SECTION E

MEMORANDUM OF PROCEDURES

DISCIPLINARY PROCEDURES CONCERNING FIELD OFFENCES

As set out in the Schedule hereto for Players associated with teams in all divisions of Leagues at Steps 5-7 of The National League system and below, including Youth Football.

These procedures also apply to County FA and League 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.

Subject to paragraph 11.5(h) below concerning Players moving between Clubs, for the purpose of these Procedures any referenced to a player's 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 County or other 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 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 Wherever "written" or "letter" is referred to in this Memorandum this is deemed to include communication by fax, e-mail or any other form of electronic online communication. Where an Association chooses to communicate by fax or e-mail or other electronic means, it must take all reasonable steps to ensure that the address or fax number used is current.

1.6 This Memorandum is effective from 1st July 2006 until further notice.

1.7 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.

1.8 Any reference to cautions and sendings off in this Memorandum refers only to those received playing for teams subject to this Memorandum. Those received playing for teams not subject to this Memorandum will be separate and not added to the total received pursuant to this Memorandum.

1.9 The accumulation of cautions and sendings off within this memorandum are further categorised as Steps 5 to 7 Football, Saturday Football, Sunday Football, Midweek Football, Veterans Football and Representative Football.

1.10 Financial penalties for misconduct must not be imposed on any player in Youth Football. Where a Standard Punishment or Regulatory Commission decision applicable to a Youth

Football player includes any financial sanction then the player's club is liable for the sum imposed.

1.11 Youth Football is defined as any match for a team drawn from the age group of Under 18 and below.

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, unless dispensation is received from The Association in writing to extend or dispense with either or both of these time limits. If deemed reasonable, any period of delay requested or caused by the Participant will not count towards the 90/180 days. For all cases where an interim suspension order has been imposed or for a matter involving an abandoned match or for playing whilst under a suspension, the County must aim to conclude any proceedings within 28 days. The Association must use due diligence to charge and/or finalise cases within the above periods 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 19.

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.

4.6 It is the duty of the club secretary and the player, by the deadline stated on any 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) The Player's date of birth (and other personal identification data requested).

(c) The name of each club for which the player is currently registered or was registered in the previous two seasons.

(d) The signature of the Player concerned (where applicable).

(e) The names of any school, college or other educational establishment currently attended by the Player.

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 4.6 (a)–(e) above shall be on the Club and the individual player, subject to Section 17 below.

4.7 Clubs may participate in an FA pilot programme as set out by Council and will be required to abide by the regulations and terms of that programme.

4.8 Payment of any fine or costs in respect of disciplinary matters ("Disciplinary Monies") must be paid in accordance with the terms set out by the Association.

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 appropriate County Association. All FA County Youth Cup matches will be dealt with by the appropriate County, but a copy of the report must be submitted to The Football Association.

(b) *Sending Off Offences and Extraordinary Incidents*

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 relevant County Association. All FA County Youth Cup matches will be dealt with by the relevant County Association, with a copy of the report to The Football Association.

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 he 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 £10.00 will be charged for the processing of each report. Any such punishment will take effect regardless of whether or not the notification of it from The Association is received before it is due to take effect in accordance with these Disciplinary Procedures.

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 £10.00 will be charged for the processing of each report.

Any such punishment will take effect regardless of whether or not the notification of it from The Association is received before it is due to take effect in accordance with these Disciplinary Procedures.

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 Association Secretary, or his nominees, are satisfied that the claim warrants further investigation, a Disciplinary 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 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 £50 for teams at Steps 5-7 in the National League System. For teams outside of the National League system the fee is £30, 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 or S7, receiving a second caution in a game), evidence upon which the claim is founded, which must include a video cassette recording/ DVD showing the incident, if one is available, 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 fourth 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 second 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 Thursday**

Monday	-	**Friday**
Tuesday	-	**Monday**
Wednesday	-	**Tuesday**
Thursday	-	**Wednesday**
Friday	-	**Thursday**

(If Bank Holidays fall within the period, the appropriate number of extra days will be made available but the claim must still be heard by the scheduled commencement of the automatic penalty arising from the relevant dismissal.)

