied with.) The player and his club are jointly and severally responsible for payment of the fine and costs. The club shall take such action as may be necessary to recover any sum paid on the player's behalf. The rules or regulations of an Association must provide for disciplinary action to be taken against a player who fails to reimburse his club in accordance with the Football Debt Recovery (Section 14) regulations approved by Council.

13.8 A Disciplinary Commission shall comprise members appointed by the appropriate Association. The appointed members of such Disciplinary Commissions shall have no previous personal knowledge of the events or any involvement with any of the participants concerned.

13.9 Participants shall have the right to appeal decisions of Disciplinary Commissions to an Appeal Board of The Football Association. This right of appeal is limited to offers of punishment in excess of 21 days suspension and a fine of £15. The player and / or the club for which the player was playing at the time may appeal within 14 days of the sending of the decision notification. There shall be no further right of challenge in respect of decisions of Disciplinary Commissions, which are otherwise final and binding.

13.10 The decision of the Association will be sent by first-class post or by e-mail to the secretaries of all clubs for whom the player is known to be currently playing and to the player's home address if known. Each of these secretaries is responsible for informing the player of the decision.

13.11 The commencement date of any suspension imposed on a player is at the discretion of the adjudicating Disciplinary Commission, subject to the suspension starting on a Monday. Such date must allow for the 14-day period permitted for an appeal.

14. Football Debt Recovery

14.1 Associations are required to operate a system to collect football debts on behalf of Affiliated Clubs, Affiliated Leagues and Other Associations.

14.2 Football debts are defined as those costs arising directly from football activity, and as such would include disciplinary costs (e.g. fines), match costs (e.g. Match Fees), and playing expenses (e.g. pitch hire). Incidental costs (e.g. fund raising activities, Club Subscriptions) do not fall within the scope of Football Debt Recovery.

14.3 Associations may take action against individuals or groups of individuals. Individuals may be pursued where they are refusing to reimburse an individual club for a qualifying debt. Where a club has folded its qualifying debts may be apportioned against its registered members and officers, and action taken against them individually to recover the club's debt.

14.4 Where a club's debts are apportioned to individuals they must then be treated as individuals, and any disciplinary action must not be linked to the recovery of the total debt.

14.5 It is incumbent on the creditor to take reasonable steps to recover the debt before asking their parent Association to take action. This would normally include approaching the debtor personally as well as contacting them in writing to seek payment.

14.6 The Parent Association should be approached as soon as it is clear there is a problem. In all cases this should be within 28 days of formal payment being requested, and 56 days of the debt being incurred.

14.7 Upon receipt the Association must immediately take steps to verify whether the debt is valid and notify the creditor and debtor of its decision.

14.8 Upon being satisfied that a qualifying debt exists the Association must apportion the

debt on a pro-rata basis and notify the individual or individuals concerned. The Association may add an Administration Fee (not exceeding £8) to each individual's pro-rata debt.

- 14.9 Upon being notified, an individual must pay the debt within 21 days of the issue of the notification letter or appeal in accordance with the appeal procedures. If payment or appeal is not received the individual will be suspended sine die until the debt is paid and he is notified that the suspension has been lifted. This suspension will commence from (and include) the 22nd day after the date the notification was issued.

PART II

An Affiliated Association in formulating its rules and regulations for misconduct may adopt and include some or all of the following powers: -

1. To make an order that a club whose players are persistently found guilty of misconduct
 - (a) Be censured and/or fined in accordance with the approved penalty point process
 - (b) May have its affiliation suspended or cancelled
2.
 - (a) Any other power approved in writing by The Football Association.
 - (b) Any optional or alternative power granted to an Affiliated Association in accordance with Section 2(a) shall continue from year to year until such time as the approval is withdrawn. Such approval may be withdrawn by notice in writing from The Football Association given before 30th April, in any year.

NOTES

MEMORANDUM OF PROCEDURES**DISCIPLINARY PROCEDURES CONCERNING FIELD OFFENCES**

As set out in the Schedule hereto for Players associated with the First Team* of a Club competing at Steps 5 and 6.

These comprise Clubs competing in the Northern League Division 1 & 2, Northern Counties East Premier and Division 1, North West Counties League Division 1 & 2, Midland Football Alliance, United Counties League Premier & Division 1, Hellenic League Premier Division, Division 1 East and Division 1 West, Eastern Counties League Premier & Division 1, Western League Premier & Division 1, Wessex League Premier and Division 1, Spartan South Midlands League Premier & Division 1, Combined Counties League Premier and Division 1, South West Peninsula League Premier Division, Kent League Premier Division, Essex Senior League Premier Division, Sussex County League Division 1 & 2, West Midlands (Regional) League Premier Division and the Midland Combination Premier Division.

*These procedures also apply to a Reserve Team who play at Step 5/6 of a Club whose First Team compete at Steps 2 to 4, The FA Women's Premier League and County FA Representative Football.

This Memorandum cites procedures as they apply exclusively to Participants who are acting as Players when reported.

Save for serious or repeated proved misconduct, Participants offending in a capacity other than as Players in a match (at all levels) should not be suspended but be subject to any of a reprimand, a warning as to future conduct, a written undertaking not to repeat, a touch-line ban for a period of time, and a Fine (active or suspended for a given period), together with costs in proved guilty cases.

For the purposes of these Procedures any reference to a players Club means the Club for which the Player was playing when he was cautioned, dismissed or reported for misconduct.

1. Definitions

- 1.1 In this Memorandum the words "the Association" refer to the appropriate County or other Affiliated Association, and the words "the Association secretary" mean and include any person nominated to discharge a part of the regulatory and disciplinary administration of the Association as well as its actual secretary and Disciplinary Commission means a commission established by the appropriate Association.
- 1.2 Wherever gender is referred to in this Memorandum, either shall be inferred, as relevant.
- 1.3 All written communications from a player to the Association secretary must be sent by the secretary of the player's club unless the player is no longer registered with that club.
- 1.4 Every Association must set out in its rules or regulations a copy of these procedures, which are to be followed after a player has been cautioned or dismissed from the Field of Play while playing in a match for a club or a particular team of a club not dealt with by The Football Association.
- 1.5
 - (a) A "child" means a person who at the date of the relevant match was under the statutory school-leaving age and throughout these regulations full-time education refers to a child who is of compulsory school age or who is over the school-leaving age but is under the age of 18 and is for the time being attending a school or in full-time education in an establishment of further education.
 - (b) Financial penalties for misconduct must not be imposed on a child (Sections 5.2, 6.3 & 7.2 and 13.3). Where a Automatic Punishment or Disciplinary Commission decision includes any financial element then the player's club is liable for the sum imposed.

