



## **OEFN SCHEDULE NINETEEN**

**Outer East Football Netball has adopted the AFL's National Community Football Policy Handbook. The by laws listed below are aligned with or in addition to NCFPH rule 22.2. NCFPH 22.2 (ii) should be read first before considering the guidelines listed below.**

### **Unbecoming Conduct – Investigation Rules and Procedure**

#### **30.2 Unbecoming Conduct:**

- (a)
- (i) A Member club's President or Secretary, Outer East Football Netball appointed match day official or OEFN CEO who alleges that a player or an official of a club, umpire, official of an umpires' Association, OEFN Official, OEFN Member Club, or player advocate, has been guilty of conduct which is unbecoming to a player, umpire, official, or club, or which has or is likely to bring the game of football or netball into disrepute, may lodge with OEFN a Notice in writing setting out particulars of the allegation on the Incident referral form E2202.
  - (ii) Unless the notice is lodged by the OEFN a deposit of \$500 shall accompany the notice which shall be forfeited in whole or part in the event that the Investigation Officer or Independent Tribunal considers it frivolous.
  - (iii) A Notice under this paragraph must be lodged with OEFN within five days after the date of the act or omission to which it relates unless the OEFN CEO agrees to extend this period to a maximum of thirty (30) days. An extension agreed to by the OEFN CEO may be subject to such conditions as the OEFN CEO thinks fit and such request for an extension is to be made to the OEFN CEO in writing outlining the reasons for the extension request. When the OEFN CEO grants an extension, they shall do so in writing and advise all parties to the matter.
  - (iii) As soon as practical following receipt of a request for investigation of an incident the OEFN is required to provide all parties notification of the investigation outlining details of the requested incident or matter for investigation.
- (b) Notice of any allegation received under paragraph (a) shall be referred to the Investigation Officer for investigation by them. The Investigation Officer may investigate the allegation as they see fit. Such investigation shall be completed within 10 days of the matter being referred to the Investigation Officer unless, at the completion of the 10 days, one (1) extension of time being not more than ten (10) days is then granted by OEFN at the request of the Investigation Officer. Requests for an extension of time must be received in writing by the OEFN.
- (c) If the Investigation Officer, after investigation of the allegation, is of the opinion that the Player, Official or Club in question may have been guilty of conduct unbecoming to a Player, an Official or Club or is likely to bring the game of football or netball into disrepute and that the allegation ought to be dealt with by the OEFN Independent Tribunal as hereinafter provided, they may lodge with OEFN a Notice in writing setting out details of the allegation.
- (d) If a Notice is lodged with OEFN under paragraph (c), the OEFN administrator who appointed the investigator may provide the alleged offender/s the discretion to plead guilty and take the relevant set penalty or early guilty plea for the alleged offence as described in the NCFPH appendix One. If a charged person wishes to enter an early guilty plea and accept the minimum set penalty offered by OEFN, the players club must contact the OEFN administrator no later than 10am following the notice of charge, or other such time as prescribed by the OEFN.



- (e) If a Notice is lodged with the League under paragraph (c), and the League determines that it should be heard at Tribunal the OEFN shall fix a date, time and place for the hearing of the allegation before the Independent Tribunal, being a date as soon as practical following the lodgement of the Notice and shall advise the Player, official or club, in question of those particulars and forward to the Player, Official, or club, care of the Club Secretary in question a copy, with a copy also to be forwarded to the Club Secretary of the Notice lodged under paragraph (c). Such notices shall be forwarded only to the charged player or official or club prior to the Hearing with such notice to be forwarded to the player and club at least 24 hours prior to the Hearing and the charged player or official or club shall be informed at the time as to whom it is proposed to call as witnesses.  
Notices should include any other relevant information pertaining to the matter at hand.
- (f) In any proceeding brought before a Tribunal under this rule the Investigation Officer may personally appear before it and lay the necessary charge or charges and act as the prosecuting disciplinary officer for the case.
- (g) If the Independent Tribunal is of the opinion that the Player, Official or Club in question has engaged in unbecoming conduct or conduct which has or is likely to bring the game of football or netball into disrepute, it may make such orders and give such directions in the matter as it thinks fit. Without limiting the generality of the foregoing, the Independent Tribunal:–
- (i) may impose a fine of such amount as it thinks fit on the Player, Official or club in question: or
  - (ii) must suspend the Player, Official or Club in question for such matches as it thinks fit, if the Player, Official or Club is found guilty.
- (h) In any hearing before an Outer East Football Netball Appeal Board the Investigations Officer will be the informant and witness for the league or Association but will usually not be the prosecuting advocate in the hearing.