Once the claim is lodged with the Association 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 as soon as possible but no later than the eighth working day but in all cases 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) Only where the Commission is satisfied that the Referee made an obvious error in dismissing the Player, the punishment will be withdrawn, the fee returned and that paragraph 11.5(f) of the procedure will not be invoked if the Player is sent off again following the offence.

The relevant fee is £50 for teams at Steps 5-7 in the National League System. For teams outside of the National League system the fee is £30 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. DISMISSALS – CLAIMS THAT THE STANDARD PUNISHMENT IS CLEARLY INSUFFICIENT

(a) All players dismissed from the Field of Play shall be subject to at least a one match suspension, save only where a successful claim for wrongful dismissal is brought.

(b) The Affiliated Association may seek to increase the disciplinary consequences of the dismissal of a player from the Field of Play, where the Affiliated Association is satisfied that the standard punishment that would otherwise apply following the dismissal is clearly insufficient.

(c) Claims may be brought under this Regulation only for on-field offences which have resulted in a sending off under Law 12(1) (serious foul play), Law 12(2) (violent conduct), or Law 12(3) (spitting)

(d) Where the Affiliated Association brings such a claim a Referee's report showing that a Player was dismissed for serious foul play under Law 12(1), violent conduct under Law 12(2), or spitting under Law 12(3) shall be conclusive evidence that the player breached the relevant Law and shall not be subject to challenge, save for where any such dismissal is subject to a claim for wrongful dismissal

(e) The Disciplinary Commission that considers a claim of this type is concerned with only the question of whether the standard punishment should not be imposed in view of the truly exceptional facts of the case. This role is not to usurp the role of the Referee and the correctness of the dismissal from the Field of Play shall not be subject to any scrutiny by the Commission, 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 the sending off.

(f) Claims brought under this Regulation shall be determined based on written or oral evidence. The Match Officials, Club and Player are entitled to be present or represented at the Disciplinary Commission if the Player elects for a personal hearing.

(g) If possible, prior to the commencement of the suspension, but in all cases before the completion of the standard punishment applying to the dismissal that is subject of the claim, a Disciplinary Commission will be convened to decide the matter on any relevant documentary, video and oral evidence submitted. The following procedures will be used at a Commission unless the Commission thinks it appropriate to amend them:

I. The Commission Secretary 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, video and other evidence provided in support of the claim.

(iii) The Reply and all evidence and submissions provided by the Player in response to the claim.

II. After considering the evidence, the Commission will decide whether the claim should be rejected or successful.

III. A claim will only be successful under this Regulation where The Association satisfies the Commission so that it is sure that:

(i) The circumstances of the dismissal under review are truly exceptional, such that the standard punishment should not be applied; and

(ii) The standard punishment would be clearly insufficient.

IV. In considering the matters at III above, the Commission shall have regard to:

(a) The applicable Law(s) of the Game and any relevant FIFA instructions and/or guidelines;

(b) The nature of the dismissal offence, and in particular any intent, recklessness, negligence or other state of mind of the Player;

(c) Where applicable, the level of force used;

(d) Any injury to an opponent caused by the dismissal offence.

(e) Any other impact on the game in which the dismissal occurred.

(f) The prevalence of the type of offence in question in football generally.

(g) The wider interests of football in applying consistent punishment for dismissal offences.

V. If the Commission's decision is to reject the claim, it shall deliberate no further on the claim and the player shall serve the standard punishment.

VI. If the Commission's decision is that the claim is successful, the commission will then decide on the additional punishment to be applied to the Player in respect of the dismissal. In deciding on such punishment, the Commission shall have regard to the matters at 10(g) IV above.