- 1.6 Wherever "written" or "letter" is referred to in this Memorandum this is deemed to include communication by fax or e-mail. Where an Association chooses to communicate by fax or e-mail it must take all reasonable steps to ensure that the address or fax number used is current.
- 1.7 This Memorandum effective from 1st July 2006 until further notice.
- 1.8 The term "suspension" in this Memorandum means the suspension is from playing football ONLY and any other sanction required for the period of suspension must be specified in the decision letter.
- 1.9 Any reference to cautions in this Memorandum refers only to those received playing at Steps 5 and 6. Cautions received playing for a Club outside of Steps 5 and 6 will be separate and not added to the total received under this Memorandum (see also paragraph 11.3).
- 1.10 Permanent Suspension means no review to be considered under a period of 10 years.

2. Timing

Disciplinary procedures shall commence no later than 90 days, and the outcome determined no later than 180 days from receipt of the report of alleged misconduct, or otherwise be void. If deemed reasonable, any period of delay requested or caused by the Participant will not count towards the 90/180 days. The Association must use due diligence to charge and/or finalise cases within that period of time and must conform with the requirements set out in this Memorandum, subject to the effects of the adoption by the Association of any of the alternative and optional powers set out in paragraph 20.

3. Administrative Procedures – Match Official Reports

An Association may reserve the right not to process a caution if the report is deemed to be invalid for any reason.

4. General

- 4.1 Without prejudice to the foregoing provisions of this Memorandum, an Association shall have the power to delegate to The Football Association or to another Affiliated Association its powers and duties to investigate and/or adjudicate in cases where it may be advantageous so to do.
- 4.2 If a referee omits to show the appropriate card when taking action against a player, this does not nullify the caution or sending-off offence. However, the attention of the referee should be drawn to the correct procedure.
- 4.3 A Participant consents to abide by the Laws of the Game, the Rules and Regulations of The Football Association or an affiliated Association and to reasonable proportionate disciplinary action when playing the game. The issue of a caution is a decision based on a question of fact on the Field of Play upon which the Referee's decision is final. The recording of the caution and the consequences that follow are both reasonable and proportionate. Cautions, not being the subject of appeal, do not breach the Human Rights Act 1998.
- 4.4 When a player is dealt with by a Disciplinary Commission cases must be dealt with on their merits and a punishment awarded consistent with the overall nature and effect of the offence(s); also the player's record of misconduct over the current and previous five seasons.
- 4.5 Associations will impose split suspension periods where matches have to be carried over to the following season. The last day of the first suspension period shall be the Player's team's last competitive match of the season. The suspension will recommence with that same team's start of the following season. Competitive matches are defined in paragraph 11.3.

5. Reporting Offences By Match Officials

(a) Caution Offences

Referees must submit to the relevant Association within two days of the match (Sundays not included) a Report stating the offence. Referee reports for all County representative football must be sent to The Football Association. All FA County Youth Cup matches will be dealt with by The Football Association. All other reports will be returned to the relevant County Football association to administer.

(b) Sending Off Offences

Referees and Assistant Referees must submit to the relevant Association within two days of the match (Sundays not included) a Report stating the offence(s) and giving a description of the incident(s). Referee reports for all County representative football must be sent to The Football Association. All FA County Youth Cup matches will be dealt with by The Football Association. All other reports will be returned to the relevant County Football Association to administer.

(c) If a Referee omits to show the appropriate card when taking action against a player this does not nullify the caution or the sending off offence. However, the attention of the Referee should be drawn to the correct procedure.

6. Caution Offences

A player who has been cautioned in a match, will be notified through his Club by the Association of the offence reported by the Referee. At the same time will be advised of the total number of cautions recorded during the current season and, any punishment resulting from their accumulation. An administration fee of £8.00 will be charged for the processing of each report. For each caution received a player will be subject to one penalty point.

7. Sending Off Offences

A player who has been sent off in a match under the provisions of Law 12 will be notified through his Club by the Association of the offence reported by the Referee, and at the same time advised that he will be subject to the agreed automatic punishment (see paragraph 11). An administration fee of £8.00 will be charged for the processing of each report.

8. Claims of Mistaken Identity

In the case of a claim of alleged mistaken identity concerning a player cautioned or sent off in a match, the PLAYERS concerned and the CLUB must within **three working days of the match** submit in writing to the Association particulars upon which the claim is founded, including the right to claim Wrongful Dismissal. If the Chief Executive of the Association, or his nominees, are satisfied that the claim warrants further investigation, a Disciplinary Commission shall be convened and will meet within the 21 days before any automatic penalty is due to take effect. If the members of the appointed Disciplinary Commission are satisfied that mistaken identity has been proved in a case, the record of the offence will be transferred to the appropriate offender, who will be subject to disciplinary action in accordance with the provisions of the current Procedures.

The relevant fee which **MUST** be included with the evidence is **£100** which may be retained if the claim is deemed to be unfounded and be used in full or in part to cover any costs incurred by a Disciplinary Commission. In the event of the fee not covering the amount of costs charged, an additional amount may be charged by the Disciplinary Commission.

9. Claims of Wrongful Dismissal

In the case of a claim of wrongful dismissal for offences with a penalty imposed under the Laws of the Game of an immediate dismissal (excluding Law S6, the use of offensive or insulting or abusive language / gestures), evidence upon which the claim is founded, which

must include a video cassette recording/DVD showing the incident, must be submitted by the player concerned and his Club, together with the relevant fee and MUST be received by The Association by the close of business of the third working day following the match (as below*). An indication by fax or e-mail (discipline@[insert name of county]fa.com e.g discipline@essexfa.com) on the first working day following the game is required to alert the Disciplinary Departments of the Association that a claim is to be submitted.

