

INFORMATION REGARDING THE JUDICIAL SYSTEM WITHIN THE LFA MITCHELLS PLAIN

THIS IS WHAT THE CONSTITUTION SAY.

Article 40 JUDICIAL BODIES

1. The judicial bodies of the LFA MP are;
 - a) the Disciplinary Committee;
 - b) the Appeals Board
2. The responsibilities and functions of these bodies shall be stipulated in the Disciplinary Code of the LFA MP, which shall comply with the SAFA Disciplinary Code.
3. The decision making powers of other Committees remains unaffected.
4. The Members of the judicial bodies may not serve on any other body of the LFA MP at the same time.

Article 41 DISCIPLINARY COMMITTEE (DC)

- 1 The Disciplinary Committee shall consist of a chairperson and the number of Members deemed necessary. The chairperson shall have legal qualifications.
- 2 The functions of this body shall be governed by the Disciplinary Code of SAFA. The committee shall pass decisions only when at least three Members are present. In certain cases, the chairperson may rule alone in accordance with the Disciplinary Code of SAFA.
- 3 The committee may pronounce the sanctions prescribed in these Statutes and the Disciplinary Code of SAFA on Members, Officials, Players, Clubs and match officials.

- 4 These provisions are subject to the disciplinary powers of the Council and the Local Executive Committee with regards to the suspension and expulsion of Members.

Article 42 APPEALS BOARD

1. Appeals from the Disciplinary Committee shall be referred to the SAFA Cape Town Disciplinary Committee who shall act as the Appeals Board.
2. The Appeal fee shall be paid directly into SAFA CT account by the appellant and proof of payment must be handed to the LFA MP General Secretary for submission of all documentation to SAFA CT.
3. All rules and protocol on appeals as contained in the SAFA CT constitution and amendments thereto from time to time, with or without notice, will apply.

Article 43 DISPUTES

1. No disputes with the LFA MP or SAFA CT or SAFA other Local Football Associations or Associate members, clubs or members of clubs may be brought before a court of law. All such disputes shall be submitted to a local Dispute Committee or an Arbitrator appointed by mutual agreement.
2. Decisions taken by an independent Arbitration Tribunal duly established by the LFA MP or SAFA CT shall be final and binding and not subject to any appeal to the Court of Arbitration for Sport (CAS).
3. The LFA MP agree to recognize CAS as an independent judicial authority, and to ensure that they comply with CAS arbitrations.

THIS IS WHAT THE CONSTITUTION SAY:

- 14.1. The DC shall consist of the DC Chairperson, and four (4) other members who shall be endorsed by the Local Executive Committee of the LFA-MP, and shall hold their portfolios for four (4) consecutive years or until the next elective year.
- 14.2. The DC shall submit regular reports to the General Secretary of the LFA-MP on matters pertaining to the administration and progress of the DC.
- 14.3. The DC shall convene once a month to conduct disciplinary hearings and as often as possible to attend to DC matters.
- 14.4. All DC hearings must commence at the time indicated on the notice and persons who are summonsed to appear shall sign the register and appear in the order as per register. Cases that are scheduled and not on the register shall be deferred to the next DC hearing date.
- 14.5. The President and or the General Secretary of the LFA-MP shall be empowered to co-opt a registered member/s of the LFA-MP, who shall be in good standing, onto the DC -in the event of an emergency and such a co-opted member/s shall only serve for that particular hearing.
- 14.6. No member/s) of the Emergency Committee or Local Executive Committee, Referees Committee shall be elected or co-opted to serve on the DC.
- 14.7. A player and or member of the LFA-MP who upon being officially summoned by the LFA-MP to appear at a DC hearing and fails to make an appearance without an acceptable and or valid apology from his/her club shall be under immediate suspension until he/ she appears before the DC.
- 14.8. Such suspension shall include being stopped from playing and or participating in any activities of his/her club, the LFA-MP and or SAFA Cape Town and or SAFA, and such player and or member shall remain under suspension until his/her case is heard by the DC, provided that such hearing shall be subject to the provisions of RULE 14.9 below, and further that the DC shall be empowered to invoke any suspension (if applicable) from the date of his/her appearance date.
- 14.9. If any member/s of the LFA-MP fails to attend a DC hearing when summoned, then such matter shall only be heard once the club he is registered with makes a written application to the LFA-MP for such case to be re-scheduled and heard.
- 14.10. The validity of the evidence given at a DC hearing shall be at the discretion of the DC.
- 14.11. Observers shall not be allowed at DC hearings unless prior arrangements has been made and it is for development reasons.
- 14.12. A player/s or any other member/s of the LFA-MP who appear at DC hearings shall not be entitled to legal representation, unless such legal representative is a current member of the club and has been a member of such club for at least twelve (12) months.
- 14.13. Witnesses shall be allowed at DC hearings.
- 14.14. Should a referee/s fail to submit his/her report/s then a player/s shall not get the benefit of the doubt but the DC shall have the discretion to deal with such a matter and or case.
- 14.15. The DC, in deciding on the suspension of a player/s or any other member of the LFA-MP shall at its discretion take into consideration the period the said player/s and or member/s had been suspended prior to the hearing.