(h) The decision of the Disciplinary Commission in relation to a claim under this regulation shall be subject to appeal only (i) in the event that the penalty imposed (in addition to the ordinarily applicable standard punishment) is in excess of three matches; (ii) on the single ground that the additional suspension is excessive; and (iii) in respect of that part of the additional suspension in excess of the additional three matches (for example, where the Player is suspended for eight matches following a dismissal for violent conduct, he may appeal only in respect of the two matches in excess of the three standard and three additional match suspension). Appeals under this Regulation shall proceed subject to the Regulations for Football Association Appeals.

11. PUNISHMENTS

A. FRIENDLY MATCHES (any Match sanctioned or regarded by The Football Association or other sanctioning Association as a Friendly Match)

(a) CAUTIONS ADMINISTERED ON THE FIELD OF PLAY

The Association shall not impose any sanction in respect of cautions administered during Friendly Matches. Where sanctions are imposed in respect of cautions on Participants with their agreement (e.g. as part of tournament rules), any such sanction may only apply to Friendly Matches and shall not apply to the accumulation of cautions for continuing misconduct under paragraph 11.4 of this Memorandum.

(b) PLAYERS SENT OFF UNDER LAW 12

A player dismissed from the Field of Play will be suspended automatically from Friendly Matches until such time as his Club has completed its next Friendly Match, as decided by the relevant County Football Association.

(c) RULE E1 OF THE ASSOCIATION

A charge of Misconduct pursuant to Rule E1 of the Rules of The Association may be brought against a Player in relation to any incident arising in a Friendly Match notwithstanding that the same incident has been dealt with pursuant to this Memorandum. A Disciplinary Commission considering a charge under Rule E1 in such circumstances shall have regard to any punishment imposed under this Memorandum, and any suspension imposed will be from playing all football.

B. COMPETITIVE MATCHES

11.1 Any period of suspension automatically imposed for a dismissal from the field of play will commence 14 days from the date of the offence irrespective of whether paperwork has been received from the relevant Association. 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 and League Representative football, any suspensions will be from Representative football only and not any other level of football unless a Disciplinary Commission has specified that the suspension is to be from all football.

11.2 Any period of suspension automatically imposed as a result of cautions under 11.4 will commence 14 days from the date of the last offence irrespective of whether paperwork has been received from the relevant Association. 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 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 and FA Sunday Cup), the League in which the Team play (including their League Cup(s)) and the Team's County Cup Competitions. In addition, any Competition in which a Club participates may also be considered providing that such a Competition has been designated as a qualifying competition by the sanctioning authority prior to the commencement of the season.

During periods of automatic suspension, the Player is suspended from playing only for the day type category that the Player's team usually plays in (including friendly matches and other Cup Competitions). If the suspension is for a Saturday team, the suspension is from all Saturday team football (including midweek fixtures) only and if for a Sunday team, for all Sunday team football only (including midweek fixtures). If the suspension is as a result of a misconduct charge, during the whole period of suspension the Player is suspended from playing all football (including friendly matches and other Cup Competitions). The categories of football affected by this regulation are Saturday, Sunday, Midweek, Veterans and Representative football. This will be deemed to be a suspension from playing only, unless specified otherwise by a Disciplinary Commission.

In exceptional cases where an application has been made to the County FA by the participant that the suspension from all football is considered as being disproportionately harsh due to the period taken to serve the suspension in relation to the other categories of football, the matter may be reviewed only by The Football Association and may then be amended to a category type suspension, at the Football Association's discretion.

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 14 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 cautions within the same category of football, but receives the 5th caution between the opening day of the Playing Season and the 31st December in the same Season, he will be suspended automatically for a period covering **One match plus a fine of £15.**

(ii) If a Player accumulates five cautions within the same category of football 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 cautions and then goes on to receive a further five cautions during the same Season, will be subject to the following punishments: -

(iv) If a Player accumulates ten cautions within the same category of football 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 plus a fine of £15**.