*** Saturday or Sunday game by Wednesday**

Monday/Thursday

Tuesday/Friday

Wednesday/Monday

Thursday/Tuesday

Friday/Wednesday

(If Bank Holidays fall within the period, the appropriate number of extra days will be made available.)

Once the claim is lodged with the Association and it is confirmed that the video shows the incident as reported by the Referee / Assistant Referee and the claim has conformed with the criteria, the Club will then be advised whether the claim has been accepted or not.

An accepted claim will be placed before a Disciplinary Commission within the 21 days before an automatic penalty is due to take effect. The Club, the player and Match Officials will NOT be invited to attend. The Disciplinary Commission will be dealing with the level of punishment only. The dismissal from the Field of Play will always remain on the record of the Club and the player and be the subject of the administration fee and the appropriate number of penalty points for a sending off.

The only decisions available to the Members of the Disciplinary Commission are:-

- (i) The punishment will remain with the fee being retained;
- (ii) The punishment will be withdrawn, the fee returned and that paragraph 11.5(e) of the procedure will not be invoked if the player is sent off again following the offence.

The relevant fee is **£100** and will be retained if the case is deemed to be unfounded and returned if any alterations are made to the offence or punishment.

10. Non-First Team Matches

A player who has been sent off or is to be the subject of a charge under the provisions of Rule E3 of The Football Association will be dealt with by the Association to which the Club is affiliated in accordance with the Disciplinary Procedures on pages 313 to 325 relating to Clubs dealt with by the Associations. A Player will have the right of Appeal against the decision reached by the Association, in accordance with the provisions of the Regulations for Football Association Appeals.

11. Punishments

- 11.1 Any period of suspension automatically imposed for a dismissal from the field of play will commence 21 days from the date of the offence. The suspension will be complete once the Player's team has completed the appropriate number of matches, in approved competitions, according to the suspension as defined below under 11.3. In respect to County FA representative football, any suspensions will be from representative football only and not any other level of football.
- 11.2 Any period of suspension automatically imposed as a result of the recording of cautions under 11.4 will commence 21 days from the date of the last offence. The suspension will be complete once the Player's team has completed the appropriate number of matches, in approved competitions, according to the suspension as defined below under 11.3.

11.3 The first team matches that can be used to clear a player of suspension are those to be played in a domestic competition organised by the Football Association (including the FA Challenge Cup and the FA Vase), the League in which the team play (including their League Cup(s)) and the Team's Parent County Senior Cup Competition. During the whole period of suspension the player is suspended from playing all football (including friendly matches and other Cup Competitions).

Where a player has to serve more than one suspension at the same time the following criteria will apply:

- (i) Any suspensions awarded under the provisions of these procedures and due to commence on the same date will result in the total number of matches involved running consecutively.
- (ii) Any suspensions that overlap, in that the next one starts before the previous one ends will also run consecutively as above.
- (iii) Matches cannot be used more than once to cover two or more suspensions.
- (iv) Any suspension imposed under the provisions of these procedures that is or will be affected by a period based suspension will automatically commence 21 days from the date of the offence. The matches to be used in relation to this suspension may be before and/or after the period based suspension. The two suspensions cannot run concurrently.

11.4 Cautions Administered On The Field Of Play

- (a) (i) If a player accumulates five recorded cautions in any Competition, but receives the 5th caution between the opening day of the Playing Season and the last day in February in the same Season, he will be suspended automatically for a period covering **One First Team Match plus a fine of £15.**
- (ii) If a player accumulates five recorded cautions in any Competition between the opening day of the Playing Season and the last day of the same Season, he will be **Warned as to his Future Conduct.**
- (iii) A player who has already been subject to disciplinary action as a result of five recorded cautions and then goes on to record a further five cautions during the same Season, will be subject to the following punishments: -
- (iv) If a player accumulates ten recorded cautions in any Competition between the opening day of the Playing Season and the second Sunday of April in the same Season, he will be suspended automatically for a period covering **Two First Team matches plus a fine of £15.**
- (v) If a player accumulates ten recorded cautions in any Competition between the opening day of the Playing Season and the last day of the same Season, he will be **Severely Censured and Warned as to his future Conduct.**
- (vi) If a player accumulates fifteen recorded cautions in any Competition between the opening date of the Playing Season and the last day of the same Season, he will be suspended automatically for a period covering **Three First Team matches plus a fine of £15.**
- (vii) A player who has already been subject to disciplinary action as a result of recording five, ten and fifteen cautions, and who goes on to record 20 cautions in the same Season, shall be required to attend a meeting of a Disciplinary Commission, within 21 days of the date of the last caution. The members of a Disciplinary Commission shall have the power to deal with the player in such manner as they deem fit. The same procedure will apply for every further five cautions recorded against a player.
- (viii) Any period of suspension or part that remains outstanding at the end of a Season must be served at the commencement of the following Season.

11.5 (a) PLAYERS SENT OFF UNDER LAW 12 (7)

A player who is dismissed from the Field of Play for receiving a second caution in the same match will be suspended automatically commencing on the 21st day following the match in which he was sent off, until such time as his Club's First Team has completed **one match** in an approved competition, as per 11.3, **fined the sum of £20 and be subject to 2 penalty points.**

(b) PLAYERS SENT OFF UNDER LAW 12 (4) and (5)

A player who is dismissed from the Field of Play for denying a goal or an obvious goal-scoring opportunity by physical means or by handling the ball, will be suspended automatically commencing on the 21st day following the match in which he was sent off, until such time as his Club's First Team has completed **one match** in an approved competition, as per 11.3, **fined the sum of £20 and be subject to 2 penalty points.**

(c) PLAYERS SENT OFF UNDER LAW 12 (6)

A player who is dismissed from the Field of Play for using offensive or insulting or abusive language/gestures whether he has previously been cautioned in the match or not, will be suspended automatically commencing on the 21st day following the match in which he was sent off, until such time as his Club's First Team has completed **two matches** in an approved competition, as per 11.3, **fined the sum of £30 and be subject to 2 penalty points.**

(d) PLAYERS SENT OFF UNDER LAW 12 (1), (2) and (3)

A player who is dismissed from the Field of Play for Violent Conduct, Serious Foul Play or spitting at an opponent or any other person whether he has previously been cautioned in the match or not, will be suspended automatically commencing on the 21st day following the match in which he was sent off, until such time as his Club's First Team has completed **three matches** in an approved competition, as per 11.3, **fined the sum of £40 and be subject to 4 penalty points.**

(e) ADDITIONAL SENDINGS OFF.

