

NEW ZEALAND FOOTBALL

REGULATIONS

REGULATION 8A

(NZF Rule 33.6 – Misconduct)

1. The following procedure shall be observed in relation to the right of appeal to the Disciplinary Committee (NZF Rule 33.6).
 - (i) The right of appeal shall be exercised in writing.
 - (ii) The appeal shall be lodged with the District Federation whose decision is the subject of the appeal or under whose jurisdiction any Club whose decision or action is the subject of the appeal comes (or within NZF if the appeal is against a decision or action of an official under the jurisdiction of NZF) no later than the expiry of seven (7) days after the making of the decision or the action which is the subject of the Appeal.
 - (iii) The Appeal shall be accompanied by a fee of \$250.00 plus GST.
 - (iv) The Appeal (together with a complete copy of the written documentation filed in support thereof for the District Federation, Club or NZF (as appropriate)) shall be forwarded by the District Federation to NZF together with all reports, statements and notes of evidence no later than the expiry of seven (7) days after receipt by the District Federation and in any event no later than fourteen (14) days after the final determination of the matter by the District Federation concerned PROVIDED THAT failure by the District Federation to comply with this provision shall not render the Appeal invalid but may be subject to a ruling by the Disciplinary Committee to extend the time limits herein and any costs/expenses caused by the delay may be recovered by NZF from the District Federation concerned.
2. The lodging of an Appeal shall not operate to suspend the operation of any penalty imposed by the District Federation (or NZF) unless express application is made to the Disciplinary Committee for a stay pending final determination of the Appeal. The decision of the Disciplinary Committee as to the granting of a stay shall be in its absolute discretion having regard to the nature of the penalty, the consequences of the penalty in the event of the Appeal being upheld, whether or not refusal to grant a stay might render the Appeal nugatory and the interests of the game in New Zealand generally.

3. The hearing of any Appeal by the Disciplinary Committee shall be by review of the reports, statements and notes of evidence and consideration of any submissions made in writing. The Disciplinary Committee may in its absolute discretion invite submissions to be made in person in the interests of justice.
4. The Disciplinary Committee shall be entitled to regulate its own procedure.
5. No new evidence shall be considered by the Disciplinary Committee unless it is first shown to the satisfaction of the Disciplinary Committee that the new evidence which is proposed to be tendered is evidence which could not have been made available at the original hearing and is strictly relevant to the matters in issue.
6. The Disciplinary Committee shall have the power to direct a party to pay such costs and expenses to NZF as may be appropriate in the event that it finds that the Appeal was brought frivolously vexatiously or for some collateral purpose unrelated to the ostensible basis of the Appeal.
7. The Disciplinary Committee may in its absolute discretion direct that the fee paid upon the lodging of the Appeal be repaid in whole or in part to the party appealing.
8. In all matters (and subject to the provisions of NZF Regulation 8A(a)(iv)) the procedure and timeframes prescribed in this regulation shall be strictly complied with.
9. Unless otherwise provided for in the Rules of NZF the decision of the Disciplinary Committee shall be final.

REGULATION 8
(NZF Rule 32.3.2 and NZF Rule 34.5)

The following procedure shall be observed in relation to the right of appeal to the Appeals Committee (NZF Rule 32.3.2) and matters referred to NZF pursuant to Rule 34.5.

- A. All appeals to NZF pursuant to Rule 34.5 shall be referred by NZF to the Appeals Committee.
- B. The right of appeal shall be exercised in writing.
- C. The appeal together with a complete copy of the written documentation filed in support thereof shall be lodged with NZF no later than seven (7) days after the making of the decision or the action which is the subject of the Appeal.
- D. The Appeal shall be accompanied by a fee of \$500.00 plus GST.
- E. The lodging of an Appeal shall not operate to suspend the operation of any penalty imposed unless express application is made to the Appeals Committee for a stay pending final determination of the Appeal. The decision of the Appeal Committee as to the granting of a stay shall be in its absolute discretion having regard to the nature of the penalty, the consequences of the penalty in the event of the Appeal being upheld, whether or not refusal to grant a stay might render the Appeal nugatory and in the interests of the game in New Zealand generally.
- F. The hearing of any Appeal by the Appeals Committee shall be by review of the reports statements and notes of evidence and consideration of any submissions made in writing. The Appeals Committee may in its absolute discretion invite submissions to be made in person in the interests of justice.
- G. The Appeal Committee shall be entitled to regulate its own procedure.
- H. No new evidence will be heard save with the express authorisation of the Appeals Committee such authorisation not to be granted unless it is first shown to the satisfaction of the Appeals Committee that the new evidence which is proposed to be tendered is evidence which could not have been made available at the original hearing and is strictly relevant to the matters in issue.
- I. The Appeals Committee shall have the power to direct a party to pay such costs and expenses to NZF as may be appropriate in the event that it expressly finds that the Appeal was brought frivolously vexatiously or for some collateral purpose unrelated to the ostensible basis of the Appeal.
- J. The Appeals Committee may in its absolute discretion direct that the fee paid upon the lodging of the Appeal be repaid in whole or in part to the party appealing.
- K. In all matters the procedure and timeframe prescribed in this regulation shall be strictly complied with.
- K. Unless otherwise provided for in the Rules the decision of the Appeals Committee shall be final.