If in the final match before the second Sunday of April a player accumulates his tenth caution in any Competition since the opening day of the Playing season and then receives a second caution in the same match and consequently is dismissed, the player will be suspended automatically for a period covering Two Matches plus a fine of £15. This two match suspension will automatically apply in such cases, instead of the one match automatic suspension which would otherwise apply to a player who is sent off for receiving two cautions in the same match.

(v) If a Player accumulates ten cautions within the same category of football 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 cautions within the same category of football 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 plus a fine of £15.**

(vii) For the purposes of this section, Clubs compete at six different levels. Each level is comprised as follows –

(a) The Premier League, Football League and National League (National);

(b) The National League (North and South Divisions), the Isthmian League, the Northern Premier League and the Southern League;

(c) Steps 5 to 7 of the National League System;

(d) Any other youth or adult league outside of the National League System which operates a match-based disciplinary system and is further categorised as Saturday, Sunday and Midweek;

(e) Veterans football;

(f) Representative Football.

(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)

Subject to the provision of 11.4(a)(iv) above, 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 14th day following the match in which he was sent off, until such time as his Team has completed one match in an approved competition, as per 11.3, **fined the sum of £20.** Players who play outside the National League System will be fined the sum of £15.

(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 14th day following the match in which he was sent off, until such time as his Team has completed one match in an approved competition, as per 11.3, **fined the sum of £20.** Players who play outside the National League System will be fined the sum of £15.

(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 14th day following the match in which he was sent off, until such time as his Team has completed two matches in an approved competition, as per 11.3, **fined the sum of £30**. Players who play outside of the National League System will be fined the sum of £25.

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

A Player who is dismissed from the Field of Play for Serious Foul Play under Law 12(1), or Violent Conduct under Law 12(2), or whether he has previously been cautioned in the match or not, will be suspended automatically commencing on the 14th day following the match in which he was sent off, until such time as his Team has completed three matches in an approved competition, as per 11.3, **fined the sum of £40**. Players who play outside of the National League System and commit the offence of Serious Foul Play will be fined the sum of £25.

(e) PLAYERS SENT OFF UNDER LAW 12(3)

A Player who is dismissed from the Field of Play for 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 14th day following the match in which he was sent off, until such time as his Team has completed six matches in an approved competition, as per 11.3, fined the sum 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 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.

(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 following season.

(h) PLAYERS MOVING BETWEEN CLUBS

Where a Player moves between Clubs at a time when he is subject to a suspension from playing resulting from either these Disciplinary Procedures or any charge of Misconduct, the following shall apply –

(a) Until the Player moves, the suspension shall be served by reference to matches completed by the Team that the Player moves from;

(b) Where the Club that the Player moves to competes at the same level as the Club that the player moves from, any remaining period of suspension at the time that the Player moves shall be served by reference to matches completed by the Club that the Player moves to;

(c) Where the Club that the Player moves to competes at a different level from the Club that the Player moves from, any remaining period of suspension at the time that the Player moves shall continue to be served by reference to matches completed by the Club that the Player moves from unless dispensation has been granted in writing by The Association for the suspension to be served with reference to matches completed by the Club that the Player moves to.

For the purposes of this section, Clubs compete at four different levels. Each level is comprised as follows –

(i) The Premier League, Football League and National League (National);

(ii) The National League (North and South Divisions), the Isthmian League, the Northern Premier League and the Southern League;

(iii) Steps 5 to 7 of the National League System;

(iv) Any other youth or adult league outside of the National League System which operates a match-based disciplinary system and is further categorised as Saturday, Sunday and Midweek.

This section applies to all moves by Players between Clubs which are completed and evidenced to the satisfaction of the Association, however they occur.

This includes, but is not limited to, all transfers, loans and the expiration of loans, and Players whose registration is cancelled by the Club that the Player moves from, where that Player is subsequently registered by the Club that the Player moves to.