Players dismissed from the Field of Play for a second time in the same Season, in addition to the automatic suspension applicable to the offence, will be suspended for one extra match. A player dismissed for a third time in the same Season will be suspended for an extra two matches, and so on. A Disciplinary Commission, when dealing with a Claim of Wrongful Dismissal (paragraph 9) has the power not to invoke a further one match suspension if it so desires.

(f) OUTSTANDING SUSPENSIONS

Any suspension or part thereof which remains outstanding at the end of a season, must be served at the commencement of the following season.

(g) RULE E3 OF THE FOOTBALL ASSOCIATION

A charge of Misconduct (as defined in and) pursuant to Rule E3 of the Rules of The Football Association may be brought against a player in relation to an incident, notwithstanding that the same incident has been dealt with pursuant to this Memorandum. A Disciplinary Commission considering a charge under Rule E3 of The Football Association in such circumstances, shall have regard to any punishment imposed under this Memorandum when considering any punishment under paragraph 18 of the Disciplinary Procedures to be used at Personal Hearings before Commissions requested by Participants of Clubs and Clubs dealt with by the Associations.

- (h) **PAYMENT TO PLAYERS UNDER SUSPENSION**
Clubs must not pay a player more than his basic wage during the period of a suspension.
- (i) **RE-ARRANGED MATCHES**
A Disciplinary Commission shall have discretionary power to rule that a match shall not count towards the completion of a suspension if it is satisfied that the game has been arranged by the Club with a view to enabling a player to complete his suspension and thus qualify him to play in a specific match.

12. **Aggregate Misconduct (Clubs)**

- 12.1 Associations may, at their option, use a penalty points based system to punish clubs whose misconduct is deemed excessive. If the Association chooses to punish clubs or Aggregate Misconduct they must use a system that conforms to these regulations.
- 12.2 Penalty points for cautions and dismissals from the Field of Play are listed against the relevant offences in these Regulations.
- 12.3 These points are effective once the offence:
 - (a) is reported for cautions or dismissals;
 - (b) has had a hearing for cases having hearings (unless an appeal is requested);
 - (c) has had an appeal for cases going to appeal.
 Penalty points must not be awarded to charges found not proved.
- 12.4 Penalty points work on a seasonal basis, with points being included in clubs' totals for offences committed between the first and last days of the season, on an inclusive basis. Points must not be carried forward from one season to the next.
- 12.5 Misconduct dealt with by The Football Association must not be included in the penalty points totals.
- 12.6 Sanctions should be imposed at three stages, each incurring an Administration Charge, currently set at £10.
- 12.7 The number of points allowed for each stage (the Threshold), must be related to the number of teams that each club possesses.
- 12.8 Associations may make allowances in the number of teams that a club is deemed to have for Aggregate Misconduct, to reflect clubs whose disciplinary cases are handled by The Football Association. This is to prevent such clubs gaining an unfair advantage.
- 12.9 Recommended Points Allowances per Club per Season

Each Additional team	1	2	3	4	5	6
Stage I	25	48	69	88	105	20
Stage II	50	96	138	176	210	40
Stage III	75	144	207	264	315	60
- 12.10 Recommended Fines for Exceeding a Threshold
 - (a) For exceeding Stage I £25 plus an Administration Fee
 - (b) For exceeding Stage II £50 plus an Administration Fee
 - (c) For exceeding Stage III £100 plus an Administration Fee
 Associations may vary Fines and Thresholds at their Discretion.
- 12.11 Clubs that significantly exceed Stage III should be subject to further disciplinary action.
- 12.12 The Disciplinary Commission shall have the power to impose, or recommend as appropriate, any one or more of the following penalties on the Offending Club:
 - (a) a reprimand and/or final warning as to future conduct;

- (b) a further fine;
- (c) suspension from all or any specified football activity from a date that the Disciplinary Commission shall order, permanently or for a stated period or number of matches;
- (d) expulsion from a competition of the Association;
- (e) expulsion from a membership of the Association;
- (f) such further or other penalty or order as the Disciplinary Commission considers appropriate.

13. Disciplinary Action On Clubs For Misconduct By Their Players

Any Club who has six or more individual Players cautioned or Dismissed from the Field of Play in the same match will be automatically fined the sum of **£150** for the first occasion during the Season. For a second / third / fourth etc. occasion in the same Season, the fine on the Club will be **£300 / £450 / £600** etc.

14. Assaults On Match Officials

The following Regulations shall apply at all levels of the game (excluding the 6 designated Leagues):

- 14.1 In addition to assisting a match official who has reported an assault against him, The Football Association or appropriate Association shall without delay investigate the match official's report and if, after such investigation, the chairman and secretary of the Association or their nominees are satisfied that a *prima facie* case can be made out against the alleged offender they shall take such steps as are necessary to ensure that a charge is preferred and that a Disciplinary Commission meets to consider the charge within 28 days of (the date of) the charge letter. The alleged offender shall not participate in any football activity from the date when he is notified of the charge, until a Disciplinary Commission has heard and adjudicated on the matter.
- 14.2 There shall be three categories of assaults:
 - (a) COMMON ASSAULT
 - (b) ASSAULT CAUSING BODILY HARM
 - (c) ASSAULT CAUSING SERIOUS BODILY HARM
- 14.3 All assaults on match officials in the above three categories must be reported to The Football Association within 14 days of the completion of a case that has been proved, giving the decision of the Disciplinary Commission together with any reason for variation of the recommended punishments set out in 4 below. (If a match official who has reported a participant for an assault upon his person makes a written request for the decision and punishment awarded such must be made available to him at the earliest opportunity).
- 14.4 Recommended punishments for a person found guilty of an assault upon a match official are as follows (and cover football at all levels of the game):

(a)	(i) Common Assault	182 days suspension plus a £150 fine
	(ii) Common Assault by way of spitting at or on a Match Official	1 year suspension plus £150 fine
(b)	Assault causing or attempting to cause bodily harm	<i>Sine die</i> suspension with no review to be considered under a period of 5 years plus £250 fine
(c)	Assault causing serious bodily harm	Permanent suspension – no review to be considered under a period of 10 years.