- 14.16. The DC shall be empowered to reprimand and or suspend and or fine any player/s and or member/s and or club within the LFA-MP.
- 14.17. A junior player/s appearing at the DC shall be represented and or accompanied by a senior member of the same club , failing which such a club/s shall be liable to pay a fine of R100,00 per junior not represented. (Parents are not allowed to represent, unless a registered member of the club)
- 14.18. A player/s and or any member/s of the LFA-MP commit misconduct by using abusive and/or foul language, refusing to leave the field of play when ordered to do so by the referee, assaulting an official, match official, a player, a member of a club or a spectator before, during and or after a match and or meeting, shall be summonsed to appear before the DC.
- 14.19. A player/s and or a team/s of a club refusing to play a scheduled LFA-MP fixture, or leaving the field of play in protest against the decision of the referee, shall be deemed to be under immediate suspension pending the outcome of a hearing for which they shall be summonsed to appear.
- 14.20. Any senior team/s of a club failing to fulfill its fixture for two (2) consecutive matches shall be deemed to be under immediate suspension pending the outcome of a DC hearing for which the Executive Committee of such a club shall be summonsed to appear before the LFAMP's Disciplinary Committee.
- 14.21. A club/s or any of its teams suspected of willfully refusing to fulfill a fixture/s of the LFAMP shall be guilty of an offence and shall be placed under immediate suspension from all activities of the LFA-MP and or SAFA Cape Town and or SAFA, pending the outcome of a DC hearing for which the Executive Committee of such a club shall be summonsed to appear for before the DC of the LFA MP.
- 14.22. A player/s selected to play in a match/es arranged by the LFA-MP and without good and sufficient cause fails to play in such a match and or who fail to report for training when requested to do so (without good and sufficient cause), shall be guilty of an offence and shall deemed to be under immediate suspension, pending the outcome of a hearing for which the Executive Committee of such a club shall be summonsed to appear for before the DC.
- 14.23. A member/s and or official/s of the LFA-MP who encourages or instigates a player/s and or member/s and or spectator/s to commit a breach of the LFA-MP's rules, regulations, bye-laws and or any other offence shall be guilty of an offence and shall appear before the DC.
- 14.24. The DC shall deal with any other matter/s such as misconduct, misdemeanours, irregularities etc. as instructed by the LFA-MP with specific terms of reference.
- 14.25. The DC shall be empowered to call upon any member/s and or player/s of the LFA-MP to testify at its hearings, and call upon any evidence such as minute books, financial records, birth certificates etc. in its investigations and hearings.
- 14.26. A club/s requesting the DC to investigate an alleged contravention of the LFA-MP's rules and regulations can do so in writing and accompanied by the appropriate fee, and the request must be lodged with the LFA-MP within seventy-two (72) hours after the alleged contravention had taken place.

- 14.27. The provisions above are subject to the disciplinary powers of the Executive Committee of the LFA-MP with regard to the suspension and expulsion of clubs /members.
- 14.28. The date, place and time of hearings shall be fixed by the disciplinary Committee/constitution with reasonable notice given to all parties containing the charge leveled against the player/ member/official/s or Executive Committee of a club.
- 14.29. The following procedures shall be used at a hearing unless otherwise decided by the Disciplinary Committee.
- 14.29.1 The charge(s) stating the nature of the alleged misconduct and identify the provisions breached or not complied with , will be read out to the accused by the Chairperson.
- 14.29.2 The accused will indicate whether and to what extent s/he admits or denies the charges against him/her.
- 14.29.3 The Disciplinary Committee summarise the case against the accused and then call for evidence on any matter contained within the statements of facts set out in the charge/s.
- 14.29.4 After concluding the interrogation into the charge/s against the accused, the accused may give evidence him/herself and may call or produce evidence of any matter of which notice has been given.
- 14.29.5 Each party in turn may question witnesses as they give evidence and the Disciplinary Committee may question parties and witnesses at any time.
- 14.29.6 All parties other than the Disciplinary Committee shall then withdraw while the Disciplinary Committee deliberates over whether or not the charge has been proved.
- 14.29.7 Upon reaching its decision, the Disciplinary Committee shall inform parties of the outcome via the club secretary.
- 14.29.8 If the charge is found "not proven" the hearing will be declared closed.
- 14.29.9 If the charge is found "proven" the guilty party has the right to appeal the decision in terms of the LFA MP Constitution.

THE DISCIPLINARY CODE OF SAFA on Members, Officials, Players, Clubs and Match officials forms part of the mandate of the LFA MP Disciplinary Committee and the execution of their responsibilities.

The schedule for disciplinary hearings for 2016:

Schedule is not available.