Players who are otherwise eligible (i.e. but for any suspension) to play for two or more Clubs competing in any league at level (iii) above will not be taken to have moved between those Clubs for the purposes of this regulation by virtue only of the fact that they are so eligible to play for them.

(i) RULE E1 OF THE FOOTBALL ASSOCIATION

A charge of Misconduct (as defined in and) pursuant to Rule E1 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 E1 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.

(j) PAYMENT TO PLAYERS UNDER SUSPENSION

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

(k) 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. RESPECT SANCTIONS

12.1 Any team that accumulates a number of Qualifying Offences of the RESPECT code will be liable for sanction as outlined below.

12.2 A Qualifying Offence is defined as a caution for dissent, dismissal for abusive, offensive or insulting language or any proven charge of Misconduct by players or any occupants of the technical area on a match day.

12.3 Automatic sanctions will be applied in accordance with the following thresholds and tariff:

(a) Stage 1 – Accumulation of 6 incidents of Qualifying Offences - a warning as to future conduct will be issued.

(b) Stage 2 – Accumulation of 10 incidents of Qualifying Offences -

Step 5	- £150
Step 6 and 7	- £75
Outside NLS (including Youth)	- £50

(c) Stage 3 – Accumulation of 15 occurrences of Qualifying Offences – Sanctions to be double those of Stage 2.

(d) Stage 4 – Accumulation of 20 incidents of Qualifying Offences (and for each subsequent 5 Qualifying Offences) – Charge under FA rule E20 – relating to the conduct of players.

12.4 Each sanction will also include an administration charge, currently £10.

12.5 A club may submit a written plea in mitigation in respect of the automatic sanctions applicable at Stage 2 and Stage 3.

12.5 There is no right of appeal in relation to the sanctions imposed up to and including Stage 3.

13. DISCIPLINARY ACTION ON CLUBS FOR MISCONDUCT BY THEIR PLAYERS

13.1 Any team within the National League System 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 (£75 for Step 7) 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. (£150/£225/£300 for Step 7).

13.2 Any team competing outside of the National League System who has six or more individual Players cautioned or Dismissed from the Field of Play in the same match will be charged and warned as to their future conduct 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 £25/£50/£75 etc.

13.3 In truly exceptional circumstances a Club may submit a written plea in mitigation against the imposition of a fine imposed under this paragraph 12.

13.4 A Club's disciplinary record will be based on a points system, dependent on the type of offence, as follows:

(a) Cautions

1 point for each offence, with the exception of dissent, which will attract 2 points.

(b) Send Offs

S1 – Serious Foul Play - 5 points

S2 – Violent conduct - 6 points

S3 – Spits at a an Opponent - 7 points

S4 & S5 – Denies an Obvious goal scoring opportunity - 3 points

S6 – Abusive, Insulting or Offensive Language - 4 points

S7 – Second cautionable offence – 3 points

(c) Misconduct charges

5 points each, subject to any increase by the Disciplinary Commission

13.5 A Club would be liable for a charge under FA Rule E20 in the following circumstances:

(a) Any team within the Club has a points tally that reaches 75 points

(b) Any team within the Club reaches Stage 4 of the RESPECT sanction process

(c) The Club has been charged with Misconduct and the cases proven on two occasions where the game has been abandoned as a result of the Misconduct.

(d) The Club has four or more incidents of violent conduct across any of its teams. Violent conduct includes all dismissals for violent conduct and any charge of Assault on a Match Official, physical contact on a Match Official or Assault Participant on Participant

(e) The Club has two or more E3(2) charges raised against any player in a 12 month period.

14. ABANDONED MATCHES

When a referee's report indicates that a match has been abandoned due to misconduct of either team, The Football Association or appropriate Affiliated Association shall 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 Club/participants, 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.