15. Assaults By Participants On Other Participants

- 15.1 When a referee's report indicates that a Participant has perpetrated an assault on another Participant causing serious bodily harm before, during or after a match, The Football Association or appropriate Affiliated Association may, as in cases of assaults on match officials, without delay investigate the official's report. If after such investigation, the chairman and secretary of the Association, or their nominees, are satisfied that a *prima facie* case can be made out against the alleged offender, such steps shall be taken as are necessary to ensure that a charge is preferred and that a Disciplinary Commission meets to consider the charge within 28 days of the date of the charge letter. The alleged offender shall not participate in any football activity from the date when he is notified of the charge until a Disciplinary Commission has heard and adjudicated on the matter.
- 15.2 The recommended punishments for such offences are set out below: -
- | <u>Offender</u> | |
|--------------------|---|
| (a) Player | A suspension for a minimum of 140 days plus £150 fine for a first offence but, depending on severity, <i>sine die</i> with no review for five years. |
| (b) Club official | As for (a) above but:
(i) If on a player or other official but not a match official;
suspension from all football and football activities
(ii) If on a Match Official – paragraph 14 above will apply. |
| (c) Match official | As for Match Officials assaulted by a Player. But a recommendation will be made to the relevant Referees' Committee that the registration be removed and no request for reinstatement will be allowed until the suspension has been completed or removed. |

16. Failure To Comply

- 16.1 When the provisions above are not complied with, the player's right to a Personal Hearing or to make a plea for leniency is forfeited and the Disciplinary Commission may deal with the reported misconduct on such evidence as is available.
- 16.2 Failure on the part of the player or his club secretary to discharge any of the requirements set out in this Memorandum may constitute misconduct, which may result in a further charge against the player, his club, or both. (In any case, a late fine, currently £20, will be levied in addition to the original charge and a further seven days given to respond to the charge. Failure to respond within the seven days will result in a further Late Fine of £20 and the Club and Player being suspended after a further seven days until the provisions above have been complied with). Any punishment imposed for failure to comply will be limited to a financial penalty if the fault of the club, but may include suspension of the player where it is the player's fault.
- 16.3 When dealing with compliance issues the Association must consider the following:-
- whether the player has responded to his club;
 - whether the club has failed to pass on his reply;
 - whether the club has informed the Association that the player has failed to respond;
 - whether the player has left the club.

17. Suspension Pending Misconduct Hearing

- 17.1 The appropriate Affiliated Association shall have the power, in consultation with The Football Regulatory Authority to order that an Official of a Club affiliated to or a Player registered with that Association, and not one associated with the 6 designated Leagues, shall be suspended from all or any specific activity for such period and on such terms and conditions as agreed by The Football Association and the Association considers appropriate (an "Interim Suspension Order")
- 17.2 The Interim Suspension Order shall apply when the Club Official or Player has been charged by the Affiliated Association in relation to an alleged act of serious misconduct, or with a criminal offence, or by a League sanctioned by the Affiliated Association or the Football Association in connection with disciplinary action pursuant to relevant regulations of the League.
- 17.3 As soon as reasonably practicable notification of an Interim Suspension Order shall be advised to the Player and/or the Club and will be lifted when the charge of misconduct is dealt with by a Disciplinary Commission or the criminal charges are withdrawn or found not to have been proved.

18. Personal Hearing

(See also: General Provisions relating to Inquiries, Commissions of Inquiry, Regulatory Commissions of The Association, Other Disciplinary Commissions and Appeal Boards; and Disciplinary Procedures to be used at Personal Hearings before Commissions requested by Participants of Clubs and Clubs dealt with by County and Other Affiliated Associations).

- 18.1 The notification indicating a misconduct charge must inform the player of the right to request a Personal Hearing in respect of the alleged offence and must also indicate that in the event of the charge being proved there will be a liability to be ordered to pay all or part of the costs of the Personal Hearing, which costs may include a part of the overhead expenses of the Association attributable to the hearing. Similarly, in cases where the rules or regulations of the Association require the deposit of a fee for a Personal Hearing, (as determined by the Council - currently £100), at the time of such request the player must be informed that the fee is liable to be forfeited in full or in part if the charge is proved, in addition to any fine which may be imposed. In an unproved case neither a fee may be retained, nor may Disciplinary Commission costs be levied, either for a Personal Hearing or for any other "non-Personal Hearing" case. (Disciplinary Commission costs cannot be levied in cases where a player has been instructed to appear before a Disciplinary Commission).
- 18.2 Upon receiving a request for a Personal Hearing in respect of an alleged offence, the Association will appoint a Disciplinary Commission of not less than three nor more than five members to hear and adjudicate upon the charge. In the case of a player under the age of 18 years of age on the date fixed for the hearing, it shall take place either in the presence of a parent or guardian of the player or another appropriate adult.
- 18.3 Fines must not be imposed on children [Section 1.5(b)]. Any fine and administration charges arising out of misconduct by a child must be levied on the club.
- 18.4 The player, through his club secretary, must be given the date, time and venue fixed for the Personal Hearing and arrangements made for the attendance before the Disciplinary Commission of any witnesses in support of the charge, in particular the match official(s) on whose report the charge has been brought. At a Personal Hearing of a charge a Disciplinary Commission may adopt such procedures as it considers appropriate and expedient for the just determination of the charge brought before it. A Disciplinary Commission shall not be bound by any enactment or rule of law relating to the admissibility of evidence in proceedings before a court of law.

- 18.5 The person charged and the match official(s) concerned should be given a minimum 14 days' notice of details of the Personal Hearing. Any written request to the Commission for a postponement of the hearing should be given consideration. If the reason submitted is considered valid, then a postponement should be granted, and in such circumstances costs may be charged. A request for a second postponement by the same party should not be granted.
- 18.6 If the charge is found not proved, any record of it will be expunged. If the charge is found proved the Disciplinary Commission will decide what punishment, if any, is to be imposed. In so doing, members of the Disciplinary Commission must consider the overall nature and effect of the offence(s) and the player's previous record and any plea for leniency. If charging costs the Personal Hearing fee must be taken into account.
- 18.7 Except when an Appeal has been lodged, any fines or costs that are ordered must be paid before the expiry of 14 days from the date of the order. Failure to pay within such period is deemed to be misconduct punishable by censure, a further late fine and/or suspension as determined by a Disciplinary Commission. This second Disciplinary Commission shall have the power to consider the matter on 48 hours notice and the power to suspend for continuing non-payment. (In any case, a late fine, currently £20, will be levied in addition to the original charge and a further seven days given to respond to the charge. Failure to respond within the seven days will result in a further late fine of £20 and, after a further seven days, the Club and Player being suspended until the provisions above have been complied with.) The player and his club are jointly and severally responsible for payment of the fine and costs. The club shall take such action as may be necessary to recover any sum paid on the player's behalf. The rules or regulations of an Association must provide for disciplinary action to be taken against a player who fails to reimburse his club in accordance with the Football Debt Recovery (Section 14) regulations approved by Council.
- 18.8 A Disciplinary Commission shall comprise members appointed by the Association. The appointed members of such Disciplinary Commissions shall have no previous personal knowledge of the events or any involvement with any of the participants concerned.
- 18.9 Participants shall have the right to appeal decisions of Disciplinary Commissions to an Appeal Board of The Football Association. The player and / or the club for which the player was playing at the time may appeal within 14 days of the sending of the decision notification. There shall be no further right of challenge in respect of decisions of Disciplinary Commissions, which are otherwise final and binding.
- 18.10 The decision of the Association will be sent by first-class post or by e-mail to the secretaries of all clubs for whom the player is known to be currently playing and to the player's home address if known. Each of these secretaries is responsible for informing the player of the decision.
- 18.11 The commencement date of any suspension imposed on a player is at the discretion of the adjudicating Disciplinary Commission, subject to the suspension starting on a Monday. Such date must allow for the 14-day period permitted for an appeal.
- 19. Football Debt Recovery**
- 19.1 Associations are required to operate a system to collect football debts on behalf of Affiliated Clubs, Affiliated Leagues and Other Associations.
- 19.2 Football debts are defined as those costs arising directly from football activity, and as such would include disciplinary costs (e.g. fines), match costs (e.g. Match Fees), and playing expenses (e.g. pitch hire). Incidental costs (e.g. fund raising activities, Club Subscriptions) do not fall within the scope of Football Debt Recovery.
- 19.3 Associations may take action against individuals or groups of individuals. Individuals may be pursued where they are refusing to reimburse an individual club for a

qualifying debt. Where a club has folded its qualifying debts may be apportioned against its registered members and officers, and action taken against them individually to recover the club's debt.

- 19.4 Where a club's debts are apportioned to individuals they must then be treated as individuals, and any disciplinary action must not be linked to the recovery of the total debt.
- 19.5 It is incumbent on the creditor to take reasonable steps to recover the debt before asking their parent Association to take action. This would normally include approaching the debtor personally as well as contacting them in writing to seek payment.
- 19.6 The Parent Association should be approached as soon as it is clear there is a problem. In all cases this should be within 28 days of formal payment being requested, and 56 days of the debt being incurred.
- 19.7 Upon receipt the Association must immediately take steps to verify whether the debt is valid and notify the creditor and debtor of its decision.
- 19.8 Upon being satisfied that a qualifying debt exists the Association must apportion the debt on a pro-rata basis and notify the individual or individuals concerned. The Association may add an Administration Fee (not exceeding £8) to each individual's pro-rata debt.
- 19.9 Upon being notified, an individual must pay the debt within 21 days of the issue of the notification letter or appeal in accordance with the appeal procedures. If payment or appeal is not received the individual will be suspended *sine die* until the debt is paid and he is notified that the suspension has been lifted. This suspension will commence from (and include) the 22nd day after the date the notification was issued.

20. Further Disciplinary Action

An Affiliated Association in formulating its rules and regulations for misconduct may adopt and include some or all of the following powers: -

- 20.1. To make an order that a club whose players are persistently found guilty of misconduct
 - (a) Be censured and/or fined in accordance with the approved penalty point process
 - (b) May have its affiliation suspended or cancelled
- 20.2. (a) Any other power approved in writing by The Football Association
- (b) Any optional or alternative power granted to an Affiliated Association in accordance with Section 2(a) shall continue from year to year until such time as the approval is withdrawn. Such approval may be withdrawn by notice in writing from The Football Association given before 30th April, in any year.

THE DISCIPLINARY PROCEDURES TO BE USED AT PERSONAL HEARINGS BEFORE DISCIPLINARY COMMISSIONS REQUESTED BY PARTICIPANTS OF CLUBS AND CLUBS DEALT WITH BY COUNTY AND OTHER AFFILIATED ASSOCIATIONS.

Personal Hearings before a Disciplinary Commission

- A. Subject to the Rules of The Football Association, a Disciplinary Commission may adopt such procedures at a Personal Hearing of a Charge as it considers appropriate and expedient for the just determination of the Charge brought before it.
- B. A Disciplinary Commission shall not be bound by any enactment or Rule of Law relating to the admissibility of evidence in proceedings before a Court of Law.
 1. The Disciplinary Commission, having assembled shall appoint one of its number as Chairman. The Disciplinary Commission may appoint a person to act as Secretary to the Disciplinary Commission whose duty shall be to call the evidence to be submitted in support of the Charge and generally assist the Disciplinary Commission in its determination of the Charge.
 2. A participant may be represented by one individual. (For instance, a player may be represented by a Club Official of a Club with which he is associated or by a representative of the Professional Footballers' Association, and a Referee may be represented by a representative of the Referees Association except when he is acting as a witness.) A participant appearing before a Disciplinary Commission may be legally represented only with the prior consent of the Disciplinary Commission. Request for consent must be made with at least 7 days notice. An individual acting as representative for a participant shall not be allowed to give evidence at a Disciplinary Commission.
 3. The person charged and any representative shall be admitted to the hearing. The Disciplinary Commission shall satisfy itself that the person charged has had details of the Charge.
 4. Evidence (including witness evidence) in support of the Charge shall be received by the Disciplinary Commission. In cases concerning a report from a Match Official, that report shall be received in evidence first and shall be read out to the hearing. This report may have been submitted by email or through a web-site, in accordance with accepted FA procedures.
 5. The person charged or his representative shall have the right to ask questions relevant to the matters in issue of any witness in support of the Charge.
 6. After evidence in support of the Charge has been received by the Disciplinary Commission, any written statement made by the person charged shall be read out to the Disciplinary Commission.