15. THREATENING OR PHYSICAL OFFENCES AGAINST MATCH OFFICIALS

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

15.1 In addition to assisting a match official who has reported an offence 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 where there has been physical contact, attempted physical contact or an Assault on the referee they shall immediately suspend the alleged offender from all football activities until a Disciplinary Commission has adjudicated on the matter.

They will take such steps to notify him of the suspension, ensure that a charge is preferred and that a Disciplinary Commission meets to consider the charge within 28 days of (the date of) the interim suspension.

15.2 There are three categories of offence:

(a) Threatening Behaviour: words or actions that cause the official to believe that he/she is being threatened.

(b) Physical Contact or Attempted Physical Contact: e.g. participant pushes the referee, pulls the referee (or his clothing/equipment), barges, or kicks the ball at, the official causing no injury and/or attempts to make physical contact with the official e.g. attempts to strike, kick, butt, barge or kick the ball at the official

(c) Assault: participant acts in a manner which results in an injury to the official. This category includes spitting at the official whether it connects or not.

15.3 Should the participant accept the charge, the match officials will not be required to attend a Disciplinary Commission. Should the charge be denied, the appropriate match official(s) may be required to attend the Commission.

15.4 All offences against match officials in the above three categories will be monitored by The Football Association. The Football Association may request an explanation for any variation of the recommended punishments set out in 14.5 below. (If a match official who has reported a participant for an offence against him makes a written request for notification of the decision and punishment awarded such must be made available to him at the earliest opportunity).

15.5 Recommended punishments for a person found guilty of an offence against a match official are as follows:

(a) Threatening Behaviour:

- suspension from all football activities for a period of 112 days/12 matches
- plus a fine of up to £100.

(b) Physical Contact or Attempted Physical Contact:

- suspension from all football activities for a period of 182 days
- plus a fine of up to £150.

(c) Assault:

- suspension from all football activities indefinitely (sine die) with no review for at least 5 years from the date of the suspension. Where the assault causes serious injury the review period should be extended to 10 years.

(Note the above are recommended sanctions and should only be varied where appropriate aggravating or mitigating factors are present).

16. ASSAULTS BY PARTICIPANTS ON OTHER PARTICIPANTS

16.1 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.

16.2 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, *sine die* 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 – section 10 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.

17. FAILURE TO COMPLY

17.1 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.

17.2 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, save for replies to Misconduct Charges, 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 the Team and Player being suspended until the provisions above have been complied with).

The Club Secretary must make the Player aware of the applicable Standard Punishment where an automatic sanction applies. The Club Secretary must sign and return the reply form to the appropriate Affiliated Association by the response date. By signing the form the Club Secretary is confirming that he has made the Player so aware.

Where an individual has been charged with Misconduct both the Club Secretary and the individual will be required to sign and return the form to the appropriate Association.

17.3 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.

18. SUSPENSION PENDING MISCONDUCT HEARING

18.1 The appropriate Affiliated Association shall have the power, in consultation with The Football Association 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").

18.2 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.

18.3 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.

19. 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).

19.1 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 £50 for Participants in the National League System and £30 for Participants outside of the National League System), 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).

19.2 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.

19.3 Fines must not be imposed on children in youth football [Section 1.5(b)]. Any fine and administration charges arising out of misconduct by a child must be levied on the club.

19.4 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.

19.5 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.

19.6 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.

19.7 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, the Team 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 20) regulations approved by Council.

19.8 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.

19.9 Participants shall have the right to appeal decisions of Disciplinary Commissions to an Appeal Board of The Football Association where the sanction imposed is in excess of 2 matches and/or a £25 fine. 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. The FA shall also have the right to appeal decisions of Disciplinary Commissions to an Appeal Board of The Football Association. There shall be no further right of challenge in respect of decisions of Disciplinary Commissions, which are otherwise final and binding.

19.10 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.

19.11 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.

19.12 Referees and Assistant Referees may be told the result of a hearing on the next working day, should they request to be told, subject to the participant being aware of the decision.

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.