The person charged may then give evidence on his own behalf and in such event he may have questions asked of him by the Disciplinary Commission. The person charged or his representative may then submit evidence and call witnesses.
 7. At any time the chairman and, through him, members of the Disciplinary Commission, may ask questions of any witness or any representative. The Disciplinary Commission may draw such inferences as it considers appropriate from the failure of the person charged to give evidence or answer a question put to him.
 8. In the event of the evidence submitted in answer to the Charge disclosing a point which the Disciplinary Commission considers was not covered in the evidence of, or not put to, any witness in support of the Charge, the Commission may recall any witness and ask questions of such witness. The person charged or his representative may also ask questions as at 5 above.
 9. The evidence having been completed to the satisfaction of the Disciplinary Commission, the person charged or his representative shall be entitled to make closing submissions

based upon the evidence, but this may not include reference to facts not disclosed in the evidence presented to the Disciplinary Commission.

10. At the conclusion of the closing submissions, all persons shall withdraw whilst the Disciplinary Commission considers the evidence and submissions presented to it and determines whether the Charge has been proved or not. After reaching its decision, the Disciplinary Commission shall recall the person charged and his representative. The chairman shall announce whether the Charge has been found proved or not proved.
11. If the Charge is found not proved the hearing will be declared closed.
12. If the Charge is found proved details of the Misconduct (as defined in and pursuant to the Rules of The Football Association) record of the person charged shall be received by the Disciplinary Commission. The person charged, or his representative, may then make a plea in mitigation.
13. At the conclusion of the plea in mitigation the person charged and his representative shall again withdraw and the Disciplinary Commission shall determine what order or orders, if any, shall be made under the provisions of Regulation 6.1 of the Regulations for Football Association Disciplinary Action.
14. The person charged and his representative shall then be re-admitted and informed of the decision of the Disciplinary Commission. This shall subsequently be confirmed in writing. (In cases of an Assault on a Match Referee, the findings of the Disciplinary Commission will be sent to the Match Official if requested by the Match Official in writing).
15. As an alternative to the above, a Disciplinary Commission may, where it considers it appropriate, not announce its decision at the meeting but inform the person charged that such decision will be communicated to him in writing through his Club Secretary.

Board Hearings

Appeal hearings shall be conducted how, when and where the Appeal Board considers appropriate. Reasonable notice shall be given by the Appeal Board of the date, time and venue of the appeal.

An Appeal Board shall not be bound by any enactment or Rule of Law relating to the admissibility of evidence in proceedings before a Court of Law.

Appeals against the decisions of Affiliated Associations or Competitions are allowed on one or more only of the grounds listed below in that the relevant body whose decision is appealed against:-

- (a) Failed to give the Appellant a fair hearing.
- (b) Failed to comply with the Disciplinary Procedures relevant to the hearing of the charge.
- (c) Came to a decision on the facts of the case, which no reasonable body could have reached.
- (d) Imposed a punishment, without reasons, not conforming with the Schedule Guide to recommended punishment.
- (e) Imposed an award, order or any other sanction that is excessive.

It must be noted that appealed decisions of such bodies are NOT automatically set aside on the acceptance of an appeal. Any request for the setting aside of a decision must be made by the APPELLANT in writing. The appellant must not assume that the request has been agreed. Therefore, prior to playing or officiating contrary to a written order of the body appealed against, the appellant must be in receipt of a notification from The Football Association that such a decision has been set aside.

Where an application to present new evidence has been made, the party making the application shall address the Appeal Board in support of the application and the other party may respond; the Appeal Board shall then determine whether or not it will receive the new evidence. The following procedures shall be followed at an appeal hearing unless the Appeal Board thinks it appropriate to amend them:

- (1) The Appellant to address the Appeal Board, summarising its case;
- (2) Any new evidence to be presented by the Appellant;

- (3) The Respondent to address the Appeal Board, summarising its case;
- (4) Any new evidence to be presented by the Respondent;
- (5) Each party to be able to put questions to any witness giving new evidence;
- (6) The Appeal Board may put questions to the parties and any witness giving new evidence at any stage;
- (7) The Respondent to make closing submissions;
- (8) The Appellant to make closing submissions;
- (9) The Appeal Board shall proceed in the absence of any party, unless it is satisfied that there are reasonable grounds for the failure of the party to attend and shall do so in such manner as it considers appropriate.

The Appeal Board may, in the event of a party failing to comply with an order, requirement or instruction of the Appeal Board, take any action it considers appropriate, including an award of costs against the offending party.

Appeal Board Decisions

A decision, order, requirement or instruction of the Appeal Board shall (save where to be made under the Rules of The Football Association by the chairman of the Appeal Board alone) be determined by a majority. Each member of the Appeal Board shall have one vote, save that the chairman shall have a second and casting vote in the event of deadlock.

A decision of the Appeal Board shall be final and binding and there shall be no right of further challenge.

The Appeal Board shall have power to:

- (1) allow or dismiss the appeal;
- (2) exercise any power which the body against whose decision the appeal was made could have exercised, whether the effect is to increase or decrease any penalty, award, order or sanction originally imposed;
- (3) remit the matter for re-hearing;
- (4) order that any deposit be forfeited or returned as it considers appropriate;
- (5) make such further or other order as it considers appropriate, generally or for the purpose of giving effect to its decision.

Costs

The Appeal Board shall have the power to make such order as to the costs of the original hearing and the appeal as it considers appropriate.

Announcement of Decision

The Appeal Board shall announce its decision to the parties as soon as practicable in such a manner as it considers appropriate; and unless it directs otherwise, its decision shall come into effect immediately.

Written Decision

As soon as practicable after the hearing, the Appeal Board shall publish a written statement of its decision, which shall state:

- (1) The names of the parties, the decision(s) appealed against and the grounds of appeal;
- (2) Whether or not the appeal is allowed; and
- (3) The order(s) of the Appeal Board.

The written statement shall be signed and dated by the chairman of the Appeal Board and be the conclusive record of the decision.

The Appeal Board shall, upon the request of the Appellant / Respondent (such request to be received at The Association within 5 days of the date of the announcement of the decision), give written reasons for the decision.

COUNTY FA DISCIPLINARY SYSTEM FOR SMALL-SIDED FOOTBALL

Areas of responsibility

A County FA shall only sanction a Small-Sided Competition if it can be demonstrated that a robust disciplinary procedure is in place. 'Less serious' offences should be dealt with immediately by the organisers of the competition or tournament. However, County FAs should be informed by the Match Official or the Competition Organiser of all offences that would normally carry a 35-day suspension or above:

- Serious Foul Play
- Kicking or striking another player
- Use of offensive or insulting or abusive language or gestures directed at match officials
- Spitting
- Head butting
- Assault
- Refusing to leave the field of play when ordered
- Causing a match to be abandoned
- Any offences where the offender has also acted in a discriminatory manner for reasons of ethnic origin, colour, race, religion, sex, sexual orientation, disability

Reporting of 'serious' Red Card Offences to the County Football Association

In order to promote the reporting of serious offences to the County FA all affiliated competitions should adopt the use of a standardised reporting form which clearly indicates to the Match Official those offences which are the concern of the competition organiser and those which should be referred to the County FA disciplinary process. A copy of this draft form is attached as appendix 'A'.

Remit of Disciplinary Action

County FA disciplinary action arising from such offences applies to both 11-a-side and Small-Sided Football.

Red cards administered in Small-Sided Football for offences, which would normally carry a suspension of less than 35 days are the responsibility of the organiser to deal with according to The FA's recommended tariff of suspensions. Suspension for offences of less than 35 days would only apply to Small-Sided Football.

If a player is suspended from 11-a-side for less than 35 days this suspension only applies to 11-a-side Football.

As County FAs will only be dealing with serious offences that carry a suspension of 35 days and above, County FAs will not take into consideration any disciplinary action that the Small-Sided Competition or Centre may have taken on their own initiative. Operators should administer a 'match' suspension system whereas a County FA will employ a 'suspension period' as disciplinary action will apply to all categories of football.

Issuing of Cautions and Introduction of 'Timed Suspensions'

In Small-Sided Football yellow cards and associated cautions are no longer employed. Referees should instead employ a blue card for a cautionable offence. The issuing of a blue card indicates that the recipient will serve an immediate 'timed suspension' ('sin bin').

The options for disciplining offenders are therefore as follows

1. Player shown a blue card and temporarily suspended from play
2. Player issued with a discretionary second blue card and temporarily excluded from play
3. Player issued with a red card and permanently excluded from play

A blue card offence should always be accompanied by a temporary suspension from play.

The period of timed suspension in Small-Sided Football is a recommended two minutes. The release of players from a temporary suspension should be at the direction of the Referee or a Match Official if one is available.

The only exception to the use of the blue card and temporary suspensions is the situation whereby the suspension of a player cannot be monitored as the playing facility - such as an enclosed sports hall or complex of playing cages - does not allow the suspended player to remain adjacent to the pitch and within the eye line of the Match Official. In such circumstances players should be cautioned with a yellow card and remain on the pitch unless permanently excluded.

Viability of a match

If in a Small-Sided Game (5, 6 or 7-a-side) one team is permanently reduced by more than two players the match shall be abandoned. This does not apply if a team has players that are only temporarily excluded.

Match Suspension Tariff

Organisers should employ the following tariff of suspensions for less serious offences that would normally carry a suspension of less than 35 days.

Offence	Penalty (to be administered by Small-Sided Operator)
Receiving a second 'blue card' in the same match	1 Match suspension
Denying a goal or an obvious goal scoring opportunity	1 Match suspension
Use of offensive, insulting or abusive gestures	2 Match suspension
Attempting to kick or strike another player	3 Match suspension

Personal Liability for Disciplinary Offences

If a player is fined and leaves the club (i.e. no longer plays for the team) the individual should retain responsibility for the payment of a fine, rather than his former team, and should be suspended from all forms of football until the fine is paid.

Implementation of Disciplinary Procedures

A robust disciplinary process can only operate if a record is kept of the identity of participating teams and players.

All organisers should provide details of participating teams, team contact and affiliation 'slot' number to the County FA prior to the beginning of a competition (Form D). Organisers should ensure that these details remain updated

In addition Organisers should identify a system whereby the identity of participating players is recorded prior to a game commencing. These records should be retained by the Organisers and referred to in the event of a serious incident or on suspicion that a player is playing whilst under suspension.

The existence of these systems shall be a requirement before a County FA will provide sanction to a competition taking place.

Working relationships between the FA and Competition or Tournament Organisers

In order for an effective discipline, affiliation and referees appointment procedure to exist a good working relationship should exist between the Competition Organiser and the County FA.

County FA's and Competition Organisers should establish a 'Heads of Agreement' document which identifies the responsibilities of each party in relation to maintenance of discipline and affiliation processes.



SMALL-SIDED FOOTBALL DISCIPLINARY REPORT

How to use;

The Competition Referee should complete this form after a card has been issued. One form should be completed for each card. The first copy of this form should be retained by the competition organiser, the second to be retained by the Referee, in the event of serious misconduct the third copy should be forwarded to the County FA. **Referees must report to the local County Football Association any Red Card Type Two Offence.**

Venue

Date

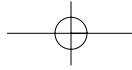
Player

Team.....

Opposition Team

I have disciplined this player for the following Offence

<u>Card Type</u>	<u>Offence</u>	<u>Please Tick</u>
Blue Cards		
Red Card Type One	<ul style="list-style-type: none"> Denying a goal or an obvious scoring opportunity by physical means or by deliberately handling the ball. Use of offensive, insulting or abusive language/gesture (not to a Referee) 	
Red Cards Type Two	<ul style="list-style-type: none"> Serious Foul Play Kicking or striking another player Use of offensive or insulting or abusive language or gestures directed at match officials Spitting Head butting Assault Refusing to leave the field of play when ordered Causing a match to be abandoned Any offences where the offender has also acted in a discriminatory manner for reasons of ethnic origin, colour, race, religion, sex, sexual orientation, disability 	



Notes of Incident

.....
.....
.....

Referee Name

Signature

Date

